

14 November 2022

At 2.00 pm

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

Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. 2022/23 Quarter 1 Review - Delivery Program 2022-2026**
- 4. City of Sydney 2021/22 Annual Reporting and Public Presentation of the 2021/22 Financial Statements and Audit Reports**
- 5. Investments Held as at 31 October 2022**
- 6. Post Exhibition - Councillors' Expenses and Facilities Policy**
- 7. Sydney Metro Compulsory Acquisition by Agreement - City's Stratum Interest, De Mestre Place, Sydney**
- 8. Lease Approval and Permanent Road Closure - Part Jones Street, Ultimo**

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.

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 9702 or emailing 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

Item 1.

Confirmation of Minutes

Minutes of the following meetings of the Corporate, Finance, Properties and Tenders Committee are submitted for confirmation:

Meeting of 17 October 2022

Item 2.**Statement of Ethical Obligations**

In accordance with section 233A of the Local Government Act 1993, the Lord Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Sydney and the City of Sydney Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

Disclosures of Interest

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

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

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

Item 3.

2022/23 Quarter 1 Review – Delivery Program 2022-2026

Document to Follow

Item 4.

**City of Sydney 2021/22 Annual Reporting and Public Presentation of the
2021/22 Financial Statements and Audit Reports to Council**

Document to Follow

Item 5.

Investments Held as at 31 October 2022

File No: X020701

Summary

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

The City's total Investment and Cash position was \$714.0M at 31 October 2022, with investments earning interest of approximately \$1.6M for the month.

The Covid-19 pandemic has created significant uncertainty in financial markets. The Reserve Bank of Australia (RBA) responded to that crisis by reducing the official cash rate in a series of steps down to an official cash rate of 0.10 per cent by November 2020. However the annual inflation rate in Australia has since increased significantly, to 7.3% in Q3, and while global factors explain much of the increase in inflation, domestic factors also play a role. There are widespread upward pressures on prices from strong demand, a tight labour market and capacity constraints in some sectors of the economy.

The RBA responded by increasing the official cash rate to 0.35 per cent on 3 May 2022, by a further 0.5 per cent at each of the next four RBA monthly board meetings, with further increases of 0.25 percent at the last two RBA monthly board meetings, up to 2.85 per cent. Additional increases are foreshadowed by the RBA governor to try and curb inflation.

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 income, but also parking related, venue hire and other activity-based revenues.

The majority of the City's cash and investments portfolio is held as internally restricted (\$348.9M) or externally restricted (\$76.4M) 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 Community Strategic Plan Delivering Sustainable Sydney 2030-2050 Continuing the Vision.

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 commercial property and open space acquisitions. The balance of investment funds represents working capital and funding required for the City's operating and capital expenditure commitments.

The City achieved an annualized monthly return of 2.85 per cent for October which remains above the 30 Day Bank Bill Rate (BBR) of 2.72 per cent and equals the latest AusBond Bank Bill Index (published by Bloomberg) of 2.85 per cent, however remains below the strategic enhanced benchmark (or stretch target) of 3.17 per cent (BBR + 0.45 per cent). While the City has historically outperformed this enhanced benchmark, the current monthly returns reflect the purchase of fixed term investments on offer earlier in the year, prior to the recent series of unprecedented rate increases imposed by the RBA over the past six months.

The City's annual rolling return of 2.42 per cent continues to exceed the 12 month average 30 Day Bank Bill Rate of 0.83 per cent, the latest AusBond Bank Bill Index of 0.76 per cent and the enhanced benchmark of 1.28 per cent (BBR + 0.45 per cent) as endorsed in the Investment Strategy in October 2022.

While the returns remain below longer-term trends, the recent increases to official cash rates have seen substantial improvements in rates of return offered by the market which will allow future maturing deposits and surplus funds to be re-invested at higher rates. This trend is anticipated to continue beyond the current financial year.

It is worth noting that 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 sector's investments. They effectively limit the City's investment profile to something similar to a cash managed fund, which generally produce lower returns but provide a high level of security. The City's returns from the investment portfolio remain in line with cash managed funds in the market.

This 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 October 2022 be received and noted.

Attachments

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

Attachment B. Investment Performance as at 31 October 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 October 2022 is \$714.0M, an increase of \$11.6M from the \$702.4M reported as at 30 September 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 October is provided at Attachment A.
5. A substantial portion of the City's cash and investments portfolio is held as internally restricted (\$348.9M) or externally restricted (\$76.4M) 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 Community Strategic Plan Delivering Sustainable Sydney 2030-2050 Continuing the Vision.
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 annualized monthly return of 2.85 per cent for October which remains above the 30 Day Bank Bill Rate (BBR) of 2.72 per cent and equals the latest AusBond Bank Bill Index (published by Bloomberg) of 2.85 per cent.
8. Since 2015, the City has utilised an additional strategic benchmark rate to measure its investment performance by exceeding the 30 day benchmark returns, by at least 45 additional basis points (0.45 per cent p.a.). The 45 basis point increase is based on observed historical average increased credit spreads (or margins) over bank bill rates on offer in relation to 30–90 day investments.
9. Investment returns as at 31 October 2022 are below the enhanced benchmark of 3.17 per cent (BBR + 0.45 per cent). These returns reflect the purchase of fixed term investments that were on offer earlier in the year prior to the recent series of rate increases. The speed of rates increases by the RBA, in the past six months, is unprecedented.
10. The City aims to achieve returns equal to or above these benchmark rates for the period. However, this achievement remains secondary to the critical strategies of maintaining a prudent and conservative risk profile and ensuring adequate liquidity for operational purposes.

