

20 June 2022

At 2.00 pm

**Corporate, Finance, Properties and  
Tenders Committee**

**Agenda**

- 1. Disclosures of Interest**
- 2. Integrated Planning and Reporting Program and Budget 2022/23 - Adoption**
- 3. Investments Held as at 31 May 2022**
- 4. Proposed Land Classification - 174-186 George Street, Sydney**
- 5. Public Exhibition - Grants and Sponsorship Policy and Guidelines**
- 6. Public Exhibition - Code of Meeting Practice**
- 7. Lease Approval - Suites 1 and 2, Ground Floor - 46-52 Mountain Street, Ultimo**
- 8. Lease Assignment and Variation - Queen Victoria Building**
- 9. Tender - T-2021-612 - Pyrmont Community Centre Upgrade**
- 10. Tender - T-2021-497 - General Security Services**
- 11. Tender - Reject and Negotiate - T-2021-613 - Enterprise Service Management Platform (Including IT Service Management)**
- 12. Contract Variation - Management of Aquatic and Leisure Facilities - Belgravia Leisure**
- 13. Contract Variation - RFT 1806 - ePlanning at City of Sydney**

## Disclaimer, Terms and Guidelines for Speakers at Council Committees

As part of our democratic process, the City invites members of the community to speak directly to Councillors during Committee meetings about items on the agenda.

### Webcast

In accordance with the *City of Sydney Code of Meeting Practice*, Committee meetings are recorded and webcast live on the City of Sydney website at [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au).

Members of the public attending a council or committee meeting may have their image, voice and personal information (including name and address) recorded, publicly broadcast and archived for up to 12 months.

### Consent

By attending a council or committee meeting, members of the public consent to this use of their image, voice and personal information.

### Disclaimer

Statements made by individuals at a council or committee meeting, and which may be contained in a live stream or recording of the meeting are those of the individuals making them, and not of the City. To be clear, unless set out in a resolution of council, the City does not endorse or support such statements.

The City does not accept any liability for statements made or actions taken by individuals during a Council or Committee meeting that may be contrary to law, including discriminatory, defamatory or offensive comments. Such statements or actions are not protected by privilege and may be the subject of legal proceedings and potential liability, for which the City takes no responsibility.

### Guidelines

To enable the Committee to hear a wide range of views and concerns within the limited time available, we encourage people interested in speaking at Committee to:

1. Register to speak by calling Secretariat on 9265 9310 or emailing [secretariat@cityofsydney.nsw.gov.au](mailto:secretariat@cityofsydney.nsw.gov.au) before 10.00am on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as City staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are available at [www.cityofsydney.nsw.gov.au](http://www.cityofsydney.nsw.gov.au)

## **Item 1.**

### **Disclosures of Interest**

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

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

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

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

**Item 2.**

**Integrated Planning and Reporting Program and Budget 2022/23 - Adoption**

Document to Follow

## Item 3.

### Investments Held as at 31 May 2022

File No: X020701

#### Summary

This report provides details of the City's investment portfolio and performance to 31 May 2022.

The City's total Investment and Cash position was \$742.4M at 31 May 2022, with investments earning interest of \$0.5M for the month.

The Covid-19 pandemic has created significant uncertainty in financial markets. The Reserve Bank of Australia (RBA) responded to the crisis by reducing the official cash rate, firstly on 3 March 2020 to 0.50 per cent, again on 20 March 2020 to 0.25 per cent, and then again on 2 November 2020 down to an official cash rate of 0.10 per cent. However, this calendar year inflation has increased significantly, as a combination of global factors and domestic capacity constraints have raised costs and ultimately consumer prices.

Over the 12 months to the March quarter 2022, headline inflation was 5.1 per cent (Sydney 4.4 per cent) and 3.7 per cent in underlying terms. Further rises in inflation are expected in the near term, and the RBA's forecast for 2022 is for headline inflation of close to 6 per cent, and underlying inflation of around 4.75 per cent. In response the RBA increased the official cash rate to 0.35 per cent on 3 May 2022 and on 7 June 2022 the rate was lifted further to 0.85 per cent.

The City's cash inflows have been negatively impacted as the economic consequences of the pandemic continue to reduce major revenue streams, in particular commercial property and parking related income. A greater focus on maintaining adequate liquidity with shorter investment maturities, and an extended period of limited opportunities to invest funds at adequate rates of return, has continued to affect the City's interest revenue.

The majority of the City's cash and investments portfolio is held as internally restricted (\$329.4M) or externally restricted (\$71.8M) cash reserves, to satisfy the City's legislative responsibilities and to set aside specific funds for Council's funding commitments to the major initiatives within the Sustainable Sydney 2030 Community Strategic Plan.

Key commitments within the City's Long Term Financial Plan include public domain works in the CBD, infrastructure and community facilities in the Green Square urban renewal area and open space acquisitions. The balance of investment funds represents working capital and funding required for the City's operating and capital expenditure commitments, including the Covid-19 relief grants program.

The City achieved an annualised monthly return of 1.06 per cent for May, which remains above the 30 Day Bank Bill Rate (BBR) of 0.39 per cent, the latest AusBond Bank Bill Index (published by Bloomberg) of 0.00 per cent and the enhanced benchmark of 0.84 per cent (BBR + 0.45 per cent) as endorsed in October 2021 as part of the Investment Strategy.

The City's annual rolling return of 0.97 per cent also continues to exceed the 12 month average 30 Day Bank Bill Rate of 0.05 per cent, the latest AusBond Bank Bill Index of 0.05 per cent and the enhanced benchmark of 0.50 per cent (BBR + 0.45 per cent) as endorsed in the Investment Strategy in October 2021.

While the returns remain below longer-term trends, it is worth noting Council's investment opportunities are constrained by a combination of legislation, regulation and any directions and guidelines issued by the Minister or the Office of Local Government. These guidelines were developed, in large part, as a response to the Global Financial Crisis and its impact on the local government sectors investments. They effectively limit the City's investment profile to something similar to a cash managed fund, which generally produce lower returns but a high level of security. The City's returns from the investment portfolio remain in line with cash managed funds in the market.

The report includes graphs demonstrating that the City's liquidity profile continues to satisfy the requirements of the Policy, and charts that identify the distribution of the City's portfolio across credit ratings, investment product types and financial institutions. Separate charts depicting the City's cumulative portfolio returns over and above both the 90 day Bloomberg AusBond and 30 day Bank Bill Rate benchmarks have also been included to provide further insight into the City's total investment portfolio performance.

The structure of the City's investment portfolio continues to reflect the conservative approach outlined in the Investment Policy and Strategy, which remains appropriate for the current global and domestic economic conditions. The Policy and Strategy also maintain the City's commitment to sustainable investments where returns and risks are equivalent, under the environmentally and socially responsible investment criteria.

## **Recommendation**

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

## **Attachments**

**Attachment A.** Register of Investments and Cash as at 31 May 2022

**Attachment B.** Investment Performance as at 31 May 2022

## Background

1. In accordance with the principles of financial management, cash that is surplus to the City's immediate requirements is invested within acceptable risk parameters to optimise interest income while ensuring the security of these funds.
2. Surplus cash is only invested in authorised investments that comply with governing legislation and the City's Investment Policy and Strategy.
3. The benchmark performance goal of the City's Investment Policy and Strategy is to surpass the 30 Days Bank Bill Rate (BBR) by 45 basis points while performance also continues to be measured against the Bloomberg AusBond Bank Bill Index.
4. The City's total Investment and Cash position as at 31 May 2022 is \$742.4M, an increase of approximately \$39.7M from the \$702.7M reported as at 30 April 2022. The monthly movement reflects operating income, most of which was received from rates receipts in excess of capital works expenditure and other operational payments for the period. A schedule detailing all of the City's investments as at the end of May is provided at Attachment A.
5. A substantial portion of the City's cash and investments portfolio is held as internally restricted (\$329.4M) or externally restricted (\$71.8M) cash reserves, to satisfy the City's legislative responsibilities and to set aside specific funds for Council's funding commitments to the major initiatives within the Sustainable Sydney 2030 Community Strategic Plan.
6. Key commitments within the City's Long Term Financial Plan include public domain works in the CBD, infrastructure and community facilities in the Green Square urban renewal area and the acquisition of open space. The balance of investment funds represents working capital and funding required for the City's operating and other capital expenditure commitments.
7. The City achieved an annualised monthly return of 1.06 per cent for May, which remains above the 30 Day Bank Bill Rate (BBR) of 0.39 per cent, the latest AusBond Bank Bill Index (published by Bloomberg) of 0.00 per cent and the enhanced benchmark of 0.84 per cent (BBR + 0.45 per cent) as endorsed in October 2021 as part of the Investment Strategy.
8. The City's annual rolling return of 0.97 per cent also continues to exceed the 12 month average 30 Day Bank Bill Rate of 0.05 per cent, the latest AusBond Bank Bill Index of 0.05 per cent and the enhanced benchmark of 0.50 per cent (BBR + 0.45 per cent) as endorsed in the Investment Strategy in October 2021.
9. While the returns remain significantly below longer-term trends, relative to returns currently available in the equity and property markets, it is worth noting Council's investment opportunities are constrained by a combination of legislation, regulation and any directions and guidelines issued by the Minister or the Office of Local Government. These guidelines were developed, in large part, as a response to the Global Financial Crisis and its impact on the local government sectors investments. They effectively limit the City's investment profile to something similar to a cash managed fund, which produces lower returns but a high level of security. The City's returns from the investment portfolio are line with cash managed funds in the market.



10. In response to the global Covid-19 pandemic, the Reserve Bank of Australia (RBA) adjusted the official cash rate on 3 March 2020, again on 20 March 2020, and most recently in November 2020 down to 0.10 per cent. However, this calendar year, inflation has increased significantly as a combination of global factors and domestic capacity constraints have lifted costs and ultimately consumer prices.
11. Over the year to the March quarter, headline inflation was 5.1 per cent (Sydney 4.4 per cent) and 3.7 per cent in underlying terms. A further rise in inflation is expected in the near term, with the RBA's forecast for headline inflation in 2022 of close to 6 per cent and underlying inflation of around 4.75 per cent. By mid-2024, headline and underlying inflation are forecast to have moderated and returned to the RBA's target range of between 2 to 3 per cent. The forecast reduction assumes that interest rates are gradually increased, and the RBA increased the official cash rate from 0.10 per cent to 0.35 per cent on 3 May 2022 and it was lifted further to 0.85 per cent on 7 June 2022.
12. Despite these increases in interest rates, low investment yields are expected to have a continuing adverse impact on the City's portfolio return over the next twelve months. Most of the investment portfolio (currently 74 per cent) is held in fixed return term deposits. Increased returns are anticipated once these investments mature and are reinvested in products offering higher returns, if the funds are not required for operating purposes. Approximately 75 per cent of the portfolio is due to mature in the coming year allowing the City to take advantage of the improving returns.
13. The City's cash inflows, whilst reasonably resilient, have been negatively impacted for a prolonged period, as the economic consequences of the pandemic have continued to affect major revenue streams, in particular commercial property and parking related income. A greater focus on maintaining adequate liquidity with shorter investment maturities, and increasingly limited opportunities to invest funds at adequate rates of return, will also continue to affect the City's interest revenue.
14. The report includes graphs depicting that the City's cumulative portfolio returns over and above both the 90 day Bloomberg AusBond, and 30 day Bank Bill Rate benchmarks have also been included to provide further insight into the City's total investment portfolio performance.
15. The structure of the City's investment portfolio continues to reflect the conservative approach outlined in the Investment Policy and Strategy, which remains appropriate for the current global and domestic economic conditions.

## **Key Implications**

### **Strategic Alignment - Sustainable Sydney 2030**

16. The City's investments accord with all legislative and policy requirements, as detailed below, and continue to achieve returns above minimum benchmark rates.

## **Financial Implications**

17. The City's investments earned interest of \$0.5M for the month of May 2022, which is above budgeted earnings of \$0.2M, as cash balances for the year to date have remained higher than anticipated when the budget was prepared.

18. The budget for 2021/22 was substantially reduced from that of prior years, in anticipation of lower returns on the portfolio, due to the reduced rates on offer in the market. Recently there have been signs of improvement in medium to long term investment rates of return, however short term investment returns are expected to remain suppressed for the immediate future.

### **Economic**

19. The extent of the local and global economic impact resulting from Covid-19 has created significant uncertainty in financial markets. Many Governments and central banks, including the Australian Government and the Reserve Bank of Australia (RBA), had until recently implemented large scale responses to the economic crisis, including coordinated stimulus measures involving significant increases in government spending and borrowing combined with large scale buying of bonds by central banks.
20. The RBA reduced the official cash rate down to 0.10 per cent on 2 November 2020, and had indicated that this cash rate was unlikely to be lifted until it was confident the economy had recovered sufficiently to lift annual inflation inside its targeted 2 per cent to 3 per cent range. The RBA have now made their first upwards adjustment since 2010 – to 0.35 per cent – on 3 May 2022.
21. While the capacity for City staff to invest in a manner that meets liquidity requirements, whilst achieving the "enhanced" benchmark returns (as detailed in the Investment Policy) has been limited for some time, the best available returns continue to be actively sought when surplus funds are invested. As noted above, current market indications suggest that improved investment returns are likely in the future.

### **Relevant Legislation**

22. Council is authorised to invest its surplus cash under section 625 of the Local Government Act 1993.
23. The Local Government (General) Regulation 2005 (section 212) requires the City to provide a written monthly report of all monies invested, under section 625 of the Act.
24. The Investment Policy and Strategy was last revised in October 2021, maintaining Council's commitment to give preference to sustainable investments where returns and risks are equivalent to other investments.
25. The City's investments accord with the Minister's Investment Order, the Office of Local Government's Investment Policy Guidelines, and the City's own Investment Policy and Strategy as adopted by Council on 18 October 2021.

### **Critical Dates / Time Frames**

26. A monthly investment report must be submitted for Council's information and review within the following month.

## Public Consultation

27. Consultation is regularly undertaken with a number of financial institutions and investment advisers to consider options and ensure the City continues to maximise its investment return within appropriate risk parameters.
28. City staff meet regularly with representatives of each of the 'Big 4' banks and NSW TCorp. At these meetings City staff actively advocate for Socially Responsible Investment (SRI) opportunities.
29. The banks acknowledge the appetite in the market for these products and they continue to investigate the development of suitable products, however it has been challenging to match the level of funds to available Socially Responsible Investment opportunities that meet the credit risk and maturity profile requirements of the City.
30. As noted in previous Investment Reports, Westpac were able to bring a Green Tailored Deposit product to market, which delivers a comparable return while achieving the City's preferred outcomes. The City currently holds \$105M in seventeen tranches with this Green Tailored deposit.
31. The City has also invested a \$10M parcel with the Commonwealth Bank of Australia (CBA) in Environmental Social and Governance Term Deposit (ESGTDs) certified by Responsible Investment Association Australasia (RIAA), whilst also meeting the City's risk / return aims. RIAA is an active network of members engaged in responsible, ethical and impact investing across Australia and New Zealand. Their mission is to 'promote, advocate for and support approaches to responsible investment that align capital with achieving a healthy and sustainable society, environment and economy'. This includes investing in products that seek to mitigate environmental and social risks. ESGTDs provide the opportunity to allocate capital towards financing Sustainability-Linked Loans.
32. In December 2019, the City invested \$5M in a Floating Rate Note (FRN) / Sustainability Bond issued by Bank Australia, based on an investment framework that meets the main guidelines for issuance of Green, Social and Sustainability Bonds in the global capital markets. This Socially Responsible investment opportunity met both the credit risk and maturity profile requirement of the City.

## BILL CARTER

Chief Financial Officer

# **Attachment A**

**Register of Investments and Cash  
as at 31 May 2022**



**Register of Investments and Cash for May 2022 period**

Institution	Rating	Face Value \$	Amortised Value \$	Monthly Net Returns	Monthly Net Return Annualised	Net Returns Rolling 12 Months	Maturity Date	Investment Date	Term (months)
<b>Term Deposits (TD) 'Green Tailored Deposits'</b>									
Westpac Banking Corporation - Green Tailored Deposit (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.04%	0.47%	0.47%	21-Oct-22	18-Oct-21	12
Westpac Banking Corporation - Green Tailored Deposit (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.04%	0.50%	0.50%	25-Oct-22	22-Oct-21	12
Westpac Banking Corporation - Green Tailored Deposit (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.05%	0.59%	0.59%	11-Nov-22	11-Nov-21	12
Westpac Banking Corporation - Green Tailored Deposit (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.05%	0.60%	0.60%	25-Nov-22	24-Nov-21	12
Westpac Banking Corporation - Green Tailored Deposit (0.50% Fixed 1 years & 3 months BBSW + 47 points for year 1)	AA	10,000,000.00	10,000,000.00	0.05%	0.65%	0.55%	21-Dec-22	21-Dec-20	24
Westpac Banking Corporation - Green Tailored Deposit (0.47% Fixed 1 years & 3 months BBSW + 45 points for year 2)	AA	10,000,000.00	10,000,000.00	0.06%	0.67%	0.53%	23-Dec-22	23-Dec-20	24
Westpac Banking Corporation - Green Tailored Deposit (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.07%	0.78%	0.78%	6-Jan-23	7-Feb-22	11
Westpac Banking Corporation - Green Tailored Deposit (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.06%	0.71%	0.71%	13-Jan-23	12-Jan-22	12
Westpac Banking Corporation - Green Tailored Deposit (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.07%	0.88%	0.88%	27-Jan-23	28-Jan-22	12
Westpac Banking Corporation - Green Tailored Deposit (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.07%	0.85%	0.85%	19-May-23	19-Nov-21	18
Westpac Banking Corporation - Green Tailored Deposit (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.06%	0.70%	0.70%	11-Oct-23	11-Oct-21	24
Westpac Banking Corporation - Green Tailored Deposit (3 Months BBSW + 93 points)	AA	10,000,000.00	10,000,000.00	0.08%	1.01%	1.05%	27-Nov-23	26-Nov-18	60
Westpac Banking Corporation - Green Tailored Deposit (2.97% Fixed 2 years & 3 months BBSW + 93 points 3 years)	AA	5,000,000.00	5,000,000.00	0.08%	1.01%	1.06%	29-Nov-23	30-Nov-18	60
Westpac Banking Corporation - Green Tailored Deposit (3.00% Fixed 1 years & 3 months BBSW + 105 points 4 years)	AA	10,000,000.00	10,000,000.00	0.13%	1.56%	1.18%	24-Jan-24	25-Jan-19	60
Westpac Banking Corporation - Green Tailored Deposit (2.85% Fixed 1 years & 3 months BBSW + 100 points 4 years)	AA	5,000,000.00	5,000,000.00	0.09%	1.10%	1.06%	28-Feb-24	1-Mar-19	60
Westpac Banking Corporation - Green Tailored Deposit (2.75% Fixed 1 year & 3 months BBSW + 100 points 4 years)	AA	5,000,000.00	5,000,000.00	0.09%	1.11%	1.06%	11-Mar-24	13-Mar-19	60
Westpac Banking Corporation - Green Tailored Deposit (2.65% Fixed 1 year & 3 months BBSW + 100 points 4 years)	AA	5,000,000.00	5,000,000.00	0.10%	1.22%	1.09%	22-Mar-24	25-Mar-19	60
<b>Term Deposits (TD) 'Environmental Social and Governance Term Deposit'</b>									
Commonwealth Bank - Environmental Social and Governance Term Deposit	AA	10,000,000.00	10,000,000.00	0.07%	0.85%	0.85%	2-Mar-23	2-Mar-22	12
<b>Total</b>		<b>552,000,000</b>	<b>552,000,000</b>	<b>0.08%</b>	<b>1.02%</b>	<b>1.01%</b>			
<b>Floating Rate Notes (FRN)</b>									
ME Bank (90 days BBSW + 98 points)	BBB	3,000,000.00	3,000,000.00	0.11%	1.35%	1.08%	18-Jul-22	18-Jul-19	36
Suncorp Bank (90 days BBSW + 97 points)	A	4,000,000.00	4,003,941.39	0.16%	1.97%	1.10%	16-Aug-22	31-Oct-18	45
Suncorp Bank (90 days BBSW + 97 points)	A	2,500,000.00	2,500,000.00	0.16%	1.97%	1.09%	16-Aug-22	16-Aug-17	60
Bank of Queensland (90 days BBSW + 105 points)	BBB	4,000,000.00	4,000,000.00	0.16%	1.95%	1.15%	3-Feb-23	5-Feb-18	60
Credit Union Australia (3 months BBSW + 90 bps)	BBB	2,800,000.00	2,800,000.00	0.18%	2.11%	1.04%	21-Feb-23	21-Feb-20	36
Westpac Bank (90 days BBSW + 83 points)	AA	5,000,000.00	5,000,000.00	0.08%	0.97%	0.90%	6-Mar-23	6-Mar-18	60
ANZ Bank (90 days BBSW + 90 points)	AA	5,000,000.00	5,000,000.00	0.15%	1.80%	1.01%	9-May-23	9-May-18	60
National Australia Bank (90 days BBSW + 90 points)	AA	5,000,000.00	5,000,000.00	0.16%	1.90%	1.04%	16-May-23	16-May-18	60
Commonwealth Bank (90 days BBSW + 93 points)	AA	3,500,000.00	3,500,000.00	0.16%	1.93%	1.06%	16-Aug-23	16-Aug-18	60
Suncorp Bank (90 days BBSW + 77 points)	A	4,500,000.00	4,500,000.00	0.08%	0.93%	0.84%	13-Sep-23	13-Sep-18	60
National Australia Bank (90 days BBSW + 93 points)	AA	3,500,000.00	3,500,000.00	0.10%	1.20%	1.03%	26-Sep-23	26-Sep-18	60
ANZ Bank (90 days BBSW + 103 points)	AA	5,000,000.00	5,000,000.00	0.10%	1.17%	1.10%	6-Dec-23	6-Dec-18	60
National Australia Bank (90 days BBSW + 104 points)	AA	4,000,000.00	4,000,000.00	0.18%	2.13%	1.17%	26-Feb-24	26-Feb-19	60
National Australia Bank (90 days BBSW + 92 points)	AA	3,200,000.00	3,200,000.00	0.09%	1.10%	1.00%	19-Jun-24	20-Jun-19	60
Westpac Banking Corporation (90 days BBSW + 88 points)	AA	4,000,000.00	4,000,000.00	0.16%	1.88%	1.07%	16-Aug-24	16-May-19	63
ANZ Bank (90 days BBSW + 77 points)	AA	4,000,000.00	4,000,000.00	0.16%	1.93%	0.91%	29-Aug-24	29-Aug-19	60
National Australia Bank (90 days BBSW + 77 points)	AA	5,000,000.00	5,000,000.00	0.10%	1.22%	0.89%	21-Jan-25	21-Jan-20	60
Macquarie Bank (3 months BBSW + 84 points)	A	5,000,000.00	5,000,000.00	0.15%	1.80%	0.96%	12-Feb-25	12-Feb-20	60
Suncorp Bank (90 days BBSW + 112 points)	AAA	1,500,000.00	1,500,000.00	0.14%	1.63%	1.24%	24-Apr-25	27-Apr-20	60
Macquarie Bank (3 months BBSW + 48 points)	A	5,000,000.00	5,000,000.00	0.05%	0.65%	0.56%	9-Dec-25	9-Dec-20	60
Suncorp Bank (90 days BBSW + 45 points)	A	2,100,000.00	2,100,000.00	0.13%	1.52%	0.58%	24-Feb-26	24-Feb-21	60
Newcastle Permanent Building Society (90 days BBSW + 63 points)	BBB	5,000,000.00	5,000,000.00	0.06%	0.75%	0.69%	4-Mar-26	4-Mar-21	60
Bendigo & Adelaide Bank (90 days BBSW + 65 points)	BBB	5,000,000.00	5,000,000.00	0.07%	0.84%	0.73%	18-Jun-26	18-Jun-21	60
Suncorp Bank (90 days BBSW + 48 points)	A	3,750,000.00	3,750,000.00	0.05%	0.64%	0.57%	15-Sep-26	15-Sep-21	60
Bank of Queensland (90 days BBSW + 80 points)	BBB	3,000,000.00	3,000,000.00	0.13%	1.54%	1.03%	27-Oct-26	27-Oct-21	60
Commonwealth Bank (3 month BBSW + 70 points)	AA	3,250,000.00	3,250,000.00	0.08%	1.01%	0.87%	14-Jan-27	14-Jan-22	60
Westpac Banking Corporation (90 days BBSW + 70 points)	AA	3,900,000.00	3,900,000.00	0.10%	1.21%	0.95%	25-Jan-27	18-Jan-22	60
Suncorp Bank (90 days BBSW + 78 points)	AA	4,500,000.00	4,500,000.00	0.11%	1.29%	1.02%	25-Jan-27	17-Jan-22	60
Newcastle Permanent Building Society (90 days BBSW + 100 points)	BBB	2,250,000.00	2,250,000.00	0.16%	1.95%	1.29%	10-Feb-27	3-Feb-22	60
National Australia Bank (90 days BBSW + 72 points)	AA	4,000,000.00	4,000,000.00	0.15%	1.81%	1.05%	25-Feb-27	25-Feb-22	60
ANZ Bank (90 day BBSW + 97 points)	AA	4,000,000.00	4,000,000.00	0.15%	1.84%	1.84%	12-May-27	12-May-22	60
Westpac Banking Corporation (90 days BBSW + 105 points)	AA	4,000,000.00	4,000,000.00	0.17%	2.01%	2.01%	20-May-27	20-May-22	60
<b>Floating Rate Notes (FRN) 'Green/Climate Bonds/Sustainability Bond'</b>									
Bank Australia - Sustainability Bond (3months BBSW + 90 points)	BBB	5,000,000.00	5,000,000.00	0.08%	0.99%	0.95%	2-Dec-22	2-Dec-19	36
<b>Total</b>		<b>129,250,000</b>	<b>129,253,941</b>	<b>0.12%</b>	<b>1.45%</b>	<b>1.01%</b>			
<b>Total Investments</b>		<b>729,463,686</b>	<b>729,467,627</b>	<b>0.09%</b>	<b>1.06%</b>	<b>0.97%</b>			
<b>Benchmark: 30 Day Bank Bill Index</b>				<b>0.03%</b>	<b>0.39%</b>	<b>0.05%</b>			
<b>Benchmark: Bloomberg AusBond Bank Bill Index</b>				<b>0.00%</b>	<b>0.00%</b>	<b>0.05%</b>			
City of Sydney's available bank balance as at 31 May 2022		13,005,294	13,005,294						
<b>TOTAL INVESTMENTS &amp; CASH</b>		<b>742,468,980</b>	<b>742,472,922</b>						

**Summary of Net Investment Movements - May 2022**

Financial Institution	Fund Rating	Net Invest/(Recall) Amount \$	Commentary
<b><u>General Fund</u></b>			
Westpac Banking Corporation	AA	2,000,000	Additional funds received in General Fund due to higher volume of rates receipts.
<b><u>Call Account</u></b>			
Commonwealth Bank	AA	(2,000,000)	Funds from Call account placed in higher yielding products
<b><u>Term Deposits (TDs)</u></b>			
Bank of Queensland	A	5,000,000	Redeemed matured investments and additional income placed in higher yielding term deposits.
Bendigo & Adelaide Bank	A	15,000,000	
Commonwealth Bank	AA	20,000,000	
ING Bank	A	10,000,000	
Suncorp Bank	A	5,000,000	
IMB	A	(10,000,000)	Redemption of matured term deposits, utilised for operational use or reinvested with higher yielding products.
ME Bank	A	(3,000,000)	
Westpac Banking Corporation	AA	(10,000,000)	
<b><u>Floating Rate Notes (FRNs)</u></b>			
ANZ Bank	AA	4,000,000	Redeemed matured investments placed in higher yielding floating rate notes.
Westpac Banking Corporation	AA	4,000,000	

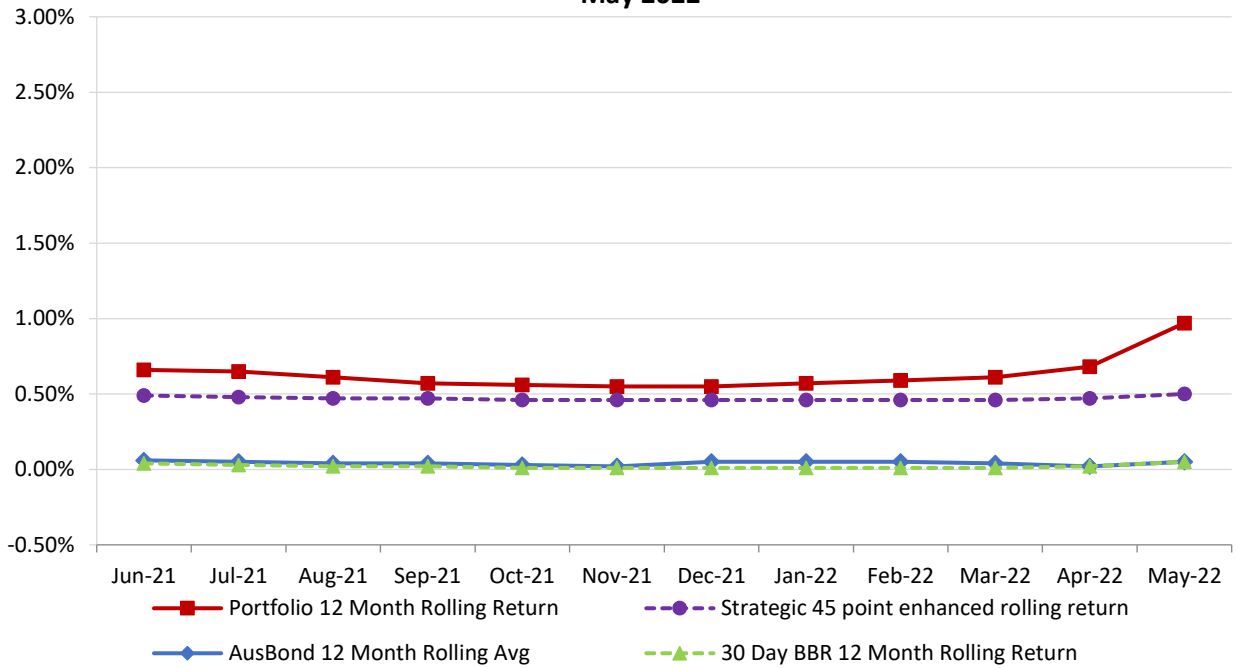
# **Attachment B**

**Investment Performance  
as at 31 May 2022**



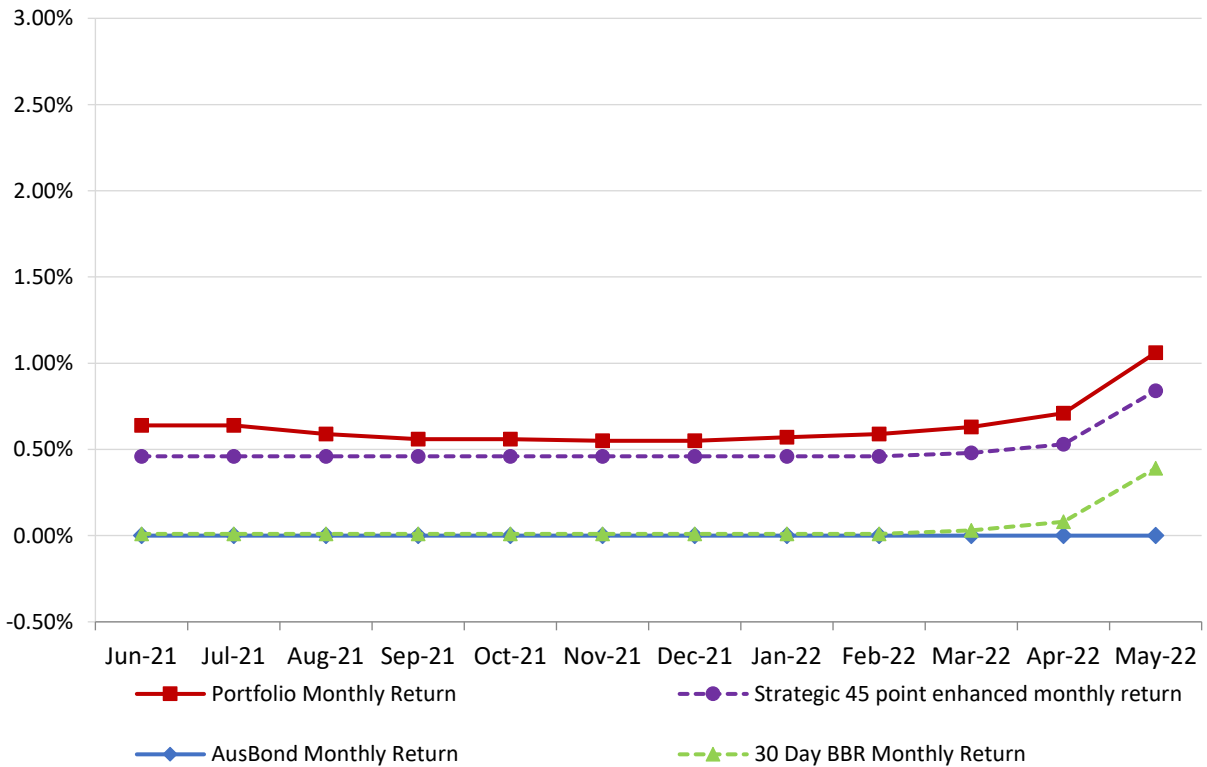
## 12 Month Rolling Averages

**Actual Portfolio vs Strategic Enhanced Benchmark vs AusBond Benchmark vs 30 Day BBR Benchmark  
May 2022**

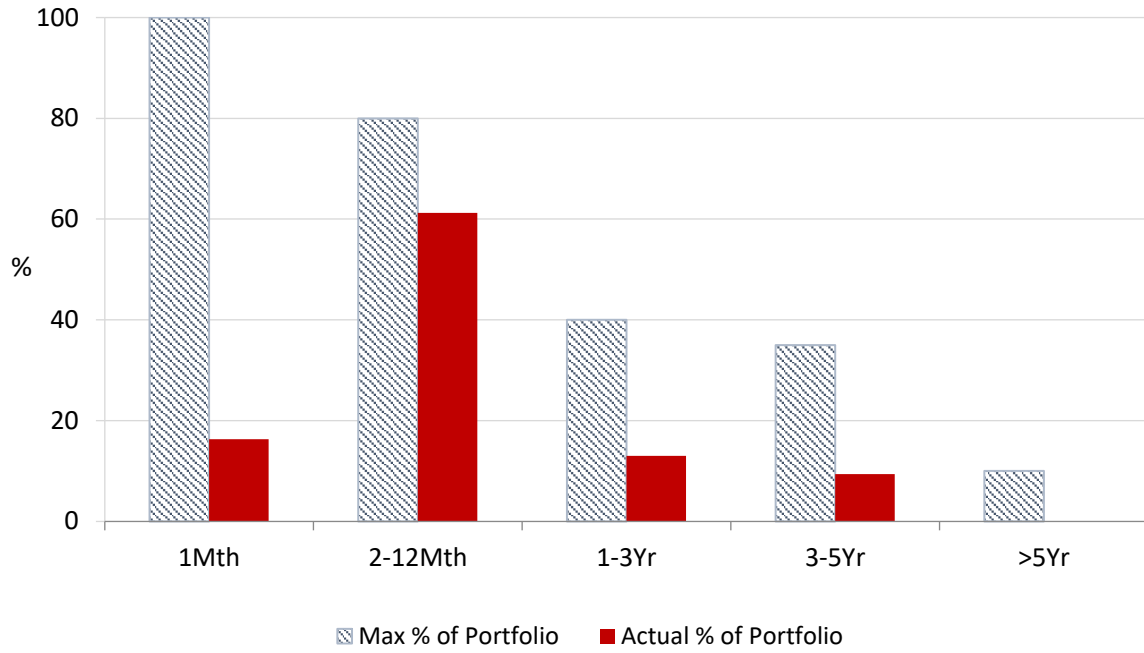


## Monthly Results

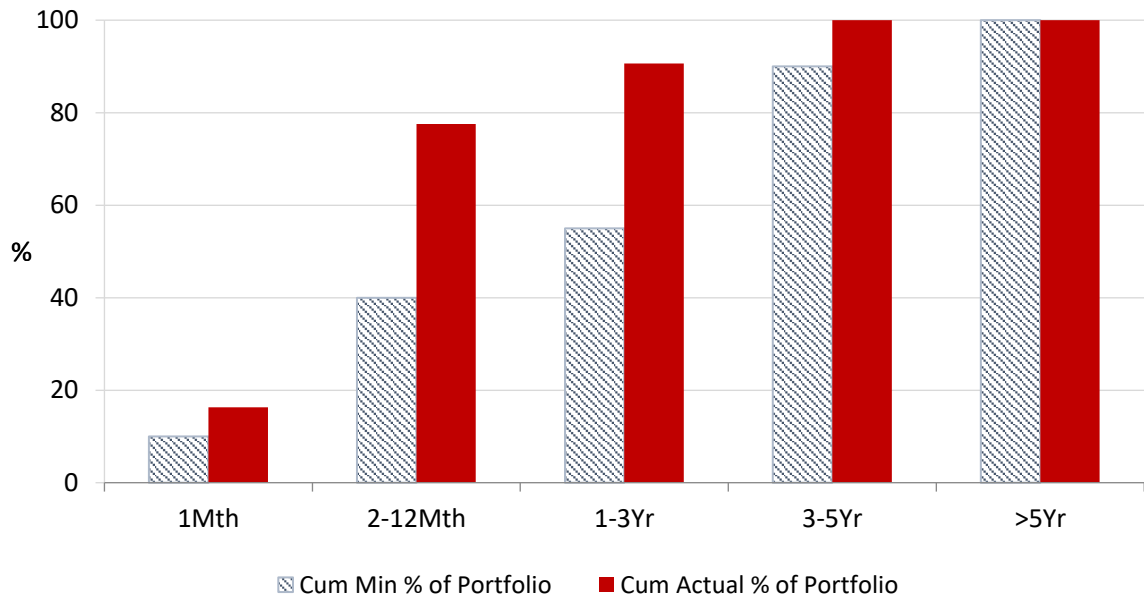
**Actual Portfolio vs Strategic Enhanced Benchmark vs AusBond Benchmark vs 30 Day BBR Benchmark  
May 2022**



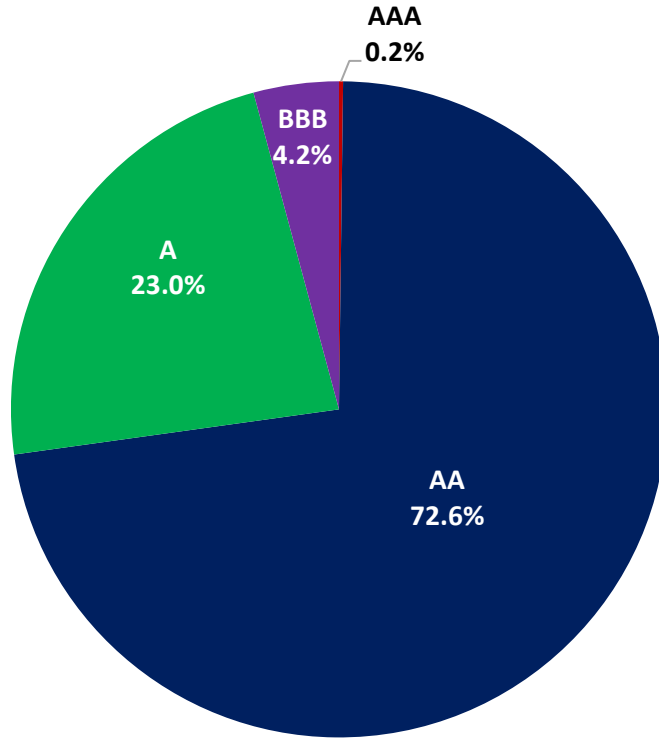
**Portfolio Liquidity - Maximum Allowances as at 31 May 2022**



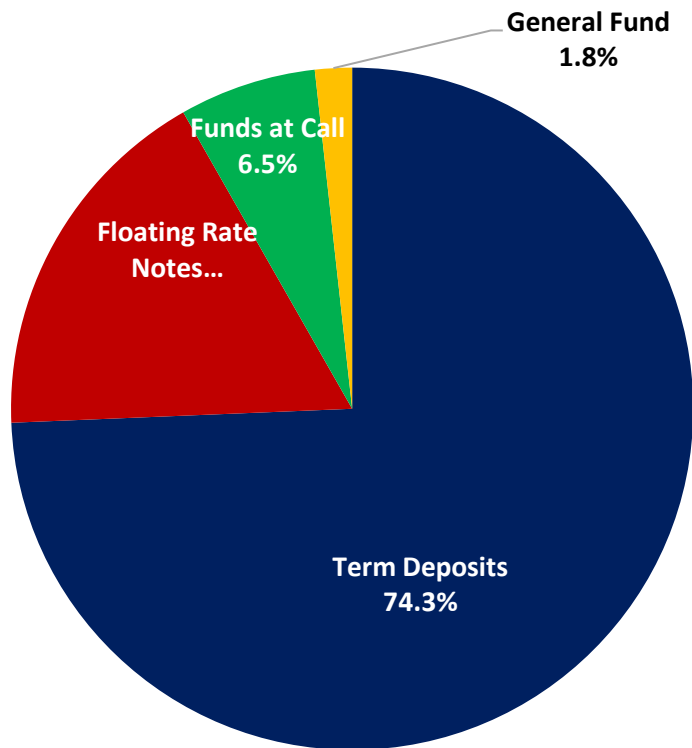
**Portfolio Liquidity - Minimum Allocations as at 31 May 2022**



**Risk Profile as at 31 May 2022**



**Risk Profile as at 31 May 2022**

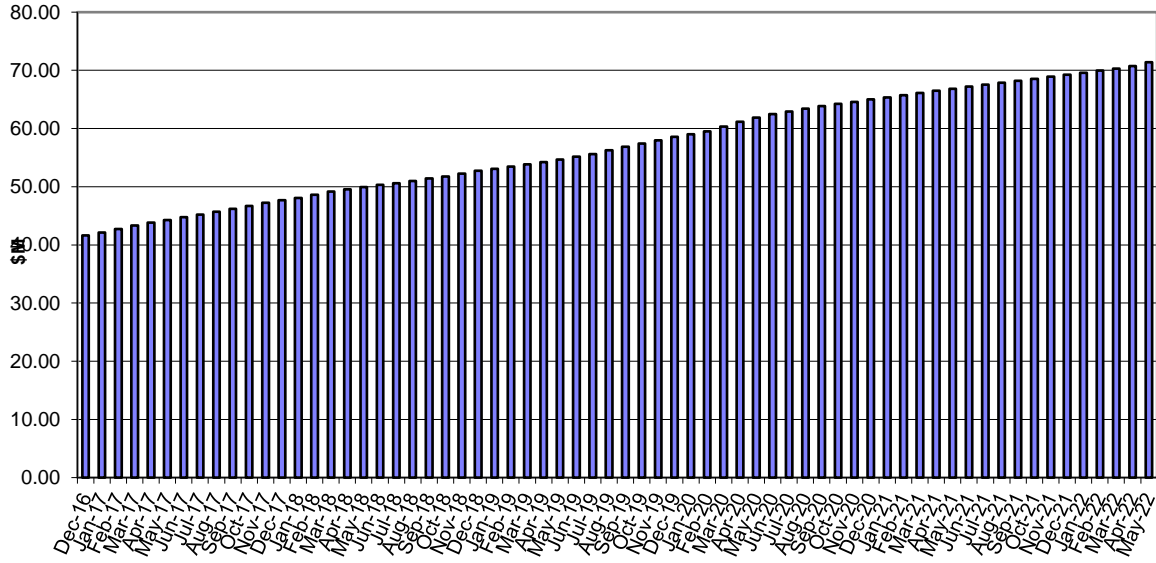


**INVESTMENT AND CASH DISTRIBUTION BY FINANCIAL INSTITUTION**

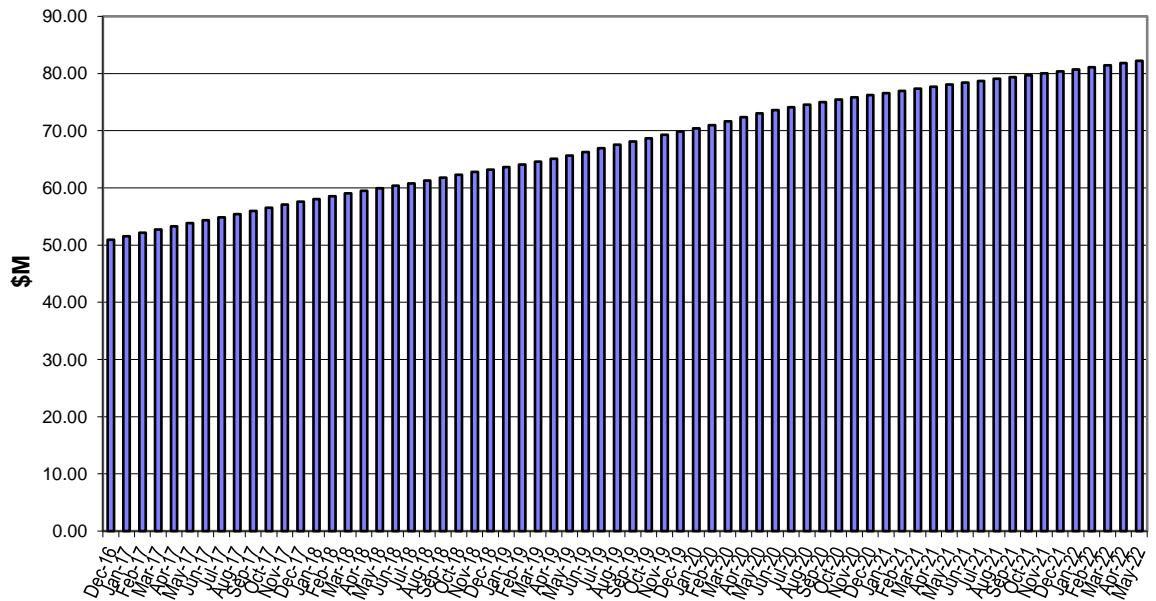
**as at 31 May 2022**

Institution Category	Financial Institution	Amount \$M	Financial Inst. %	Institution Cat. %
Australian Big 4 Bank (and related institutions)	ANZ Bank	53.0	7.1	
	Commonwealth Bank	160.0	21.5	
	National Aust Bank	74.7	10.1	
	Westpac Banking Corporation	224.9	30.3	
<b>Big 4 Total</b>		<b>512.6</b>		<b>69.0</b>
Other Australian ADIs and Australian subsidiaries of foreign institutions	Bank Australia Limited	10.0	1.3	
	Bank of Queensland	62.0	8.4	
	Bendigo & Adelaide Bank	65.0	8.8	
	Great Southern Bank (formerly Credit Union Australia)	2.8	0.4	
	ING Bank	10.0	1.3	
	ME Bank	8.0	1.1	
	Suncorp Bank	32.9	4.4	
	Macquarie Bank Ltd	27.0	3.6	
	Northern Territory Treasury Corporation	5.0	0.7	
Newcastle Permanent Building Society	7.3	1.0		
<b>Other ADI Total</b>		<b>229.9</b>		<b>31.0</b>
<b>Grand Total</b>		<b>742.5</b>	<b>100.0</b>	<b>100.0</b>

### Cumulative Outperformance over AusBond Benchmark - 2016-2022



### Cumulative Outperformance over 30 Day BBR Benchmark - 2016-2022



## Item 4.

### Proposed Land Classification - 174-186 George Street, Sydney

File No: X004710

#### Summary

The purpose of this report is to obtain Council approval to notify a proposed resolution to classify as operational lands the lots occupied by the George Street Plaza, Plaza Building and Public Cycle Facility at 174-186 George Street, Sydney (the site).

In July 2016, the City of Sydney entered into a Planning Agreement with Lendlease Circular Quay Pty Limited (the Developer) in relation to the development at 174-186 George Street, Sydney.

The planning agreement includes public benefits for new community infrastructure, including dedication in stratum and construction of the George Street Plaza, the Plaza Building and the Public Cycle Facility.

The site currently comprises Lots 181 & 182 in Deposited Plan 606865, Lot 7 in Deposited Plan 629694, Lots 1 & 2 in Deposited Plan 880891 and Lots 2 & 3 in Deposited Plan 1213767.

A subdivision development application for the site was approved in August 2021. The development application proposes to consolidate the existing lots and create new lots.

Newly created Lot 103 - Plaza George Street, Lot 105 - Public Cycle Facility and Lot 106 - Plaza Building will be transferred by the Developer to the City in accordance with the Planning Agreement. It is recommended that these lots be classified as operational land to facilitate building operations and integration between the strata.

This report seeks Council's endorsement to notify a proposed resolution to classify the lots as operational land under the Local Government Act 1993.

## **Recommendation**

It is resolved that:

- (A) Council endorse public notification of the proposed resolution: "It is resolved to classify three lots of land to be transferred to Council for future public purposes as a plaza, public cycle facility and community building - being proposed Lots 103, 105 and 106 in the land currently comprising Lots 181 & 182 in Deposited Plan 606865, Lot 7 in Deposited Plan 629694, Lots 1 & 2 in Deposited Plan 880891, and Lots 2 & 3 in Deposited Plan 1213767 - as operational land in accordance with section 31 of the Local Government Act 1993"; and
- (B) Council note that a further report to Council to inform of the outcomes of public notification and recommendation of the land classification will follow the notification period of 28 days.

## **Attachments**

**Attachment A.** Identification Plan - Plan of Subdivision

## Background

1. The Lendlease Circular Quay site is located within the Alfred, Pitt, Dalley and George Streets (APDG) block close to Circular Quay.
2. The site is a collection of properties with frontage to Pitt, Underwood and George Streets, including:
  - (a) Lots 181 & 182 in Deposited Plan 606865;
  - (b) Lot 7 in Deposited Plan 629694;
  - (c) Lots 1 & 2 in Deposited Plan 880891; and
  - (d) Lots 2 & 3 in Deposited Plan 1213767.
3. On 25 July 2016, Council resolved to execute a Planning Agreement with Lendlease (Circular Quay) Pty Limited as Trustee for the Lendlease (Circular Quay) Trust.
4. The Planning Agreement relates to a planning proposal to amend the Sydney Local Environmental Plan 2012 (SLEP 2012) to facilitate a taller commercial tower with reconfigured publicly accessible open space and activated laneways.
5. The amendment to the SLEP 2102 was made on 23 November 2016.
6. The Planning Agreement includes the following public benefits:
  - (a) Land dedication and embellishment of approximately 30m<sup>2</sup> for road and footway widening to Underwood Street.
  - (b) Land dedications to no less than 1,800m<sup>2</sup> and embellishment of public plaza spaces and laneways.
  - (c) Development and installation of public art to the public plaza space.
  - (d) Lease in stratum of nominally 3,700m<sup>2</sup> of net lettable area of office space for the purpose of business innovation space.
  - (e) Monetary contribution of \$2,200/m<sup>2</sup> by net lettable area estimated at \$8,140,000 for the fitout of the business innovation space.
  - (f) Dedication in stratum and embellishment of 677m<sup>2</sup> of a public cycle facility.
  - (g) Land dedication in stratum and construction and fitout of a small plaza edge building.
  - (h) Land transfer to the Developer of 395.6m<sup>2</sup> for building development.
  - (i) Easements and covenants to the commercial tower to deliver commercial floor space.
  - (j) Covenants for the protection of small-scale retail adjacent to the laneways.
  - (k) Commitment to environmental sustainable development in the commercial tower.



7. The Planning Agreement states that the George Street Cycle Facility Stratum and Community Building Stratum will be classified as operational land at Council's discretion.
8. On 14 May 2018, Council approved the election of the 20-year lease option for the business innovation space.
9. On 17 August 2021, a subdivision development application for the site was approved. The development application consolidates the existing lots and creates the following new lots:
  - (a) Lot 101 - Office Tower;
  - (b) Lot 102 - Jacksons on George;
  - (c) Lot 103 - Plaza George Street;
  - (d) Lot 104 - Plaza Building Retail;
  - (e) Lot 105 - Public Cycling Facility;
  - (f) Lot 106 - Plaza Building;
  - (g) Lot 107 - Office Tower Retail;
  - (h) Lot 108 - Jacksons on George Laneways Retail;
  - (i) Lot 109 - Storage/Utilities;
  - (j) Lot 110 - Proposed Laneways Road Dedication; and
  - (k) Lot 111 - Proposed Road Widening (Underwood Street).
10. Lot 103 - Plaza George Street, Lot 105 - Public Cycle Facility and Lot 106 - Plaza Building will be transferred by the Developer to the City as operational land in accordance with the Planning Agreement.
11. It is recommended that these lots be classified as operational land to facilitate operations within Lot 105 - Public Cycle Facility and Lot 106 - Plaza Building, and to facilitate operational integration between the stratum through Lot 103 - Plaza George Street.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030

12. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
  - (a) Direction 3 - Integrated Transport for a Connected City - The Public Cycle Facility will encourage the use of cycling for transport.

- (b) Direction 5 - A Lively and Engaging City Centre - The Plaza Building includes artwork by an Indigenous artist and will allow community events to be held in the Central Business District.
- (c) Direction 10 - Implementation through Effective Governance and Partnerships - This public benefit is being delivered as work-in-kind as part of a Planning Agreement between the City and Lendlease (Circular Quay) Pty Limited.

### **Organisational Impact**

- 13. There is no organisational impact arising from this proposed resolution to classify these lots as operational land.

### **Risks**

- 14. No risks have been identified in classifying these lots as operational land.

### **Financial Implications**

- 15. The classification of land under the Local Government Act 1993 does not have any direct budgetary implications. Once the abovementioned parcels of land are transferred to the City, they will be recognised as in-kind contributions income, and held as land assets in accordance with the City's Infrastructure, Property, Plant and Equipment (IPPE) Asset Recognition and Capitalisation Policy.

### **Relevant Legislation**

- 16. The following sections of the Local Government Act 1993 are relevant:
  - (a) Section 25 requires all public land to be classified as either community or operational land;
  - (b) Section 31(2) permits Council to resolve to classify land prior to acquisition;
  - (c) In satisfaction of section 31(3), the proposed resolution is not inconsistent with the Planning Agreement (as registered on title) nor any other Act or the terms of any trust applying to the land; and
  - (d) Section 34 requires the proposed resolution to classify be publicly notified and made available for inspection by the public for a period of 28 days.

### **Critical Dates / Time Frames**

- 17. The land needs to be classified within three months of transfer to the City or it automatically reverts to a community classification. As the land is proposed to transfer to the City in October 2022 the classification would need to be endorsed no later than late December 2022. The land may be classified as operational prior to transfer to the City.

### **Options**

18. If the land is not classified as operational within three months of transfer to the City, it will revert to a community classification under the Local Government Act 1993. A community classification would restrict and impede the City's capacity to undertake the commercial operations and integration between stratum.

### **Public Consultation**

19. Subject to Council endorsing the recommendation, the proposed resolution will be publicly notified as soon as possible for a minimum period of 28 days.
20. All submissions will be considered in a subsequent Council report to endorse the proposed operational classification.

### **KIM WOODBURY**

Chief Operating Officer

Matthew Taylor, Development Manager

# **Attachment A**

**Identification Plan – Plan of Subdivision**



**GeoStrata**  
Project Surveying  
Land Development and Title Consulting  
PO Box 5195  
Greenwich NSW 2065  
M: 0409 854 448  
e: info@geostrata.com.au  
www.geostrata.com.au



**LOCATION PLAN**

**NOTES:**

- THIS PLAN SHOWS THE PROPOSED SUBDIVISION LOTS FOR THE LEND LEASE CIRCULAR QUAY DEVELOPMENT SITE.
- IT IS PROPOSED THAT THE PROPOSED STRATUM LOTS SHOWN MAY BE CREATED IN A STAGED MANNER.
- THIS PLAN HAS BEEN PREPARED FOR DA PURPOSES ONLY. THE FINAL ALLOCATED LOT NUMBERS COULD VARY SUBJECT TO STAGING.
- THE PROPOSED BOUNDARIES AND DIMENSIONS SHOWN ARE DRAFT ONLY AND SUBJECT TO THE FINAL PLAN AND FINAL SURVEY.
- THE PROPOSED BOUNDARIES ON THIS PLAN HAVE BEEN DEFINED BY ARCHITECTURAL ACAD FILES ONLY.
- THE PROPOSED LOTS WILL BE SUBJECT TO ADDITIONAL EASEMENTS AND A BUILDING MANAGEMENT STATEMENT.
- EASEMENTS FOR VARIOUS AUTHORITY SERVICES AND INFRASTRUCTURE MAY BE CREATED BY SEPARATE PLANS FOR EASEMENT PURPOSES.
- EXISTING EASEMENTS BURDENING SUBJECT LOTS HAVE NOT BEEN SHOWN ON THIS PLAN.

**LOT DESCRIPTIONS**

- LOT 101 - CQT TOWER (TOWER)
- LOT 102 - JACKSONS ON GEORGE (JOG)
- LOT 103 - PLAZA - GEORGE ST (COS)
- LOT 104 - PLAZA BUILDING RETAIL (TOWER)
- LOT 105 - PUBLIC CYCLING FACILITY (COS)
- LOT 106 - PLAZA BUILDING (COS)
- LOT 107 - CQT RETAIL (TOWER)
- LOT 108 - JACKSONS ON GEORGE - LANEWAYS RETAIL (JOG)
- LOT 109 - STORAGE/UTILITIES (JOG)
- LOT 110 - PROPOSED LANEWAYS ROAD DEDICATION (COS) (R1)
- LOT 111 - PROPOSED ROAD WIDENING (UNDERWOOD ST)

**NOTE 2**

LOT 1 IN DP1213176 IS LIMITED IN DEPTH TO RL24.7 AND UNLIMITED IN HEIGHT PT 101 & (R3) ARE BELOW AS SHOWN ON THE SUBSEQUENT SHEETS.

**NOTE 24**

PROPOSED ROAD WIDENING IS LIMITED IN DEPTH TO THE UNDERSIDE OF THE UNDERWOOD STREET ROAD STRUCTURE AND UNLIMITED IN HEIGHT. PT 101 IS LIMITED IN HEIGHT TO THE UNDERSIDE OF THE UNDERWOOD STREET ROAD WIDENING AND UNLIMITED IN DEPTH.

(R2) RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DP1222015)

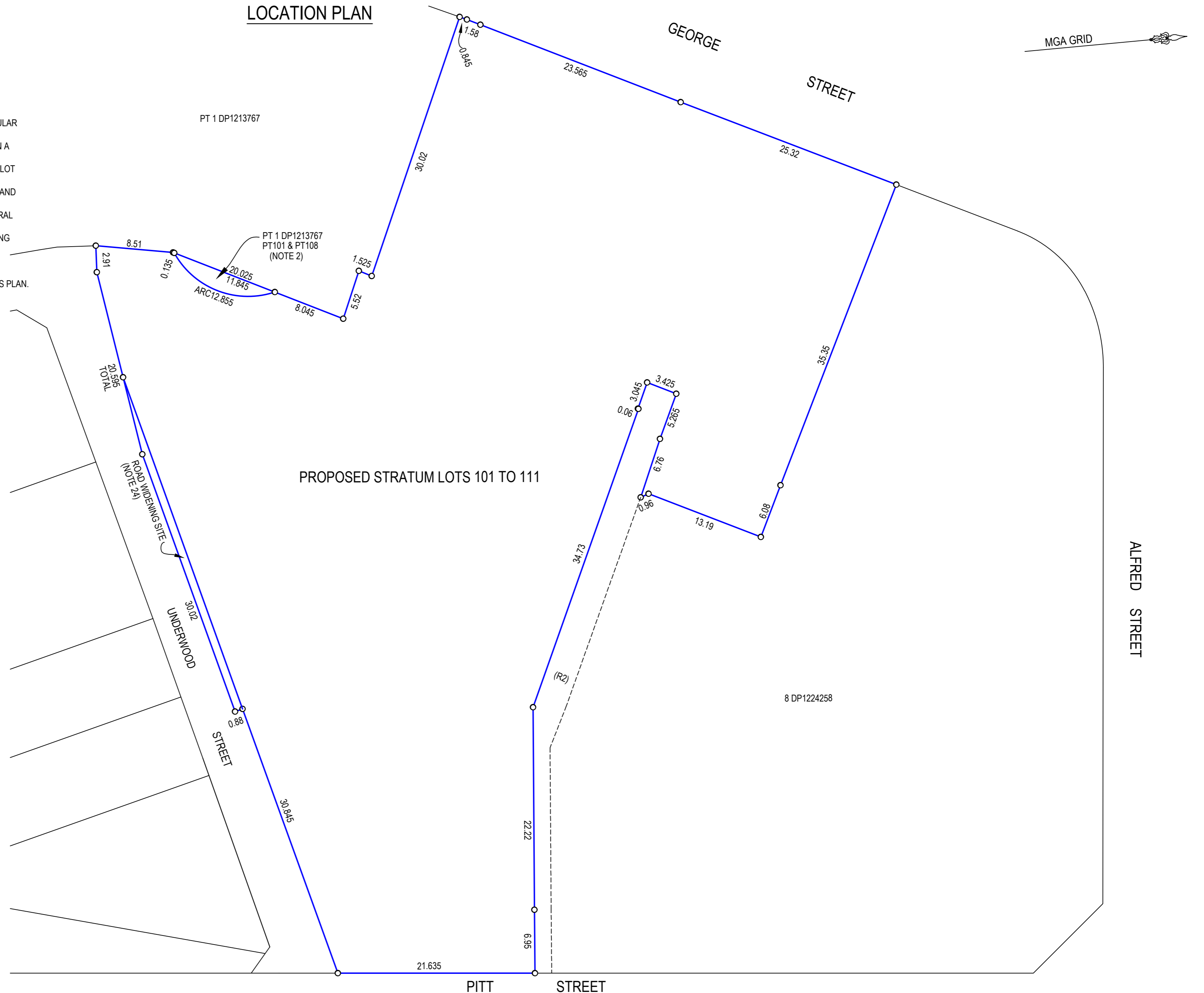
**PROPOSED EASEMENTS AND RIGHTS.**

- EASEMENTS AND RIGHTS WILL BE CREATED EITHER AN 88B INSTRUMENT, DEALINGS OR WITHIN THE BUILDING MANAGEMENT STATEMENT.
- A BUILDING MANAGEMENT STATEMENT REGULATES THE CONTROL, OPERATION AND MANAGEMENT OF THE BUILDING. IT WILL CONTAIN A SHARED FACILITY SCHEDULE WHICH WILL OUTLINE SHARED FACILITIES AND HOW THEIR COSTS, USE, MAINTENANCE AND REPAIR WILL BE MANAGED BETWEEN MEMBER LOTS.
- EASEMENTS AND RIGHTS LISTED ARE INDICATIVE ONLY AND COULD VARY.

- EASEMENT FOR SERVICES
- EASEMENT FOR FUTURE SERVICES
- EASEMENT FOR SUPPORT AND SHELTER
- EASEMENT FOR EMERGENCY EGRESS PURPOSES

**SHARED FACILITIES COULD INCLUDE BUT ARE NOT LIMITED TO**

- MECHANICAL AND CARPARK VENTILATION, SPRINKLER AND FIRE SYSTEMS, LIGHTING, ROLLER DOORS, SECURITY SYSTEMS, GREASE ARRESTOR, SHARED PLANT AREAS, KITCHEN EXHAUST, SERVICE RISERS, PEST CONTROL, CLEANING, LIFTS, STORMWATER SYSTEM, ELECTRICAL SYSTEMS, HYDRAULIC SERVICES, GAS SUPPLY, ACCESSWAYS, LOADING DOCK USE



<p>SURVEYOR Name: PATRICK JOHN WALSH Date: 16/5/2019 Reference: 1410 CQT 01</p>	<p>PLAN OF SUBDIVISION OF LOTS 181 &amp; 182 IN DP606865, LOT 7 IN DP629694, LOTS 1 &amp; 2 IN DP880891 AND LOTS 2 &amp; 3 IN DP1213767</p>	<p>LGA: SYDNEY Locality: SYDNEY Reduction Ratio 1: 300 Lengths are in metres</p>	<p>Registered</p>	<p>PLAN OF PROPOSED SUBDIVISION DATED: 8-7-2020</p>
---	---	--	-------------------	---



Project Surveying  
Land Development and Title Consulting

PO Box 5195  
Greenwich NSW 2065  
M: 0409 854 448  
E: info@geostrata.com.au  
www.geostrata.com.au

LOWER GROUND FLOOR

LOTS SHOWN ON THIS PLAN ARE LIMITED IN DEPTH TO THE LOTS SHOWN AT THE LEVEL BELOW AND LIMITED IN HEIGHT TO THE LOTS SHOWN AT THE LEVEL ABOVE UNLESS NOTED OTHERWISE.



NOTES:

- THIS PLAN SHOWS THE PROPOSED SUBDIVISION LOTS FOR THE LEASE CIRCULAR QUAY DEVELOPMENT SITE.
- IT IS PROPOSED THAT THE PROPOSED STRATUM LOTS SHOWN MAY BE CREATED IN A STAGED MANNER.
- THIS PLAN HAS BEEN PREPARED FOR DA PURPOSES ONLY. THE FINAL ALLOCATED LOT NUMBERS COULD VARY SUBJECT TO POSSIBLE STAGING.
- THE PROPOSED BOUNDARIES AND DIMENSIONS SHOWN ARE DRAFT ONLY AND SUBJECT TO THE FINAL PLAN AND FINAL SURVEY.
- THE PROPOSED BOUNDARIES ON THIS PLAN HAVE BEEN DEFINED BY ARCHITECTURAL ACAD FILES ONLY.
- THE PROPOSED LOTS WILL BE SUBJECT TO ADDITIONAL EASEMENTS AND A BUILDING MANAGEMENT STATEMENT.
- EASEMENTS FOR VARIOUS AUTHORITY SERVICES AND INFRASTRUCTURE MAY BE CREATED BY SEPARATE PLANS FOR EASEMENT PURPOSES.
- EXISTING EASEMENTS BURDENING SUBJECT LOTS HAVE NOT BEEN SHOWN ON THIS PLAN.

LOT DESCRIPTIONS

- LOT 101 - CQT TOWER (TOWER)
- LOT 102 - JACKSONS ON GEORGE (JOG)
- LOT 103 - PLAZA - GEORGE ST (COS)
- LOT 104 - PLAZA BUILDING RETAIL (TOWER)
- LOT 105 - PUBLIC CYCLING FACILITY (COS)
- LOT 106 - PLAZA BUILDING (COS)
- LOT 107 - CQT RETAIL (TOWER)
- LOT 108 - JACKSONS ON GEORGE - LANWAYS RETAIL (JOG)
- LOT 109 - STORAGE/UTILITIES (JOG)
- LOT 110 - PROPOSED LANWAYS ROAD DEDICATION (COS) (R1)
- LOT 111 - PROPOSED ROAD WIDENING (UNDERWOOD ST)

NOTE 24  
PROPOSED ROAD WIDENING IS LIMITED IN DEPTH TO THE UNDERSIDE OF THE UNDERWOOD STREET ROAD STRUCTURE AND UNLIMITED IN HEIGHT.  
PT 101 IS LIMITED IN HEIGHT TO THE UNDERSIDE OF THE UNDERWOOD STREET ROAD WIDENING AND UNLIMITED IN DEPTH.

- (R2) RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DP1222015)
- (RA) DENOTES PROPOSED RIGHT OF ACCESS

PROPOSED EASEMENTS AND RIGHTS.

- EASEMENTS AND RIGHTS WILL BE CREATED EITHER AN 88B INSTRUMENT, DEALINGS OR WITHIN THE BUILDING MANAGEMENT STATEMENT.
- A BUILDING MANAGEMENT STATEMENT REGULATES THE CONTROL, OPERATION AND MANAGEMENT OF THE BUILDING. IT WILL CONTAIN A SHARED FACILITY SCHEDULE WHICH WILL OUTLINE SHARED FACILITIES AND HOW THEIR COSTS, USE, MAINTENANCE AND REPAIR WILL BE MANAGED BETWEEN MEMBER LOTS.

3. EASEMENTS AND RIGHTS LISTED ARE INDICATIVE ONLY AND COULD VARY.

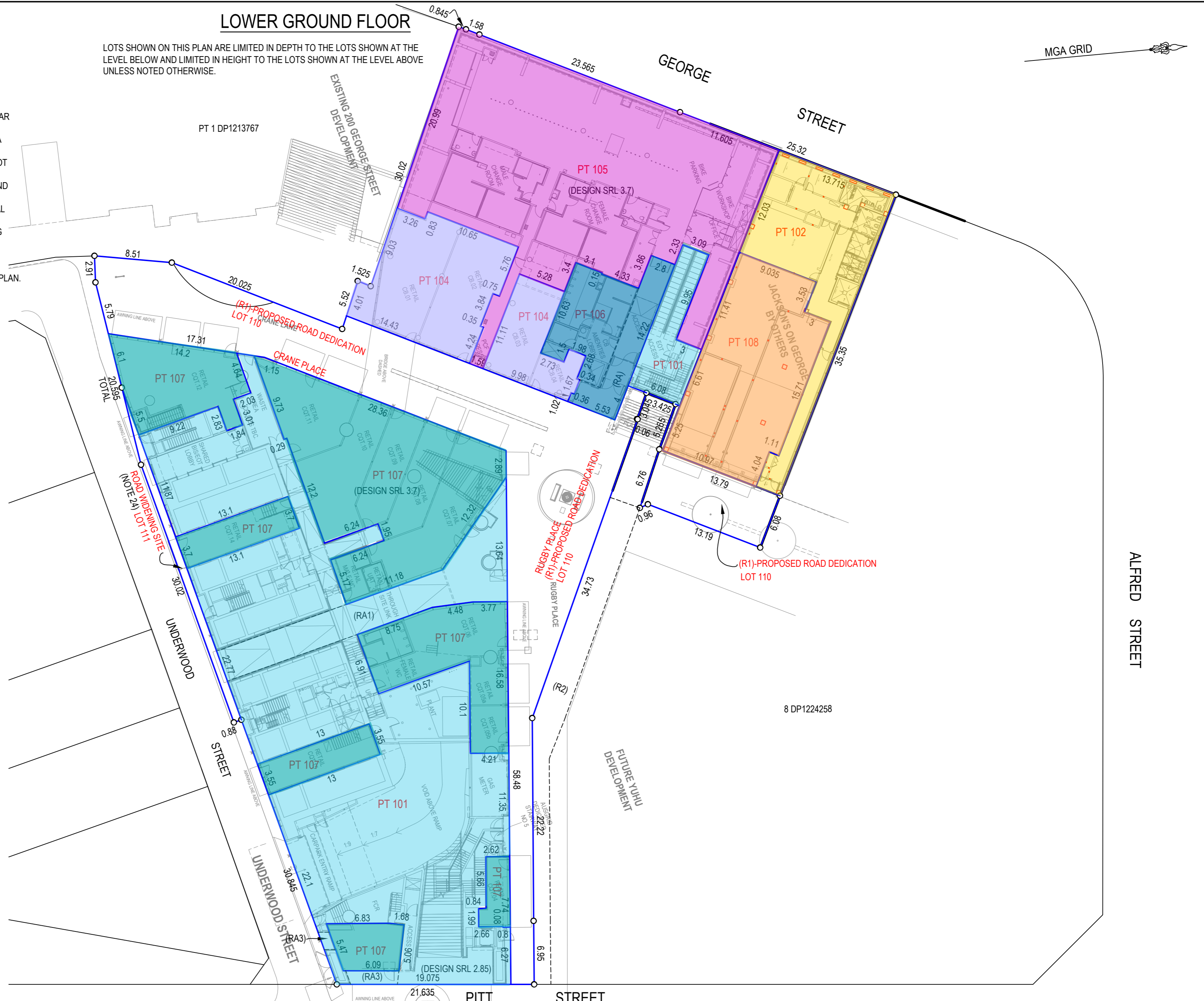
- EASEMENT FOR SERVICES
- EASEMENT FOR FUTURE SERVICES
- EASEMENT FOR SUPPORT AND SHELTER
- EASEMENT FOR EMERGENCY EGRESS PURPOSES

SHARED FACILITIES COULD INCLUDE BUT ARE NOT LIMITED TO

- MECHANICAL AND CARPARK VENTILATION, SPRINKLER AND FIRE SYSTEMS, LIGHTING, ROLLER DOORS, SECURITY SYSTEMS, GREASE ARRESTOR, SHARED PLANT AREAS, KITCHEN EXHAUST, SERVICE RISERS, PEST CONTROL, CLEANING, LIFTS, STORMWATER SYSTEM, ELECTRICAL SYSTEMS, HYDRAULIC SERVICES, GAS SUPPLY, ACCESSWAYS, LOADING DOCK USE

ADDITIONAL PROPOSED EASEMENTS (BUT NOT LIMITED TO)

LOT	NAME
LOT 101	CQT Tower Stratum
LOT 107	CQT Retail Stratum
LOT 106	Plaza Building
LOT 104	Plaza Building Retail Stratum
LOT 105	PCF
LOT 102	Jacksons on George
LOT 108	Jacksons on George (Laneway)
LOT 109	Storage Utilities



SURVEYOR Name: PATRICK JOHN WALSH Date: 16/5/2019 Reference: 1410 CQT 01	PLAN OF SUBDIVISION OF LOTS 181 & 182 IN DP606865, LOT 7 IN DP629694, LOTS 1 & 2 IN DP880891 AND LOTS 2 & 3 IN DP1213767	LGA: SYDNEY Locality: SYDNEY Reduction Ratio 1: 300 Lengths are in metres	Registered	PLAN OF PROPOSED SUBDIVISION DATED: 8-7-2020
---	--	--	------------	---



Project Surveying  
Land Development and Title Consulting

PO Box 5195  
Greenwich NSW 2065  
M: 0409 854 448  
e: info@geostrata.com.au  
www.geostrata.com.au

NOTES:

- THIS PLAN SHOWS THE PROPOSED SUBDIVISION LOTS FOR THE LEASE LEASE CIRCULAR QUAY DEVELOPMENT SITE.
- IT IS PROPOSED THAT THE PROPOSED STRATUM LOTS SHOWN MAY BE CREATED IN A STAGED MANNER.
- THIS PLAN HAS BEEN PREPARED FOR DA PURPOSES ONLY. THE FINAL ALLOCATED LOT NUMBERS COULD VARY SUBJECT TO STAGING.
- THE PROPOSED BOUNDARIES AND DIMENSIONS SHOWN ARE DRAFT ONLY AND SUBJECT TO THE FINAL PLAN AND FINAL SURVEY.
- THE PROPOSED BOUNDARIES ON THIS PLAN HAVE BEEN DEFINED BY ARCHITECTURAL ACAD FILES ONLY.
- THE PROPOSED LOTS WILL BE SUBJECT TO ADDITIONAL EASEMENTS AND A BUILDING MANAGEMENT STATEMENT.
- EASEMENTS FOR VARIOUS AUTHORITY SERVICES AND INFRASTRUCTURE MAY BE CREATED BY SEPARATE PLANS FOR EASEMENT PURPOSES.
- EXISTING EASEMENTS BURDENING SUBJECT LOTS HAVE NOT BEEN SHOWN ON THIS PLAN.