11. The City's annual rolling return of 2.42 per cent continues to exceed the 12 month average 30 Day Bank Bill Rate of 0.83 per cent, the latest AusBond Bank Bill Index of 0.76 per cent and the enhanced benchmark of 1.28 per cent (BBR + 0.45 per cent) as endorsed in the Investment Strategy in October 2022.
12. 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 provides a high level of security.
13. The City's returns from the investment portfolio are line with cash managed funds in the market. The recent increases to official cash rates have seen improvements in rates of return offered by the market, allowing maturing deposits to be re-invested at higher rates. This trend is anticipated to continue as investments placed during the period of suppressed interest rates reach maturity and are re-invested.
14. 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 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.
15. The annual inflation rate in Australia increased to 7.3% in Q3 of 2022 from 6.1% in Q2, above market forecasts of 7.0%. Global factors explain much of the increase in inflation, but domestic factors are also playing a role. There are widespread upward pressures on prices from strong demand, a tight labour market and capacity constraints in some sectors of the economy along with recent weather events.
16. In response, the RBA increased the official cash rate to 0.35 per cent on 3 May 2022. Rates were further increased by 0.5 per cent at each of the next four RBA monthly board meetings, to 2.35 per cent on 6 September 2022. The rate was further increased to by 0.25 percent in the last two RBA monthly board meeting to 2.85. Additional increases have been foreshadowed by the RBA governor.
17. Despite these recent increases in interest rates, low investment yields on existing investments are expected to continue to adversely impact the City's portfolio return over the next twelve months. Most of the investment portfolio (currently 76.61 per cent) is held in fixed return term deposits, although higher returns are anticipated once these investments mature and are reinvested in products offering higher returns, if the funds are not required for operating purposes. With around 76 per cent of the portfolio due to mature in the coming year, the City will be able to take advantage of improving returns.
18. 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 income.
19. 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.

20. 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 2030-2050 Continuing the Vision

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

Financial Implications

22. The City's investments earned interest of \$1.6M for the month of October 2022, which is above budgeted earnings of \$0.6M, as cash balances have remained higher than anticipated when the budget was prepared.

Relevant Legislation

23. Council is authorised to invest its surplus cash under section 625 of the Local Government Act 1993.
24. The Local Government (General) Regulation 2021 (section 212) requires the City to provide a written monthly report of all monies invested, under section 625 of the Act.
25. 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.
26. 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 31 October 2022.

Critical Dates / Time Frames

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

Public Consultation

28. Consultation is regularly undertaken with a number of financial institutions and investment advisers to consider options and ensure the City continues to maximize its investment return within appropriate legislative and risk parameters.
29. 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.
30. 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.

31. 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 \$95M in fifteen tranches with this Green Tailored deposit.
32. 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.
33. The City has also 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 October 2022**