LOT DESCRIPTIONS

- LOT 101 - CQT TOWER (TOWER)
- LOT 102 - JACKSONS ON GEORGE (JOG)
- LOT 103 - PLAZA - GEORGE ST (COS)
- LOT 104 - PLAZA BUILDING RETAIL (TOWER)
- LOT 105 - PUBLIC CYCLING FACILITY (COS)
- LOT 106 - PLAZA BUILDING (COS)
- LOT 107 - CQT RETAIL (TOWER)
- LOT 108 - JACKSONS ON GEORGE - LANEWAYS RETAIL (JOG)
- LOT 109 - STORAGE/UTILITIES (JOG)
- LOT 110 - PROPOSED LANEWAYS ROAD DEDICATION (COS) (R1)
- LOT 111 - PROPOSED ROAD WIDENING (UNDERWOOD ST)

PLAZA TREE PITS WILL FOR PART OF LOT 103.

NOTE 22  
NEW WALKWAY STRATUM AREA (PT101) IS  
- LIMITED IN DEPTH TO A DETERMINED RL BEING THE LOWER SURFACE OF THE WALKWAY STRUCTURE AND  
- LIMITED IN HEIGHT TO APPROXIMATELY 4.0 ABOVE THAT SURFACE.

THE STRATUM LIMITS ARE SUBJECT TO DESIGN AND SURVEY.

NOTE 24  
PROPOSED ROAD WIDENING IS LIMITED IN DEPTH TO THE UNDERSIDE OF THE UNDERWOOD STREET ROAD STRUCTURE AND UNLIMITED IN HEIGHT.  
PT 101 IS LIMITED IN HEIGHT TO THE UNDERSIDE OF THE UNDERWOOD STREET ROAD WIDENING AND UNLIMITED IN DEPTH.

(R2) EXISTING RIGHT OF CARRIAGEWAY VARIABLE WIDTH (DP1222015).

PROPOSED EASEMENTS AND RIGHTS.

- EASEMENTS AND RIGHTS WILL BE CREATED EITHER AN 88B INSTRUMENT, DEALINGS OR WITHIN THE BUILDING MANAGEMENT STATEMENT.
- A BUILDING MANAGEMENT STATEMENT REGULATES THE CONTROL, OPERATION AND MANAGEMENT OF THE BUILDING. IT WILL CONTAIN A SHARED FACILITY SCHEDULE WHICH WILL OUTLINE SHARED FACILITIES AND HOW THEIR COSTS, USE, MAINTENANCE AND REPAIR WILL BE MANAGED BETWEEN MEMBER LOTS.

3. EASEMENTS AND RIGHTS LISTED ARE INDICATIVE ONLY AND COULD VARY.

- EASEMENT FOR SERVICES
- EASEMENT FOR FUTURE SERVICES
- EASEMENT FOR SUPPORT AND SHELTER
- EASEMENT FOR EMERGENCY EGRESS PURPOSES

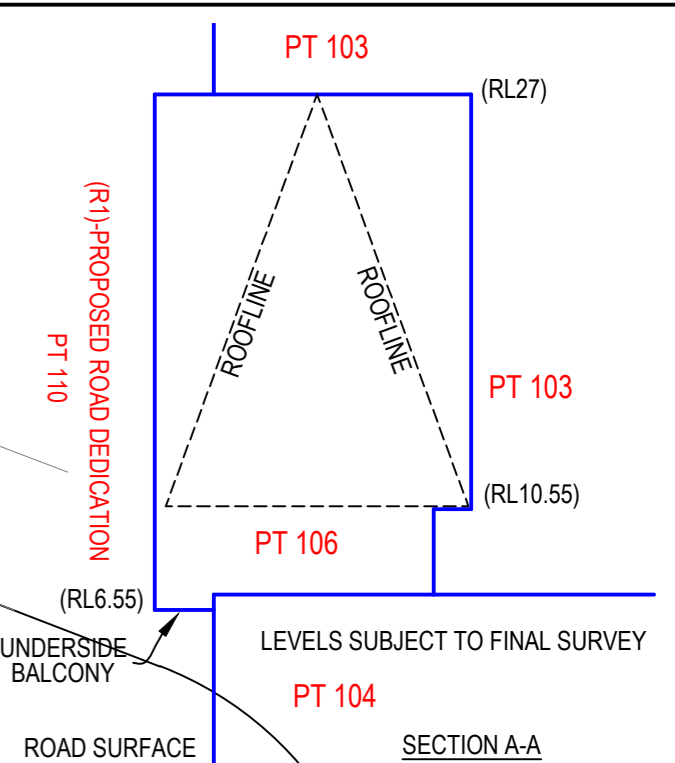
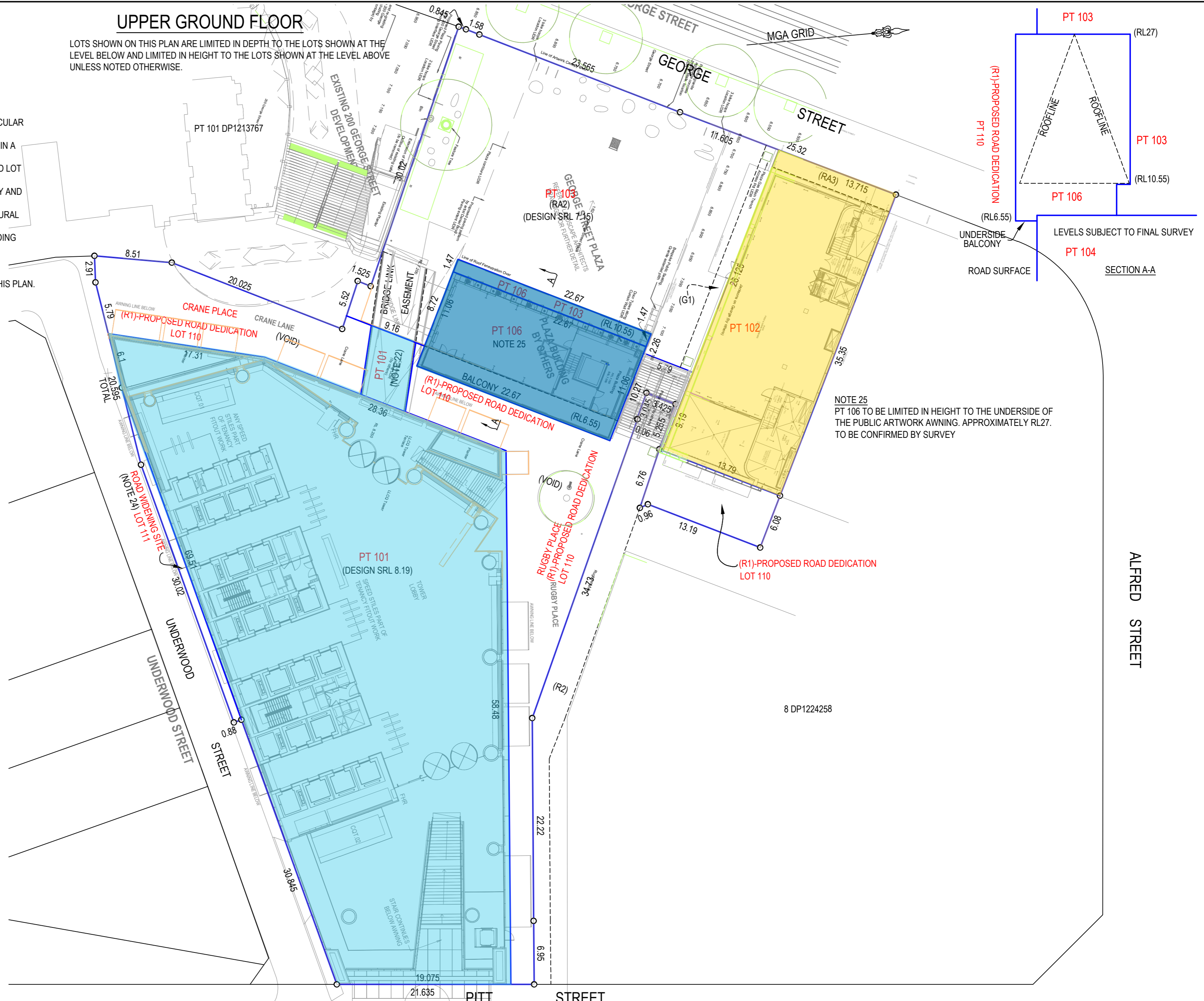
SHARED FACILITIES COULD INCLUDE BUT ARE NOT LIMITED TO  
- MECHANICAL AND CARPARK VENTILATION, SPRINKLER AND FIRE SYSTEMS, LIGHTING, ROLLER DOORS, SECURITY SYSTEMS, GREASE

LOT	NAME	ICE RISERS, ELECTRICAL, LOADING
LOT 101	CQT Tower Stratum	
LOT 107	CQT Retail Stratum	
LOT 106	Plaza Building	
LOT 104	Plaza Building Retail Stratum	
LOT 105	PCF	
LOT 102	Jacksons on George	
LOT 108	Jacksons on George (Laneway)	
LOT 109	Storage Utilities	

STREET ROAD WIDENING WILL BE WITHIN THE ADJOINING LOT BELOW.

UPPER GROUND FLOOR

LOTS SHOWN ON THIS PLAN ARE LIMITED IN DEPTH TO THE LOTS SHOWN AT THE LEVEL BELOW AND LIMITED IN HEIGHT TO THE LOTS SHOWN AT THE LEVEL ABOVE UNLESS NOTED OTHERWISE.



NOTE 25  
PT 106 TO BE LIMITED IN HEIGHT TO THE UNDERSIDE OF THE PUBLIC ARTWORK AWNING. APPROXIMATELY RL27. TO BE CONFIRMED BY SURVEY

SURVEYOR	Name: PATRICK JOHN WALSH
Date:	16/5/2019
Reference:	1410 CQT 01

PLAN OF SUBDIVISION OF LOTS 181 & 182 IN DP606865,  
LOT 7 IN DP629694, LOTS 1 & 2 IN DP880891 AND  
LOTS 2 & 3 IN DP1213767

LGA:	SYDNEY
Locality:	SYDNEY
Reduction Ratio	1: 300
Lengths are in metres	

Registered

PLAN OF PROPOSED SUBDIVISION  
DATED: 8-7-2020

## Item 5.

### Public Exhibition - Grants and Sponsorship Policy and Guidelines

File No: S117676

#### Summary

The City of Sydney's grants and sponsorship program (the Program) supports initiatives and projects that build the social, cultural, environmental and economic life of the city.

The Program is one of many ways in which the City of Sydney partners with the community and business to further the actions, strategic directions and vision of Sustainable Sydney 2030-2050 Continuing the Vision and key pillar strategies through cash and value in-kind (VIK) support.

The grants and sponsorship policy (the Policy) provides the governance framework for how the Program is managed, and how decisions about funding are made. The Policy ensures that the City meets the governance requirements of Section 356 of the Local Government Act 1993 in relation to grant giving.

The current Policy was adopted by Council in September 2014. Revisions to this Policy were then approved by Council on 11 December 2017 and on 15 February 2021. The Policy is due to be reviewed by December 2022. A comprehensive review of the Program was needed to align it with the strategic directions and actions of draft Sustainable Sydney 2030-2050 Continuing the Vision, key pillar strategies and Stretch Reconciliation Action Plan. Therefore, in 2021, the City commenced a strategic review of the grants and sponsorship policy and program.

The review has provided an opportunity to set clear parameters and guidelines for the Policy and Program, to better align with the City's strategic and corporate objectives and address key issues identified through a comprehensive program of stakeholder engagement.

The revised Policy provides a framework to guide individuals and organisations when applying for cash and value-in-kind grant funding, and City of Sydney employees and Council when responding to and managing grants and sponsorship requests. The revised Policy aligns with the following strategic directions of Sustainable Sydney 2030-2050 Continuing the Vision:

- A leading environmental performer
- An equitable and inclusive city
- Resilient and diverse communities
- A thriving cultural and creative life
- A transformed and innovative economy.

The revised Policy will apply to all outgoing grants, sponsorships, and value-in-kind provisions.



Council may approve grants and sponsorship outside the Policy. The Policy does not prevent Council giving occasional contributions to organisations, providing support for civic functions or one-off events in accordance with the relevant legislation.

This report seeks Council endorsement for the draft grants and sponsorship policy and guidelines and proposes that the Policy and Guidelines are placed on public exhibition together with a Revised Operational Plan 2022/23 incorporating the grants and sponsorship program.

## **Recommendation**

It is resolved that:

- (A) Council approve the draft grants and sponsorship policy, 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;
- (B) Council approve the draft grants and sponsorship guidelines, as shown at Attachment B 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 approve the draft Revised Operational Plan 2022/23 - Addendum as shown at Attachment C to the subject report for public exhibition, for a period of 28 days in accordance with the requirements of the Local Government Act 1993; and
- (D) authority be delegated to the Chief Executive Officer to make minor changes to the draft grants and sponsorship policy and guidelines for clarity or correction of drafting errors prior to public exhibition.

## **Attachments**

- Attachment A.** Draft Grants and Sponsorship Policy
- Attachment B.** Draft Grants and Sponsorship Guidelines
- Attachment C.** Draft Addendum to Operational Plan 2022/23

## Background

1. The City of Sydney's grants and sponsorship program (the Program) supports residents, community groups, not-for-profit organisations and for-profit organisations to undertake initiatives and projects that build the social, cultural, environmental and economic life of the city.
2. The grants and sponsorship policy (the Policy) provides the governance framework for management of the Program and decisions about funding.
3. The last comprehensive review of the grants and sponsorship policy was completed in 2014. It has been recognised that a review of the Program was needed to ensure it continues to provide the most effective and efficient support to our resident and business communities, and continues to deliver against the City's evolving corporate and strategic objectives.
4. As the City's strategic vision is renewed through Sustainable Sydney 2030-2050 Continuing the Vision, it is timely to undertake a review of the grants and sponsorship policy and program to ensure it is strategically aligned, fit-for-purpose and future-focussed, with the agility to respond to emerging needs and priorities of our communities.
5. The Policy and Program also needed to better align with significant new strategic policies and programs that have recently been adopted, including Sustainable Sydney 2030-2050 Continuing the Vision and the Stretch Reconciliation Action Plan.
6. Staff commenced the review of the Policy and Program in 2021 and have developed a draft grants and sponsorship policy and guidelines. This report seeks Council endorsement for the draft Policy and Guidelines and proposes that these are placed on public exhibition.
7. The revised Policy is strongly aligned with the key policies that underpin the City's approach to social, cultural, economic and environmental sustainability, including:
  - Sustainable Sydney 2030-205 Continuing the Vision
  - A City for All: Social Sustainability Policy and Action Plan 2018-2028
  - Creative City - Cultural Policy and Action Plan 2014-2024
  - Economic Development Strategy (update in development)
  - Environmental Strategy 2021-2025
  - Eora Journey Economic Development Plan
  - Housing for All – Local Housing Strategy
  - Inclusion (Disability) Action Plan 2021–2025
  - Reducing waste from events and services: Guidelines for single use items
  - Resilient Sydney
  - Revenue Policy: Fees and charges

- Stretch Reconciliation Action Plan
  - Support for Charities Policy (update in development)
  - Sustainable event guidelines.
8. Objectives of the review included:
- (a) strengthen alignment of the Grants and Sponsorship Policy and Program with draft Sustainable Sydney 2030-2050 Continuing the Vision, the City's pillar strategies and the Stretch Reconciliation Action Plan;
  - (b) create a Grants and Sponsorship Policy and Program which is inclusive, accessible and responsive to current and emerging community and business needs;
  - (c) address key issues and insights highlighted through the stakeholder engagement process of the review, in particular:
    - Increased funding for our Aboriginal and Torres Strait Islander communities.
    - Ongoing support for our vulnerable communities.
    - The balance of funding for 'local' versus 'global' projects and events.
    - The balance of funding for 'not-for-profit' and 'for profit' organisations.
9. The Policy will broadly cover the City's grant-making principles, including Aboriginal and Torres Strait Islander partnerships, community partnerships and collaboration, inclusion, equity and empowerment, sustainability, community wealth, investment for long term impact and a fair, transparent and responsive process.
10. The Policy will apply to all outgoing grants, sponsorships, and value-in-kind provisions.
11. Council may approve grants and sponsorship outside the Policy. The Policy does not prevent Council giving occasional contributions to organisations, providing support for civic functions or one-off events in accordance with the relevant legislation.
12. Supporting the Policy are the grants and sponsorship program guidelines which guide applicants on how to apply for and acquit grants and sponsorships. The Guidelines set out expected program priorities and assessment criteria, and provide practical details such as opening dates for each program, eligibility considerations and the types of supporting documentation they will need to submit with their application.
13. The Guidelines will be reviewed on an annual basis and may be amended as needed to ensure they reflect the City's funding priorities and respond to emerging community needs.

### **Review process**

14. The City has undertaken a comprehensive review of the Grants and Sponsorship Policy and Program using a range of methods.

### Strategy mapping

15. A mapping exercise was undertaken to determine whether the current grant programs are achieving the objectives of the key City strategies, including Sustainable Sydney 2030-2050 Continuing the Vision and the Stretch Reconciliation Action Plan. Each grant program was mapped to the objectives of key social, cultural, economic and environmental strategies. This exercise informed discussions with staff at a series of workshops conducted during the discovery phase of the project. The strategic mapping process and workshops identified the gaps, challenges and opportunities of the current grant programs and how these could be addressed in the new grant programs.

### Research insights

16. City staff reviewed the following to identify strengths and weaknesses of the City's grant program:
  - insights from community engagement undertaken to inform the development of Sustainable Sydney 2030-2050 Continuing the Vision;
  - existing grant programs and policies in other global cities comparable to the City of Sydney's population and budget;
  - grant programs and policies offered by other federal, state and local government agencies within Australia; and
  - the research insights from the City's Covid-19 Grant Relief Packages.
17. It was found that the City of Sydney has one of the largest grant budgets of any local government in Australia. In comparison to similar organisations it has had a more consistent approach to managing grants over a sustained period, with a minimum of two grant rounds being available every year since 2016.

### Stakeholder engagement

18. A comprehensive program of stakeholder engagement was undertaken to identify the strengths and weaknesses of the current grants program and explore opportunities for the future of each grant program. The engagement activities included workshops and surveys with internal and external stakeholders including:
  - Briefing to the Aboriginal and Torres Strait Islander Advisory Panel;
  - Workshop with the Nightlife and Creative Advisory Panel;
  - Workshop with local business chambers, industry associations and creatives;
  - Internal stakeholder workshops across social, cultural, economic and environmental teams attended by 50 staff;
  - 'Major Events and Festivals' workshop attended by 17 internal stakeholders;
  - A short survey circulated via "Our News" with 47 staff responses; and
  - A short survey of festival and events grant recipients with 13 responses.

**Concept development**

19. The City engaged Meld Studios to lead an internal design sprint to review, generate and develop innovative grant ideas to be tested and iterated into refined concepts.
20. This work engaged 72 staff across several City divisions to ensure the input and ideas generated were representative of the broader organisation. These divisions included: Analytics and Communications, City Business and Safety, City Spaces, City Sustainability, Creative City, Customer Service, Grants, Green Infrastructure, Social Programs and Services, Strategic Planning and Urban Design, Strategy and Urban, Sustainability Programs, Technology and Digital Services and Venue Management.
21. Staff from across the organisation presented the final four concepts to a panel of seven experts (six internal and one external) who provided feedback on how they could be improved. These concepts provided a solid evidence base to inform the development of the new grants and sponsorship program.
22. As a result of the strategic mapping, research insights and stakeholder engagement, four key issues have consistently emerged.

**Key issues and insights****How do we support Aboriginal and Torres Strait Islander community through our funding?**

23. It was clear through stakeholder engagement that strengthening Aboriginal and Torres Strait Islander self-determination should be implemented through our grant funding.
24. The introduction of a dedicated funding program is recommended to promote partnerships with Aboriginal and Torres Strait Islander owned and/or led organisations. The program would support a strength-based approach to promoting social, cultural, economic, and environmental initiatives delivered by Aboriginal and Torres Strait Islander owned and/or led organisations.
25. It is proposed that the program would have an annual budget of \$500,000 and be available all year round so that the City can respond to emerging needs and opportunities within the Aboriginal and Torres Strait Islander communities. Aboriginal and Torres Strait Islander communities will be engaged in the development of this new grant program.

**How do we provide ongoing support for our vulnerable communities?**

26. Not-for-profit and community organisations are critical to the delivery of essential services to our vulnerable communities. The work of these organisations is key to creating a more equitable, inclusive and resilient city into the future.
27. It is recommended that the City continues to fund projects through the Community Services grant program that supports vulnerable communities and consideration is being given to increasing the budget for this program by \$500,000. This will bring the total budget available for this program to approximately \$2.5 million.
28. In addition, it is recommended that the current Matching Grants and Quick Response Grant Programs be combined into a single grant program which is available all year round to respond to emerging community needs. This will bring the total budget available for this program to approximately \$360,000.

29. Funding of up to \$10,000 per project would be available through this grant program to support a range of small-scale community, cultural or sustainability projects.

#### **How do we balance funding for 'local' versus 'global' projects or events?**

30. The City makes a significant investment in positioning Sydney as a global city through the sponsorship of major festivals and events. Major festivals and events are critical to the vibrancy of our city and provide economic opportunities for many creatives and small businesses.
31. The City currently has three programs providing funding to festivals and events, these are Festival and Events (Artform) Sponsorship, Festival and Events (Village and Community) Sponsorship and Commercial Creative and Business Events Sponsorship. When developing the new policy and programs it was considered how to balance funding major festivals who currently receive over \$100,000 per festival with support for local and emerging festivals that currently receive up to \$30,000 per festival.
32. It is recommended that our current Festival and Events grant programs are combined into a single grant program which would provide support to all festivals and events regardless of their size, audience and pillar alignment. This would make it less confusing for applicants who are often unsure about which Festival and Event program they should apply for.
33. This would also allow the City to be more consistent in how funding for festivals and events is assessed and managed to ensure the benefit they deliver to our communities and business is commensurate with the amount of funding they receive.
34. This grant program would have a tiered funding model. This would mean that a separate budget would be allocated for 'local and emerging' festivals who would be eligible to apply for up to \$50,000 per year and a separate budget would be allocated to 'major' festivals and events who would be eligible to apply for more than \$100,000 per year.
35. This would allow us to provide targeted funding to nurture 'local and emerging' festivals and events that reflect the diversity of our communities. And would also mean that when a 'local and emerging' festival and event applies for a grant, they would be assessed against similar grant applicants, rather than having to compete alongside the 'major' events and festivals.
36. For the 'major' festivals and events this approach would mean we can put in place measures to ensure that the scale of funding received is reflected in the public benefit delivered back to our communities.

#### **How do we balance funding between 'not-for-profit' and 'for-profit' organisations?**

37. As a local government there are limits on providing funding to 'for-profit' organisations, so it is important there is a clear and consistent approach to why and how 'for-profit' organisations are funded.

38. During the Covid-19 pandemic it was critical for the City to provide grant funding to support small 'for profit' businesses as they form the backbone of local economies and communities providing critical goods and services. In addition, over 80% of the city's cultural and creative industries are small to medium 'for-profit' businesses. This includes live music venues, creative producers and performers who are critical to the vibrancy and nightlife of our city. Without support during this period many small business and creative industries would not have been able to continue operating during the Covid-19 pandemic.
39. As the city transitions out of lockdown, these 'for-profit' organisations have become even more critical to driving economic recovery, providing employment, activating the city, and providing places for our community to reconnect and thrive.
40. Through the review of the grants and sponsorship policy we considered how we can:
  - (a) set clear grant program outcomes when funding 'for-profit' organisations as outlined in the draft Grants and Sponsorship Program Guidelines;
  - (b) ensure that large 'for-profits' demonstrate the multiplier effect of our funding so there is a flow on effect to small businesses and community and delivery of outcomes against multiple strategic pillars; and
  - (c) ensure when funding to 'for-profits' they clearly demonstrate their connection to our local area and the public benefit to our diverse communities.
41. The grants and sponsorship guidelines will demonstrate this on a program by program basis in relation to which grant programs are available to for-profit organisations, taking into consideration the types of for-profit sectors and the size of business based upon staffing levels that would be supported.

### **New policy framework**

42. The new Policy provides a framework for how we will partner with our community through our grant-making. This Policy provides guidance to individuals and organisations when applying for cash and value-in-kind grant funding and to City of Sydney employees and Council when responding to and managing grants and sponsorship requests.
43. This Policy sets the expected outcomes of our grants and sponsorships program and the principles that guide grantmaking at the City. The Policy covers four areas:
  - (i) grants and sponsorship outcomes;
  - (ii) grantmaking principles;
  - (iii) ethics framework; and
  - (iv) grant assessment and approval.
44. The grants and sponsorship program aligns with the following strategic directions of Sustainable Sydney 2030-2050 Continuing the Vision:
  - a leading environmental performer;
  - an equitable and inclusive city;

- resilient and diverse communities;
  - a thriving cultural and creative life; and
  - a transformed and innovative economy.
45. Some of our grants and sponsorship programs are categorised by their primary strategic outcome. However, several of our grants and sponsorship programs are designed to deliver across a range of strategic outcomes.
46. Our grants and sponsorship guidelines provide details about each of our grant programs including funding priorities, key dates, funding available, eligibility criteria, application processes and assessment criteria.
47. The City is committed to ensuring that our grants and sponsorship programs are responsive to emerging needs and opportunities within our community and may make changes to the grants and sponsorship guidelines as required and in accordance with the relevant approval process.

### **New Grants and Sponsorship Program**

48. The proposed new Grants and Sponsorship program will have 14 grants and sponsorship programs to support initiatives and projects that strengthen the social, cultural, environmental and economic life of the city. The proposed new program is included in a Revised Operational Plan 2022/23 - Addendum which is Attachment C to this report and which will be placed on public exhibition together with the Policy and Guidelines.
49. Five of these grant programs will deliver on the broad outcomes of Sustainable Sydney 2030-2050 Continuing the Vision and the City's pillar strategies. They will include:
- (a) Aboriginal and Torres Strait Islander community fund;
  - (b) Business sector support grant;
  - (c) Community services grants;
  - (d) Creative grants; and
  - (e) Green building grant.

### **Aboriginal and Torres Strait Islanders collaboration fund**

50. This new funding program supports a strong and sustainable Aboriginal and Torres Strait Islander community-controlled sector to deliver projects that meet the needs and aspirations of Aboriginal and Torres Strait Islander people in the local area. Funding supports increased self-determination and equity for Aboriginal and Torres Strait Islander people through projects that connect people with community, country and culture.

### **Business sector support grants**

51. This new grant program supports sector development projects that grow the skills and capacity of local businesses, entrepreneurs and communities, advocate on key issues on behalf of local business, connect businesses to networking opportunities and promote local precincts.



**Community services grants**

52. This grant program is similar to what is already offered through the community services grant program and will support programs and projects that help increase social cohesion and inclusion, develop healthy and resilient communities, and support participation in civic life.

**Creative grants**

53. This grant program is similar to what is already offered through the Cultural and Creative Grants and Sponsorships and will support projects and initiatives that contribute to Sydney's cultural life, provide opportunities for creative participation, enliven public spaces, and strengthen the sustainability and capacity of our cultural and creative industries.

**Green building grants**

54. This grant program is similar to what is already offered through the Ratings and Assessment grant program and will support corporations and building owners in the residential and accommodation sector to undertake environmental ratings, certifications, audits and assessments for existing buildings to be resource efficient and achieve net zero emissions by 2035.
55. In addition there are three grants and sponsorship programs which will deliver across a range of strategic outcomes:
- (a) Innovation and ideas;
  - (b) Festival and events; and
  - (c) Quick response grant.

**Innovation and Ideas**

56. This new grant program supports projects that foster innovation, showcase local expertise and test new ideas to address local and global issues across the City's social, cultural, sustainability and business sectors.

**Festival and Events**

57. Tier 1 - General festivals and events - this program supports local festivals and events that celebrate, develop and engage the city's communities. They may provide forums to share knowledge, create opportunities for active community participation, celebrate local culture and creativity and activate local precincts. They can be one-off, annual or a series of recurring events over a set period.
58. Tier 2 - Major festivals and events - this program supports major festivals and events that bring significant economic, social and cultural impact to Sydney. Sponsorships provide four years support for recurring events with a proven track record, recognised national and international brand and the capacity to deliver outcomes across multiple strategic priorities.

**Quick Response**

59. This grant program supports small scale, community-led projects that encourage communities to take action to improve, enhance, represent or celebrate their local neighbourhoods.

60. The following six grant and sponsorship programs which provide value in kind, rental subsidies and cash funding have not changed and are recommended to continue:
- (a) Accommodation grant;
  - (b) Affordable and diverse housing fund;
  - (c) Creative spaces grant;
  - (d) Short-term empty properties grant;
  - (e) Street banner sponsorship; and
  - (f) Venue hire support grants and sponsorship.

## **Key Implications**

### **Strategic Alignment - Sustainable Sydney 2030**

61. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress.
62. The provision of grants and sponsorships is a key mechanism for the City to further the aims identified in its social, economic, environmental, and cultural policies. All applications are considered against the 10 strategic directions and how they can directly deliver or encourage the further development of the aims and objectives identified in Sustainable Sydney 2030.

### **Social / Cultural / Economic / Environmental**

63. The grants and sponsorship program provides the City with a platform to support social, cultural, economic and environmental initiatives from communities, community organisations and businesses within the local area.

## **Financial Implications**

64. Funding is secured for the continued delivery of the grants and sponsorships programs commitments with ongoing financial implications into 2022/23.
65. Funding has been included in the draft 2022/23 budget to support the grants and sponsorship programs, including any commitments for funding already approved by Council.

## **Relevant Legislation**

66. Section 356 of the Local Government Act 1993 regulates how financial assistance can be given by local councils.
67. As part of the NSW Local Government Act 1993 and Integrated Planning and Reporting requirements, the City is required to exhibit changes to its grants program.

### Critical Dates / Time Frames

68. The proposed revision to the Policy and Guidelines will be implemented for the 2022/23 immediately following adoption by Council.

### Public Consultation

69. This policy review has been informed by the City's key policies towards social, cultural, environment and economic development:

- (a) Sustainable Sydney 2030-2050 Continuing the Vision
- (b) A City for All: Social Sustainability Policy and Action Plan 2018-2028
- (c) Creative City - Cultural Policy and Action Plan 2014-2024
- (d) Economic Development Strategy (update in development)
- (e) Environmental Strategy 2021-2025
- (f) Eora Journey Economic Development Plan
- (g) Housing for All – Local Housing Strategy
- (h) Inclusion (Disability) Action Plan 2021–2025
- (i) Reducing waste from events and services: Guidelines for single use items
- (j) Resilient Sydney
- (k) Revenue Policy: Fees and charges
- (l) Stretch Reconciliation Action Plan
- (m) Support for Charities Policy (update in development)
- (n) Sustainable event guidelines

70. Other stakeholder consultation includes:

- (a) a briefing to the Aboriginal and Torres Strait Islander Advisory Panel;
- (b) workshops with the Nightlife and Creative Sector Advisory Panel; local business chambers and industry associations; and
- (c) consultation with recipients of Festival and Events sponsorships.

71. All documents will be placed on exhibition for at least 28 days and the outcomes of public consultation on the policy, guidelines and Revised Operational Plan 2022/23 Addendum will be provided with the report for adoption by Council.

**EMMA RIGNEY**

Director City Life

Julie Giuffre, Manager Grants

# **Attachment A**

## **Draft Grants and Sponsorship Policy**

# Grants and sponsorship policy

## Purpose

The City’s grants and sponsorship program aims to support projects that promote:

- strong partnerships with Aboriginal and Torres Strait Islander communities
- leading environmental performance
- connected, resilient and inclusive communities
- a thriving cultural and creative life
- a transformed and innovative economy

This policy provides guidance to individuals and organisations when applying for cash and value-in-kind grant funding and to City of Sydney employees and Council when responding to and managing grants and sponsorship requests.

## Scope

This policy applies to all outgoing grants, sponsorships, and value-in-kind provisions.

Council may approve grants and sponsorship outside this policy. The policy does not prevent Council giving occasional contributions to organisations, providing support for civic functions or one-off events in accordance with the relevant legislation.

This policy applies to all not-for-profit organisations, for-profit organisations, sole traders, individuals, owners’ corporations, unincorporated community groups and government agencies who apply to the City of Sydney for grant or sponsorship funding.

Grants and sponsorships are different from the purchase of services, where the City of Sydney determines the type of project, product or service it requires and develops a contract to manage how this is delivered. Procurement of goods, services, works and facilities are covered by the City of Sydney’s Procurement and Contract Management Policy.

Donations and support for charities are covered by the City of Sydney’s Support for Charities Guidelines, and Humanitarian Aid Guideline. Incoming corporate sponsorships are covered by the City of Sydney’s Corporate Sponsorship Policy.

## Definitions

Term	Meaning
Grant	Cash or value-in-kind support provided to applicants for a specified project or purpose as outlined in the funding agreements between the City of Sydney and the recipient.
Sponsorship	Agreements between the City of Sydney and organisations where the City of Sydney receives benefits in return for the sponsorship. Examples of benefits include promotion, marketing, speaking opportunities and/or tickets.
Value-in-kind	An arrangement where the City of Sydney foregoes revenue (either in full or in part) on things for which a fee would normally be charged.

	<p>This may include park hire, venue hire, banner pole hire, or workspace accommodation.</p> <p>Applicants receiving value-in-kind support may need to enter an agreement with the City of Sydney in addition to a corresponding funding agreement.</p> <p>Services incurring real cash cost are not supported within the City of Sydney's grants and sponsorship program. These services include cleansing and waste, development application fees, health inspection fees, health approvals, section 68 approvals, temporary road closures, in-house design, and printing and distribution services.</p>
--	--

## Policy statement

The City of Sydney's grants and sponsorship program supports initiatives and projects that strengthen the social, cultural, economic and environmental life of the city. Through this program the City of Sydney partners with the community and business to further the strategic directions of Sustainable Sydney 2030-2050 Continuing the Vision.

The City of Sydney acknowledges the importance of partnering with Aboriginal and Torres Strait Islander communities to deliver social, cultural, economic and environmental outcomes for their communities.

The City of Sydney recognises and respects the vital contribution of community and business in developing and delivering projects that contribute to a vibrant, inclusive, resilient, innovative and sustainable city. Through this program the City of Sydney provides financial and in-kind support for a diverse range of projects.

This policy provides the framework for managing grants and sponsorship applications. It sets the expected outcomes of our Grants and Sponsorships Program and the principles that guide grantmaking at the City of Sydney.

This policy covers four areas:

1. Grants and sponsorship outcomes
2. Grantmaking principles
3. Ethics framework
4. Grant assessment and approval

## Grants and sponsorship outcomes

The Grants and Sponsorship Program aligns with the following strategic directions of Sustainable Sydney 2030-50 Continuing the Vision:

- A leading environmental performer
- An equitable and inclusive city
- Resilient and diverse communities
- A thriving cultural and creative life
- A transformed and innovative economy
- Good governance and stewardship

Some of our grants and sponsorship programs are categorised by their primary strategic outcome. However, several of our grants and sponsorship programs are designed to deliver across a range of strategic outcomes.

Grants can also provide a powerful incentive to residents and businesses to act and make the changes necessary to improve environmental performance. They support new and innovative approaches to delivering sustainability outcomes and strengthening community resilience.

Grants and sponsorships play an important role in community development and support active participation in civic life. They empower the community to address issues that matter to them and drive projects to create a more inclusive and resilient city.

Grants are a valuable method of supporting artistic and creative endeavour in our city, helping foster initiative, experimentation and enterprise by creative workers and providing new opportunities for audiences to engage in the city's cultural life.

Grants and sponsorships help stimulate business and promote economic activity. They encourage partnerships with other organisations on business development and assist groups of businesses to work together for the collective benefit.

Our Grants and Sponsorship Guidelines provide details about each of our grant programs including funding priorities, key dates, funding available, eligibility criteria, application processes and assessment criteria.

We are committed to ensuring that our grants and sponsorship programs are responsive to emerging needs and opportunities within our community and may make changes to the Grants and Sponsorship Guidelines as required and in accordance with the relevant approval process.

### **Grantmaking principles**

The following principles guide the City of Sydney's funding and value-in-kind assistance to deliver strong relationships between the City of Sydney, our communities and business.

#### ***Strengthening Aboriginal and Torres Strait Islander partnerships***

We acknowledge the city's Aboriginal and Torres Strait Islander peoples, and the Gadigal of the Eora Nation as the traditional custodians of this local area. We support the right of Aboriginal and Torres Strait Islander Peoples to self-determination. The City of Sydney is committed to ensuring our funding programs provide an ongoing process of choice to ensure Aboriginal and Torres Strait Islander communities can meet their social, cultural, economic and environmental needs and aspirations. Organisations applying for grants are encouraged to engage Aboriginal and Torres Strait Islander businesses, organisations and individuals into all aspects of their project.

#### ***Partnerships and building relationships***

The City of Sydney is committed to building and maintaining relationships based on trust and respect with individuals and organisations committed to addressing social, cultural, economic and environmental issues. The City of Sydney recognises the financial contributions, skills, resources and commitment that individuals, communities and businesses bring to the grant partnership. The City of Sydney is committed to connecting individuals and organisations to networks, resources and knowledge which can strengthen the delivery of projects.

The City of Sydney partners with a wide range of organisations to deliver on its objectives. This includes funding for-profit organisations who have demonstrated they are best placed to deliver public benefit and meet the relevant grant program outcomes.

#### ***Diversity and inclusion***

The City of Sydney values the identities, perspectives, and experiences of the communities that live, work, and visit our local area and believe this diversity strengthens our city. We support the development and delivery of projects that contribute to a more inclusive and equitable city where



everyone has access to essential services and facilities to support wellbeing and quality of life. The City of Sydney partners with organisations and local communities to build on the strengths of our communities and enable them to thrive and be resilient.

The City of Sydney is committed to ensuring that our grant program is inclusive and accessible to our diverse communities. We encourage applications from our diverse communities including young people, older people, people with disability, culturally and linguistically diverse communities, women and LGBTIQ+ communities. Organisations applying for grants are encouraged to promote gender pay equity - valuing skills, responsibilities and working conditions in a non-discriminatory way.

### ***Climate emergency and community resilience***

The City of Sydney is committed to building the capacity of communities and business to lead initiatives that respond to the climate emergency and reduce their environmental impact. The City of Sydney partners with organisations and local communities to promote transformative change in energy generation, resource consumption, water use, transport and climate adaptation.

The City of Sydney supports others to take positive steps to build the resilience of our communities to mitigate, respond, adapt and recover from shock events and chronic stresses. Organisations applying for grants are encouraged to show adequate consideration of any environmental impacts and benefits. Organisations are to ensure that any events or programs funded through a City of Sydney grant are delivered in an environmentally sustainable way.

### ***Empowering communities***

The City of Sydney generates wealth for our local area by investing in the best mix of grants to meet the needs of our diverse communities and business. We strengthen relationships with community by actively building and maintaining networks, connecting people and business, and ensuring all our diverse communities can participate in civic life. The City of Sydney funds and supports organisations, businesses, and individuals to address local issues and needs through programs, projects, and events.

### ***Good governance, transparency, and value for money***

We are committed to transparent, equitable, open and effective processes and decision making that is in the public interest. Applications are assessed objectively against policy and program guidelines and criteria. Application forms, acquittal requirements and contractual obligations will be in proportion to the size of the grant awarded and the expected outcomes of the grant program.

The City of Sydney invests in projects that represent good value for the level of cash or value-in-kind support provided with a focus on supporting thriving organisations and outcomes that can create a long-term positive impact for the community. The City of Sydney ensures there are systems and opportunities for feedback on the City of Sydney's grant processes.

### **Ethics framework**

Through the Grants and Sponsorship Program the City of Sydney does not support any activities or entities that unnecessarily:

- pollute land, air or water
- destroy or waste non-renewable resources
- market, promote or advertise products or services in a misleading or deceitful manner
- produce, promote or distribute products or services likely to be harmful to the community

- acquire land or commodities primarily for speculative gain
- create, encourage, or perpetuate militarism or engage in the manufacture of armaments
- entice people into financial over-commitment
- exploit people through the payment of below-award wages or poor working conditions
- unlawfully discriminate, or encourage unlawful discriminatory behaviour, including discrimination based on ability, culture, religion, age, gender and sexual orientation in employment, marketing and/or advertising practices
- contribute to the inhibition of human rights generally

### **Child safety**

The City of Sydney is committed to being child safe and has zero tolerance for child abuse. The City of Sydney recognises its legal and moral responsibilities in keeping children safe from harm and abuse and promoting their wellbeing and best interests. The City of Sydney has specific policies, procedures and training in place to support employees and volunteers to achieve these commitments.

Where a grant application involves the delivery of programs and services involving child-related work organisations must provide their child safety/child protection policy and procedures. Where they do not have a formal child safety/protection policy, organisations must outline how they intend to comply with child safety law relevant to their organisation.

The City of Sydney does not regulate or monitor an organisations compliance with child safety law, nor is able to determine whether their policies and procedures are fit for purpose. Applicants are responsible for ensuring their policies and procedures are appropriate and sufficient to ensure child safety and should seek advice from the Office of the Children’s Guardian, the Department of Education and Communities and /or the Australian Children’s Education & Care Quality Authority regarding their child safety and protection compliance obligations as appropriate.

### **Grant assessment and approval**

#### **Assessment**

All grant applications are assessed by at least three relevant City of Sydney employees, including those with knowledge and experience relevant to the grant application. Recommendations are then made to Council for approval.

If considered relevant, some grant applications may be assessed by external parties who have skills and professional experience which will benefit the assessment process.

When an external assessor is required, we will select a representative from one of the City of Sydney’s established advisory panels with the relevant skills, experience, and availability. External assessors will be paid for their time.

External assessors are required to sign a participation agreement with the City of Sydney which outlines their responsibilities, including conflict of interest and confidentiality obligations. They cannot submit a grant application in the grant round they are assessing.

All assessors are required to make a conflict of interest declaration on each application as part of the assessment process.

Oral grant applications are available to Aboriginal and Torres Strait Islander groups and individuals and can be requested by any other group or organisation. Support can also be provided on request for people with disability or those from culturally and linguistically diverse backgrounds.

Our grants and sponsorship programs are highly competitive. Even though an application may meet the criteria it may not be competitive against other applications. If an application is unsuccessful, the applicant can request feedback from City of Sydney staff.

### **Approval**

Council has authority to approve grants and sponsorship or other financial assistance.

The CEO can approve grants consistent with City of Sydney policies and delegations from Council for the following programs: Quick response grant, Creative spaces grant, Short-term empty properties grant, Venue hire support grants and sponsorship and Street banner sponsorship.

Under the Local Government Act, any waiver or reduction of fees or charges can only be approved if the application meets a pre-approved category of fee exemption in the City of Sydney's Revenue Policy.

Many projects including festivals and events require approvals and consents from the City of Sydney (such as development applications), NSW Police and other state government agencies. If the necessary approvals cannot be obtained, the grant or sponsorship may be revoked.

Approval of a grant or sponsorship does not imply that the City of Sydney has given any other required consent, authorisation or approval.

Approval of value-in-kind is not a guarantee of booking, as all bookings are subject to availability and must be made through the usual booking process for the facility, space or location requested.

### **Responsibilities**

Detailed responsibilities are outlined in the Grants and Sponsorship Guidelines

**All City of Sydney Employees involved in the management of grants and sponsorships must:**

- be aware of, and comply with their responsibilities under the Grants and Sponsorship Guidelines
- act in accordance with the City of Sydney's Code of Conduct and all relevant legislation

**Manager Grants must:**

- Ensure transparent and effective grants management systems, policies, procedures and decision-making processes are in place and that all grant applicants recommended to Council for support are in accordance with the requirements of those policies, procedures and processes
- Negotiate, execute and administer grants and sponsorship agreements
- .

**Director City Life**

- Ensures transparent and effective grants management systems, policies, procedures and decision-making processes are in place
- Negotiate, execute and administer grants and sponsorship agreements.

**CEO**

- May approve grants in accordance with authority delegated by Council under the Local Government Act.

**Consultation**

This policy has been informed by the insights gained from the program of community engagement undertaken for Sustainable Sydney 2030-2050 Continuing the Vision.

This policy has been developed in consultation with external stakeholders including the Aboriginal and Torres Strait Islander Advisory Panel, the Nightlife and Creative City Advisory panel, festival and event organisers, local business chambers, industry associations.

This policy has been developed in consultation with internal stakeholders from Creative City, City Business and Safety, Grants, Indigenous Leadership and Engagement, Social City, Strategy and Communications, Sustainability Programs, Sustainability, Strategic Planning and Urban Design, Venue Management, Finance and Legal and Governance.

**References**

Laws and Standards
• Local Government Act 1993 (NSW)
• Children and Young Persons (Care and Protection) Act 1998
• Child Protection (Working with Children) Act 2012
• Children’s Guardian Act 2019
Policies and Procedures
• Grants and Sponsorship Program Guidelines
• Sustainable Sydney 2030-205 Continuing the Vision
• A City for All: Social Sustainability Policy and Action Plan 2018-2028
• Creative City - Cultural Policy and Action Plan 2014-2024
• Economic Development Strategy
• Environmental Strategy 2021-2025
• Eora Journey Economic Development Plan
• Housing for All – Local Housing Strategy
• Inclusion (Disability) Action Plan 2021–2025
• Reducing waste from events and services: Guidelines for single use items
• Resilient Sydney
• Revenue Policy: Fees and charges
• Stretch Reconciliation Action Plan
• Sustainable event guidelines

**Review period**

This policy will be reviewed every 4 years.

**Approval Status**

The Council approved this policy on [DD MONTH YYYY].

**Approval History**

Stage	Date	Comment	TRIM Reference
Original Policy	(Date, month, year)	Approved by Council	20XX/XXXXXX
Reviewed	(Date, month, year of when it was approved by CEO or Council)	Briefly summarise key changes	20XX/XXXXXX (Governance to populate)
Commence Review Date	(Date, month, year – should be 9 months prior to the end of the next review period)		
Approval Due Date	(Date, month, year of when the next review of the policy is due to be finalised/ approved)		

**Ownership and approval**

Responsibility	Role
Author	A/Manager Grants
Owner	Director, City Life
Endorser	City of Sydney Executive
Approver	City of Sydney Council

# **Attachment B**

## **Draft Grants and Sponsorship Guidelines**



# DRAFT Grants and sponsorship program guidelines

May 2022

# Contents

Introduction	4
Timing	5
Eligibility	6
Application support	8
Grants management process	10
Important application information	13
Aboriginal and Torres Strait Islander collaboration fund	16
Community services grant	18
Creative grant	20
Business sector support grant	22
Green building grant	24
Festivals and events sponsorship	26
Innovation and ideas grant	29
Quick response grant	31
Affordable and diverse housing fund	33



Venue hire support grants and sponsorship	36
Street banner sponsorship	39
Accommodation grant	41
Creative live/work spaces grant	43
Short-term empty properties grant	45
Definitions	47

# Introduction

The City of Sydney has 14 grants and sponsorship programs to support initiatives and projects that strengthen the social, cultural, environmental and economic life of the city. Through this program the City of Sydney partners with the community and business to further the strategic directions of Sustainable Sydney 2030-2050 Continuing the Vision. These programs provide financial and in-kind support for a diverse range of activities.

Our grants and sponsorship guidelines provide applicants with detailed information on our grant management processes including who can apply for each grant program, how to apply, funding agreements, payment arrangements and reporting requirements.

Our grants and sponsorship programs are highly competitive, so please read these guidelines before applying.

We also hold information sessions during the year. We encourage you to come to an information session or speak with our staff before applying.

The grants and sponsorship policy provides the framework for managing grant and sponsorship requests. It sets the expected outcomes of our Grants and Sponsorships Program and outlines the high level principles that guide grantmaking at the City of Sydney. In the event of any inconsistency between the policy and these guidelines, the policy will prevail.

For more information about our grants and sponsorships go to: [cityofsydney.nsw.gov.au/grants-sponsorships](https://cityofsydney.nsw.gov.au/grants-sponsorships).

You can also email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au) or call 02 9265 9333.

# Timing

## Rounds

Dates are subject to change, check the City of Sydney's website for any updates and subscribe to the grants and sponsorship newsletter to stay informed [cityofsydney.nsw.gov.au/grants-sponsorships](http://cityofsydney.nsw.gov.au/grants-sponsorships).

	Summer Round	Winter Round
Open to applications		
Closed to applications		
Recommendations presented to Council		
Project timeframe		

## Programs

Program	Timing
Aboriginal and Torres Strait Islander collaboration fund	Open all year round, until budget is exhausted
Community services grant	Open Summer Round only
Creative grant	Open Summer Round only
Business sector support grant	Open Summer Round only
Green building grant	Open Summer Round and Winter Round
Festivals and events sponsorship	Open Summer Round and Winter Round
Innovation and ideas grant	Open Summer Round and Winter Round
Quick response grant	Open all year round, until budget is exhausted
Affordable and diverse housing fund	Open all year round, until budget is exhausted
Venue hire support grants and sponsorship	Open all year round, until budget is exhausted
Street banner sponsorship	Open all year round, until budget is exhausted
Accommodation grant	Open as properties become available
Creative live/work spaces grant	Open as properties become available
Short-term empty properties grant	Open as properties become available

# Eligibility

---

## Eligibility classifications

Our grants program receives grant applications from many types of applicants, including:

- not-for-profits, including registered charities and social enterprises structured as:
  - companies
  - cooperatives (non-distributing)
  - foundations
  - incorporated associations
  - Indigenous corporations
  - land councils
  - partnerships
  - trusts, including charitable trusts
  - owners' corporations
- for-profits, including those structured as:
  - companies
  - co-operatives (distributing)
  - Aboriginal and Torres Strait Islander corporations
  - partnerships
  - trusts
- sole traders
- individuals
- owners' corporations (Strata and company owned)
- unincorporated community groups
- government departments and agencies.

Specific eligibility requirements are included in the description for each program.

Applicants may be required to provide further information to verify the structure of the applicant's entity. For example, not-for-profits including registered charities and social enterprises must be able to demonstrate they are a registered with ACNC or properly constituted with a statement of purpose/constitution reflecting that the applicant is not-for-profit.

An individual from an unincorporated community group applying without an auspice must be willing to sign any funding agreement on the group's behalf.

Applicant eligibility is determined by the applicants ABN registered entity.

For more information on each applicant type see the [definitions section](#).

## General eligibility

To be eligible for funding, applicants must:

- operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers and/or visitors
  - meet the grant program eligibility criteria stated in the guidelines
  - have acquitted any previous City of Sydney grants or sponsorships and met all contractual obligations
  - have no outstanding debts owing to the City of Sydney
  - demonstrate the grant will be used for a purpose in the public interest
  - demonstrate capacity to deliver the project
  - be financially viable.
- 

## General exclusions and ineligibility

The City of Sydney does not provide grants and sponsorships for projects that:

- duplicate existing services or programs
- have already occurred (no retrospective funding)
- do not meet the identified priority needs of the City of Sydney area
- directly contravene the eligibility and ethics framework or existing City of Sydney policies.

We do not accept duplicate applications. Applications that are submitted to more than one program for the same project in a round will only be considered in one program.

Grants and sponsorships do not cover:

- general donations to charities (donations and support for charities are covered by the City of Sydney's support for charities policy)
- activities that could be perceived as benefiting a political party and/or political party campaign
- activities that could be perceived as divisive within the community
- waiver of fees for development applications, health inspection fees, health approvals, street closures and other approvals and other similar statutory charges
- City of Sydney staff in their capacity as individuals, although they may participate and contribute to projects in their private capacity where the grants are auspiced by other entities.

We do not provide in-house design, printing and distribution services, or cleansing and waste services for events. However, organisations may apply for funding to undertake these activities themselves.

# Application support

We encourage you to speak to us about your project, program suitability and eligibility before applying.

You'll find plenty of support to help with your application:

- **online resources** – see [cityofsydney.nsw.gov.au/grants-sponsorships](http://cityofsydney.nsw.gov.au/grants-sponsorships)
- **phone support** – call 02 9265 9333 or email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au)
- **briefing sessions** – for applicants to learn about the grants and sponsorship programs and ask questions.
- **free grant writing seminars** – these take place twice a year. See dates at [cityofsydney.nsw.gov.au/talks-courses-workshops/connect-sydney](http://cityofsydney.nsw.gov.au/talks-courses-workshops/connect-sydney)
- at our community centres and venues, libraries, and city spaces.

---

## Dedicated support

Further support and accessible application formats that include oral applications are available for Aboriginal and Torres Strait Islander applicants, people with disability and culturally and linguistically diverse applicants.

To access this support, call 02 9265 9333 or email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au)

Accessible applications are subject to the same assessment and approval process as other grants and may require a longer lead time to apply.

---

## People with disability

If you are deaf, hard of hearing or have a speech impairment, you can contact us through [National Relay Service](#). You'll need to provide our phone number, 02 9265 9333.

Our online applications comply with accessibility requirements WCAG 2.0 AA. For more information on accessibility see [australia.gov.au/accessibility](http://australia.gov.au/accessibility).

---

## Help with grants in your language

If you need help with information about our grants in other languages, here are some useful tools and resources.

[Help with grants in your language - English](#)

[帮助您以母语了解拨款 - Simplified Chinese](#)

[한국어 보조금 안내 - Korean](#)

[ความช่วยเหลือในภาษาของท่าน เกี่ยวกับทุนอุดหนุน - Thai](#)

## Find a translating or interpreting service

If you need an interpreter to help you with information on our website, please call the Translating and Interpreting Service on 13 14 50 and ask them to put you through to the City of Sydney on 02 9265 9333.

如果英語並非您的第一語言，而您欲使用電話傳譯員服務，請致電 131 450，要求他們代致電 02 9265 9333 聯絡 City of Sydney。

Se l'inglese non è la tua prima lingua e desideri avvalerti di un servizio telefonico di interpretariato, contatta il 131 450 e chiedi di chiamare la città di Sydney al numero 02 9265 9333.

Α ν τα Αγγλικά δεν είναι η πρώτη σας γλώσσα και θα θέλατε να χρησιμοποιήσετε διερμηνέα στο τηλέφωνο, παρακαλούμε τηλεφωνήστε 131 450 και ζητήστε τους να σας καλέσουν την Πόλη του Σύδνεϊ στο 02 9265 9333.

英語が母国語でない方で、電話通訳サービスをご利用になりたい方は、131 450 におかけの上、シドニー市 02 9265 9333 に電話をかけるよう通訳にご依頼ください。

Jika bahasa Inggris bukan bahasa pertama Anda dan Anda ingin menggunakan jasa seorang juru bahasa, silakan menghubungi 131 450 dan minta agar diteleponkan ke City of Sydney di 02 9265 9333.

إذا لم تكن الإنجليزية لغتك الأولى وأردت الاستفادة من خدمة الترجمة الشفهية الهاتفية، فالرجاء أن تتصل بالرقم 131 450 والطلب منهم الإتصال ببلدية مدينة سيدني علي الرقم 02 9265 9333 .

Si el inglés no es su primer idioma y desea utilizar un servicio de interpretación telefónica, póngase en contacto con el 131 450 y solicite que llamen a la Ciudad de Sydney al 02 9265 9333.

영어가 모국어가 아니어서 전화 통역 서비스가 필요하실 경우 131 450 에 전화하셔서 City of Sydney (02 9265 9333) 로 연결하도록 요청 하십시오 .

Nếu tiếng mẹ đẻ không phải là tiếng Anh và muốn sử dụng dịch vụ thông dịch qua điện thoại, xin quý vị gọi số 131 450 và yêu cầu họ gọi cho Thành Phố Sydney điện thoại số 02 9265 9333.

Если английский не является вашим родным языком и вы хотели бы воспользоваться услугами устного перевода по телефону, то, пожалуйста, позвоните по номеру 131 450 и попросите их позвонить в муниципалитет города Сидней по номеру 02 9265 9333.

# Grants management process

---

## Applications

Applications for grants and sponsorship are completed online. Application forms are available once the grant round opens. For some programs open throughout the year, online forms are available on request after you discuss your project concept with our Grants team.

Accessible application formats that include oral applications are available for Aboriginal and Torres Strait Islander applicants, people with disabilities and culturally and linguistically diverse applicants.

Applications must be submitted by the due date at 5pm Sydney time or Australian Eastern Daylight Time if applicable. We do not accept submissions after the cut-off time and date.

You are responsible for choosing the most appropriate program to apply for. Your application must be well-developed, address all the criteria and answer all compliance questions. It must include documentary evidence and support as required.

We encourage you to speak to us before applying.

---

## Assessment

All grant applications are assessed by at least three City of Sydney staff, including those with knowledge and experience relevant to the grant application. Recommendations are then made to Council for approval.

Some grant applications may be assessed by external parties who have skills and professional experience which will benefit the assessment process.

When an external assessor is required, we will select a representative from one of the City of Sydney's established advisory panels with the relevant skills, experience, and availability.

External assessors are required to sign a participation agreement with the City of Sydney which outlines their responsibilities, including conflict of interest and confidentiality obligations. They cannot submit a grant application in the grant round they are assessing.

All assessors are required to make a conflict of interest declaration on each application as part of the assessment process.

Our grants and sponsorship programs are highly competitive. Even though an application may meet the criteria it may not be competitive against other applications. If an application is unsuccessful, the applicant can request feedback from City of Sydney staff.

---

## Approval

Council has authority to approve grants and sponsorship or other financial assistance.



The CEO can approve grants consistent with City of Sydney policies and delegations from Council for the following programs: Quick response grant, Venue hire support grants and sponsorship, Street banner sponsorship, Creative spaces grant and Short-term empty properties grant.

Under the Local Government Act, any waiver or reduction of fees or charges can only be approved if the application meets a pre-approved category of fee exemption in the City of Sydney's Revenue Policy.

Applicants should note that many projects including festivals and events require approvals and consents from the City of Sydney (such as development applications), NSW Police and other state government agencies. If the necessary approvals cannot be obtained, the grant or sponsorship may be revoked.

Approval of a grant or sponsorship does not imply that the City of Sydney has given any other consent.

Approval of value-in-kind is not a guarantee of booking, as all bookings are subject to availability and must be made through the usual booking process for the facility, space or location requested.

---

## Notification process

We will notify you in writing of the outcome of your application within 10 business days after the decision of Council.

Details of the status of approval can also be found in the Council meeting minutes, which are listed on the website within the week of Council approval.

---

## Matched funding

We recognise the importance of applicant cash and in-kind contributions. Some of our grant programs may require applicants to provide matched funding and in-kind contributions.

We may provide matched or equivalent funding with:

- direct cash input to the project through donations or income generated
- in-kind contributions such as donated supplies, materials or services
- volunteering time such as labour, set up and pack down, and meeting time to identify, plan and implement projects.

Details on the programs that require cash and in-kind matched funding are in the description for each program.

---

## Funding agreements and negotiation

We aim to finalise funding agreements with successful applicants within five weeks of Council approval. You must enter into a funding agreement with us before funds are released and before the project can start.

The City of Sydney uses a standard funding agreement which includes:

- a description of the project for which funding is being provided
- the amount of cash funding to be received and the details of any value-in-kind support
- the obligations of the City of Sydney and the applicant (and where relevant the auspice) in relation to a grant
- specific performance criteria to be met by the applicant for each project
- any benefits to be provided to the City of Sydney in return for the grant (if applicable)
- a payment schedule
- the deadline for submission of the project acquittal.

If you fail to finalise the contract within one month of receiving the draft agreement from us, we reserve the right to withdraw the grant or sponsorship.

Not meeting your contractual obligations, including failing to submit an acquittal report, may result in you or your organisation being unable to apply for further grant funding from the City of Sydney.

---

## Payment arrangements

Once funding agreements are finalised, payments are processed with a standard 30-day turnaround time from the invoice date. Payments are not processed before the timeframes stipulated in the funding agreement. If you need the funds sooner due to project deliverables, please contact the grants team to enquire if an urgent payment can be made.

---

## Reporting and monitoring

You must report on and acquit the project(s) as detailed in your funding agreement. Reports provide us with feedback on the success of the project in terms of the agreed outputs and outcomes, relevant data and any lessons learnt. You must provide detailed financial reports.

You may be asked to provide further documentation and evidence of expenses.

Final reports must be submitted no later than one month after the agreed completion date of the project as stated in the funding agreement unless otherwise agreed.

---

## Evaluation and learning framework

The City of Sydney is committed to continuous improvement of our grants and sponsorship programs. An evaluation and learning framework has been developed to measure the effectiveness of each of the grants and sponsorship programs.

The aim of this framework is to:

- measure the degree to which stated outcomes are being achieved
- provide standard tools for collecting and analysing data within and across programs
- build evaluative capacity of City of Sydney staff and grant recipients
- identify improvements to the Grants and Sponsorship Program.

We invite feedback at the end of each application and acquittal form on how we can improve the grants and sponsorship programs and processes.

---

## More information

For more information see [cityofsydney.nsw.gov.au/grants-sponsorships](https://cityofsydney.nsw.gov.au/grants-sponsorships), email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au) or call 02 9265 9333.

We hold grants and sponsorship information sessions during the year. We encourage you to attend one of these before applying.

# Important application information

As part of the application, you will be asked to answer a series of questions, including:

- a brief description of the project
- the need for the project and the benefits to the local area
- your capacity and experience to deliver the project effectively
- how the project meets the program priorities

Some programs may have additional questions or requirements specific to that grant program.

You will also be asked questions on how your project responds to City of Sydney policies regarding child safety, diversity and accessibility, sustainability and collaboration with Aboriginal and Torres Strait Islander businesses.

---

## Child protection

The City of Sydney is committed to being child safe and has zero tolerance for child abuse. The City of Sydney recognises its legal and moral responsibilities in keeping children safe from harm and abuse and promoting their best interests. The City of Sydney has specific policies, procedures and training in place to support staff and volunteers to achieve these commitments.

Where an application involves the delivery of programs and services involving child-related work you must attach a copy of your organisation's child safety/child protection policy and procedures to the application. If you do not have a formal child safety/protection policy, you must outline how you intend to comply with Child Safety law relevant to you or your organisation. This information will help us to assess whether your application has demonstrated capacity to deliver the project in line with the general eligibility requirements.

Please note, the City of Sydney does not regulate or monitor compliance with Child Safety law. Applicants should seek advice from the Office of the Children's Guardian, the Department of Education and Communities and /or the Australian Children's Education & Care Quality Authority regarding their child safety and protection compliance obligations as appropriate.

---

## Inclusion and accessibility

All applicants will be asked to describe how their project considers participation, access and inclusion across the community.

The City of Sydney's Inclusion (Disability) Action Plan 2021-2025 guides the organisation's approach to ensure Sydney is inclusive and welcoming for everyone. This Plan includes actions that actively address barriers faced by people with disability. You can view the [Inclusion \(Disability\) Action Plan](#) on the City of Sydney's website.

The City of Sydney has developed Guidelines to assist event producers to plan and deliver events that are inclusive and accessible to everyone. The guidelines outline key access and inclusion considerations for all events. You can view the Inclusive and Accessible Event Guidelines on the City of Sydney's website.

## Sustainability

All applicants are to ensure that any events or programs funded through a City of Sydney grant are delivered in an environmentally sustainable way. Please see our [sustainable event guidelines](#) and [guidelines for single use items](#) for information on how to reduce waste from events and services.

Applicants for specific programs may be asked to meet certain conditions to reduce the environmental impact of their project. The City of Sydney will provide educational material and guidance to assist applicants in understanding and meeting these conditions.

---

## Collaboration with Aboriginal and Torres Strait Islander communities

All applicants will be asked to outline any plans they have to engage Aboriginal and Torres Strait Islander run businesses, organisations, communities or individuals in the running of their project.

We are committed to exploring ways in which we can enhance the economic prosperity of Aboriginal and Torres Strait Islander peoples and organisations through our Grants Program. You are encouraged to consider engaging Aboriginal and Torres Strait Islander businesses into all aspects of your supply chain in the planning, delivery and implementation of your project.

---

## Other information

### Budget

All applicants are required to submit a budget (in the Smartygrants template), listing all income and expenditure items for the project. All figures should be GST exclusive.

As a guide for calculating volunteer time contributed to the project, use the fees of:

- \$25 per hour for volunteers
- \$75 per hour for contractors or professionals volunteering their time

### Supporting documents

You will be asked to provide the documents below with your online application. Please allow enough time for files to upload and aim to submit your application at least an hour before the due time.

Standard supporting documents include:

- quotes for equipment or material valued over \$1,000
- a copy of public liability insurance or quote for public liability insurance (to be taken up following the approval of the grant) to cover the proposed project to the minimum value of \$10 million (or \$20 million for projects that are high risk, have large numbers of the public attending or funding greater than \$250,000)
- a copy of the organisation's constitution including a statement of purpose and organisation structure if the applicant is a social enterprise or a not-for-profit organisation without charity or deductible gift recipient status
- multi-year business plan (for multi-year cash funding requests)
- child safety/child protection policy and procedures (if the proposed project involves child-related work)
- letters of support from any community or local business partners (if relevant)
- a list of community members or businesses who will be involved in the proposed project (if relevant)
- evidence to demonstrate owner's consent for the use of land (if relevant)
- a basic site plan for the proposed project (if relevant)

## DRAFT Grants and sponsorship program guidelines

- case studies of previous projects (if relevant)
- any other documents relevant to the proposed project, such as photographs, minutes from planning meetings and development approvals

DRAFT

# Aboriginal and Torres Strait Islander collaboration fund

---

## Overview

This funding program supports a strong and sustainable Aboriginal and Torres Strait Islander community-controlled sector to deliver projects that meet the needs and aspirations of Aboriginal and Torres Strait Islander people in the local area.

Funding supports increased self-determination and equity for Aboriginal and Torres Strait Islander people through projects that connect people with community, country and culture.

---

## Key dates

This program is open all year for applications until the budget is exhausted.

Activities should be delivered within 12 months of the project start date.

---

## Funding available

Cash funding up to \$50,000 is available, for projects to be delivered within 12 months.

Value-in-kind in the form of venue hire fee waiver is also available.

Applicants can apply for up to \$5,000 worth of capital expenditure or equipment purchase.

Applicants can include the cost of necessary insurances in their application.

---

## Funding priorities

Our funding will prioritise projects that:

- deliver positive outcomes for local Aboriginal and Torres Strait Islander communities
- respond to the needs and aspirations of local Aboriginal and Torres Strait Islander communities
- are led by Aboriginal and Torres Strait Islander people and communities
- build the capacity of Aboriginal and Torres Strait Islander led businesses and organisations.

## Assessment criteria

Proposals are assessed against:

- evidence of the need for the project and proposed outcomes and relevance to Aboriginal and Torres Strait Islander communities
- capacity and experience of the applicant to deliver the project
- demonstrated connection to and benefit for local Aboriginal and Torres Strait Islander communities
- how the project will deliver against the funding priorities.

---

## Eligibility

To be eligible an applicant must operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers and/or visitors:

- Individuals and sole traders must identify as Aboriginal or Torres Strait Islander and be accepted as such by the community in which he or she lives
- Groups must consist of majority Aboriginal or Torres Strait Islander members
- Organisations must have a governing body that is majority Aboriginal or Torres Strait Islander

These individuals and organisations can apply:

- Not-for-profit organisations
- For-profit organisations
- Sole traders
- Individuals or unincorporated community groups auspiced by an eligible not-for-profit or for-profit organisation.

If you work with an auspicing organisation, we encourage you to choose one that is relevant to the sector and that can support the development of the proposal.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

Funding is not available for:

- applicants that do not meet the eligibility criteria
- projects that duplicate existing services
- projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.

---

## How to apply

To apply for this grant please contact the grants team for a call back to discuss your eligibility and suitability to the program, on 02 9265 9333 or email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au).

# Community services grant

---

## Overview

This grant program supports projects and programs that help increase social cohesion and inclusion, develop healthy and resilient communities, and support participation in civic life.

---

## Key dates

Applications open: Summer Round only

For relevant dates see the timing section and [cityofsydney.nsw.gov.au/grants-sponsorships](https://cityofsydney.nsw.gov.au/grants-sponsorships).

---

## Funding available

Cash funding from \$10,000 to \$50,000 per year is available, for a one-year program or multi-year funding (up to 3 years).

Value-in-kind in the form of street banner and venue hire is also available.

Applicants can apply for up to \$5,000 worth of capital expenditure or equipment purchase.

For applicants requesting multi-year funding, please contact the grants team for a call back to discuss your suitability to the program, on 02 9265 9333 or email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au).

---

## Funding priorities

Our funding will prioritise projects or programs that:

- recognise Aboriginal and Torres Strait Islander communities and culture
- promote sustainable and equitable food systems and address food insecurity
- strengthen social cohesion, community resilience and wellbeing
- involve our communities in local decision making and community life
- improve our communities' digital literacy and skills
- support people experiencing or at risk of homelessness

We encourage applications from organisations that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.