Register of Investments and Cash for October 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)
Call Account									
Westpac Bank	AA	12,990	12,990	0.21%	2.50%	2.50%	1-Nov-22	22-May-12	0
Commonwealth Bank	AA	41,593,600	41,593,600	0.23%	2.80%	2.80%	1-Nov-22	11-Jun-20	0
Macquarie Bank Ltd	AA	7,115	7,115	0.22%	2.60%	2.60%	1-Nov-22	21-Sep-20	0
Total		41,613,704	41,613,704	0.23%	2.80%	2.80%			
Term Deposits (TD)									
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.06%	0.70%	0.70%	1-Nov-22	3-Nov-21	12
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.04%	0.60%	0.60%	4-Nov-22	9-Nov-21	12
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.06%	0.70%	0.70%	8-Nov-22	14-Jan-22	10
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.04%	0.64%	0.64%	18-Nov-22	17-Nov-21	12
Bendigo & Adelaide Bank	A	5,000,000.00	5,000,000.00	0.05%	0.60%	0.60%	25-Nov-22	13-Jan-22	10
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.04%	0.66%	0.66%	6-Dec-22	1-Mar-22	9
ANZ Bank	AA	5,000,000.00	5,000,000.00	0.07%	0.78%	0.78%	9-Dec-22	11-Feb-22	10
National Aust Bank	AA	5,000,000.00	5,000,000.00	0.05%	0.65%	0.65%	16-Dec-22	14-Dec-21	12
Westpac Banking Corporation	AA	5,000,000.00	5,000,000.00	0.06%	0.72%	0.72%	16-Dec-22	17-Dec-21	12
Macquarie Bank	A	1,000,000.00	1,000,000.00	0.05%	0.55%	0.55%	19-Dec-22	29-Dec-21	12
Macquarie Bank	A	1,000,000.00	1,000,000.00	0.05%	0.55%	0.55%	19-Dec-22	29-Dec-21	12
Macquarie Bank	A	1,000,000.00	1,000,000.00	0.05%	0.55%	0.55%	19-Dec-22	29-Dec-21	12
Westpac Banking Corporation	AA	5,000,000.00	5,000,000.00	0.05%	0.65%	0.65%	20-Dec-22	15-Dec-21	12
Macquarie Bank	A	1,000,000.00	1,000,000.00	0.05%	0.55%	0.55%	21-Dec-22	30-Dec-21	12
Macquarie Bank	A	1,000,000.00	1,000,000.00	0.05%	0.55%	0.55%	29-Dec-22	4-Jan-22	12
Macquarie Bank	A	1,000,000.00	1,000,000.00	0.05%	0.55%	0.55%	3-Jan-23	4-Jan-22	12
Macquarie Bank	A	1,000,000.00	1,000,000.00	0.05%	0.55%	0.55%	3-Jan-23	5-Jan-22	12
ANZ Bank	AA	5,000,000.00	5,000,000.00	0.04%	0.86%	0.86%	6-Jan-23	8-Mar-22	10
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.07%	0.88%	0.88%	17-Jan-23	18-Feb-22	11
ANZ Bank	AA	5,000,000.00	5,000,000.00	0.07%	0.80%	0.80%	20-Jan-23	8-Feb-22	11
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.20%	2.34%	2.34%	27-Jan-23	2-May-22	9
ANZ Bank	AA	5,000,000.00	5,000,000.00	0.08%	0.90%	0.90%	31-Jan-23	14-Feb-22	12
Suncorp Bank	A	5,000,000.00	5,000,000.00	0.30%	3.60%	3.60%	7-Feb-23	18-Oct-22	4
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.20%	2.39%	2.39%	10-Feb-23	2-May-22	9
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.08%	0.90%	0.90%	14-Feb-23	28-Feb-22	12
ANZ Bank	AA	5,000,000.00	5,000,000.00	0.08%	0.95%	0.95%	17-Feb-23	17-Feb-22	12
ANZ Bank	AA	5,000,000.00	5,000,000.00	0.08%	0.91%	0.91%	24-Feb-23	24-Feb-22	12
ANZ Bank	AA	5,000,000.00	5,000,000.00	0.08%	0.91%	0.91%	28-Feb-23	25-Feb-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.04%	0.86%	0.86%	3-Mar-23	1-Mar-22	12
Bendigo & Adelaide Bank	A	5,000,000.00	5,000,000.00	0.04%	1.25%	1.25%	17-Mar-23	18-Mar-22	12
Bendigo & Adelaide Bank	A	5,000,000.00	5,000,000.00	0.33%	4.00%	4.00%	24-Mar-23	23-Sep-22	6
Bendigo & Adelaide Bank	A	5,000,000.00	5,000,000.00	0.25%	3.00%	3.00%	28-Mar-23	31-May-22	10
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.25%	2.94%	2.94%	31-Mar-23	5-May-22	11
Suncorp Bank	A	5,000,000.00	5,000,000.00	0.14%	1.73%	1.73%	4-Apr-23	4-Apr-22	12
Bendigo & Adelaide Bank	A	5,000,000.00	5,000,000.00	0.16%	1.90%	1.90%	7-Apr-23	8-Apr-22	12
Suncorp Bank	A	5,000,000.00	5,000,000.00	0.24%	2.84%	2.84%	11-Apr-23	16-May-22	11
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.24%	2.88%	2.88%	11-Apr-23	11-May-22	11
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.20%	2.40%	2.40%	21-Apr-23	22-Apr-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.24%	2.91%	2.91%	24-Apr-23	30-May-22	11
ING Bank	A	5,000,000.00	5,000,000.00	0.26%	3.10%	3.10%	24-Apr-23	26-May-22	11
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.23%	2.71%	2.71%	28-Apr-23	29-Apr-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.26%	3.17%	3.17%	12-May-23	9-May-22	12
Bendigo & Adelaide Bank	A	10,000,000.00	10,000,000.00	0.25%	3.00%	3.00%	16-May-23	16-May-22	12
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.27%	3.20%	3.20%	23-May-23	23-May-22	12