## Assessment criteria

Proposals are assessed against:

- evidence of the need for the project or program and proposed outcomes
  - capacity and experience of the applicant to deliver the project or program
  - demonstrated connection and benefit to the local area and communities
  - how the project or program delivers against the funding priorities
  - evidence of the project or program having direct engagement with our diverse communities, including Aboriginal and Torres Strait Islander people, people experiencing or at risk of homelessness, young people, older people, people with disability, international students, culturally and linguistically diverse communities, women, LGBTIQ+ communities and low income earners.
- 

## Eligibility

To be eligible an applicant must operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers and/or visitors:

These individuals and organisations can apply:

- Not-for-profit organisations
- Social enterprises
- Individuals or unincorporated community groups auspiced by a not-for-profit that is eligible to apply in its own right.

If you work with an auspicing organisation, we encourage you to choose one that is relevant to the sector and that can support the development of the proposal.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

Funding is not available for:

- for-profit organisations, including small businesses
  - projects or programs that duplicate existing services
  - projects or programs that directly contravene the eligibility and ethics framework or existing City of Sydney policies.
- 

## How to apply

Applications for grants and sponsorship must be completed online.

For applicants requesting multi-year funding, please contact the grants team for a call back to discuss your suitability to the program, on 02 9265 9333 or email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au).

For more information on our grants and sponsorships see [cityofsydney.nsw.gov.au/grants-sponsorships](http://cityofsydney.nsw.gov.au/grants-sponsorships).

You can also email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au) or call 02 9265 9333.

# Creative grant

---

## Overview

This grant program supports projects and initiatives that contribute to Sydney's cultural life, provide opportunities for creative participation, enliven public spaces, and strengthen the sustainability and capacity of our cultural and creative industries.

---

## Key dates

Applications open: Summer Round only

For relevant dates see the timing section and [cityofsydney.nsw.gov.au/grants-sponsorships](https://cityofsydney.nsw.gov.au/grants-sponsorships).

---

## Funding available

Cash funding from \$10,000 to \$50,000 per year is available, for a one-year program or multi-year funding (up to 3 years).

Value-in-kind in the form of street banner and venue hire is also available.

Applicants can apply for up to \$5,000 worth of capital expenditure or equipment purchase.

---

## Funding priorities

Our funding will prioritise projects that:

- promote local culture and stories
- explore aspects of Sydney's history
- celebrate Aboriginal and Torres Strait Islander communities and culture
- represent the cultural and social diversity of our community
- increase access to creativity and culture for the city's communities
- encourage cultural organisations and artists to locate and operate in Sydney
- address challenges facing the creative industries and cultural sector.

We encourage applications from organisations that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

---

## Assessment criteria

Proposals are assessed against:

- evidence of the need for the project and proposed outcomes

- capacity and experience of the applicant to deliver the project
  - demonstrated connection and benefit to the local area and communities
  - evidence of diversity, inclusion and equity in the planning and delivery of the project
  - how the project delivers against the funding priorities.
- 

## Eligibility

To be eligible an applicant must operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers and/or visitors:

These individuals and organisations can apply:

- Not-for-profit organisations
- For-profit organisations
- Sole traders
- Individuals or unincorporated community groups auspiced by a not-for-profit or for-profit that is eligible to apply in its own right.

If you work with an auspicing organisation, we encourage you to choose one that is relevant to the sector and that can support the development of the proposal.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

Funding is not available for:

- operational costs or overheads for the core business of an organisation
  - projects which are a festival or event
  - projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.
- 

## How to apply

Applications for grants and sponsorship must be completed online.

For more information on our grants and sponsorships see [cityofsydney.nsw.gov.au/grants-sponsorships](http://cityofsydney.nsw.gov.au/grants-sponsorships).

You can also email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au) or call 02 9265 9333.

# Business sector support grant

---

## Overview

This grant program supports sector development projects that grow the skills and capacity of local businesses, entrepreneurs and communities, advocate on key issues on behalf of local business, connect businesses to networking opportunities and promote local precincts.

---

## Key dates

Applications open: Summer Round only

For relevant dates see the timing section and [cityofsydney.nsw.gov.au/grants-sponsorships](https://cityofsydney.nsw.gov.au/grants-sponsorships).

---

## Funding available

Cash funding from \$10,000 to \$50,000 per year is available, for a one-year program or multi-year funding (up to 3 years).

Value-in-kind in the form of street banner and venue hire is also available.

Applicants can apply for up to \$5,000 worth of capital expenditure or equipment purchase.

---

## Funding priorities

Our funding will prioritise projects that:

- support local businesses to adapt to new technologies, explore alternative business models and increase accessibility
- upskill local businesses and entrepreneurs to meet the needs of a more innovative economy
- build the skills and capacity of our diverse communities to increase economic participation
- advocate on key industry/sector issues on behalf of local businesses
- deliver collaborative marketing to activate local precincts and promote unique experiences across the city.

We encourage applications from organisations that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

## Assessment criteria

Proposals are assessed against:

- evidence of the need for the project and proposed outcomes
  - capacity and experience of the applicant to deliver the project
  - demonstrated connection and benefit to the local area and community
  - evidence of diversity, inclusion and equity in the planning and delivery of the project
  - how the project delivers against the funding priorities.
- 

## Eligibility

To be eligible an applicant must operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers, sector/industry and/or visitors.

These organisations can apply:

- Not-for-profit organisations
- Members based organisations with an economic focus such as a chamber of commerce or industry association.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

Funding is not available for:

- operational costs or overheads for the core business of an organisation
  - projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.
- 

## How to apply

Applications for grants and sponsorship must be completed online.

For more information on our grants and sponsorships see [cityofsydney.nsw.gov.au/grants-sponsorships](http://cityofsydney.nsw.gov.au/grants-sponsorships).

You can also email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au) or call 02 9265 9333.

# Green building grant

---

## Overview

This grant program supports owners' corporations and building owners in the residential and accommodation sector to undertake environmental ratings, certifications, audits and assessments for existing buildings to be resource efficient and achieve net zero emissions by 2035.

Funding can support:

- NABERS, Green Star Performance or EarthCheck assessment and/or certification
  - energy audits that conform to the AS3598 standard
  - residential energy/water/waste assessments
  - renewables/electrification feasibility assessments
  - net zero action plans.
- 

## Key dates

Applications open: Summer Round and Winter Round

For relevant dates see the timing section and [cityofsydney.nsw.gov.au/grants-sponsorships](https://cityofsydney.nsw.gov.au/grants-sponsorships).

---

## Funding available

Cash funding up to \$15,000 is available per project.

For-profit organisations are required to match the funding requested with cash (value-in-kind will not be accepted).

---

## Funding priorities

Our funding will prioritise projects that:

- drive existing residential buildings to be resource efficient and achieve net zero emissions
- enable buildings in key sectors to improve their environmental performance

We encourage applications from organisations that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

---

## Assessment criteria

Proposals are assessed against:

- evidence of the need for the project and proposed outcomes

- capacity and experience of the applicant to deliver the project
  - demonstrated connection and benefit to the local area and community
  - evidence of diversity, inclusion and equity in the planning and delivery of the project
  - how the project delivers against the funding priorities.
- 

## Eligibility

To be eligible an applicant must be an owners' corporation of an existing residential strata building or the owner of an existing building in the accommodation sector in the City of Sydney's local area.

These organisations can apply:

- Not-for-profit organisations
- For-profit organisations
- Owners' corporation.

The application must be for works on one of these building types:

- residential strata
- accommodation (hotels, hostels and serviced apartments).

For information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

Funding is not available for:

- applications from new buildings
  - applications from commercial office or entertainment building types
  - applications from for-profit organisations that do not provide evidence of matched cash funding for the project
  - instances where a NABERS rating is required by government including under the commercial building disclosure scheme (at point of sale or lease)
  - projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies
  - capital expenditure or capital works.
- 

## More information

Applications for grants and sponsorship must be completed online.

For more information on our grants and sponsorships see [cityofsydney.nsw.gov.au/grants-sponsorships](http://cityofsydney.nsw.gov.au/grants-sponsorships).

You can also email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au) or call 02 9265 9333.

# Festivals and events sponsorship

We provide support for festivals and events under two tiers:

- Tier 1 – General festivals and events
- Tier 2 – Major festivals and events

Prior to applying for Tier 2 please contact our grants team to discuss your proposal, on 02 9265 9333 or email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au).

---

## Key dates

Applications open: Summer Round and Winter Round

For relevant dates see the timing section and [cityofsydney.nsw.gov.au/grants-sponsorships](http://cityofsydney.nsw.gov.au/grants-sponsorships).

---

## Tier 1 – General festivals and events

### Overview

This grant program supports local festivals and events that celebrate, develop and engage the city's communities. They may provide forums to share knowledge, create opportunities for active community participation, celebrate local culture and creativity and activate local precincts. They can be one-off, annual or a series of recurring events over a set period.

### Funding available

Cash funding up to \$50,000 per year is available, for a one-year program or multi-year funding (up to 3 years).

Value-in-kind in the form of street banner and venue hire is available. Not-for-profit organisations are also eligible for a 25% reduction on equipment hire fees at Landmark Venues (for equipment owned by the City of Sydney).

For-profit organisations are required to match the funding requested with cash (value-in-kind will not be accepted).

Applicants can apply for up to \$10,000 worth of capital expenditure or equipment purchase.

The City of Sydney wants to support applicants to provide fair pay to the artists and creative professionals working on funded projects. Fees for artists and creative workers should be clearly included in your application budget and you are encouraged to set these fees in accordance with industry standards.

### Funding priorities

Our funding will prioritise festivals and events that:

- celebrate Aboriginal and Torres Strait Islander communities and culture
- strengthen social inclusion, enable connectedness and reduce social isolation
- support the visitor economy through activations, events and promotion



- represent the cultural and social diversity of our community
- activate local precincts with creative programming.

We encourage applications from organisations, groups and individuals that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks

### Assessment criteria

Proposals are assessed against:

- evidence of the need for the festival or event and proposed outcomes
- capacity and experience of the applicant to deliver the festival or event
- demonstrated connection and benefit to the local area and community
- evidence of diversity, inclusion and equity in the planning and delivery of the project
- how the project delivers against the funding priorities.

---

## Tier 2 – Major festivals and events

### Overview

This sponsorship program supports major festivals and events that bring significant economic, social and cultural impact to Sydney. Sponsorships provide four years support for recurring events with a proven track record, which have a recognised national and/or international brand and the capacity to deliver outcomes across multiple strategic priorities.

### Funding available

Festivals seeking cash funding of \$100,000 or more per year fall within this funding tier. Funding is available for up to four years in this funding tier.

Value-in-kind in the form of street banner and venue hire fee waiver, and other negotiated City of Sydney services and resources. Not-for-profit organisations are also eligible for a 25% reduction on equipment hire fees at Landmark Venues (for equipment owned by the City of Sydney).

Major Festivals and Event sponsorships will usually include both cash and value-in-kind contributions.

For-profit organisations are required to match the funding requested with cash (value-in-kind will not be accepted).

Applicants can apply for up to \$10,000 worth of capital expenditure or equipment purchase.

The City of Sydney wants to support applicants to provide fair pay to the artists and creative professionals working on funded projects. Fees for artists and creative workers should be clearly included in your application budget and you are encouraged to set these fees in accordance with industry standards.

### Funding priorities

Major festivals and events must contribute to at least three of the following priorities:

- celebrate Aboriginal and Torres Strait Islander communities and culture
- strengthen social inclusion, enable connectedness and reduce social isolation
- support the visitor economy through activations, events and promotion
- attract intrastate, interstate or international visitation and investment in Sydney
- represent the cultural and social diversity of our community
- activate local precincts with creative programming
- encourage cultural organisations and artists to locate and operate in Sydney.

We encourage applications from organisations, groups and individuals that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

### Assessment criteria

Proposals are assessed against:

- evidence of the need for the major festival or event and proposed outcomes
- capacity and experience of the applicant to deliver the major festival or event
- demonstrated connection and benefit to the local area and community
- evidence of diversity, inclusion and equity in the planning and delivery of the major festival or event
- how the project delivers against the funding priorities
- evidence of track record, organisational viability for multi-year funding, large scale audience or market reach and national or international brand awareness.

---

## Eligibility

To be eligible an applicant must operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers and/or visitors.

These organisations can apply for both Tier 1 and 2:

- Not-for-profit organisations
- For-profit organisations
- Government departments or agencies.

These individuals and organisations can apply for Tier 1 only:

- Sole traders
- Individuals or unincorporated community groups auspiced by a not-for-profit or for-profit that is eligible to apply in their own right.

If you work with an auspicing organisation, we encourage you to choose one that is relevant to the sector and that can support the development of the proposal.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

Funding is not available for:

- operational costs or overheads for the core business of an organisation
- fees and charges associated with event personnel or staffing at landmark venues
- projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.

---

## How to apply

Applications for grants and sponsorship must be completed online.

For more information on our grants and sponsorships see [cityofsydney.nsw.gov.au/grants-sponsorships](http://cityofsydney.nsw.gov.au/grants-sponsorships).

If you are interested in applying for Tier 2 please contact our grants team to discuss your proposal, on 02 9265 9333 or email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au).

# Innovation and ideas grants

---

## Overview

This grant program supports projects that foster innovation, showcase local expertise and test new ideas to address local and global issues across the city's social, cultural, sustainability and business sectors.

Funding can support:

- research and feasibility studies relating to the funding priorities listed below
  - pilot projects that test new approaches for addressing local and global issues
  - demonstration projects that promote market awareness and adoption of innovations
  - development and implementation of best practice approaches and toolkits
  - new technologies and platforms that support sector development.
- 

## Key dates

Applications open: Summer Round and Winter Round

For relevant dates see the timing section and [cityofsydney.nsw.gov.au/grants-sponsorships](https://cityofsydney.nsw.gov.au/grants-sponsorships).

---

## Funding available

Cash funding from \$10,000 to \$50,000 per year is available, for a one-year program or multi-year funding (up to 3 years).

Applicants can apply for up to \$5,000 worth of capital expenditure or equipment purchase.

Value-in-kind in the form of venue hire is also available.

---

## Funding priorities

Our funding will prioritise innovative projects that contribute to making Sydney a city:

- that is a leading environmental performer
- that is equitable and inclusive
- with resilient and diverse communities
- with a thriving cultural and creative life
- with a transformed and innovative economy

We encourage applications from organisations, groups and individuals that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

---

## Assessment criteria

Proposals are assessed against:

- evidence of the need for the project and proposed outcomes
  - capacity and experience of the applicant to deliver the project
  - demonstrated connection and benefit to the local area and communities
  - evidence of diversity, inclusion and equity in the planning and delivery of the project
  - how the project delivers against the funding priorities.
- 

## Eligibility

To be eligible an applicant must operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers and/or visitors.

Not-for-profit and for-profit organisations can apply.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

Funding is not available for:

- operational costs or overheads for the core business of an organisation
  - projects that duplicate existing services
  - projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.
- 

## How to apply

Applications for grants and sponsorship must be completed online.

For more information about our grants and sponsorships see [cityofsydney.nsw.gov.au/grants-sponsorships](http://cityofsydney.nsw.gov.au/grants-sponsorships).

You can also email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au) or call 02 9265 9333.

# Quick response grant

---

## Overview

This grant program supports small scale, community-led projects that encourage communities to take action to improve, enhance, represent or celebrate their local neighbourhoods.

---

## Key dates

This program is open all year for applications until the budget is exhausted.

Decisions will be notified within 6 weeks of application.

Activities should be delivered within 12 months of the project start date.

---

## Funding available

Cash funding up to \$10,000 is available, for projects to be delivered within 12 months.

Value-in-kind in the form of venue hire is also available.

Applicants can apply for up to \$10,000 worth of capital expenditure or equipment purchase.

Applicants can include the cost of necessary insurances in their application.

---

## Funding priorities

Our funding will prioritise projects that support:

- vulnerable communities and those with the greatest need
- individuals and teams that are selected to participate in events in the sporting, academic, cultural or environmental fields
- resilience and readiness of diverse communities to respond to shocks
- sustainability and environmental projects such as community gardens, green roofs and walls, urban ecology and green workshops
- cultural projects such as public art, cultural workshops and community art projects
- minor capital works, equipment upgrades and acoustic attenuation for cultural venues
- local civic activities and events
- essential emergency support for community, cultural and sustainability projects.

We encourage applications from organisations, groups and individuals that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

---

## Assessment criteria

Proposals are assessed against:

- evidence of the need for the project and proposed outcomes
  - capacity and experience of the applicant to deliver the project
  - demonstrated connection and benefit to the local area and community
  - evidence of diversity, inclusion and equity in the planning and delivery of the project
  - how the project delivers against the funding priorities.
- 

## Eligibility

To be eligible an applicant must operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers and/or visitors.

These individuals and organisations can apply:

- Not-for-profit organisations
- Individuals or unincorporated community groups auspiced by a not-for-profit that is eligible to apply in their own right.

If you work with an auspicing organisation, we encourage you to choose one that is relevant to the sector and that can support the development of the proposal.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

Funding is not available for:

- ongoing project, event or program funding
  - operational costs or overheads for the core business of an organisation
  - projects that duplicate existing services
  - projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.
- 

## How to apply

Applications for grants and sponsorship must be completed online.

For more information about our grants and sponsorships see <http://www.cityofsydney.nsw.gov.au/grants-sponsorships>.

You can also email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au) or call 02 9265 9333.

# Affordable and diverse housing fund

---

## Overview

The affordable and diverse housing fund promotes the development of affordable and diverse rental housing in our local government area by community housing providers, not-for-profit and for-profit organisations.

The fund is part of the City of Sydney's commitment to overcome financial barriers to affordable and diverse housing development.

---

## Key dates

This program is open all year for applications until the fund is exhausted.

---

## Funding available

The fund's priority is to leverage private finance for affordable rental housing.

Funds can be used for:

- acquiring land owned by third parties
- acquiring land owned by the City of Sydney
- design and construction
- associated development costs.

It is expected that the total amount of funding for any individual project will not exceed \$3 million in value.

---

## Funding priorities

Our funding will prioritise applications that:

- maximise the quantum of subsidised housing within the City of Sydney local area
- leverage additional funds from sources external to the City of Sydney and its programs, including private debt finance, charitable donations and grants from state and federal government
- encourage a broad range of community housing providers to invest in and operate diverse housing within the local area
- deliver positive outcomes for our diverse communities through subsidised housing within the City of Sydney local area
- ensure the continued use of funded projects as subsidised housing

- facilitate the ongoing management in accordance with the applicable regulatory requirements, such as NSW affordable housing guidelines
- achieve timely delivery utilising appropriately experienced and capable principals and contractors.

We encourage applications from organisations that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

---

## Assessment criteria

Proposals are assessed against:

- amount, nature and location of subsidised housing and any other uses or support being delivered
  - proportion of the total project cost requested as City of Sydney funding (including cash, value-in-kind and land)
  - proportion of total project cost funded by the applicant and other sources
  - property development experience, expertise and capability of the applicant/deliverer
  - experience in the operation and management of the type of housing by the applicant/manager in compliance with relevant regulations
  - financial capacity of the applicant
  - evidence of diversity, inclusion and equity in the planning and delivery of the project.
- 

## Eligibility

To be eligible an applicant must operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers and/or visitors.

These individuals and organisations can apply:

- Not-for-profit organisations
- For profit organisations
- providers of community housing
- organisations that are part of a consortium that includes a community housing provider.

For more information on eligibility the [eligibility section](#).

---

## Not eligible for funding

- Unincorporated community groups
  - Individuals
  - consent authority fees and charges
  - projects that are already in receipt of other subsidies or benefits provided by the City of Sydney
  - projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.
- 

## Further conditions

For funds that are used for the development of new subsidised housing developments:



## DRAFT Grants and sponsorship program guidelines

- funds must only be used for capital expenditures on net new subsidised housing developments
- our financial contribution will generally not exceed 30 per cent of the total cost of the subsidised housing
- funds will not be released until a construction certificate is issued for the development
- we will seek to secure the use provided through a mechanism/instrument such as a registered positive covenant, on the land used for the project
- funds may need to be repaid if the project completion date is not met, the project is terminated, the recipient becomes insolvent, or the project description changes materially
- the recipient must operate the facility in line with federal, state and local government regulatory requirements
- unless otherwise approved by the City of Sydney, housing delivered through the fund is to be rented to a range of low to moderate income earners at no more than 30 per cent of gross household income, in line with NSW affordable housing guidelines
- construction of the facility must generally be commenced within three years of funding approval.

---

### More information

The project can include a proportion of 'market' housing for sale on completion and/or a commercial component for lease, or sale, on completion if it forms a part of the project's financing strategy or is needed to satisfy planning controls.

'Subsidised' housing means all forms of short and long term rental accommodation offered at below market rates, including affordable housing, social housing, assisted living, aged and respite care, crisis housing and boarding houses.

---

### How to apply

If you are interested in applying please contact Senior Planner Central Sydney Planning to discuss your proposal, on 9265 9333 or email [council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au).

# Venue hire support grants and sponsorship

---

## Overview

The City of Sydney owns a number of venues that are available for hire. The venue hire support grants and sponsorship program helps community and cultural groups and organisations access these venues for events, concerts, fundraisers, conferences, meetings and community gatherings. The grant is intended for cultural, environmental and community groups and organisations that demonstrate financial hardship.

Support is available in two categories:

- community venues
  - landmark venues.
- 

## Key dates

This grant program is open all year to applications until the value-in-kind budget is exhausted.

All applications should be submitted online at least eight weeks before the event.

The first activity must take place within 12 months of the submission date.

---

## Support available

Support is available in the form of one-off or multi-year reduced rates for community and landmark venue hire, subject to availability.

Not-for-profit organisations are eligible for a 25% reduction on equipment hire fees at Landmark Venues (for equipment owned by the City of Sydney).

---

## Funding priorities

Our funding will prioritise projects that:

- increase numbers of programs, events and activities that contribute to social wellbeing, social inclusion and increased cultural participation

- increase services and initiatives for residents, workers and visitors that contribute to the social, cultural, economic and environmental health of the city
  - increase capacity of the cultural, environmental and community sector due to the sharing of knowledge and resources.
- 

## Assessment criteria

Proposals are assessed against:

- evidence of the need for the project and proposed outcomes
  - capacity and experience of the applicant to deliver the project
  - demonstrated connection and benefit to the local area and community
  - evidence of diversity, inclusion and equity in the planning and delivery of the project
  - how the project delivers against the funding priorities.
- 

## Eligibility

To be eligible for funding an applicant must operate within the City of Sydney's local government area or be able to demonstrate benefits for the area's residents, workers and/or visitors.

Applicants must demonstrate that payment of standard rates would cause financial hardship.

Applicants working with an auspicing organisation are encouraged to choose an organisation that is relevant to the sector and can support the development of the proposal.

For more information on eligibility the [eligibility section](#).

### Community venues

These individuals and organisations can apply:

- Not-for-profit
- Unincorporated community group
- Individual auspiced by a not-for-profit that is eligible to apply in its own right.

### Landmark venues

These individuals and organisations can apply:

- Not-for-profit
  - For profit event management companies facilitating an eligible not-for-profit's event
  - Individual auspiced by a not-for-profit that is eligible to apply in its own right.
- 

## Not eligible for funding

Funding is not available for:

- fees and charges associated with event personnel or staffing at venues
- projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.

If an applicant has already received funding for the same project under a different grants and sponsorship program, this may impact on the decision to support the application.

## Further conditions

- venue hire, and equipment fees and charges are set for the facilities each year by the City of Sydney
  - the grant covers venue hire fees only. Applicants must meet all standard conditions of hire and pay all additional charges such as deposit and bond, security/key deposit, public liability insurance, cancellation, audio visual, additional staffing such as ushers, cloakroom and security, and any food and beverages.
- 

## How to apply

To apply for this grant please contact the grants team for a call back to discuss your eligibility and suitability to the program, on 02 9265 9333 or email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au).

DRAFT

# Street banner sponsorship

---

## Overview

The City of Sydney has up to 1500 banner poles available for hire. Street banner sponsorship provides banner pole hire fee waiver for our network of banners, enhancing streetscape vibrancy and raising the profile of forthcoming cultural events, social issues and other activities.

Sponsorship only applies to banner pole hire fees. Applicants must meet all standard conditions of hire and pay all additional charges such as design, manufacture, installation and dismantling of banners. See fees and charges at <http://www.sydneycitybanners.com.au>.

---

## Key dates

This grant program is open all year to applications until the value-in-kind budget is exhausted.

All applications must be submitted online at least 4 months before the banner campaign and take a minimum of 2 months to process and receive a decision.

The banner campaign should take place within 12 months of the grant approval.

---

## Support available

Support is available in the form of value-in-kind for street banner poles, subject to availability.

Applicants can request up to 150 banner poles for up to two weeks, once a year.

Additional requests will be considered for significant events and depend on availability in the street banner network. Street banner sponsorship is applicable to city and urban locations only.

---

## Funding priorities

Our funding will prioritise projects that:

- increase awareness and profile of issues, events and activities of registered charities, not-for-profits and cultural institutions
- positively contribute to the overall character and vibrancy of streetscapes through use of an attractive and visual medium
- strengthen cultural and community life.

We encourage applications from organisations that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

## Assessment criteria

Proposals are assessed against:

- how the project delivers against the funding priorities.
- 

## Eligibility

To be eligible for funding an applicant must operate within the City of Sydney's local government area or be able to demonstrate benefits for the area's residents, workers and/or visitors.

Only not-for-profit organisations can apply.

Applicants must:

- demonstrate that payment of standard rates would cause financial hardship
- demonstrate that a program of events has been prepared with an appropriate publicity and promotions campaign
- acknowledge the City's assistance in any promotional material for the event.

For more information on eligibility the [eligibility section](#).

---

## Not eligible for funding

Funding is not available for:

- For-profit organisations, including small businesses, individuals or private commercial ventures
- applicants that have been funded under the same program in the past 12 months
- projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.

If an applicant has already received funding for the same project under a different grants and sponsorship program, this may impact on the decision to support the application.

---

## Further conditions

- bookings can only be made 6 months in advance from the installation date and after you have received confirmation of a successful application
  - all banner designs must be approved by the City of Sydney, through the banners team, prior to manufacture, and include our logo. The City of Sydney reserves the right to refuse a banner design
  - the City of Sydney reserves the right to determine the number and location of banner poles provided and to relocate banners to alternative locations
  - poles are subject to availability at the time of booking
  - applicants are encouraged to consider sponsorship benefits for the City of Sydney. Examples include promotion, marketing and tickets. The City of Sydney's logo must be displayed on the banner.
- 

## How to apply

To apply for this grant please contact the grants team for a call back to discuss your eligibility and suitability to the program, on 02 9265 9333 or email [communitygrants@cityofsydney.nsw.gov.au](mailto:communitygrants@cityofsydney.nsw.gov.au)

# Accommodation grant

---

## Overview

The City of Sydney's community facilities include different buildings and spaces that vary in size, location and function. Under our accommodation grants program, we lease facilities or spaces for up to 5 years at reduced rates (below market rental rates) or at no charge. We may offer some longer tenancies based on operational and community needs and public interest. Tenancies are informed by the strategic priorities reviewed and set by Council every 4 years.

Applicants must demonstrate that payment of commercial rents would cause financial hardship leading to a reduction or withdrawal of services.

---

## Key dates

Applications for space through this program are invited as facilities become available, and opportunities are published on our [website](#) and [email notices](#).

---

## Support available

Support is available in the form of waived or reduced rental charges for City of Sydney facilities. Rates vary depending on the space being leased and the financial capacity of the applicant.

---

## Funding priorities

Our funding will prioritise applications that show one or more of the following:

- improved social wellbeing, reduced isolation and increased cultural participation
- increased services by community and cultural organisations that benefit residents, workers and visitors, and contribute to the social, cultural, economic and environmental health of the city
- enhanced financial sustainability for local organisations including artists
- greater public participation in arts and creative projects
- greater sharing of knowledge and resources by new and emerging groups, increasing the capacity and viability of the business and community sectors
- active solutions to sector-wide issues and provision of direct services by newly established and start-up businesses and organisations that benefit our communities.

We encourage applications from organisations that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

## Assessment criteria

Proposals are assessed against:

- evidence of the need for the tenancy and proposed outcomes
  - capacity and experience of the applicant
  - demonstrated connection and benefit to the local area and community
  - evidence of diversity, inclusion and equity in the planning and delivery of the project
  - how the proposal delivers against the funding priorities
  - any additional criteria nominated for specific properties as they become available
  - for renewals, compliance with past agreements, lease terms and demonstration of ongoing need will be assessed.
- 

## Eligibility

To be eligible an applicant must operate within the City of Sydney's local government area or be able to demonstrate significant benefits for the area's residents, workers and/or visitors.

Not-for-profit and for-profit organisations can apply.

Applicants must demonstrate that payment of standard rates would cause financial hardship.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

- Unincorporated community groups
  - Individuals
  - projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.
- 

## How to apply

Opportunities are published on our website and email lists as facilities become available.

Sign up for accommodation grants notifications at <https://confirmsubscription.com/h/j/C601462D618DBDC8>.



# Creative live/work spaces grant

---

## Overview

The City of Sydney has a small number of residential properties. Under the creative live/work spaces grant, we lease residential properties to artists and creative practitioners to live and work in the city at below market rental.

This program is offered in response to the challenges artists and creative practitioners face in obtaining affordable inner city housing and creative facilities. It provides supports for up to 18 months, limited by specific lease terms, and reduced rents at below market rates.

---

## Key dates

This program has no set dates or rounds. Applications are invited as properties become available.

---

## Support available

Support is available in the form of reduced rental charges for City of Sydney properties.

---

## Funding priorities

Our funding will prioritise applications that show:

- increased opportunity for, and awareness of creative practitioners to live and work in the city
- strengthened cultural sector connections and networks in the city.

We encourage applications from Aboriginal and Torres and Strait Islander artists and creative practitioners.

---

## Assessment criteria

Proposals are assessed against:

- artistic merit, experience and qualifications, professional development aspirations
- suitability of the creative practice for the available creative live/work space and experience of collaborative working
- evidence of need for the opportunity and how this will assist the applicant's creative growth
- ability to occupy the property by the specified date

- how the project delivers against the funding priorities.
- 

## Eligibility

This program is open to all individuals working in the creative industries. This includes but is not limited to the visual arts, product design, fashion design, visual communication/graphic design, performing arts, photography, the music industry or creative writers.

Applicants must:

- be 18 years or older
- be a citizen or have residency status.

Only individuals can apply.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

- projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.
- 

## How to apply

Opportunities are published on our website and email lists as facilities become available.

Sign up for creative live/work spaces notifications at <https://confirmsubscription.com/h/j/F41B9C0BDBB5B36C>.

# Short-term empty properties grant

---

## Overview

The City owns a number of commercial and community properties, including retail and office space, across the local area. These properties may be empty for short periods between tenancies.

The short-term empty properties program provides immediate and short-term activation of temporarily vacant or under-used properties within our portfolio. The properties are offered from one month to one year.

The program supports:

- creative practitioners and cultural organisations
- community organisations and social enterprises
- businesses and startups that support the local economy
- organisations with a focus on sustainability and the environment.

Preference is given to applicants in the local government area or to projects that can demonstrate significant benefit to the local community.

---

## Key dates

This program has no set dates or rounds and is responsive as properties become available.

Sign up for creative spaces notifications at <https://confirmsubscription.com/h/j/F41B9C0BDBB5B36C>

---

## Support available

Support is available in the form of reduced rental charges for City of Sydney properties that are available and suitable for the proposed activity.

---

## Funding priorities

Our funding will prioritise applications that:

- activate temporarily vacant City-owned properties for a short term with activities that reflect our cultural, social, economic and environmental strategies and action plans
- increase engagement with the local community, including artists and creative organisations, small business and visitors
- stimulate local economies by encouraging a diverse business mix with innovative or capacity building enterprises

- increase opportunities and exposure for emerging and established enterprises including artists
- increase opportunities for local Aboriginal and Torres Strait Islander organisations.

We encourage applications from organisations that support Aboriginal and Torres and Strait Islander communities and culture, including Aboriginal community-controlled organisations and networks.

---

## Assessment criteria

Proposals are assessed against:

- a strong concept for the space, including the project layout, look and feel
  - consideration of the local precinct and local community
  - experience in the delivery of similar projects
  - evidence of how access to the opportunity will support the growth of the organisation or business
  - ability to activate the space during business hours or a plan for how the space will be activated visually during these hours
  - quality of the pitch outlining the concept for the space including supporting images, floor plans, visual references and details of referees
  - how the project delivers against the funding priorities.
- 

## Eligibility

Applicant must:

- demonstrate their organisation's work or proposal benefits the City of Sydney's residents, workers and/or visitors
- demonstrate that payment of commercial rents would cause financial hardship leading to a reduction or withdrawal of services.

These individuals and organisations can apply:

- Not-for-profit organisations
- For-profit organisations
- Sole trader
- Unincorporated community groups.

For more information on eligibility see the [eligibility section](#).

---

## Not eligible for funding

- Individuals
  - projects that directly contravene the eligibility and ethics framework or existing City of Sydney policies.
- 

## How to apply

This program has no set dates or rounds and is responsive as properties become available.

Sign up for creative spaces notifications at <https://confirmsubscription.com/h/j/F41B9C0BDBB5B36C>

# Definitions

Term	Meaning/Explanation
Acquittal	A written report submitted after the funded project is complete. It details how the recipient administered the grant funds and met the project outcomes in the funding agreement.
Auspice	<p>An incorporated organisation who receives, administers and acquits our funding on behalf of an applicant.</p> <p>The auspice is required to:</p> <ul style="list-style-type: none"> <li>– enter into a funding agreement with the City of Sydney</li> <li>– accept grant funds and pay the auspiced grant applicant</li> <li>– be responsible for any value-in-kind support we approve, including making bookings and entering into any corresponding additional agreements with us</li> <li>– monitor and acquit the use of funds at the completion of the project.</li> </ul> <p>Ideally the auspice will have the technical skills to guide and support the applicant in the delivery of the project, while acknowledging project decisions remain with applicant.</p>
Child related work	As defined by the <u>Child Protection (Working with Children) Act 2012</u> and <u>Regulation 2013</u>
Festival or event	A public occasion for celebration and/or gathering in the community to commemorate a special occasion, local anniversary or an organised series of special events and performances, usually with a common theme and for set period or time.
Grant	Cash or value-in-kind support provided to applicants for a specified project or purpose.
Recipient	A party who has successfully applied for a grant or sponsorship. Also known as grantee.
Sponsorship	Agreements between the City of Sydney and organisations where the City receives benefits in return for the sponsorship. Examples of benefits include promotion, marketing, speaking opportunities and/or tickets.
Value-in-kind	Value-in-kind refers to an arrangement whereby the City of Sydney foregoes revenue (either in full, or a percentage) on things for which a fee normally applies. This may include park hire, venue hire, banner pole hire, or work space accommodation.
Vulnerable communities	Vulnerable communities are groups that are at higher risk of experiencing barriers to social, economic, cultural, political and environmental resources, services and support.



# **Attachment C**

**Draft Addendum to Operational Plan  
2022/23**

# DRAFT Addendum to Operational Plan 2022/23





The Council of the City of Sydney acknowledges the Gadigal of the Eora Nation as the Traditional Custodians of our local area. We acknowledge Elders past and present and celebrate the diversity of Aboriginal and Torres Strait Islander peoples and their ongoing cultures and connections to Country.

# Contents

Introduction	3
Proposed grants program 2022/23	4

**Cover image:** Green Square Library – Photo by Jessica Lindsay / City of Sydney

# Introduction

The City of Sydney's Grants and Sponsorship Program supports initiatives and projects that build the social, cultural, environmental and economic life of the city. The City seeks to optimise the use of public funds through effective and efficient grant processes, and clear grant program objectives linked to the organisation's strategic goals.

The Grants and Sponsorship Policy provides the governance framework for management of the Program and decisions about funding.

Supporting the Policy are the Grants and Sponsorship Guidelines which guide applicants on how to apply for and acquit grants and sponsorships. The Guidelines set out the range of grant programs available, expected program priorities and assessment criteria, and provide practical details such as opening dates for each program, eligibility considerations and the types of supporting documentation they will need to submit with their application.

The current Policy was adopted by Council in September 2014. Revisions to this Policy were then approved by Council on 11 December 2017 and on 15 February 2021. The City's current Grants and Sponsorship Policy is due to be reviewed by December 2022.

City staff have undertaken a comprehensive review and have drafted a new Grants and Sponsorship Policy and Guidelines which have been aligned to the strategic directions and actions within the draft Sustainable Sydney 2030-50 Continuing the Vision, the City's key pillar strategies and Stretch Reconciliation Action Plan. The draft policy and guidelines are on public exhibition together with this Revised Addendum to the Operational Plan 2022/23. .

# Proposed grants program 2022/23

## Grant programs and proposed budgets

### Section 1 - Grants approved with funding provided in 2022/23

These grants have been approved under the current Grants and Sponsorship Guidelines.

#### Cash

- Community Services Grant - \$1,686,653
- Culture and Creative Grants and Sponsorship - \$1,300,000
- Business Support Grant - \$845,000
- Environmental Performance Grants - \$400,000
- Festival and Events Sponsorships - \$4,508,437
- Knowledge Exchange Sponsorship - \$392,500
- Matching Grant - \$100,000
- Precinct Activation Grants - \$750,000

### Section 2 – Grants to be approved and funding provided in 2022/23

These programs are proposed in the draft 2022 Grants and Sponsorship Guidelines.

#### Cash

- Aboriginal and Torres Strait Islander Collaboration Fund - \$500,000
- Green Building Grant - \$200,000
- Festivals and Events Sponsorship - \$496,563
- Innovation and Ideas Grant - \$582,500
- Quick Response Grant - \$260,000

The following grant programs will be open for application in 2022/23 with funding to be determined and provided for in the 2023/24 financial year budget:

- Community Services Grant
- Creative Grant
- Business Sector Support Grant

### Section 3 - Ongoing grant programs and proposed 2022/23 budgets

These grant programs are proposed to continue in the draft 2022 Grants and Sponsorship Guidelines

#### Cash

- Affordable and Diverse Housing Fund - \$3,000,000
- Out of policy grants and major homelessness support - \$1,900,000

#### Value in Kind (VIK)

- Accommodation Grant - \$7,527,567
- Creative Live/Work Spaces Grant - \$197,142
- Short Term Empty Properties Grant - no budget required
- Venue Hire Support Grants and Sponsorship - \$1,156,000
- Street Banner Sponsorship - \$451,005
- Special Events Cleaning and Related Expenses - \$494,000

#### Note:

Some of the proposed programs are open for application to for-profit organisations.

Each program's proposed budget for the year does not exceed 5% of the City's forecast for ordinary rates this year.

A number of programs include multi-year funding arrangements. e.g. Support for Sydney Festival within the Festival and Events Sponsorships program.

### Summary

The table below provides a summary of how the total grants budget of \$26.7M will be allocated across the current grant programs and the grants programs proposed in the draft 2022 Grants and Sponsorship Guidelines.

	2022/23 Financial Year	Comments
<b>Section 1</b>	\$9,982,590	
<b>Section 2</b>	\$2,039,063	Some grant programs awarded in 2022/23 will receive funds in financial year 2023/24
<b>Section 3</b>	\$14,725,714	This includes \$4,900,000 in cash and \$9,825,714 in value in kind
<b>TOTAL</b>	<b>\$26,747,367</b>	



## Item 6.

### Public Exhibition - Code of Meeting Practice

**File No: S051923**

#### Summary

The City's current Code of Meeting Practice has been in place since May 2019 following the implementation of a Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code) prescribed under the then Local Government (General) Regulation 2005. The current Code of Meeting Practice includes temporary provisions adopted by Council May 2021 (and extended in November 2021) relating to meetings held by audio-visual link which need to be reviewed and incorporated into the Code of Meeting Practice.

In accordance with the Local Government Act 1993 councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code) prescribed by the Regulation within 12 months of the election.

On 19 November 2021, a revised Model Code of Meeting Practice was prescribed under the Local Government (General) Regulation 2021.

There are mandatory and non-mandatory provisions contained within the Model Code. Non-mandatory provisions may be varied dependent on local circumstances and according to a council's requirements.

The adopted meeting code may incorporate non-mandatory provisions and any other supplementary provisions adopted by council. A council's adopted meeting code must not contain provisions that are inconsistent with the mandatory provisions.

The major changes proposed to the Code of Meeting Practice are the inclusion of non-mandatory provisions to allow meetings to be held by audio-visual link or to allow councillors to attend meetings by audio-visual link. These new provisions generally reflect the current Temporary Provisions adopted by Council in 2021.

Other changes are largely administrative to ensure compliance with the mandatory provisions of the Model Meeting Code.

The City of Sydney's existing Code of Meeting Practice will remain in force until Council adopts an updated Code of Meeting Practice.

Council is required to exhibit a draft of the Code of Meeting Practice for at least 28 days and provide at least 42 days for submissions.

The proposed City of Sydney Code of Meeting Practice incorporates the mandatory provisions of the Model Meeting Code, along with some of the non-mandatory provisions of the Model Meeting Code and supplementary provisions relevant to the City of Sydney.

This report seeks Council approval for the public exhibition of the draft Code of Meeting Practice.

## Recommendation

It is resolved that:

- (A) approve the draft Code of Meeting Practice as shown at Attachment A to the subject report, for public exhibition for a period of 28 days and specifying a period of not less than 42 days during which submissions may be made; and
- (B) note that a further report will be submitted to Council following exhibition.

## Attachments

**Attachment A.** Draft Code of Meeting Practice (Additions in ***bold italics***, deletions in ~~striketrough~~)



## Background

1. On 19 November 2021, a revised Model Code of Meeting Practice was prescribed under the Local Government (General) Regulation 2021.
2. The Local Government (General) Regulation 2021 has been amended to temporarily exempt councils from complying with the requirement under their codes of meeting practice for councillors to be personally present at meetings to participate in them. The exemption expires on 30 June 2022.
3. Councils are required to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation. A council's adopted meeting code must not contain provisions that are inconsistent with the mandatory provisions.
4. A council's adopted meeting code may also incorporate the non-mandatory provisions of the Model Code and any other supplementary provisions adopted by the council.
5. Councils and committees of councils of which all the members are councillors must conduct their meetings in accordance with the Code of Meeting Practice adopted by the council.
6. The City's Code of Meeting Practice was last reviewed and revised in May 2019. Temporary provisions relating to the conduct of meetings by audio-visual link have been in place since May 2021.
7. Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code) prescribed by the Regulation within 12 months of the election. (The local government election was held on 3 December 2021).

## Objectives

8. The Code of Meeting Practice has the following objectives, to ensure:
  - (a) all meetings of Council and its Committees are conducted in an orderly, consistent and efficient manner;
  - (b) all meetings of Council and its Committees are conducted according to the principles of procedural fairness and due process;
  - (c) all Councillors have an equal opportunity to participate in the meeting to the fullest extent possible, with respect being accorded to the expression of differing views;
  - (d) all Councillors fully understand their rights and obligations as participants in meetings of Council; and
  - (e) proceedings are transparent and understandable to all persons participating in and observing meetings of Council and its Committees.

### Meeting Principles

9. Council and committee meetings should be:
- (a) transparent: decisions are made in a way that is open and accountable;
  - (b) informed: decisions are made based on relevant, quality information;
  - (c) inclusive: decisions respect the diverse needs and interests of the local community;
  - (d) principled: decisions are informed by the principles prescribed under Chapter 3 of the Local Government Act 1993;
  - (e) trusted: the community has confidence that Councillors and staff act ethically and make decisions in the interests of the whole community;
  - (f) respectful: Councillors, staff and meeting attendees treat each other with respect;
  - (g) effective: meetings are well organised, effectively run and skilfully chaired; and
  - (h) orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

### Key Implications

10. The draft City of Sydney Code of Meeting Practice incorporates the mandatory provisions of the Model Meeting Code, along with non-mandatory provisions of the Model Meeting Code and supplementary provisions relevant to the City of Sydney. The draft City of Sydney Code of Meeting Practice, showing all changes from the existing Code of Meeting Practice, is shown Attachment A to the subject report.
11. The major changes proposed to the Code of Meeting Practice are the inclusion of non-mandatory provisions to allow meetings to be held by audio-visual link or to allow councillors to attend meetings by audio-visual link. These new provisions generally reflect the current Temporary Provisions adopted by the Council in 2021.
12. Other changes are largely administrative to ensure compliance with the mandatory provisions of the Model Meeting Code.
13. Key proposed changes are as follows:

Part/Clause(s)	Comment
Guide to references in this Code	<p>Recommended for deletion.</p> <p>Part 20 - Definitions provides this information.</p>

Part/Clause(s)	Comment
Giving notice of business to be considered at council meetings	Inclusion of non-mandatory provisions relating to financial/operational implications in notices of motion.  Consequential deletion of supplementary provisions to the same effect elsewhere in the Code.
Statement of ethical obligations	Mandatory provision.
Pre-meeting briefing sessions	Inclusion of non-mandatory provisions to formalise processes relating to pre-meeting briefing sessions.
Meetings held by audio-visual link	Non-mandatory provisions to allow meetings to be held by audio-visual link.  Generally reflects the current Temporary Provisions adopted by Council.
Attendance by councillors at meetings by audio-visual link	Non-mandatory provisions to allow councillors to attend meetings by audio-visual link.  Generally reflects the current Temporary Provisions adopted by Council.
<i>*Note – a number of consequential amendments (inclusions and deletions) relating to the inclusion of the meetings held by audio-visual link/attendance by councillors at meetings by audio-visual link provisions are also included throughout the Code</i>	
Webcasting of meetings	A number of updates to reflect new mandatory provisions replacing current supplementary provisions.
Variations to motions  Variations by consent	Deletion of supplementary provisions that are inconsistent with mandatory provisions.

14. Further minor updates and amendments have also been made for clarity and consistency.
15. Formatting/numbering updates have been made to comply with the City's updated template.

**Strategic Alignment - Sustainable Sydney 2030**

16. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This policy is aligned with the following strategic directions and objectives:
  - (a) Direction 10 - Implementation through Effective Governance and Partnerships - The Code of Meeting Practice has been designed to promote, as the principle object of meetings, the making of decisions by Council that are in the best interests of the Council and the community as a whole and to ensure all Council meetings are:
    - (i) consistent, orderly and efficient;
    - (ii) fair and respectful for all Councillors and other meeting participants; and
    - (iii) conducted with transparency and clearly defined rights and obligations for Councillors.

**Organisational Impact**

17. Following exhibition and adoption, the revised Code of Meeting Practice will be communicated to all Councillors and relevant City staff.

**Financial Implications**

18. Management of the webcasting and recordings of Council and committee meetings requires appropriate software licences. There are sufficient funds allocated within the current year's operating budget and future years' forward estimates for these services.

**Relevant Legislation**

19. Local Government Act 1993.
20. Local Government (General) Regulation 2021.

**Critical Dates / Time Frames**

21. In accordance with section 360 the Local Government Act 1993 councils, must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code of Meeting Practice for Local Councils in NSW (Model Meeting Code) prescribed by the Regulation within 12 months of the election.
22. An exhibited and adopted Code of Meeting Practice is required by December 2022.
23. The Local Government (General) Regulation 2021 has been amended to temporarily exempt councils from complying with the requirement under their codes of meeting practice for councillors to be personally present at meetings to participate in them. The exemption expires on 30 June 2022.

24. In order to enable meetings by audio-visual link and/or attendance by councillors at meetings by audio-visual link, updates to the Code of Meeting Practice are required for meetings held post 30 June 2022.

### **Public Consultation**

25. Following Council approval, the draft Code will be exhibited for a period of 28 days, with public submissions sought over a concurrent 42 days as required under the Local Government Act 1993.

### **MONICA BARONE**

Chief Executive Officer

Erin Cashman, Council Business Coordinator

# **Attachment A**

**Draft Code of Meeting Practice**

# Draft Code of Meeting Practice



# Contents

1. Introduction	4
2. Meeting principles	6
3. Before the meeting	7
4. Coming together	14
5. The Chairperson	21
6. Modes of address	23
7. Order of business for ordinary Council meetings	24
8. Consideration of business at Council meetings	25
9. Rules of debate	28
10. Voting	32
11. Committee of the whole	33
12. Dealing with items by exception	34
13. Closure of Council meetings to the public	35
14. Keeping order at meetings	39
15. Conflicts of interest	43
16. Decisions of the Council	45
17. Time limits on Council meetings	47
18. After the meeting	49



19. Council Committees	51
20. Irregularities	55
21. Definitions	56

# 1. Introduction

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is ~~made~~ **prescribed** under section 360 of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation ~~2005~~ **2021** (the Regulation).

~~This code~~ **The Model Meeting Code** applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

---

## Objectives

This Code of Meeting Practice has the following objectives:

1. to ensure that all meetings of Council and its Committees are conducted in an orderly, consistent and efficient manner;
2. to ensure that all meetings of Council and its Committees are conducted according to the principles of procedural fairness and due process;
3. to ensure that all Councillors have an equal opportunity to participate in the meeting to the fullest extent possible, with respect being accorded to the expression of differing views;
4. to ensure that all Councillors fully understand their rights and obligations as participants in meetings of Council; and
5. to ensure that proceedings are transparent and understandable to all persons participating in and observing meetings of Council and its Committees.

**Note: The objectives are a supplementary provision**

---

## Interpretation

This Code may be cited as the City of Sydney Code of Meeting Practice.

The Code shall be interpreted in a manner which is consistent with the *Local Government Act 1993*, the *Local Government General Regulation 2005-2021* and the Objectives of this Code.

The Code includes relevant references to sections of the *Local Government Act 1993* and **Local Government General Regulation 2021** Regulations, as well as supplementary provisions adopted by Council.

Any references to the mayor in this Code should be interpreted to apply to the Lord Mayor of the City of Sydney.

Any references to the general manager should be interpreted to apply to the Chief Executive Officer of the City of Sydney.

**Note: *The interpretation is a supplementary provision***

---

## Guide to references in this Code

The Code consolidates provisions in relevant Acts, Regulations and the City's Supplementary Provisions which are specific meeting provisions for the City of Sydney. References to relevant sections in the *Local Government Act 1993* and regulations are included in the Code.

The Act — refers to the *Local Government Act 1993*

## 2. Meeting principles

### 2.1 Council and Committee meetings should be:

- Transparent: Decisions are made in a way that is open and accountable.
- Informed: Decisions are made based on relevant, quality information.
- Inclusive: Decisions respect the diverse needs and interests of the local community.
- Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
- Respectful: Councillors, staff and meeting attendees treat each other with respect.
- Effective: Meetings are well organised, effectively run and skilfully chaired.
- Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

---

### Revision of the Code

2.2 ***Where permitted under the Act or Regulation***, the Council authorises the Chief Executive Officer to reissue the Code without public exhibition to incorporate any amendments to relevant Acts, Regulations or formal advice from the NSW Office of Local Government.

**Note: Clause 2.2 is a Supplementary Provision**

# 3. Before the meeting

---

## Timing of ordinary council meetings

3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

**Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.**

3.2 In addition to the meeting cycle adopted, Council may resolve to hold additional meetings as considered necessary.

3.3 Additional meetings of Council convened by resolution of Council are subject to the three days' notice rule and must also be advertised in accordance with clause 3.10 of this Code of Meeting Practice.

3.4 Generally, Council will recess during school holiday periods.

3.5 Council meetings will generally commence at 5.00pm, but this commencement time may vary for particular meetings if the Council so resolves or if the Lord Mayor so directs under delegated authority (~~Council Resolution 14 March 2005~~).

3.6 Council will determine the commencement times for meetings of Committees.

3.7 The Lord Mayor has delegated authority to call and schedule meetings of Council and Committees, briefings for Councillors and site inspections by Councillors (~~Resolution of Council 6 June 2006~~).

**Note: Clauses 3.2-3.7 are supplementary provisions**

---

## Extraordinary meetings

3.8 If the Lord Mayor receives a request in writing, signed by at least two (2) councillors, the Lord Mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than 14 days after receipt of the request. The Lord Mayor can be one of the two councillors requesting the meeting.

**Note: Clause 3.8 reflects section 366 of the Act.**

3.9 Councillors requesting that the Lord Mayor call an extraordinary meeting of council in accordance with clause 3.8, must provide the reason for the request in writing.

**Note: Clause 3.9 is a supplementary provision**

---

## Notice to the public of council meetings

3.10 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

**Note: Clause 3.10 reflects section 9(1) of the Act.**

3.11 For the purposes of clause 3.10, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

3.12 For the purposes of clause 3.10, notice of more than one (1) meeting may be given in the same notice.

---

## Notice to councillors of ordinary council meetings

3.13 The Chief Executive Officer must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 3.13 reflects section 367(1) of the Act.**

3.14 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 3.14 reflects section 367(3) of the Act.**

---

## Notice to councillors of extraordinary meetings

3.15 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

**Note: Clause 3.15 reflects section 367(2) of the Act.**

---

## Days of notice

3.16 The day of issue and the day of the meeting are not to be counted as days of notice *in accordance with* section 36 Interpretations Act 1987.

**Note: Clause 3.16 is a supplementary provision**

---

## Giving notice of business to be considered at council meetings

3.17 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be submitted in writing to the Chief Executive Officer or their specified delegate, no later than 12noon, four business days before the meeting is to be held.

3.18 A councillor may, in writing to the Chief Executive Officer, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

**3.19 If the Chief Executive Officer considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the Chief Executive Officer may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.**

**3.20 A notice of motion which would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion.**

**Note: Clauses 3.19 and 3.20 are non-mandatory provisions.**

---

## Questions with notice

3.21 A councillor may, **by way of a notice submitted under clause 3.17** ask a question for response by the Chief Executive Officer about the performance or operations of the council.

3.22 A councillor is not permitted to ask a question with notice under clause 3.21 that comprises a complaint against the Chief Executive Officer or a member of staff of the council, or a question that implies wrongdoing by the Chief Executive Officer or a member of staff of the council.

3.21 The Chief Executive Officer or their nominee may respond to a question with notice submitted under clause 3.21 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

**3.22 Notices of motion containing questions are to be dealt with as Questions on Notice and listed separately on the council agenda. Questions on Notice** must be submitted in writing to the Chief Executive Officer or their specified delegate, no later than 12 noon, four business days before the meeting is to be held.

3.23 Questions on Notice must directly relate to the business of council and must be put directly, succinctly, respectfully and without argument.

3.24 Questions should not contain:

- (a) statements of facts or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated;
- (b) argument;
- (c) inference; or
- (d) imputation.

3.25 Questions should not ask for legal opinion to be provided at the council meeting.

3.26 Questions should not refer to confidential matters that have been previously, or are yet to be, discussed by council in closed session, nor refer to confidential matters as listed in section 10A(2) of the Local Government Act 1993.

3.27 The Chief Executive Officer or specified delegate may exclude from the agenda any Question on Notice which may have the effect of exposing a councillor, the council, or a member of staff, to an action for defamation.

3.28 A councillor may appeal to the Lord Mayor against a decision of the Chief Executive Officer or specified delegate made under clause 3.27. The Lord Mayor will decide in those circumstances if the Question on Notice complies with the Code of Meeting Practice.

3.29 The Lord Mayor may rule that a Question on Notice does not comply with the Code of Meeting Practice, notwithstanding a decision made under clause 3.27 - and in such cases the Lord Mayor is to provide a written reason for such a decision.

3.30 The council business papers may include Supplementary Answers to Previous Questions, following Questions on Notice.

~~3.31 Should a Question on Notice have any resource implications, financial or otherwise, the Chief Executive Officer will advise council. This advice will be included in the business paper. (Resolution of Council 26 June 2006).~~

**Note: Clauses 3.22 -3.30 are supplementary provisions**

---

## Notices of motion

3.31 The rules applying to the content of Questions also apply to the content of Notices of Motion.

3.32 Councillors are to ensure, where it is intended that the Chief Executive Officer be asked to carry out some specific defined action that a Notice of Motion is written in such a way that, if carried, the motion carries such clear and unambiguous direction.

**Note: Clauses 3.31 and 3.33 are supplementary provisions**

---

## Other motions

3.33 The rules applying to the content of Questions on Notice and Notices of Motion apply to the content of any other motion or amendment moved at a council or committee meeting.

3.34 Councillors are asked, where they propose to move an amendment to a staff recommendation, a committee recommendation, a Notice of Motion or any recommendation printed in the business paper, to provide copies of the proposed amendment to the Chief Executive Officer or their specified delegate at, or prior to the start of the meeting, for circulation to all councillors and relevant staff.

~~3.36 Should a Notice of Motion have any resource implications, financial or otherwise, the Chief Executive Officer will advise council. This advice will be included in the business paper. (Resolution of Council 26 June 2006).~~

**Note: Clauses 3.33 and 3.34 are Supplementary Provisions**

---

## Agenda and business papers for ordinary meetings

3.35 The Chief Executive Officer must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.

3.36 The Chief Executive Officer must ensure that the agenda for an ordinary meeting of the council states:

- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and



- (b) if the Lord Mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
- (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
- (d) any business of which due notice has been given under clause 3.17.

3.37 Nothing in clause 3.36 limits the powers of the Lord Mayor to put a mayoral minute to a meeting under clause 8.6.

3.38 The Chief Executive Officer must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is, or the implementation of the business would be, unlawful. The Chief Executive Officer must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

3.39 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the Chief Executive Officer, is likely to take place when the meeting is closed to the public, the Chief Executive Officer must ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.39 reflects section 9(2A)(a) of the Act.**

3.40 The Chief Executive Officer must ensure that the details of any item of business which, in the opinion of the Chief Executive Officer, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

---

## Agendas

3.41 The Lord Mayor has the authority to direct the Chief Executive Officer to include items on the agendas for all meetings, subject to the Act and Regulation. Provided that the council has by resolution determined a specific item should be placed on its agenda, the function exercised under this delegation must be exercised in accordance with that resolution. (~~Resolution of Council of 5 June 2006~~).

**Note: Clause 3.41 is a supplementary provision**

---

## Matters for tabling – correspondence and petitions

3.42 The business paper may also include any correspondence which, in the opinion of the Chief Executive Officer or Lord Mayor, should be brought to the attention of Council. The Lord Mayor and Councillors may table original petitions, or copies of electronic petitions, at meetings of Council with or without notice. The recommendation accompanying any Matters for Tabling, whether notice has been given or not, is “It is resolved that the matter be received and noted.”

3.43 Notice of Petitions (whether paper petitions or electronic petitions) may be included on Council’s business paper provided that notice is given to the Chief Executive Officer or their specified delegate no later than 12noon, four business days before the meeting at which the

petition is to be considered. Notice must include the name of the petition and the statement(s) to which the signatories are agreeing.

3.44 Councillors may debate the subject of the petition if notice has been given.

3.45 Should a Councillor wish Council to consider a motion in relation to a petition, they are able to provide notice of the motion in accordance with the requirements of the Code of Meeting Practice. The motion will then be listed on the Council agenda.

3.46 If notice of the petition has not been given, Council may only receive and note the petition and must not discuss the matter unless a motion is passed in accordance with clause 8.3. A Councillor may request that the petition be placed on the agenda for the next Council meeting to allow for debate.

3.47 Otherwise, once a petition has been received and noted, the Chief Executive Officer must ensure the petition is appropriately considered by the City and in accordance with the Council's Petition Guidelines.

**Note: Clauses 3.42-3.47 are supplementary provisions**

---

## **Statement of ethical obligations**

**3.48 *Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.***

---

## **Availability of the agenda and business papers to the public**

3.49 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

**Note: Clause 3.49 reflects section 9(2) and (4) of the Act.**

3.50 Clause 3.49 does not apply to the business papers for items of business that the Chief Executive Officer has identified under clause 3.39 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.50 reflects section 9(2A)(b) of the Act.**

3.51 For the purposes of clause 3.49, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.51 reflects section 9(3) of the Act.**

3.52 A copy of an agenda, or of an associated business paper made available under clause 3.49, may in addition be given or made available in electronic form.

**Note: Clause 3.52 reflects section 9(5) of the Act.**

## Agenda and business papers for extraordinary meetings

3.53 The Chief Executive Officer must ensure the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

3.54 Despite clause 3.53, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

3.55 A motion moved under clause 3.54(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

3.56 Despite clauses 9.27-9.36 only the mover of a motion moved under clause 3.54(a) can speak to the motion before it is put.

3.57 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.54(b) on whether a matter is of great urgency.

---

## Pre-meeting briefing sessions

**3.58 Prior to each ordinary meeting of the council, the Chief Executive Officer may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.**

**3.59 Pre-meeting briefing sessions are to be held in the absence of the public.**

**3.60 External attendees may be invited to attend or present to a pre-meeting briefing session.**

**3.61 Pre-meeting briefing sessions may be held by audio-visual link.**

**3.62 The Chief Executive Officer or a member of staff nominated by the Chief Executive Officer is to preside at pre-meeting briefing sessions.**

**3.63 Councillors (including the Lord Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.**

**Note: Clauses 3.58-3.62 are non-mandatory provisions**

# 4. Coming together

---

## Attendance by councillors at meetings

4.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

**Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**

4.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, *unless permitted to attend the meeting by audio-visual link under the code.*

4.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

4.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

4.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

4.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 4.6 reflects section 234(1)(d) of the Act.**

4.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the Chief Executive Officer at least two (2) days' notice of their intention to attend.

---

## The quorum for a meeting

4.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

**Note: Clause 4.8 reflects section 368(1) of the Act.**

4.9 Clause 4.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 4.9 reflects section 368(2) of the Act.**

4.10 A meeting of the council must be adjourned if a quorum is not present:

- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- (b) within half an hour after the time designated for the holding of the meeting, or
- (c) at any time during the meeting.

4.11 In either case, the meeting must be adjourned to a time, date and place fixed:

- (a) by the chairperson, or
- (b) in the chairperson's absence, by the majority of the councillors present, or
- (c) failing that, by the Chief Executive Officer.

4.12 The Chief Executive Officer must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

4.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the **health, safety and-or** welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (~~such as, but not limited to flood or bushfire~~) **or a public health emergency**, the Lord Mayor may, in consultation with the Chief Executive Officer and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

4.14 Where a meeting is cancelled under clause 4.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.8.

**Note: Clauses 4.13 and 4.14 are non-mandatory provisions**

---

## **Meetings held by audio-visual link**

**4.15 A meeting of the council or a committee of the council may be held by audio-visual link where the Lord Mayor determines that the meeting should be held by audio-visual link because of a natural disaster, concerns relating to public health or in any other situation to ensure the health, safety and welfare of councillors and council staff. The Lord Mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health, safety and welfare of councillors and staff at risk. The Lord Mayor must make a determination under this clause in consultation with the Chief Executive Officer.**

**4.16 Where the Lord Mayor determines under clause 4.15 that a meeting is to be held by audio-visual link, the Chief Executive Officer must:**

- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and**
- (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and**
- (c) cause a notice to be published on the council's website and in such other manner the Chief Executive Officer is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.**

**4.17 This code applies to a meeting held by audio-visual link under clause 4.15 in the same way it would if the meeting was held in person.**

**4.18 Should the Lord Mayor determine that a meeting of the committees of the council be held by audio-visual link, members of the public will be permitted to address the meeting by audio-visual link, including from the location made available for the public to observe the meeting if they have attended in person.**

**4.19 If, as a result of technical issues, any councillor loses connection to the meeting held by audio-visual link, the chair should adjourn the meeting for up to 15 minutes to enable the technical issue to be resolved. If the chair loses connection, the deputy chair of the meeting must call for the adjournment.**

**Note: Where a council holds a meeting by audio-visual link under clause 4.15, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.**

**Note: Clauses 4.15-4.19 are non-mandatory provisions**

---

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

**4.20 The Lord Mayor may, in response to a request made by a councillor, permit the councillor to attend one or more meetings of the council or committee by audio-visual link where they are satisfied on reasonable grounds that the councillor will be prevented from attending the meeting/s in person for reasons beyond their control.**

**4.21 Requests by councillors to attend meetings by audio-visual link must be made in writing to the Lord Mayor by 12 noon on the day of the relevant meeting/s wherever possible and must provide information about the meeting/s the councillor will be prevented from attending in person and the reason why the councillor will be prevented from attending the meeting/s in person. When circumstances arise after 12 noon that would prevent a councillor from attending in person all attempts will be made to facilitate attendance by audio-visual link if possible, subject to technical capacity to do so.**

**4.22 Where the Lord Mayor approves attendance by audio-visual link a written determination permitting a councillor to attend one or more meetings by audio-visual link should be issued which provides the following information:**

- (a) the Lord Mayor's confirmation that they are satisfied that the request is made on valid grounds, in accordance with clause 4.20 and**
- (b) details of the meetings the determination applies to.**

**4.23 The Lord Mayor may determine, where a request has been granted for attendance by audio-visual link by one (1) councillor, that it is appropriate for all councillors to attend by audio-visual link. This advice should be provided to all councillors as soon as practicable prior to the relevant meeting.**

**4.24 A determination in relation to an application to permit a councillor to attend a meeting by audio-visual link is at the discretion of the Lord Mayor. Where the Lord Mayor determines not to approve attendance by audio-visual link this determination should be made in writing and reasons for the refusal provided to the councillor.**

**4.25** *The Lord Mayor is under no obligation to permit a councillor to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend a meeting by these means.*

**4.26** *This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.*

**4.27** *A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.*

**4.28** *A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.*

**Note:** *Clauses 4.20-4.28 are non-mandatory provisions*

---

## Entitlement of the public to attend council meetings

**4.29** Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure all meetings of the council and committees of the council are open to the public.

**Note:** **Clause 4.29 reflects section 10(1) of the Act.**

**4.30** Clause 4.29 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

**4.31** A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note:** **Clause 4.31 reflects section 10(2) of the Act.**

---

## Webcasting of meetings

~~4.32 All meetings of the council and committees of the council are to be webcast on the council's website. **Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.**~~

~~4.19 The meetings will be audio-visually recorded and webcast live.~~

~~**Note:** **Clause 4.19 is a Supplementary Provision**~~

**4.33** *At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:*

- (a) the meeting is being recorded and made publicly available on the council's website, and**
- (b) persons attending the meeting should refrain from making any defamatory statements.**

**4.34 The recording of a meeting is to be made publicly available on the council's website:**

- (a) at the same time as the meeting is taking place, or**
- (b) as soon as practicable after the meeting.**

**4.35 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.**

**4.36 Clauses 4.34 and 4.35 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.**

**Note: Clauses 4.32-4.36 reflect section 236 of the Regulation.**

**4.37 Recordings of meetings may be disposed of in accordance with the State Records Act 1998.**

~~4.20 Clause 4.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.~~

~~4.21 At the start of each meeting, the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.~~

4.38 Members of the public attending a council or committee meeting may have their image, voice and personal information (including name and address) recorded, publicly broadcast and archived for up to 12 months.

4.39 By attending a council or committee meeting, whether as a proponent or objector addressing the Council or as an observer or other interested party, members of the public consent to this use of their image, voice and personal information.

4.40 Speakers addressing council or committee meetings do not have absolute privilege in respect of opinions expressed or comments made or material presented. The City accepts no responsibility for any defamatory comments in this regard.

4.41 Council and committee meetings are public meetings where individuals may make statements or take actions which may be contrary to law. For example, those that are defamatory, discriminatory, breach privacy or physically harm another individual. Statements and actions such as these made in a council or committee meeting by any individual are not protected by privilege and may be the subject of legal proceedings and potential liability.

4.42 Council does not accept any liability for statements made or actions taken by individuals during a council or committee meeting that may be contrary to law.

4.43 Councillors and council employees are bound by the Code of Conduct and Code of Meeting Practice and are expected to maintain the high standards of conduct and behaviour required by these Codes.

4.44 A disclaimer will be published on Council's website, displayed in the public gallery, printed in the meeting agendas and announced by the Chair at the commencement of each meeting, notifying the public that statements made and actions taken during a council or committee meeting are those of the individuals making them, and not those of the council.



4.45 Unless set out in a resolution of council, the City of Sydney does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a council or committee meeting, and which may be contained in a live stream or recording of a council or committee meeting.

~~4.30 A recording of each meeting of the council and committee of the council is to be retained on the council's website for 12 months. Recordings of meetings may be disposed of in accordance with the State Records Act 1998.~~

4.46 Recordings of proceedings are not an official record of the meeting, nor do they convey the official minutes of a council or committee meeting or the position of Council. Recordings are not to be used except in accordance with this Code.

4.47 Written transcripts of proceedings are not available.

4.48 Council or committee meetings may be several hours long. Viewing live or recorded video of Council meetings over the internet can consume large amounts of data. The user is responsible for any charges a service provider may impose for data usage, particularly over a mobile internet connection.

4.49 Access to live streams and recordings of council or committee meetings is provided on the City's website for personal and non-commercial use.

4.50 Video, images and audio contained in a live stream or recording must not be altered, reproduced or republished without the permission of the City.

4.51 Copyright remains with the City.

4.52 There may be situations where, due to technical difficulties beyond the City's control, a live stream or recording of a meeting may not be available. Every reasonable effort will be made to ensure live streams and meeting recordings are made available on the City's website.

4.53 The City takes no responsibility for, and accepts no liability, in the event that live streaming of a meeting, a recording of a meeting, or the City's website is unavailable.

4.54 Technical issues may include, but are not limited to, the availability of the internet and network or device failure or malfunction.

**Note: Clauses 4.38-4.54 are supplementary provisions**

---

## Attendance of the Chief Executive Officer and other staff at meetings

4.55 The Chief Executive Officer is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

**Note: Clause 4.45 reflects section 376(1) of the Act.**

4.56 The Chief Executive Officer is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

**Note: Clause 4.56 reflects section 376(2) of the Act.**

4.57 The Chief Executive Officer may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the Chief Executive Officer or the terms of employment of the Chief Executive Officer.

**Note: Clause 4.57 reflects section 376(3) of the Act.**

4.58 The attendance of other council staff at a meeting (other than as members of the public) shall be with the approval of the Chief Executive Officer.

***4.59 The Chief Executive Officer and other council staff may attend meetings of the council and committees by audio-visual link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the Chief Executive Officer.***

# 5. The Chairperson

---

## The chairperson at meetings

5.1 The Lord Mayor, or at the request of or in the absence of the Lord Mayor, the Deputy Lord Mayor (if any) presides at meetings of the council.

**Note: Clause 5.1 reflects section 369(1) of the Act.**

5.2 If the Lord Mayor and the Deputy Lord Mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

**Note: Clause 5.2 reflects section 369(2) of the Act.**

---

## Election of the chairperson in the absence of the Lord Mayor and Deputy Lord Mayor

5.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

5.4 The election of a chairperson must be conducted:

- (a) by the Chief Executive Officer or, in their absence, an employee of the council designated by the Chief Executive Officer to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the Chief Executive Officer nor a designated employee is present at the meeting, or if there is no Chief Executive Officer or designated employee.

5.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

5.6 For the purposes of clause 5.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

5.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

5.8 Any election conducted under clause 5.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

---

## Chairperson to have precedence

5.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
  - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.
- 

## Recognition of chairperson

5.10 In addressing council, councillors and other persons addressing the council shall at all times speak through the chairperson.

5.11 Councillors and other persons addressing the council shall at all times show appropriate respect and observe the ruling of the chairperson.

5.12 A councillor, despite the clauses immediately above, may, through a motion of dissent, challenge a ruling from the chairperson.

**Note: Clauses 5.10-5.12 are supplementary provisions**

# 6. Modes of address

6.1 To facilitate debate, councillors, with the exception of the chairperson, are to stand in their place when speaking at a meeting of council (except when prevented by disability or injury). This procedure does not need to be followed at meetings of committees, **where a meeting is being held by audio-visual link, where a councillor is attending a meeting by audio-visual link** or in circumstances where the chairperson rules that standing is not required.

6.2 In addressing council, councillors and other persons addressing the council will use the appropriate mode of address to the Lord Mayor, Deputy Lord Mayor, fellow councillors, employees of council and members of the public in attendance.

6.3 Councillors shall refrain from the use of offensive or inappropriate words in reference to any councillors, employees of council and members of the public consistent with the City's Code of Conduct.

6.4 Councillors shall not make imputations of improper motives or personal reflections on councillors, employees of council and members of the public, consistent with the City's Code of Conduct.