ING Bank	A	5,000,000.00	5,000,000.00	0.27%	3.18%	3.18%	26-May-23	25-May-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.25%	3.03%	3.03%	30-May-23	30-May-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.25%	3.04%	3.04%	2-Jun-23	31-May-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.03%	3.13%	3.13%	6-Jun-23	1-Jun-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.03%	3.13%	3.13%	9-Jun-23	1-Jun-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.03%	4.09%	4.09%	13-Jun-23	14-Jun-22	12
Bendigo & Adelaide Bank	A	5,000,000.00	5,000,000.00	0.34%	4.05%	4.05%	16-Jun-23	13-Oct-22	8
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.03%	4.09%	4.09%	16-Jun-23	14-Jun-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.35%	4.22%	4.22%	23-Jun-23	23-Sep-22	9
National Aust Bank	AA	5,000,000.00	5,000,000.00	0.33%	3.92%	3.92%	23-Jun-23	7-Sep-22	9
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.33%	3.97%	3.97%	30-Jun-23	5-Sep-22	10
Suncorp Bank	A	5,000,000.00	5,000,000.00	0.33%	3.97%	3.97%	4-Jul-23	1-Sep-22	10
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.04%	4.01%	4.01%	7-Jul-23	30-Aug-22	10
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.34%	4.04%	4.04%	11-Jul-23	2-Sep-22	10
Suncorp Bank	A	5,000,000.00	5,000,000.00	0.36%	4.33%	4.33%	14-Jul-23	31-Oct-22	8
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.34%	4.10%	4.10%	17-Jul-23	16-Sep-22	10
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.33%	4.01%	4.01%	18-Jul-23	6-Sep-22	10
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.04%	4.04%	4.04%	21-Jul-23	30-Aug-22	11
Suncorp Bank	A	5,000,000.00	5,000,000.00	0.04%	3.98%	3.98%	28-Jul-23	31-Aug-22	11
ING Bank	A	5,000,000.00	5,000,000.00	0.35%	4.20%	4.20%	1-Aug-23	10-Oct-22	10
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.34%	4.05%	4.05%	4-Aug-23	8-Sep-22	11
Westpac Banking Corporation - (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.04%	0.52%	0.52%	25-Aug-23	23-Aug-21	24
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.35%	4.18%	4.18%	29-Aug-23	1-Sep-22	12
Westpac Banking Corporation - (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.04%	4.14%	4.14%	29-Aug-23	26-Aug-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.04%	4.17%	4.17%	30-Aug-23	29-Aug-22	12
Westpac Banking Corporation - (Quarterly Interest)	AA	10,000,000.00	10,000,000.00	0.04%	4.15%	4.15%	1-Sep-23	31-Aug-22	12
Bank of Queensland	A	5,000,000.00	5,000,000.00	0.35%	4.15%	4.15%	5-Sep-23	8-Sep-22	12
Westpac Banking Corporation - (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.35%	4.17%	4.17%	8-Sep-23	7-Sep-22	12
Westpac Banking Corporation - (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.34%	4.11%	4.11%	12-Sep-23	9-Sep-22	12
ING Bank	A	5,000,000.00	5,000,000.00	0.34%	4.12%	4.12%	15-Sep-23	13-Sep-22	12
National Australia Bank (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.05%	0.65%	0.65%	22-Sep-23	24-Sep-21	24
Westpac Banking Corporation - (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.36%	4.28%	4.28%	3-Oct-23	15-Sep-22	13
Westpac Banking Corporation - (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.36%	4.35%	4.35%	6-Oct-23	16-Sep-22	13
ING Bank	A	5,000,000.00	5,000,000.00	0.36%	4.32%	4.32%	10-Oct-23	5-Oct-22	12
Westpac Banking Corporation - (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.36%	4.35%	4.35%	10-Oct-23	16-Sep-22	13
Westpac Banking Corporation - (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.39%	4.70%	4.70%	13-Oct-23	29-Sep-22	12
ING Bank	A	5,000,000.00	5,000,000.00	0.36%	4.32%	4.32%	17-Oct-23	10-Oct-22	12
National Aust Bank	AA	5,000,000.00	5,000,000.00	0.37%	4.45%	4.45%	20-Oct-23	7-Oct-22	12
Westpac Banking Corporation - (Quarterly Interest)	AA	5,000,000.00	5,000,000.00	0.37%	4.41%	4.41%	3-Nov-23	14-Oct-22	13
ING Bank	A	5,000,000.00	5,000,000.00	0.38%	4.55%	4.55%	7-Nov-23	31-Oct-22	12
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.39%	4.65%	4.65%	7-Nov-23	18-Oct-22	13
ING Bank	A	5,000,000.00	5,000,000.00	0.39%	4.70%	4.70%	10-Nov-23	26-Oct-22	12
National Aust Bank	AA	5,000,000.00	5,000,000.00	0.33%	4.00%	4.00%	8-Dec-23	9-Sep-22	15
Commonwealth Bank	AA	5,000,000.00	5,000,000.00	0.03%	3.69%	3.69%	8-Dec-23	7-Jun-22	18
Northern Territory Treasury Corporation- Fixed Rate Bond- Annual	AA	5,000,000.00	5,000,000.00	0.08%	0.90%	0.90%	15-Jun-25	5-Feb-21	52
Northern Territory Treasury Corporation- Fixed Rate Bond- Annual	AA	5,000,000.00	5,000,000.00	0.08%	0.90%	0.90%	15-Jun-25	9-Feb-21	52
Westpac Banking Corporation (2.98% Fixed 2 years & 3 months BBSW + 82 points 2 years)	AA	5,000,000.00	5,000,000.00	0.26%	3.16%	1.70%	21-Nov-22	21-Nov-18	48
Westpac Banking Corporation (0.71% Fixed 2 years & 90 days BBSW + 50 points)	AA	5,000,000.00	5,000,000.00	0.06%	0.71%	0.71%	18-Jun-26	18-Jun-21	60

Register of Investments and Cash for October 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)
Term Deposits (TD) 'Green Tailored Deposits'									
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	0.28%	3.32%	1.42%	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	0.29%	3.44%	1.46%	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	0.27%	3.27%	1.81%	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	0.28%	3.20%	1.84%	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	0.34%	4.08%	2.01%	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	0.29%	3.48%	1.75%	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	0.31%	3.66%	1.88%	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	0.33%	3.99%	2.03%	22-Mar-24	25-Mar-19	60
Term Deposits (TD) 'Environmental Social and Governance Term Deposit'									
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
Total		547,000,000	547,000,000	0.19%	2.73%	2.52%			
Floating Rate Notes (FRN)									
Bank of Queensland (90 days BBSW + 105 points)	BBB	4,000,000.00	4,000,000.00	0.27%	3.23%	1.85%	3-Feb-23	5-Feb-18	60
Credit Union Australia (3 months BBSW + 90 bps)	BBB	2,800,000.00	2,800,000.00	0.27%	3.24%	1.82%	21-Feb-23	21-Feb-20	36
Westpac Bank (90 days BBSW + 83 points)	AA	5,000,000.00	5,000,000.00	0.28%	3.36%	1.61%	6-Mar-23	6-Mar-18	60
ANZ Bank (90 days BBSW + 90 points)	AA	5,000,000.00	5,000,000.00	0.26%	3.17%	1.72%	9-May-23	9-May-18	60
National Australia Bank (90 days BBSW + 90 points)	AA	5,000,000.00	5,000,000.00	0.27%	3.18%	1.77%	16-May-23	16-May-18	60
Commonwealth Bank (90 days BBSW + 93 points)	AA	5,500,000.00	5,500,000.00	0.27%	3.21%	1.79%	16-Aug-23	16-Aug-18	60
Suncorp Bank (90 days BBSW + 77 points)	A	4,500,000.00	4,500,000.00	0.29%	3.43%	1.67%	13-Sep-23	13-Sep-18	60
National Australia Bank (90 days BBSW + 93 points)	AA	3,500,000.00	3,500,000.00	0.33%	3.92%	1.97%	26-Sep-23	26-Sep-18	60
ANZ Bank (90 days BBSW + 103 points)	AA	5,000,000.00	5,000,000.00	0.30%	3.56%	1.81%	6-Dec-23	6-Dec-18	60
National Australia Bank (90 days BBSW + 104 points)	AA	4,000,000.00	4,000,000.00	0.29%	3.45%	1.95%	26-Feb-24	26-Feb-19	60
National Australia Bank (90 days BBSW + 92 points)	AA	3,200,000.00	3,200,000.00	0.31%	3.75%	1.89%	19-Jun-24	20-Jun-19	60
Westpac Banking Corporation (90 days BBSW + 88 points)	AA	4,000,000.00	4,000,000.00	0.26%	3.16%	1.75%	16-Aug-24	16-May-19	63
ANZ Bank (90 days BBSW + 77 points)	AA	4,000,000.00	4,000,000.00	0.27%	3.21%	1.70%	29-Aug-24	29-Aug-19	60
National Australia Bank (90 days BBSW + 77 points)	AA	5,000,000.00	5,000,000.00	0.32%	3.83%	1.72%	21-Jan-25	21-Jan-20	60
Macquarie Bank (3 months BBSW + 84 points)	A	5,000,000.00	5,000,000.00	0.26%	3.15%	1.68%	12-Feb-25	12-Feb-20	60
Suncorp Bank (90 days BBSW + 112 points)	A	1,500,000.00	1,500,000.00	0.34%	4.13%	2.08%	24-Apr-25	27-Apr-20	60
Suncorp Bank (90 days BBSW + 83 points) - Covered Bond	A	2,200,000.00	2,200,000.00	0.31%	3.76%	3.76%	17-Oct-25	17-Oct-22	36
Macquarie Bank (3 months BBSW + 48 points)	A	5,000,000.00	5,000,000.00	0.26%	3.09%	1.34%	9-Dec-25	9-Dec-20	60
Suncorp Bank (90 days BBSW + 45 points)	A	2,100,000.00	2,100,000.00	0.24%	2.82%	1.34%	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	0.27%	3.19%	1.41%	4-Mar-26	4-Mar-21	60
Bendigo & Adelaide Bank (90 days BBSW + 65 points)	BBB	5,000,000.00	5,000,000.00	0.29%	3.50%	1.63%	18-Jun-26	18-Jun-21	60
Suncorp Bank (90 days BBSW + 48 points)	A	3,750,000.00	3,750,000.00	0.27%	3.20%	1.43%	15-Sep-26	15-Sep-21	60
Bank of Queensland (90 days BBSW + 80 points)	BBB	3,000,000.00	3,000,000.00	0.32%	3.85%	1.79%	27-Oct-26	27-Oct-21	60
Commonwealth Bank (3 month BBSW + 70 points)	AA	3,250,000.00	3,250,000.00	0.30%	3.62%	1.75%	14-Jan-27	14-Jan-22	60
Westpac Banking Corporation (90 days BBSW + 70 points)	AA	3,900,000.00	3,900,000.00	0.31%	3.71%	1.84%	25-Jan-27	18-Jan-22	60
Suncorp Bank (90 days BBSW + 78 points)	AA	4,500,000.00	4,500,000.00	0.32%	3.79%	1.92%	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	0.27%	3.29%	2.10%	10-Feb-27	3-Feb-22	60
National Australia Bank (90 days BBSW + 72 points)	AA	4,000,000.00	4,000,000.00	0.26%	3.11%	1.90%	25-Feb-27	25-Feb-22	60
ANZ Bank (90 day BBSW + 97 points)	AA	4,000,000.00	4,000,000.00	0.27%	3.28%	2.56%	12-May-27	12-May-22	60
Westpac Banking Corporation (90 days BBSW + 105 points)	AA	4,000,000.00	4,000,000.00	0.28%	3.39%	2.70%	20-May-27	20-May-22	60
Floating Rate Notes (FRN) 'Green/Climate Bonds/Sustainability Bond'									
Bank Australia - Sustainability Bond (3months BBSW + 90 points)	BBB	5,000,000.00	5,000,000.00	0.28%	3.37%	1.66%	2-Dec-22	2-Dec-19	36
Total		121,950,000	121,950,000	0.28%	3.40%	1.82%			
Total Investments		710,563,704	710,563,704	0.24%	2.85%	2.42%			
Benchmark: 30 Day Bank Bill Index				0.23%	2.72%	0.83%			
Benchmark: Bloomberg AusBond Bank Bill Index				0.24%	2.85%	0.76%			
City of Sydney's available bank balance as at 31 October 2022		3,466,091	3,466,091						
TOTAL INVESTMENTS & CASH		714,029,796	714,029,796						