**Note: Clauses 6.1-6.4 are non-mandatory provisions**

# 7. Order of business for ordinary Council meetings

7.1 At a meeting of Council, the general order of business is as fixed by resolution of the council.

7.2 The order of business as fixed under clause 7.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

**Note: Part 12 allows council to deal with items of business by exception.**

7.3 Despite clauses 9.27-9.36, only the mover of a motion referred to in clause 7.2 may speak to the motion before it is put.

# 8. Consideration of business at Council meetings

---

## Business that can be dealt with at a council meeting

- 8.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.17, and
  - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.13 in the case of an ordinary meeting or clause 3.15 in the case of an extraordinary meeting called in an emergency.
- 8.2 Clause 8.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
  - (b) is the election of a chairperson to preside at the meeting, or
  - (c) subject to clause 8.9, is a matter or topic put to the meeting by way of a mayoral minute, or
  - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 8.3 Despite clause 8.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 8.4 A motion moved under clause 8.3(a) can be moved without notice. Despite clauses 9.27-9.36, only the mover of a motion referred to in clause 8.3(a) can speak to the motion before it is put.
- 8.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 8.3(b).
- 

## Lord Mayoral minutes

- 8.6 Subject to clause 8.9, if the Lord Mayor is the chairperson at a meeting of the council, the Lord Mayor may, by minute signed by the Lord Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

8.7 A lord mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the Lord Mayor) may move the adoption of a lord mayoral minute without the motion being seconded.

8.8 A recommendation made in a lord mayoral minute put by the Lord Mayor is, so far as it is adopted by the council, a resolution of the council.

8.9 A lord mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

8.10 Where a lord mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the lord mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the recommendation if adopted.

**Note: Clause 8.1 is a non-mandatory provision.**

---

## Staff reports

8.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

---

## Reports of committees of council

8.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.

8.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

---

## Questions

8.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.17 and 3.21.

8.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.

8.16 A councillor may, through the Chief Executive Officer, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the Chief Executive Officer at the direction of the Chief Executive Officer.

8.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents **information**. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and ~~respond directly to the councillor raising the question, via a CEO Update or by report to~~ **report the response to** the next meeting of the council.

8.18 Councillors must put questions directly, succinctly, respectfully and without argument.



8.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

# 9. Rules of debate

---

## Motions to be seconded

9.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

9.2 Debate on a motion or amendment commences once the mover has spoken to the motion or amendment.

9.3 If, however, the mover reserves his or her right to speak on the motion or amendment, the motion or amendment must be seconded for debate to proceed.

**Note: This provision will enable the mover of a motion to speak to a motion without it being seconded. If the motion is not seconded after the mover has spoken, it will lapse.**

**Note: Clauses 9.2 and 9.3 are supplementary provisions**

---

## Notices of motion

9.4 A councillor who has submitted a notice of motion under clause 3.17 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

9.5 If a councillor who has submitted a notice of motion under clause 3.17 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.

9.6 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:

- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
  - (b) the chairperson may defer consideration of the motion until the next meeting of the council.
- 

## Chairperson's duties with respect to motions

9.7 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.

9.8 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

9.9 Before ruling out of order a motion or an amendment to a motion under clause 8.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

9.10 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

---

## Motions requiring the expenditure of funds

9.11 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer

consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the motion if adopted.

**Note: Clause 9.11 is a non-mandatory provision.**

---

## Amendments to motions

9.12 An amendment to a motion must be moved and seconded before it can be debated.

9.13 The amendment must also be moved before the debate on the motion has been concluded and the right of reply of the mover of the motion has been exercised.

~~9.14 Once an amendment has been moved and seconded, it cannot be withdrawn without the consent of the meeting.~~

**Note: Clause 9.13 is supplementary provision.**

9.14 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.

9.15 An amendment ~~must should~~ not be moved that is substantially the same as an earlier rejected amendment on the motion.

9.16 An amendment that is in opposition to an amendment already accepted ~~must should~~ not be moved or accepted for debate.

**Note: Clauses 9.15 and 9.16 are supplementary provisions**

9.17 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.

9.18 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.

9.19 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.

9.20 If the amendment is carried, it becomes the motion, ~~as amended~~ and is to be debated. If the amendment is lost, debate is to resume on the original motion.

9.21 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

---

## Foreshadowed motions

9.22 A councillor may propose a foreshadowed motion in relation to the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.

9.23 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

9.24 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

9.25 The chairperson may exercise discretion and recommend to the meeting a change of order for foreshadowed motions or amendments.

9.26 Foreshadowed motions or amendments are still subject to the clause 8.1 (to be moved and seconded).

**Note: Clauses 9.25 and 9.26 are supplementary provisions**

---

## Variations to motions

~~8.28 — A councillor may seek to vary a motion by:~~

~~(a) — obtaining the unanimous consent of council; or~~

~~(b) — proposing an amendment to the motion.~~

**Note: Clause 8.30 is a Supplementary Provision**

---

## Variations by consent

~~8.29 — If a councillor, including the seconder to the original motion, proposes a variation to a motion, the chairperson shall ask whether any councillor objects to the variation.~~

~~8.30 — If there is no objection, the proposed variation is adopted into the motion by consent of the council.~~

~~8.31 — If there is an objection, the proposed variation must be dealt with as an amendment and seconded and voted on accordingly.~~

~~8.32 — If the variation is proposed by the seconder to the original motion, but not accepted by councillors, then a new seconder should be sought for the original motion.~~

**Note: The intention of a variation by consent is to enable a change to a motion that is non-contentious, improves clarity or effects a correction. This is also consistent with the common law rule that a seconder to a motion cannot move an amendment but enables a seconder to move a variation.**

**Note: Clauses 8.29 – 8.32 are Supplementary Provisions**

---

## Limitations on the number and duration of speeches

9.27 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

9.28 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.

9.29 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.

9.30 Despite clause 9.29, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

9.31 Nothing in clauses 9.27, 9.28 or 9.29 affects questions being asked, with the leave of the chairperson, relevant to any matter under discussion at a meeting.

**Note: Clause 9.31 is a supplementary provision.**

9.32 Despite clause 9.30, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.

9.31 Despite clauses 9.27 and 9.28, a councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
- (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two councillors have spoken against it.

9.32 The chairperson must immediately put to the vote, without debate, a motion moved under clause 9.31. A seconder is not required for such a motion.

9.33 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 9.27.

9.34 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.

9.35 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.

9.36 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

# 10. Voting

---

## Voting entitlements of councillors

10.1 Each councillor is entitled to one vote.

**Note: Clause 10.1 reflects section 370(1) of the Act.**

10.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 10.2 reflects section 370(2) of the Act.**

10.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

---

## Voting at council meetings

10.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

10.5 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for Lord Mayor or Deputy Lord Mayor is to be by secret ballot.

10.6 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

---

## Voting on planning decisions

10.7 The Chief Executive Officer must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.

10.8 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

10.9 Clauses 10.7 and 10.8 apply also to meetings that are closed to the public.

**Note: Clauses 10.7 to 10.9 reflect section 375A of the Act.**

**Note: The requirements of clause 10.7 may be satisfied by maintaining a register of the minutes of each planning decision.**

# 11. Committee of the whole

11.1 The council may resolve itself into a committee to consider any matter before the council.

**Note: Clause 11.1 reflects section 373 of the Act.**

11.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

**Note: Clauses 9.27-9.36 limit the number and duration of speeches.**

11.3 The Chief Executive Officer or, in the absence of the Chief Executive Officer, an employee of the council designated by the Chief Executive Officer, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.

11.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

# 12. Dealing with items by exception

12.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

12.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 12.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

12.3 The council or committee must not resolve to adopt any item of business under clause 12.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

12.4 Where the consideration of multiple items of business together under clause 12.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 6.2.

12.5 A motion to adopt multiple items of business together under clause 12.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.

12.6 Items of business adopted under clause 12.1 are to be taken to have been adopted unanimously.

12.7 Councillors must ensure they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 12.1 in accordance with the requirements of the council's code of conduct.

**Note: Clauses 12.1-12.7 are non-mandatory provisions.**



# 13. Closure of Council meetings to the public

---

## Grounds on which meetings can be closed to the public

13.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - i. prejudice the commercial position of the person who supplied it, or
  - ii. confer a commercial advantage on a competitor of the council, or
  - iii. reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land, or
- (i) alleged contraventions of the council's code of conduct.

**Note: Clause 13.1 reflects section 10A(1) and (2) of the Act.**

13.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 13.2 reflects section 10A(3) of the Act.**

---

## Matters to be considered when closing meetings to the public

13.3 A meeting is not to remain closed during the discussion of anything referred to in clause 13.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 13.3 reflects section 10B(1) of the Act.**

13.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 13.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

**Note: Clause 13.4 reflects section 10B(2) of the Act.**

13.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 13.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 13.1.

**Note: Clause 13.5 reflects section 10B(3) of the Act.**

13.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - i. cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
  - ii. cause a loss of confidence in the council or committee.

**Note: Clause 13.6 reflects section 10B(4) of the Act.**

13.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the **Departmental** Chief Executive of the Office of Local Government.

**Note: Clause 13.7 reflects section 10B(5) of the Act.**

---

## Notice of likelihood of closure not required in urgent cases

13.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.39 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 13.1, and
- (b) the council or committee, after considering any representations made under clause 13.9, resolves that further discussion of the matter:
  - i. should not be deferred (because of the urgency of the matter), and
  - ii. should take place in a part of the meeting that is closed to the public.

**Note: Clause 13.8 reflects section 10C of the Act.**

---

## Representations by members of the public

13.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 13.9 reflects section 10A(4) of the Act.**

13.10 A representation under clause 13.9 is to be made after the motion to close the part of the meeting is moved and seconded.

13.11 Where the matter has been identified in the agenda of the meeting under clause 3.39 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 13.9, members of the public must first make an application to the council in the approved form. Applications must be received four hours before the meeting at which the matter is to be considered.

13.12 The Chief Executive Officer (or their delegate) may refuse an application made under clause 13.11. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.

13.13 No more than three (3) speakers are to be permitted to make representations under clause 13.9.

13.14 If more than the permitted number of speakers apply to make representations under clause 13.9, the Chief Executive Officer or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 13.9, the Chief Executive Officer or their delegate is to determine who will make representations to the council.

13.15 The Chief Executive Officer (or their delegate) is to determine the order of speakers.

13.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.39 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 13.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than three speakers to make representations in such order as determined by the chairperson.

13.17 Each speaker will be allowed three (3) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

13.18 Apart from the circumstances referred to in the clauses above, and in view of the opportunity provided to members of the public to address meetings of committees, no provision is made for members of the public to address meetings of council.

**Note: Clause 13.18 is a supplementary provision**

---

## Expulsion of non-councillors from meetings closed to the public

13.19 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

13.20 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

## **Obligations of councillors attending meetings by audio-visual link**

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

---

## **Information to be disclosed in resolutions closing meetings to the public**

13.22 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 13.22 reflects section 10D of the Act.**

---

## **Resolutions passed at closed meetings to be made public**

13.23 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

13.24 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 13.23 during a part of the meeting that is webcast.

# 14. Keeping order at meetings

---

## Observe the Code of Conduct and Code of Meeting Practice

14.1 Councillors, employees of council and other persons at the meeting are required to observe the Code of Meeting Practice at all meetings of council.

14.2 Failure on the part of a councillor or an employee to observe the Code of Meeting Practice may be subject to a complaint under the Code of Conduct.

~~13.3 The chairperson of the meeting, a councillor, employee or any other person in attendance may report in writing to the Chief Executive Officer a complaint alleging a breach of the Code of Meeting Practice to the councillor.~~

**Note: Clauses 14.1 and 14.2 are supplementary provisions.**

---

## General procedural motions

14.3 A procedural motion is a motion that refers to the conduct of a meeting.

14.4 Procedural motions are not subject to the notice of motion requirements in clause 3.17.

14.5 In general, a procedural motion requires a seconder, unless stated to the contrary in the Code of Meeting Practice.

14.6 Unless stated to the contrary in this Code of Meeting Practice, there is no debate on a procedural motion.

14.7 A procedural motion has precedence over substantive motions and must be put to the meeting for a decision.

**Note: Clauses 14.3-14.7 are supplementary provisions.**

---

## Points of order

14.8 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

14.9 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

14.10 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

---

## Questions of order

14.11 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

14.12 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.

14.13 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.

14.14 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

---

## Motions of dissent

14.15 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.

14.16 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.

14.17 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

14.18 A motion of dissent does not require a seconder.

**Note: Clause 14.18 is a supplementary provision.**

---

## Acts of disorder

14.19 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- (a) contravenes the Act ~~or any the Regulation in force under the Act~~ or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults, ~~or makes personal reflections on~~ **unfavourable personal remarks about**, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

**Note: Clause 14.19 reflects section 182 of the Regulation.**

14.20 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 14.19 (a), (b) or (e), or
- (b) to withdraw a motion or an amendment referred to in clause 14.19 (c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for **any statement that constitutes** an act of disorder referred to in clauses 14.19 (d) and (e).

**Note: Clause 14.20 reflects section 233 of the Regulation.**

## How disorder at a meeting may be dealt with

14.21 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

---

## Warning to councillors

14.22 If the chairperson of the meeting is of the view that the ongoing behaviour of a councillor is disruptive to the good order of the meeting, the chairperson:

- (a) shall warn the councillor they could face a motion to authorise removal from the meeting if they continue to breach the Code of Meeting Practice, and
- (b) if a further breach occurs, seek the views of the meeting as to the removal of the councillor.

**Note: Clause 14.22 is a supplementary provision**

---

## Expulsion from meetings

14.23 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

14.24 Clause 14.23 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting under section 10(2)(a) of the Act.

14.25 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 14.20. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

14.26 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

**Note: Clause 14.26 reflects section 233(2) of the Regulation.**

14.27 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

14.28 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

## **How disorder by councillors attending meetings by audio-visual link may be dealt with**

**14.29** *Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.*

**14.30** *If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.*

**Note:** *Clauses 14.29 and 14.30 are non-mandatory provisions.*

---

## **Use of mobile phones and the unauthorised recording of meetings**

**14.31** Councillors, council staff and members of the public must ensure mobile phones are turned to silent during meetings of the council and committees of the council.

**14.32** A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.

**14.33** ***Without limiting clause 14.26, a contravention of clause 14.32 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 14.26.*** Any person who contravenes or attempts to contravene clause 14.32, may be expelled from the meeting as provided for under section 10(2) of the Act.

**14.34** If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

**14.35** Clause 14.32, as it applies to an audio recorder, video camera, mobile phone or any other device, also applies to photography at council or committee meetings ***and any means of recording a meeting held using audio-visual technology (except by authorised council staff).***

**Note:** **Clause 14.35 is a supplementary provision.**



# 15. Conflicts of interest

15.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

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

**Note: Clause 15.2 is a non-mandatory provision.**

---

## Disclosure of pecuniary interests

15.3 A councillor who has a pecuniary interest in a matter being considered at a council or committee meeting must disclose the existence of the interest and also the nature of that interest. Councillors are to make such a disclosure in writing and provide the written disclosure to the Chief Executive Officer prior to or at the commencement of the meeting.

15.4 Councillors are also to verbally declare any pecuniary interest at the commencement of each meeting when disclosures are sought from the Chair.

15.5 If a councillor becomes aware of an interest during a meeting, as soon as the councillor becomes aware of the interest the councillor must:

- (a) disclose the interest verbally at the council or committee meeting; and
- (b) submit the interest in writing to the Chief Executive Officer during or as soon as possible after the council or committee meeting.

15.6 A councillor, having disclosed a pecuniary interest, must not be present at the meeting when the matter is being considered, discussed or voted on.

15.7 A councillor with a pecuniary interest in a matter is not counted for the purposes of quorum on that matter.

15.8 Written disclosures of interest will be tabled at the relevant meeting, or, if disclosed during the meeting, at the next meeting of the Council.

**Note: Clauses 15.3-15.8 are supplementary provisions.**

---

## Disclosure of non-pecuniary interests

15.9 A councillor or a member of a council committee who has a non-pecuniary interest in any matter with which the council is concerned, and who will be or is present at a meeting of the council or committee at which the matter is being considered, must consider disclosing the non-pecuniary interest, in accordance with the council's code of conduct, in writing to the Chief Executive Officer prior to or at the commencement of each committee or council meeting.

15.10 Councillors are also to verbally declare any pecuniary interest at the commencement of each meeting when disclosures are sought from the Chair.

15.11 If a non-pecuniary interest becomes apparent to a councillor during a meeting, as soon as the councillor becomes aware of the interest the councillor must:

- (a) disclose the interest verbally at the council or committee meeting; and
- (b) submit the interest in writing to the Chief Executive Officer during or as soon as possible after the council or committee meeting.

15.12 A disclosure in accordance with clause 15.9 or 15.11 must indicate the nature of the non-pecuniary interest.

15.13 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes.

15.14 Written disclosures of interest will be tabled at the relevant meeting, or, if disclosed during the meeting, at the next meeting of the Council.

15.15 In accordance with the council's code of conduct, councillors should note that matters before council involving campaign donors may give rise to a non-pecuniary conflict of interests.

**Note: Clauses 15.9-15.15 are supplementary provisions.**

---

## Disclosures in the business paper

15.16 The business paper for a council meeting will include a reference to any disclosure of interests of councillors and designated persons which are to be tabled at the meeting.

**Note: Clause 15.16 is a supplementary provision.**

# 16. Decisions of the Council

---

## Council decisions

16.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

**Note: Clause 16.1 reflects section 371 of the Act.**

16.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

---

## Rescinding or altering council decisions

16.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.17.

**Note: Clause 16.3 reflects section 372(1) of the Act.**

16.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 16.4 reflects section 372(2) of the Act.**

16.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.17.

**Note: Clause 16.5 reflects section 372(3) of the Act.**

16.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 16.6 reflects section 372(4) of the Act.**

16.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 16.7 reflects section 372(5) of the Act.**

16.8 The provisions of clauses 16.5–16.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 16.8 reflects section 372(7) of the Act.**

16.9 A notice of motion submitted in accordance with clause 16.6 may only be withdrawn under clause 3.18 with the consent of all signatories to the notice of motion.

16.10 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

**Note: Clause 16.10 reflects section 372(6) of the Act.**

16.11 Subject to clause 16.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three (3) councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

16.12 A motion moved under clause 16.11(b) can be moved without notice. Despite clauses 9.27-9.36, only the mover of a motion referred to in clause 16.11(b) can speak to the motion before it is put.

16.13 A motion of dissent cannot be moved against a ruling by the chairperson under clause 16.11(c).

16.14 If in the circumstances the Chief Executive Officer or specified delegate receives a notice of motion in accordance with clause 16.3, the Chief Executive Officer or specified delegate must ensure action to carry the resolution into effect, if not yet commenced, is not commenced; and, if already commenced, is ceased and no further action taken until the rescission motion is dealt with.

16.15 If notice of intention to lodge a notice of motion to alter or rescind a resolution has been given by a councillor at a council meeting and a notice of motion has not been lodged with the Chief Executive Officer or specified delegate in accordance with clause 16.3, action to carry the resolution into effect will commence.

16.16 The draft motion that is proposed to be moved, should the rescission motion be carried, must be lodged in accordance with the Notice of Motion provisions of this Code, if such proposed motion has not already been stated in the rescission motion.

**Note: Clauses 16.14-16.16 are supplementary provisions**

---

## Recommitting resolutions to correct an error

16.17 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

16.18 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 16.17(a), the councillor is to propose alternative wording for the resolution.

16.19 The chairperson must not grant leave to recommit a resolution for the purposes of clause 16.17(a), unless they are satisfied the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

16.20 A motion moved under clause 16.17 can be moved without notice. Despite clauses 9.27-9.36, only the mover of a motion referred to in clause 16.17 can speak to the motion before it is put.

16.21 A motion of dissent cannot be moved against a ruling by the chairperson under clause 16.17.

16.22 A motion moved under clause 16.17 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

**Note: Clauses 16.17-16.22 are non-mandatory provisions.**

# 17. Time limits on Council meetings

17.1 Meetings of the council and committees of the council are to conclude no later than 10.00pm.

17.2 If the business of the meeting is unfinished at 9.45pm, the council or the committee may, by resolution, extend the time of the meeting.

17.3 If the business of the meeting is unfinished at 10.00pm, and the council does not resolve to extend the meeting, the chairperson must either:

- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
- (b) adjourn the meeting to a time, date and place fixed by the chairperson.

17.4 Clause 17.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.

17.5 Where a meeting is adjourned under clause 17.3 or 17.4, the Chief Executive Officer must:

- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
- (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the Chief Executive Officer is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

**Note: Clauses 17.1-17.5 are non-mandatory provisions.**

---

## Motion to adjourn meeting

17.6 A councillor may move the procedural motion "that the meeting be adjourned".

17.7 The motion before being put to the vote must be seconded by a councillor.

17.8 The mover of the motion may address the meeting on the motion.

17.9 No further debate on the motion is permitted.

**Note: Clauses 17.6-17.9 are supplementary provisions**

---

## Amendment to adjourn meeting motion

17.10 Amendments to the motion are permitted, but only to the extent that they relate to the timing and place of reconvening the meeting.

17.11 Amendments to the motion to adjourn a meeting are to be moved and seconded.

17.12 The mover of the amendment may address the meeting as to the content of the proposed amendment.

17.13 Any address to the motion of adjournment or amendment is limited to three minutes.

**Note: Clauses 17.10-17.13 are supplementary provisions**

---

## Re-convening an adjourned meeting

17.14 The Notice of Meeting provisions do not apply to a re-convened meeting.

17.15 A re-convened meeting will commence in accordance with any motion or amendment and will continue as if there had been no break in the proceedings of the meeting.

17.16 To the extent that it is practical, public notice of the re-convened meeting is to be given.

17.17 In the circumstances of an adjourned meeting for which there was no specified time and place for the meeting to be re-convened, council will deal with any unfinished business for which notice was given at the next ordinary meeting of council.

**Note: Clauses 17.14-17.17 are supplementary provisions.**

# 18. After the meeting

---

## Minutes of meetings

18.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

**Note: Clause 18.1 reflects section 375(1) of the Act.**

18.2 At a minimum, the Chief Executive Officer must ensure that the following matters are recorded in the council's minutes:

(a) *the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,*

**Note: Clause 18.2(a) is a non-mandatory provision.**

(b) details of each motion moved at a council meeting and of any amendments moved to it,

(c) the names of the mover and seconder of the motion or amendment,

(d) whether the motion or amendment was passed or lost, and

(e) such other matters specifically required under this code.

18.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

**Note: Clause 18.3 reflects section 375(2) of the Act.**

18.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

18.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 18.5 reflects section 375(2) of the Act.**

18.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

18.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

18.8 Minutes of council meetings are to be made accessible via the City of Sydney website to councillors and the public as soon as practicable following council meetings (generally within three (3) business days).

**Note: Clause 18.8 is a supplementary provision.**

---

## Access to correspondence and reports laid on the table at, or submitted to, a meeting

18.9 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 18.9 reflects section 11(1) of the Act.**

18.10 Clause 18.9 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 18.10 reflects section 11(2) of the Act.**

18.11 Clause 18.9 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 18.11 reflects section 11(3) of the Act.**

18.12 Correspondence or reports to which clauses 18.10 and 18.11 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

---

## Implementation of decisions of the council

18.13 The Chief Executive Officer is to implement, without undue delay, lawful decisions of the council.

**Note: Clause 18.13 reflects section 335(b) of the Act.**



# 19. Council Committees

---

## Application of this Part

19.1 This Part only applies to committees of the council whose members are all councillors.

---

## Council committees whose members are all councillors

19.2 The council may, by resolution, establish such committees as it considers necessary.

19.3 A committee of the council is to consist of the Lord Mayor and such other councillors as are elected by the councillors or appointed by the council.

19.4 The quorum for a meeting of a committee of the council is to be:

- (a) such number of members as the council decides, or
- (b) if the council has not decided a number – a majority of the members of the committee.

19.5 All councillors are members of each committee of the council **created by resolution of council** (~~Resolution of Council 11 December 2006~~).

**Note: Clause 19.5 is a supplementary provision**

---

## Functions of committees

19.6 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

19.7 All committees and sub-committees shall be advisory to council and have no independent role, except where specific authorities are delegated to them by council (~~Policies and Procedures of Committees; Resolution of Council 11 December 2006~~).

19.8 The number, functions, policies, procedures, delegations, membership, quorums and chairpersons of committees of council shall be as determined by council from time to time.

19.9 **Except as otherwise provided**, meetings of council committees are to be conducted in accordance with this Code of Meeting Practice.

**Note: Clauses 19.7-19.9 are supplementary provisions**

---

## Notice of committee meetings

19.10 The Chief Executive Officer must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

19.11 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

## Attendance at committee meetings

19.12 A committee member (other than the Lord Mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

19.13 Clause 19.12 does not apply if all of the members of the council are members of the committee.

---

## Non-members entitled to attend committee meetings

19.14 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
  - (b) to move or second a motion at the meeting, or
  - (c) to vote at the meeting.
- 

## Chairperson and deputy chairperson of council committees

19.15 The chairperson of each committee of the council must be:

- (a) the Lord Mayor, or
- (b) if the Lord Mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

19.16 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

19.17 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

19.18 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

---

## Addressing committees

19.19 Members of the public may address meetings of committees on items that are on the committee agendas, subject to the approval of the relevant committee.

19.20 The committee chairperson may ask members of the public to restrict their addresses to no more than three (3) minutes.

19.21 The committee chairperson may suggest that, if a satisfactory resolution to the matter on the agenda is being considered, there may be no need for members of the public to address the committee.

19.22 Committees, and council staff on behalf of committees, may invite applicants, consultants, Government authorities and other groups or individuals to provide a presentation to a committee on a matter that is on the committee agenda. Time limits for such presentations may be set by the committee.

19.23 Speakers are asked to register to speak before noon on the day of the committee meeting.

19.24 Speakers are requested to declare membership of organisations or other interests relevant to consideration of the item that they wish to speak to.

19.25 If there are a large number of people interested in the same item, it is suggested a maximum of three (3) representatives be nominated to speak on behalf of a group and indicate how many people they are representing.

**Note: Clauses 19.19-19.25 are supplementary provisions**

---

## Procedure in committee meetings

19.26 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

19.27 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 19.26.

19.28 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

---

## Closure of committee meetings to the public

19.29 The provisions of the Act and Part 13 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

19.30 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

19.31 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 19.30 during a part of the meeting that is webcast.

---

## Disorder in committee meetings

19.32 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

## Minutes of council committee meetings

19.33 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

(a) ***the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,***

***Note: Clause 19.33(a) is a non-mandatory provision.***

(b) details of each motion moved at a meeting and of any amendments moved to it,

(c) the names of the mover and seconder of the motion or amendment,

(d) whether the motion or amendment was passed or lost, and

(e) such other matters specifically required under this code.

19.34 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

***Note: Clause 19.34 is a non-mandatory provision.***

19.35 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee ~~or council~~.

19.36 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.37 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

19.38 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.39 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

# 20. Irregularities

20.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

**Note: Clause 20.1 reflects section 374 of the Act.**

# 21. Definitions

the Act	means the Local Government Act 1993
act of disorder	means an act of disorder as defined in clause 13.20 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
<b>audio-visual link</b>	<b>means a facility that enables audio and visual communication between persons at different places</b>
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 5.1 and 5.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 18.15 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 18.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into

## Draft Code of Meeting Practice

	committee of the whole under clause 10.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 9.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 8.24 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 8.23 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979 including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting

Draft Code of Meeting Practice

the Regulation

means the Local Government  
(General) Regulation **2021**  
~~2005~~

webcast

a video or audio broadcast of  
a meeting transmitted across  
the internet either concurrently  
with the meeting or at a later  
time

year

means the period beginning 1  
July and ending the following  
30 June





**Item 7.****Lease Approval - Suites 1 and 2, Ground Floor - 46-52 Mountain Street, Ultimo****File No: S099550****Summary**

The City of Sydney owns the property known as "Wilcox Mofflin", 46-52 Mountain Street, Ultimo.

The building is a heritage listed former Wool Store which has been converted into commercial offices. It forms part of the City's Commercial Investment Portfolio and has been a key income asset for the City.

The City has a diverse commercial investment portfolio of approximately 41 buildings and 300 active leases comprising retail, industrial, offices and various stratum.

Revenue from the investment portfolio plays an important role in contributing to the financial stability of Council. This enables the City to fund a broad array of local public services and infrastructure.

This report seeks Council's approval to grant a lease for Suites 1 and 2, Ground Floor, 46-52 Mountain Street, Ultimo, to Hamro Institute of Business Technology Pty Limited, trading as Kingston Institute Australia, for a term of five years with a further option of five years commencing 1 October 2022, subject to Hamro obtaining development consent for educational use. Either party may terminate the lease if development consent for the purpose in the lease is not obtained by 1 October 2022.

Essential terms and conditions of the proposed lease are shown in Confidential Attachment A.

As the annual rent exceeds \$500,000 per annum, Council is required to approve this lease.

## **Recommendation**

It is resolved that:

- (A) Council approve a five-year lease with a five-year option with Hamro Institute of Business Technology Pty Limited for the premises known as Suites 1 and 2, Ground Floor, Wilcox Mofflin, 46-52 Mountain Street, Ultimo, on the terms contained in Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, finalise and administer the lease.

## **Attachments**

**Attachment A.** Essential Lease Terms and Conditions (Confidential)

## Background

1. The property known as "Wilcox Mofflin" at 46-52 Mountain Street, Ultimo, forms part of the City's commercial investment portfolio. Wilcox Mofflin is a six-storey commercial building with a total net lettable area of approximately 8,800m<sup>2</sup> plus underground parking.
2. The ground floor premises has a combined area for the two suites of 1,193.1m<sup>2</sup>.
3. All remaining lettable areas within the building are occupied by long term tenants.
4. Council approval is sought to grant a commercial lease to Hamro Institute of Business Technology Pty Limited, trading as Kingston Institute Australia, for Suites 1 and 2, Ground floor, 46-52 Mountain Street Ultimo for a term of five years with an option of five years, commencing 1 October 2022.
5. The lease is subject to the Lessee obtaining development consent for educational use. If the Lessee has not obtained development consent by 1 October 2022, either party may terminate the lease. The Lessee has engaged a specialist consultant who is confident that development consent can be obtained prior to 1 October 2022.
6. Kingston Institute Australia was established in 2013 and is a VET Accredited College offering courses in Information Technology, Hospitality, Accounting and Business.
7. The lease terms have been negotiated to include the Green Lease Clauses required by Council in all new leases. These lease terms provide a commitment from both parties to proactively improve the sustainable performance of the building.

## Rental Determination

8. The City appointed independent valuers, Rawlinsons Corporate Real Estate Services, to undertake an assessment of the rental value of the premises. The proposed lease terms are in line with the independent valuation.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030

9. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
  - (a) Direction 10 - Implementation through Effective Governance and Partnerships - Specifically, Action 10.5.1 - Expand revenues from commercial operations, property portfolio and other income generating assets.

### **Financial Implications**

10. Revenue for the 2022/23 financial year will be less than budgeted due to current market leasing conditions.

### **Relevant Legislation**

11. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
12. Attachment A contains confidential commercial information and details, which if disclosed, would confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
13. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Councils ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

### **KIM WOODBURY**

Chief Operating Officer.

Matthew Woodroffe, Commercial Portfolio Manager

Document is Restricted

## Item 8.

### Lease Assignment and Variation - Queen Victoria Building

File No: X028643.007

#### Summary

Council owns the Queen Victoria Building (QVB) and associated tunnels, located at 429-481 George Street, Sydney.

The QVB is the largest single asset within Council's Commercial Property Portfolio.

Council leases the QVB and the associated tunnels to Vicinity Custodian Pty Limited (Vicinity) and Ipoh Property Pty Ltd (Ipoh) under a long term lease as tenants in common in equal shares.

Ipoh have recently sold their 50 per cent leasehold share in QVB and associated tunnels to a new lessee, QVB TC Pty Ltd as Trustee, for the Link QVB Trust (Link).

Ipoh is now seeking approval from Council, as Lessor, to transfer their leasehold interest to Link, via a Deed of Assignment of Lease and Variation of Lease.

There are no material changes to the essential lease terms and conditions nor the Council's rights and obligations as Lessor.

#### Recommendation

It is resolved that:

- (A) Council approve the Assignment of Lease and Variation of Lease from Ipoh Property Pty Ltd to a new lessee, QVB TC Pty Ltd, as Trustee, for the Link QVB Trust. The Assignment is for the 50 per cent leasehold interest, currently owned by Ipoh Property Pty Ltd, in accordance with the essential terms and conditions contained within Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease in accordance with the essential terms and conditions contained in Confidential Attachment A to the subject report.

#### Attachments

**Attachment A.** Essential Terms and Conditions (Confidential)

## Background

1. The Queen Victoria Building and associated tunnels, is the largest single asset within Council's Commercial Property Portfolio.
2. Council leases the Queen Victoria Building, Galleries Tunnel and Queen Victoria Building Tunnel, to Ipoh and Vicinity, as tenants in common in equal shares.
3. Ipoh has sold their 50 per cent leasehold interest to Link and is now seeking Council approval, as Lessor, to transfer their interest via a Deed of Assignment of Lease and Variation of Lease for each part.
4. The assignment will not materially change the essential lease terms and conditions nor impact the Council's rights and obligations as Lessor.
5. Vicinity Custodian Pty Limited will retain its 50 per cent share and continue to manage the QVB.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030

6. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
  - (a) Direction 10 - Implementation through Effective Governance and Partnerships - specifically 10.5.1: Expand revenues from commercial operations, property portfolio and other income generating assets.

### Economic

7. There are no material changes to the essential lease terms and conditions nor the Council's rights and obligations as Lessor. The economic impact is considered nominal.

## Financial Implications

8. There are no material changes to the essential lease terms and conditions and therefore no impact on the budget.

## Relevant Legislation

9. Local Government Act 1993 - Section 10A provides that the Government may close to the Public so much of its meeting as compromises the discussion that would if disclosed confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
10. Attachment A to the subject report contains confidential commercial information which would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.



11. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

### **Critical Dates / Time Frames**

12. The sale from Ipoh Property Pty Ltd to QVB TC Pty Ltd is required to take place by 30 June 2022.

### **Options**

13. The Council, as Lessor, is legally bound by the terms and conditions of the lease and subject to the parties meeting the lease assignment conditions, is obligated to approve the Deed of Assignment of Lease and Variation of Lease.
14. The lease assignment conditions have been met and there are no alternative options.

### **Public Consultation**

15. No public consultation is required as there are no material changes to the legal or financial terms and conditions of the lease or the rights and obligations of Council as Lessor.

### **KIM WOODBURY**

Chief Operating Officer

Sherif Awadalla, Executive Manager - Property Services

Document is Restricted

## Item 9.

### Tender T-2021-612 - Pymont Community Centre Upgrade

**File No:** X038743

**Tender No:** T-2021-612

#### Summary

This report provides details of the tenders received for the Pymont Community Centre Upgrade works.

The Pymont Community Centre is located on the site of the former Pymont Public School on the corner of John and Mount Streets, Pymont. The former school building, grounds and fences are listed heritage items. The Centre opened in 1993 and currently includes a childcare centre operated through the City's Accommodation Grants Program, an Outside School Hours Care (OSHC) service operated by the City, a Library Link, a community library, a small community gym, a community hall on the ground floor and an additional community room on the first floor.

In June 2020, Council approved the scope for the upgrade of the Pymont Community Centre. A revised and expanded scope of work was developed following a review of the existing building condition and feedback from community groups and approved by Council in July 2021. The upgrade will provide an additional 60 square metre community room, an accessibility upgrade including the installation of a lift between the ground and first floors, a new entry foyer, new ground floor offices and public toilets, a new gym area, an upgrade of the first floor showers and the addition of new toilets on that floor, conversion of the existing gym cardio room into a dedicated community space, refurbishment of the existing main community hall, Library Link and first floor community room, and an upgrade of the Outside School Hours Care children's program and courtyard play equipment.

This report recommends that Council accept the tender offer of Tenderer B for the construction of the Pymont Community Centre Upgrade works and approve additional funding required to undertake the works.