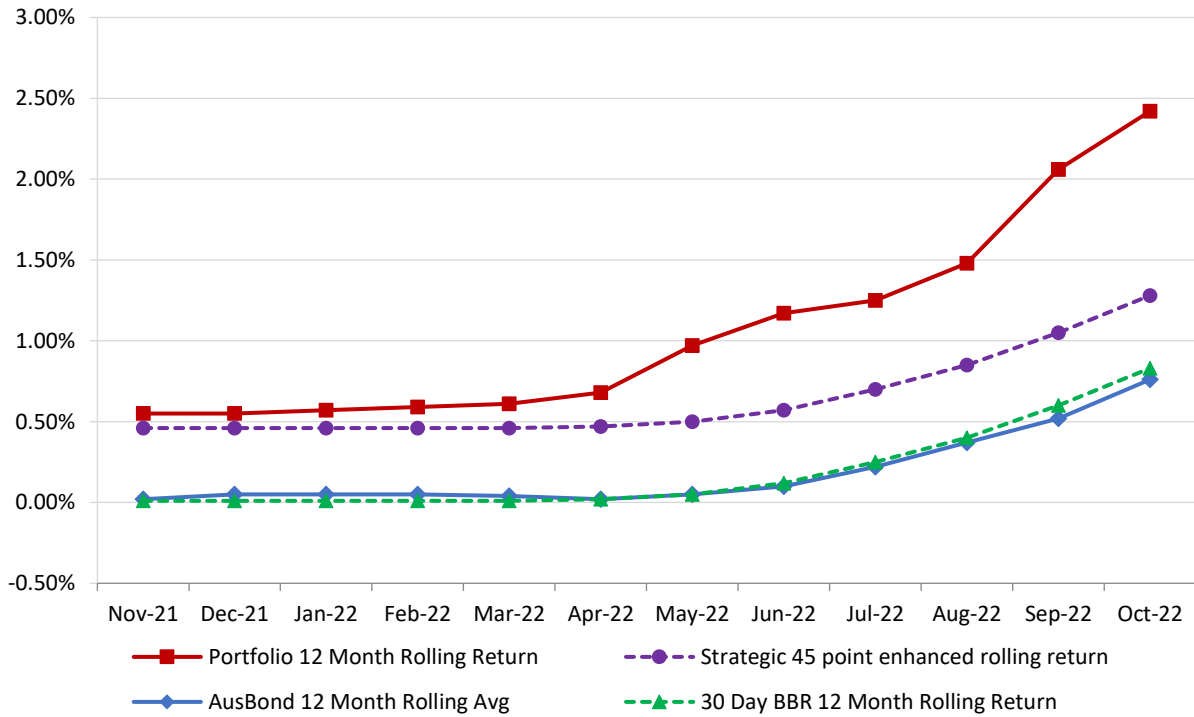
Summary of Net Investment Movements - October 2022

Financial Institution	Fund Rating	Net Invest/(Recall) Amount \$	Commentary
<u>General Fund</u>			
Westpac Banking Corporation	AA	1,200,000	Surplus funds were received in General Fund account due to property rental and rates receipts
<u>Call Account</u>			
Commonwealth Bank	AA	(1,800,000)	Funds from Call account utilised for operational purposes
<u>Term Deposits (TDs)</u>			
Bendigo & Adelaide Bank	A	5,000,000	Redeemed matured investments and additional income placed in higher yielding term deposits.
ING Bank	A	25,000,000	
Suncorp Bank	A	10,000,000	
<u>Floating Rate Notes</u>			
Commonwealth Bank	AA	(5,000,000)	Redemption of matured term deposits, utilised for operational use or reinvested with higher yielding products.
National Aust Bank	AA	(15,000,000)	
Westpac Banking Corporation	AA	(10,000,000)	
<u>Floating Rate Notes</u>			
Suncorp Bank	A	2,200,000	Redeemed matured investments and additional income placed in higher yielding Floating Rate Note

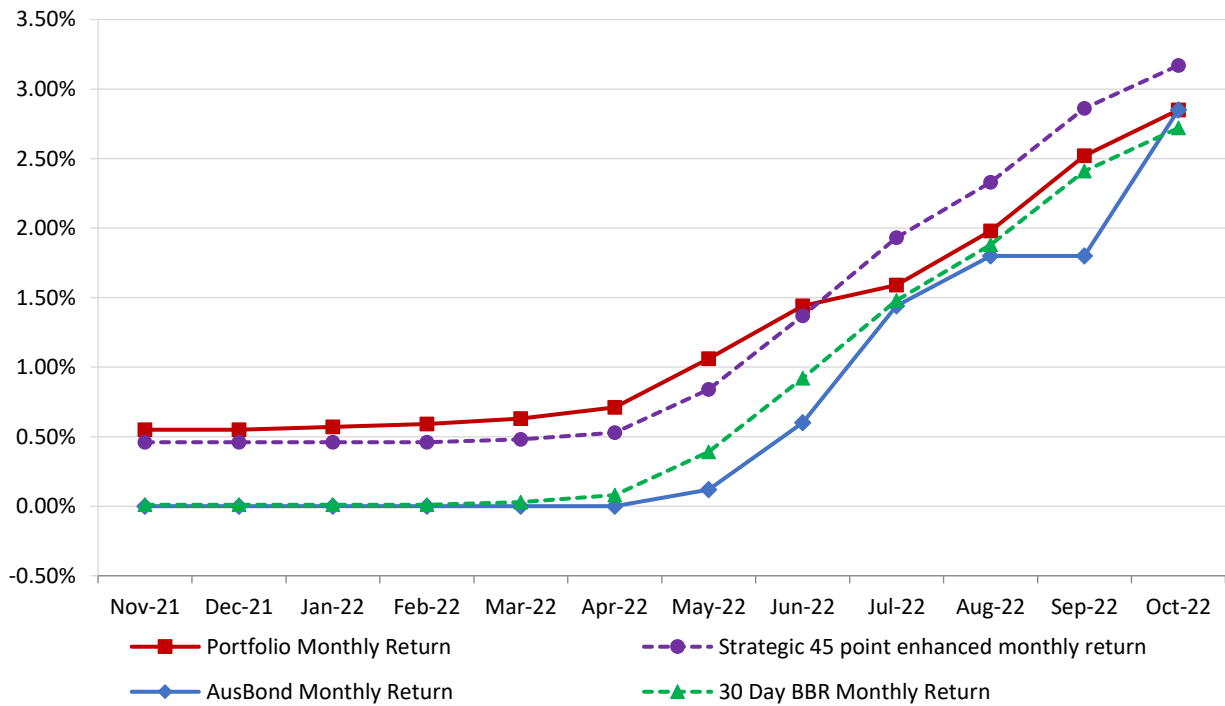
Attachment B

**Investment Performance
as at 31 October 2022**

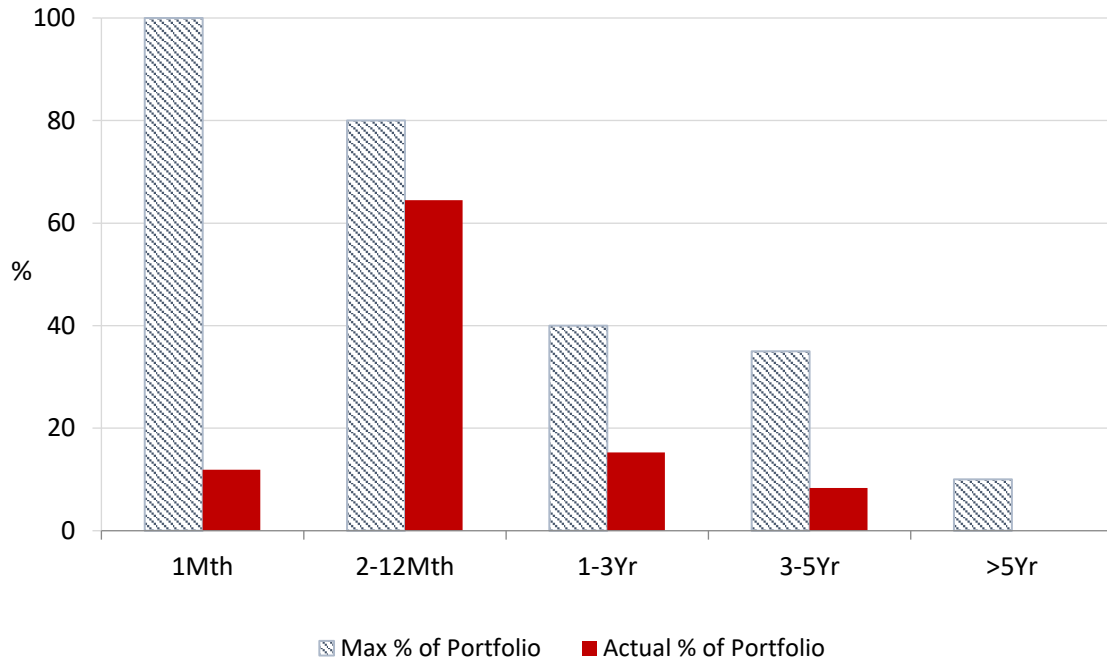
12 Month Rolling Averages
Actual Portfolio vs Strategic Enhanced Benchmark vs AusBond Benchmark vs 30 Day BBR Benchmark
October 2022