## **Recommendation**

It is resolved that:

- (A) Council accept the tender offer of Tenderer B for Pymont Community Centre Upgrade works for the price and contingency outlined in Confidential Attachment A to the subject report;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) Council approve the allocation of additional funds to the Pymont Community Centre Upgrade as outlined in Confidential Attachment A to the subject report.

## **Attachments**

**Attachment A.** Tender Evaluation Summary (Confidential)

## Background

1. The Pyrmont Community Centre is located on the site of the former Pyrmont Public School on the corner of John and Mount Streets, Pyrmont. The former school building, grounds and fences are listed heritage items.
2. The City purchased the site in the early 1990s and undertook refurbishment works that included the construction of a two-storey extension, and the conservation and adaptive re-use of the former school buildings and grounds for childcare and community use.
3. The Pyrmont Community Centre was opened in 1993.
4. The Centre includes a childcare centre operated through the City's Accommodation Grants Program, with service approval for 40 children per day, an Outside School Hours Care (OSHC) service operated by the City, a Library Link, a community library, a small community gym, a community hall on the ground floor and an additional community room on the first floor.
5. Friends of Pyrmont Community Centre and Pyrmont Action advised that they were running out of space at the centre and required more room to accommodate increasing community demand for services.
6. Council resolved in September 2019 that the Chief Executive Officer be requested to prepare a project scope, concept design and budget for a modest renovation, re-organisation, and small expansion of the current facility, in response to the community requests, and report this to Council for consideration.
7. The community requests included an additional room (an extension of the current 90's addition into the courtyard) to accommodate gym activity and equipment. This would free up the current gym room (50 sqm) for use as a music room and a smaller gym room (30 sqm) as a meeting room. An additional toilet upstairs was also requested, along with the installation of a cupboard system to store equipment that would allow the out of school hours care space to be used for other purposes.
8. A detailed review of planning controls and existing building conditions was undertaken, and a project scope was developed in response to the requests from the community and to the issues identified in preliminary investigation works.
9. In June 2020, Council endorsed the recommended scope for the upgrade of the Pyrmont Community Centre. This scope included an access upgrade to provide accessible entry and lift access to all levels; a gym upgrade; conversion of the existing gym cardio room to new community rooms; conversion of the Outside of School Hours Care Homework Space to 'shared' Community Room; and an upgrade to the existing level one public toilets.
10. In November 2020, Welsh and Major Architects were engaged to undertake the design and documentation for the Pyrmont Community Centre Upgrade. Additional opportunities were identified from a review of the existing building condition, and from feedback from community groups. Required compliance upgrades were also identified. The recommended scope was amended to include new 60 sqm dedicated community room; new ground floor office and public toilets; fire services upgrades; and refurbishment of all community rooms to provide a holistic upgrade of the community centre.

11. The revised concept was presented to the Design Advisory Panel on 22 April 2021. The following comments were noted in the minutes of the Design Advisory Panel meeting:

*The Panel noted that the current project budget constraints limit the scope of works. The budget does not allow for work to reduce the dominance of the unsympathetic building addition added in the 90's. The current budget also doesn't allow additional excavation to better rationalise floor levels. Given the building's heritage significance, the Panel recommended that the budget be reviewed and expanded to allow for these additional works.*

12. In response to the comments received from the Design Advisory Panel, a revised scope was proposed, which includes demolition of the unsympathetic 1990s building. Council endorsed this revised scope of work in July 2021.
13. The endorsed project scope includes an additional 60 square metre community room, an accessibility upgrade including the installation of a lift between the ground and first floors, a new entry foyer, new ground floor offices and public toilets, a new gym area, an upgrade of the first floor showers and the addition of new toilets on that floor, conversion of the existing gym cardio room into a dedicated community space, refurbishment of the existing main community hall, library link and first floor community room, and an upgrade of the Outside School Hours Care children's program and courtyard play equipment.
14. The centre will be closed during the upgrade with a draft plan for temporary services being provided a Maybanke Community Centre and Ultimo Community Centre.

### **Invitation to Tender**

15. An open Expression of Interest E-2021-585 for suitable contractors was opened on 5 October 2021 and closed on 5 November 2021. The EOI process resulted in the selection of five contractors to be invited to tender.
16. The Request for Tender was released to the shortlisted contractors through TenderLink on 17 March 2022 for a period of six weeks. Submissions closed on 2 May 2022.

### **Tender Submissions**

17. Four submissions were received from the following organisations:
  - Barpa Pty Ltd;
  - Belmadar Pty Ltd;
  - Grindley Constructions; and
  - Lloyd Group.
18. On 27 April 2022, the fifth shortlisted contractor, Patterson Building Group, notified the City that they would not be submitting a tender, due to lack of capacity.

19. No late submissions were received.

### **Tender Evaluation**

20. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
21. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A.
22. All submissions were assessed in accordance with the approved evaluation criteria being:
  - (a) Lump Sum Price.
  - (b) Personnel allocation, qualifications, experience, and capacity, including sub-contractors and Aboriginal & Torres Strait Islander Involvement. Details of roles, qualifications, percentage of time on project and relevant experience of nominated project team members including experience, role and relationship for any subcontractors.
  - (c) Proposed program and capacity to achieve the program/deliverables including the contract durations, sequencing of the separable portions and appropriate detailed breakdown of the work tasks.
  - (d) Proposed methodology of undertaking the works whilst reducing the adverse impact to the day-to-day operations of the childcare centre and the safety of public, including pedestrian and traffic management and environmental management.
  - (e) Work Health and Safety.
  - (f) Financial and commercial trading integrity, including insurances.

### **Performance Measurement**

23. The City will ensure that performance standards are met during construction by:
  - (a) holding weekly site meetings with the contractor to cover Work Health and Safety, environment, progress of work against contract program, sub-contractor items, design issues and requests for information, hold and witness points, quality non-conformances, public enquires and planned liaison activities, extension of time claims and variations;
  - (b) undertaking regular site inspections and completing a monthly construction site verification checklist to identify any non-compliance with the approved project WHS&E Management Plan; and
  - (c) monitoring and assessing the contractor's performance in accordance with the Principal's Key Performance Indicators including Work Health and Safety compliance, quality of work, time, reporting and communication.

## Financial Implications

24. Significant cost increases have recently been experienced in the building industry. Additional funds are required for this project due to the preferred tender exceeding pre-tender estimates. Acceptance of the recommended tender will therefore require Council to increase the project budget, as detailed in Confidential Attachment A.
25. The total contract sum and contingency for Pymont Community Centre Upgrade works is detailed in Confidential Attachment A.

## Relevant Legislation

26. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2021 and the City's Procurement and Contract Management Policy.
27. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
28. Attachment A contains confidential commercial information of the tenderers and details of Council's tender evaluation and contingencies which, if disclosed, would:
  - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
  - (b) prejudice the commercial position of the person who supplied it.
29. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

## Critical Dates / Time Frames

30. The following key dates will apply to this project if approved:
  - (a) Contract Execution August 2022
  - (b) Site Possession September 2022
  - (c) Contract Completion February 2024

## Options

31. Alternative options have been considered and include:
  - (a) Not proceed with the tender and defer the works. This option is not recommended because it would not provide the required services to the community.



- (b) Undertake further value engineering in addition to that undertaken prior to tender. Further value engineering would reduce the functional area of the Community Centre and therefore would impact on service delivery. This option would delay the project and incur additional consultant costs for redesign. Continuation of the current market volatility will likely mean that potential costs savings will be minimal despite reducing scope.
  - (c) Undertake the works in stages by constructing the new Community Centre space and refurbishing the existing Community Centre separately. This option is not recommended as it would result in increased disruption to centre operations and will likely be substantially more costly.
32. No other viable options have been identified during the tender evaluation process.

### **Public Consultation**

33. Community briefings and letter updates were provided in April and September 2021.
34. Following earlier consultation as set out in previous reports to Council, detailed plans were included as part of the Development Application notification process and statutory consultation (D/2021/987). The Notice of Determination was received on 21 December 2021.

### **KIM WOODBURY**

Chief Operating Officer

Chris Allen, Specialist Project Manager

Document is Restricted

**Item 10.****Tender - T-2021-497 - General Security Services****File No: X0814549****Tender No: T-2021-497****Summary**

This report provides details of the tenders received for Security Services.

The City currently engages security service providers for general services, patrols and alarm response and for major event and festival security.

The City uses security personnel for the provision of physical services at City properties and other venues, on a permanent, regular or adhoc basis. General security personnel are required to assist in the protection of staff and assets at numerous high-profile City locations such as Sydney Town Hall, Town Hall House, Customs House, Bay Street Depot and Alexandra Canal Depot.

Major events and festivals require the engagement of a large number of security personnel to support the delivery of safe events such as New Year's Eve, Sydney Lunar Festival, Art and About Sydney, Sydney Christmas decorations and concerts and other outdoor and street events run by the City. These personnel require qualifications in crowd control, traffic control, and the responsible service of alcohol.

Patrol and alarm responses require the engagement of personnel for the provision of security patrols and lock up services on a scheduled or adhoc basis and to provide alarm response services to the City's properties, as required.

This report recommends that Council accept the tender offer of Tenderer C for general security services and major events and festivals security services and the tender offer of Tenderer O for patrol and alarm responses security services.

## Recommendation

It is resolved that:

- (A) Council accept the tender offer of:
  - (i) Tenderer C for General Security Services in accordance with the schedule of rates provided, for a contract period of three years, with the option of two additional one-year extensions (total of five years), based on performance and the ongoing requirements of Council;
  - (ii) Tenderer O for Patrols and Alarm Response Security Services in accordance with the schedule of rates provided, for a contract period of three years, with the option of two additional one-year extensions (total of five years), based on performance and the ongoing requirements of Council; and
  - (iii) Tenderer C for Major Events and Festivals - Security Services in accordance with the schedule of rates provided, for a contract period of two years, with the option of three additional one-year extensions (total of five years), based on performance and the ongoing requirements of Council;
- (B) Council note that the total contract sum and contingency for Security Services is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in (A) if appropriate, and negotiate the price to extend those contracts accordingly.

## Attachments

**Attachment A.** Tender Evaluation Summary (Confidential)

**Attachment B.** Schedule of Rates (Confidential)

## Background

1. The City currently engages security service providers for general services, patrols and alarm response and for major event and festival security.
2. A review of the Security Services Category across City divisions revealed an opportunity to aggregate fragmented services and expiring contracts for improved efficiencies. Contracted services included in the tender were:
  - (a) General Security Services.
  - (b) Security Patrols and Alarm Response Services.
  - (c) Security Services for Sydney New Year's Eve and Events.
  - (d) Security Services for Sydney Lunar Festival and other minor events.
  - (e) Traffic Control Services for Sydney Lunar Festival and other minor events establishment and removal.
  - (f) Supply of Security Plans.
3. The services required by the recommended tenderers will include:
  - (a) *General Security Services*
    - (i) Provision of physical security services at the City's properties and at other locations, including facilities such as Sydney Town Hall, Town Hall House, Customs House, Alexandra Canal Depot and Bay St Depot on a regular or adhoc basis.
    - (ii) The services range from and are not limited to - static and roving duties at numerous high-profile City locations, adhoc static and roving duties at City properties, gate house duties, operation of person and package scanning equipment, CCTV control room/alarm monitoring duties and attendance at venue hire bookings.
  - (b) *Patrols and Alarm responses*
    - (i) The City owns in excess of 200 properties across the City of Sydney Local Government Area. These properties include corporate facilities occupied by City employees, commercial properties, community facilities and open public spaces. The City has installed alarm systems in more than 80 of these properties which are monitored from its Security and Emergency Operations Centre at Town Hall House.
    - (ii) Upon activation of an alarm the service provider will be engaged to attend the site and investigate the cause of the alarm and report their findings.
    - (iii) The provider will also undertake regular random patrols on a number of properties determined to be at a higher risk of vandalism or unauthorised access and ensure these properties remain secure and protected. The service provider will attend a number of parks at predetermined times to ensure the park is vacated of members of the public and to lock the entry gates.

- (c) *Major Events and Festivals - Security Services*
- (i) The City hosts a large number of public outdoor events throughout the year, such as New Year's Eve, Sydney Lunar Festival, Art and About, and other outdoor and street events.
  - (ii) For these events the City will engage a suitably qualified, highly experienced security service provider to provide appropriately qualified security staff to support the safe delivery of these events.
  - (iii) Major events such as New Year's Eve and Sydney Lunar Festival require the engagement of a large number of security personnel with qualifications in crowd control, traffic control, and the responsible service of alcohol.

### Invitation to Tender

- 4. A tender for the provision of Security Services was advertised on 2 November 2021 in the Sydney Morning Herald and Daily Telegraph newspapers, on the City of Sydney website, LinkedIn feed and Business e-newsletter.
- 5. The tender was open for four weeks and closed on 30 November 2021.

### Tender Submissions

- 6. Tenders were submitted from 17 organisations for the following services:

Vendor	General Security Services	Patrol Alarm Response	Major Events and Festivals
Allied Integrated Management	Submission	Submission	Submission
Armor Security Pty Ltd	Submission	Submission	Submission
Australian Concert and Entertainment Security	Submission	Submission	Submission
Contract Compliance			Submission
CVEM Security Group	Submission		Submission
E Group Security	Submission	Submission	Submission

<b>Vendor</b>	<b>General Security Services</b>	<b>Patrol Alarm Response</b>	<b>Major Events and Festivals</b>
ECS International Security	Submission	Submission	Submission
Joss Cleaning Services	Submission		Submission
MA Services Group	Submission	Submission	Submission
MSS Security	Submission	Submission	Submission
New Start Integrated Services	Submission		Submission
Partisan Protective Services	Submission	Submission	Submission
Reddawn Australia	Submission	Submission	Submission
Southern Cross Protection	Submission	Submission	
Ultimate Security Australia	Submission	Submission	
Urban Protection Pty Ltd	Submission		
Wilson Security Pty Ltd	Submission	Submission	

7. No late submissions were received.

### **Tender Evaluation**

8. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
9. The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Summary – Attachment A

10. All submissions were assessed in accordance with the approved evaluation criteria being:
  - (a) Schedule of Rates.
  - (b) Demonstrated company experience, capability, and capacity in the successful provisioning of relevant security services, including but not limited to, alignment of council values, experience in recently delivering the same or similar service, evidence they were able to fulfill any contract with the City.
  - (c) Proposed service meets requirements, and methods of delivery and maintenance of the service, including but not limited to, proposed program and methodology, proposed schedule, other commitments, proposed quality and operations plan, and administration, compliance, and reporting.
  - (d) Proposed service delivery team, including but not limited to, relevant recent experience and qualifications, demonstrated capacity and technical ability to carry out the work under the contract, allocation of personnel, qualifications, experience, and capacity, and training regime to support retention and succession planning.
  - (e) Work Health and Safety.
  - (f) Financial and commercial trading integrity, including insurances.

### **Performance Measurement**

11. All submissions for each separate service were assessed in accordance with the approved evaluation criteria being:
  - (a) Key Objectives / Deliverables.
  - (b) Quality of service.
  - (c) Timeliness and deliverables.
  - (d) Availability of resources.
  - (e) Reporting.
  - (f) Communication.
12. The quality of each security service delivered will be monitored by meeting regularly with the recommended tenderer to review work delivered.
13. A performance review will be conducted at the completion of the contract against the Key Performance Indicators included in the General Contract Terms.

### **Financial Implications**

14. There are sufficient funds allocated for these services within the current year's operating budgets and future years' forward estimates.



### **Relevant Legislation**

15. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2021 and the City's Procurement and Contract Management Policy.
16. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
17. Attachment A contains confidential commercial information of the tenderers and details of Council's tender evaluation and contingencies which, if disclosed, would:
  - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
  - (b) prejudice the commercial position of the person who supplied it.
18. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.
19. All tender responses were also evaluated in accordance with the Security Industry Act 1997 in relation to subcontracting services.

### **Critical Dates / Time Frames**

20. Subject to Council approval, and the induction of the recommended tenderers, it is proposed that council allow a two-week transition period to overlay with the current service providers.

### **Options**

21. No other viable alternative options have been identified during the tender process.

### **Public Consultation**

22. No public consultation was required.

**VERONICA LEE**

Director City Services

**EMMA RIGNEY**

Director City Life

Peter Nikolakopoulos, Security Operations Manager - Security and Emergency Management

Chris Upjohn, Head of Production - Creative City

Document is Restricted

Document is Restricted

**Item 11.****Tender - Reject and Negotiate - T-2021-613 - Enterprise Service Management Platform (Including IT Service Management)**

**File No:** X086183

**Tender No:** T-2021-613

**Summary**

This report provides details of the tenders received for an Enterprise Service Management Platform (including IT Service Management). An Enterprise Service Management Platform enables the City's IT helpdesk and support teams to keep track of reported issues, allowing for efficient resolution of the issues raised (tickets).

The Enterprise Service Management Platform project will replace the current end-of-life Marval IT helpdesk system used by the City. The new platform is expected to deliver an enhanced user experience through a single Information Technology Infrastructure Library (ITIL)-aligned platform used to manage issues raised (tickets) collaboratively.

The new platform will integrate with City applications, enabling flexible real-time reporting to increase service awareness.

A new Enterprise Service Management solution will also implement new features: such as self-service, automated workflows and auto-detection of incidents, and will have a centralised service management platform accessible from anywhere.

A tender was conducted to select a technology platform and implementation supplier. The City proposed to enter into an initial three-year agreement with two optional two-year extensions for a possible total of seven years. Based on the tender evaluations, all submissions were identified as non-conforming.

This report recommends that Council resolve to reject the tender responses received and enter into negotiations with suitably qualified vendors for the provision of the Enterprise Service Management Platform (including IT Service Management).

## Recommendation

It is resolved that:

- (A) Council decline to accept the tender offers for the Enterprise Service Management Platform (including IT Service Management) for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (E) Council be informed of the successful vendor via the CEO Update.

## Attachments

**Attachment A.** Tender Evaluation Summary (Confidential)

## Background

1. The City has a commitment to developing and expanding its user-centred capability and service management solutions driven by the Information and Technology Strategy.
2. The Marval IT helpdesk system is the current IT Service Management platform that has been at the end of its life since 2020. This system manages approximately 52,000 staff reported issues per year and is integral to operations provided by Technology and Digital Services (TDS), Geographic Information Systems (GIS) and Document Management (TRIM).
3. Technology support programs that have reached the end of their useful life (such as the Marval IT helpdesk system) pose a significant risk to the City due to the lack of vendor support, cyber security updates and future upgrades.
4. A centralised, enterprise-grade service management platform will enable the City to track, triage and resolve incidents in a more effective user-centric manner. This will be especially valuable for business units such which use non-enterprise-grade solutions.
5. The proposed solution will support the following:
  - (a) End-user self-service portal with automated and highly customised workflows to replace current email or phone-based manual service request submissions.
  - (b) An automated problem management practice that will automatically identify reoccurring incidents and commence auto-remediation where practicable.
  - (c) Centralised knowledge management to assist staff in better resolving incidents and service requests.
  - (d) Advanced reporting capabilities.
  - (e) Advanced business workflow and processes for quick case creation and dynamic status tracking.
  - (f) Mobility, so that requests can be investigated and remediated remotely by staff.
  - (g) Better change management practices such as customised notifications, advanced reporting and visual dashboards of upcoming changes and their criticality and impacts.
6. As the solution will future-proof key Enterprise Service Management functionality at the City, the right software platform will be the foundation of ongoing service improvements.
7. The Enterprise Service Management software implementation partner will also be critical to ensuring the software is configured for current and future needs of the City.
8. The City has conducted a tender to select an appropriate software and implementation partner. Nine different business units and a cross-divisional implementation team developed 471 functional and non-functional requirements for the Enterprise Service Management Platform. This number of requirements is expected for a project of this size and complexity.

9. Based on the tender evaluation, it is recommended that Council reject all tender submissions for the Enterprise Service Management Platform (including IT Service Management) and enter into negotiations with suitably qualified vendors.

### **Invitation to Tender**

10. The tender was advertised in major newspapers and on the City's e-Tender portal on 25 January 2022. The deadline for submissions was initially set for 22 February 2022 but was extended until 9 March 2022 due to the overall complexity of the tender.

### **Tender Submissions**

11. Twelve submissions were received from the following organisations:
  - Australian Centre for Advanced Computing and Communication Pty Limited (“AC3”);
  - Enable Professional Services Pty Ltd;
  - EV20 Consulting Group;
  - Hatchit Studios Pty Ltd (Solution Proposed: IFS);
  - Hatchit Studios Pty Ltd (Solution Proposed: ServiceNow);
  - Kobil GmbH;
  - Micro Focus Australia Pty Ltd;
  - Nexon Asia Pacific Pty Ltd;
  - Pro Cloud SaaS Pty Ltd;
  - Service Quality Pty Ltd;
  - Servicely Pty Ltd; and
  - Thirdera Aus Pty Ltd.

## Tender Evaluation

12. All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.
13. None of the tenders were deemed to be conforming as outlined in the Confidential Tender Evaluation Summary – Attachment A.
14. All submissions were assessed in accordance with the approved evaluation criteria being:
  - (a) Alignment of the solution submitted for the City of Sydney's requirements.
  - (b) Organisational capability and implementation approach including the following:
    - (i) Company Information.
    - (ii) Previous experience.
    - (iii) Capability and Experience.
    - (iv) Methodology.
    - (v) Quality Assurance procedures.
    - (vi) Implementation plan and methodology.
  - (c) Training and Support, including the following:
    - (i) Training plan.
    - (ii) Methodology and approach to maintaining and upgrading the solution.
    - (iii) Service Level options and model.
  - (d) Work Health & Safety.
  - (e) Financial and commercial trading integrity, including insurances.

## Performance Measurement

15. The tender required that the proposed solution would need to comply with support and service levels as specified in the tender contracts.

## Financial Implications

16. Funds have been allocated for this project within the current year's Technology and Digital Services capital works budget and future years' forward estimates.



### Relevant Legislation

17. The tender has been conducted in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2021 and the City's Procurement and Contract Management Policy.
18. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
19. Attachment A contains confidential commercial information of the tenderers and details of Council's tender evaluation and contingencies which, if disclosed, would:
  - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
  - (b) prejudice the commercial position of the person who supplied it.
20. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

### Critical Dates / Time Frames

21. Council approval to reject and negotiate tender - June 2022.
22. It is anticipated that the City will complete negotiations and execute a contract with a suitable service provider by September 2022.

### Options

23. Option 1: Cancel and re-advertise the tender. This option is not recommended as it is highly probable to solicit the same result, whereas a reject and negotiate process enables the City a higher level of interaction which will reduce the risks of a same or similar result in that more guidance can be provided and the nature of interaction being a more inviting environment for suppliers to ask questions or talk through concerns or concepts.
24. Option 2: Cancel the tender and discontinue the project. This option is not recommended because it poses an ongoing operational risk from unsupported software and does not address inefficient resolution of issues.

25. Option 3: Reject the tender offers received and negotiate with suitably qualified vendors. Delegate authority to the Chief Executive Officer to enter into a contract. Implement the solution with the preferred supplier. In the initial review of the submitted tenders, it is the common view that the City has received good submissions from at least five participants. The evaluation panel members believe we could successfully negotiate and eventually award a contract that meets the City's business needs. This option is recommended.

**PAULETTE SUTHERLAND**

Acting Director People, Performance and Technology

Matthew Garton, Project Manager

Document is Restricted

## Item 12.

### Contract Variation - Management of Aquatic and Leisure Facilities - Belgravia Leisure

File No: S100640.027

#### Summary

The City owns and operates six world-class aquatic and leisure centres throughout its Local Government Area (LGA). Collectively, these facilities represent the largest frontline service offered by Council to the community, with over 300 different programs each week and an average of 1.7 million attendances across the service each year, pre Covid-19.

The importance of having good physical and mental health has been a constant message throughout the pandemic and the role the City's aquatic and leisure centres play in providing exercise and social interaction for the community is significant.

The centres are managed by Belgravia Health and Leisure Group Pty Ltd (Belgravia) under two separate contracts. This report relates to the variation of one of the commercial contracts with Belgravia, namely the management and operation of the City's five centres contract due to ongoing impacts of the Covid-19 pandemic.

The City's aquatic and leisure centres were closed for a second time under the Public Health Order for the period 26 June 2021 to 27 September 2021, resulting in a complete cessation of the programs and services including learn to swim, lap and casual swimming, squads, swim club, school carnivals, gym, sports courts, birthday parties and cafe operations.

The impact to organisations such as the City, the community and leisure industry have been wide ranging over the last two-and-a-half-year period. Contending with interrupted service delivery, critical workforce shortages, declining customer experience due to dissatisfaction with restricted service delivery, and hesitancy to return due to (perceived) risk of contracting Covid-19 have all impacted the performance of the City's aquatic leisure centres.

Recovery has been an iterative process as we have adapted to the new operating environment and a progressive return to pre-lockdown service levels where demand has been demonstrated. The financial impacts have been significant and were unforeseen when the financial variation to the Belgravia contracts and amended budget were approved by Council in May 2021 following the first lockdown period.

This report recommends that Council approve a contract variation with Belgravia and approve additional funds to meet the cost of delivering the service until the end of the contract term on 31 March 2024 for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools.

Noting challenges consistent with the five centres contract, the operation of Gunyama Park Aquatic and Recreation Centre has responded well since re-opening from the second lockdown in September 2021, achieving 265,000 visits year to date April 2022, and is on track to meet its projected financial position at the end of the contract in March 2024.

## **Recommendation**

It is resolved that:

- (A) Council approve the variation in the cost of service for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools until the end of the contract term on 31 March 2024 as outlined in Confidential Attachment A to the subject report;
- (B) Council approve the additional funds in relation to the contract for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools until the end of the contract term on 31 March 2024 as outlined in Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate and enter into any contract documentation to give effect to the above clauses.

## **Attachments**

**Attachment A.** Financial and Contractual Implications (Confidential)

## Background

1. The City owns and operates six world-class aquatic and leisure centres across its Local Government Area (LGA).
2. Collectively, these centres represent the largest frontline service offered by Council to the community, with over 300 different programs each week and an average of 1.7 million attendances across the service each year, pre Covid-19.
3. The sites are managed by Belgravia Health and Leisure Group Pty Ltd (Belgravia) under two separate contracts as follows:
  - (a) The contract for the management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools, (the five centres contract) commenced on 1 April 2012.
  - (b) The contract for management of Gunyama Park Aquatic and Recreation Centre (Gunyama) was awarded in October 2019.
4. The initial outbreak of Covid-19 in March 2020 led to a Public Health Order issued by the NSW government to close all public swimming pools. The City's pools were closed for almost three months progressively re-opening from 1 June 2020.
5. In May 2021, Council approved a variation for the management of both contracts to:
  - (a) extend the terms of both contracts by an additional two years with both contracts to expire on 31 March 2024; and
  - (b) vary the financial arrangements for the five centres contract to operate as a fee for service agreement until such time as its annual operations reach break-even.
6. The City's aquatic and leisure centres were closed for a second time under the Public Health Order on 26 June 2021, resulting in a complete cessation of the programs and services that included learn to swim, lap and casual swimming, squads, school carnivals, gym, sports courts, birthday parties and café operations. Restrictions were eased and the centres were able to reopen in accordance with the government's recovery roadmap, commencing with outdoor pools on 27 September 2021. However, business recovery was further impacted with the highly transmissible Omicron variant affecting community confidence.
7. The second lockdown, coupled with low consumer confidence that had not returned from the initial Covid-19 wave, has continued to impact recovery. Activity within the CBD continues to be significantly reduced by changed work and study arrangements.
8. Recovery has been an iterative process as we have adapted to the new operating environment and a progressive return to pre-lockdown service levels where demand has been demonstrated. The impact to organisations, community and industry have been significant over the last two-and-a-half-year period. Contending with interrupted service delivery, critical workforce shortages of experienced and qualified staff, declining customer experience due to dissatisfaction with reduced service levels and hesitancy to return due to (perceived) risk of contracting Covid-19 have all impacted performance.

## Performance Measurement

9. Operational and financial performance targets for the contracted services are monitored on a monthly, quarterly, and annual basis and through a combination of contract and operations meetings, audits, inspections and reporting.

## Financial Implications

10. There are some programs and activities, such as learn to swim, that have bounced back well. Other areas of the service have not, which is affecting the financial performance of the centres.
11. The May 2021 report to Council noted that the impacts of the pandemic were still unfolding, and further restrictions or shutdowns would directly impact the financial performance of the service and that further funding may be required.
12. The operation of the Gunyama contract has responded well since re-opening from the second lockdown in September 2021, achieving 265,000 visits year to date April 2022, and is on track to meet its projected financial position at the end of the contract in March 2024.
13. The operation of the five centres contract is not performing as well, with 535,000 visits year to date April 2022 year compared to 1,371,000 (39 percent) pre-Covid-19 April 2019 and requires additional funding until the end of the contract term on 31 March 2024. Details of the financial positions of each contract can be found at Confidential Attachment A.

## Relevant Legislation

14. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
15. Attachment A contains confidential commercial information of the supplier and details of Council's contract and contingencies which, if disclosed, would:
  - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
  - (b) prejudice the commercial position of the person who supplied it.
16. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

**Critical Dates / Time Frames**

17. Based on the forecast full year operating result for the five centres contract, the approved funding, including approved contingency, will be exhausted in June 2022. Council approval is required for additional funding of the five centres contract until the end of the contract term on 31 March 2024.

**Options**

18. Approve the variation and additional funding and ensure no adverse impact to this service that is highly valued by the community. This is the preferred option.
19. Not approve the variation and additional funding. This will mean major service disruption with closure of the Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools. The closure would impact the community's average 15,700 visits each week (818,000 visits annually) and the employment of approximately 400 permanent and casual staff who work at the centres. This is not recommended.

**Public Consultation**

20. There has been no community consultation in relation to the Covid-19 impacts on the operation of the City's aquatic leisure centre contracts.

**VERONICA LEE**

Director City Services

Collette Holland, City Leisure Services Manager

Joel Johnson, Manager City Greening and Leisure



CONFIDENTIAL  
By virtue of the Local Government Act 1993 Section 10A Paragraph 2

Document is Restricted

## **Item 13.**

### **Contract Variation - RFT 1806 - ePlanning at City of Sydney**

**File No:** 2022/289002

**Tender No:** 1806

#### **Summary**

This report seeks approval to increase the contract value for implementation and consulting services delivered by TechnologyOne Limited in association with the ePlanning Program.

In 2014, the Department of Planning and Environment (DPE) introduced the ePlanning Program, which is mandatory for all NSW Councils.

The ePlanning Program delivers a range of technology tools and business processes that will improve planning information, services and outcomes for the business sector and community.

On 25 November 2015, the City of Sydney began the implementation of the ePlanning Program. The Department of Planning and Environment has continued to evolve its requirements for Development Control Plans' planning controls and standards. These are regulatory requirements, which Councils are mandated to implement, and there has been a need to address security deficiencies and performance issues between the Planning Xchange software and the City's systems. These additional requirements are within the scope of the original engagement of TechnologyOne, however the extent of work required to implement the evolving needs of the Department of Planning and Environment have resulted in additional resources being necessary to implement the scope.

Additional funds for implementation consulting services are required to support the delivery of the Planning Xchange software, future Department of Planning and Environment regulatory requirements and enhancements that may be needed (from 2022/23 to 2026/27) and to rebalance the fund allocation already used within the approved Contract Value to address DPE's requirements to-date.

As the City already has a contract with TechnologyOne Limited for the provision of this software, a contract variation is recommended to add scope and budget to allow the delivery of the additional software requirements.

This report recommends that Council grant approval to allocate additional funds for TechnologyOne consulting services to support the current and future enhancements in the City's ePlanning Program.

## **Recommendation**

It is resolved that:

- (A) Council approve a variation of the TechnologyOne Limited contract to provide for an increase to the overall contract price to implement current and future enhancements in the City's ePlanning project;
- (B) Council note that the scope of services requested under this extension is of the same nature as the one in the original contract with TechnologyOne; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer any variations to the contract required to give effect to this approval.

## **Attachments**

**Attachment A.** Financial Implications (Confidential)

## Background

1. The ePlanning project involves the implementation of a range of technology tools and systems to connect business processes to deliver improved planning information, services and outcomes to the business sector and community. These tools and systems can be utilised by the community and professionals engaged in the planning approval process, such as architects, builders, developers, planners and surveyors.
2. A key component of the new system is TechnologyOne's Planning Xchange software. This software handles the following business processes:
  - (a) Lodgement of applications.
  - (b) Register and tracking of all planning application types.
  - (c) Online assessments.
  - (d) Online site-specific planning and zoning information and enquiry functions.
  - (e) Online maps.
  - (f) Integrated reporting systems.
3. On 30 July 2019, the City signed a software and services contract with TechnologyOne for the ePlanning project, which includes software licenses, support, maintenance and implementation services.
4. The delivery of ePlanning was originally due in March 2021. The delivery date was subsequently revised to June 2022 due to evolving regulatory requirements mandated by the Department of Planning and Environment, and the need to address security deficiencies and performance issues between the Planning Xchange software and the City's systems. The remainder of the contract term is to provide Support and Maintenance for the Planning Xchange software post-implementation and continuing to meet the Department of Planning and Environment's requirements.
5. The cost impact of the evolving requirements and enhancements was met within the approved Contract Value, through the temporary reallocation of support and maintenance costs.
6. These additional requirements are within the scope of the original engagement of TechnologyOne, however the extent of work required to implement the evolving needs of the Department of Planning and Environment has resulted in additional resources being necessary to implement the scope. In order to meet these requirements, and due to continued enhancements previously mandated by the Department, an additional allocation in the TechnologyOne contract value for implementation services is required. Further enhancements of the product are not known yet, and based on our prior experience, an estimate has been determined. The estimate may be revisited, as required, after the first year of implementation and/or after getting visibility of Department of Planning and Environment's roadmap.
7. The calculation of additional funding requirements is based on the following:
  - (a) The hourly rates for TechnologyOne consultants which are in line with those submitted in the original tender.

- (b) Actual additional implementation costs resulting from the Department of Planning and Environment and integration (as specified in Confidential Attachment A).
  - (c) Effort required for future enhancements to Planning Xchange software (as specified in Confidential Attachment A). While the future Department of Planning and Environment regulatory requirements are unknown, we have estimated the scope of activity based on changes in the past two years and subsequent discussions with TechnologyOne on the effort required for similar changes. A contingency if the Department of Planning and Environment regulatory changes are greater than anticipated has also been included.
  - (d) The time allocation has been assessed by the Project Manager with the project team and is considered appropriate to deliver the scope.
8. TechnologyOne has provided the price estimate for the consulting services on a Time and Material based model, which is in line with TechnologyOne's original engagement contract.

### **Performance Measurement**

9. The engagement with TechnologyOne is required to complete the mandated changes. Further enhancements of this nature are highly likely to be required in the future. Specific measures from the current project for the management of the enhancement list and consulting engagement will continue to be applied to ensure optimal outcomes for the City.

### **Financial Implications**

10. There are sufficient funds allocated to the ePlanning project in the current Long Term Financial Plan to accommodate the additional funding required for this contract as detailed in Confidential Attachment A.

### **Relevant Legislation**

11. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
12. Attachment A contains confidential commercial information of the supplier which, if disclosed would:
- (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
  - (b) prejudice the commercial position of the person who supplied it.
13. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

**Critical Dates / Time Frames**

14. The ePlanning project is planning to complete the Planning Xchange software implementation by June 2022. Post-implementation, the remainder of the contract term is to provide Support and Maintenance for the Planning Xchange software and to continue to meet the Department of Planning and Environment's requirements.

**Options**

15. An option is for Council not to approve the additional funds. Should the City not proceed with the recommended funds allocation, the City will not be able to pay for the ongoing support and maintenance of the Planning Xchange software. The City reduces its ability to deliver the ePlanning features, and thus its ability to deliver improved planning information, services and outcomes to the business sector and community. The City will not be compliant with future Department of Planning and Environment mandates for its systems, which will adversely affect the business process productivity.

**PAULETTE SUTHERLAND**

Acting Director People, Performance and Technology

Nischal Satyabrat, IT Project Manager

CONFIDENTIAL  
By virtue of the Local Government Act 1993 Section 10A Paragraph 2

Document is Restricted