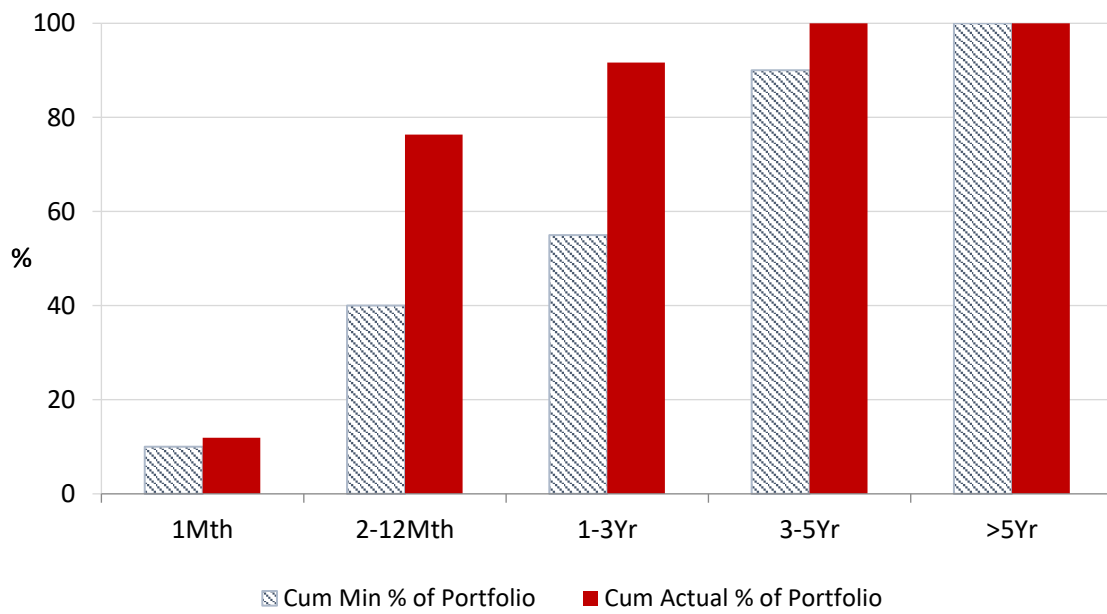
Monthly Results
Actual Portfolio vs Strategic Enhanced Benchmark vs AusBond Benchmark vs 30 Day BBR Benchmark
October 2022



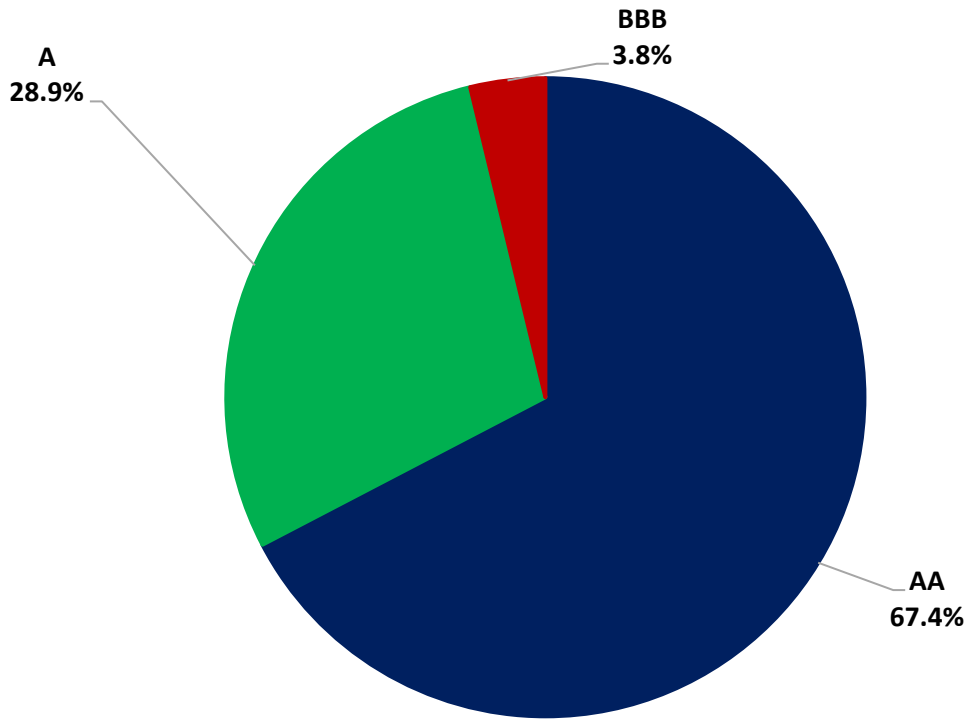
Portfolio Liquidity - Maximum Allowances as at 31 October 2022



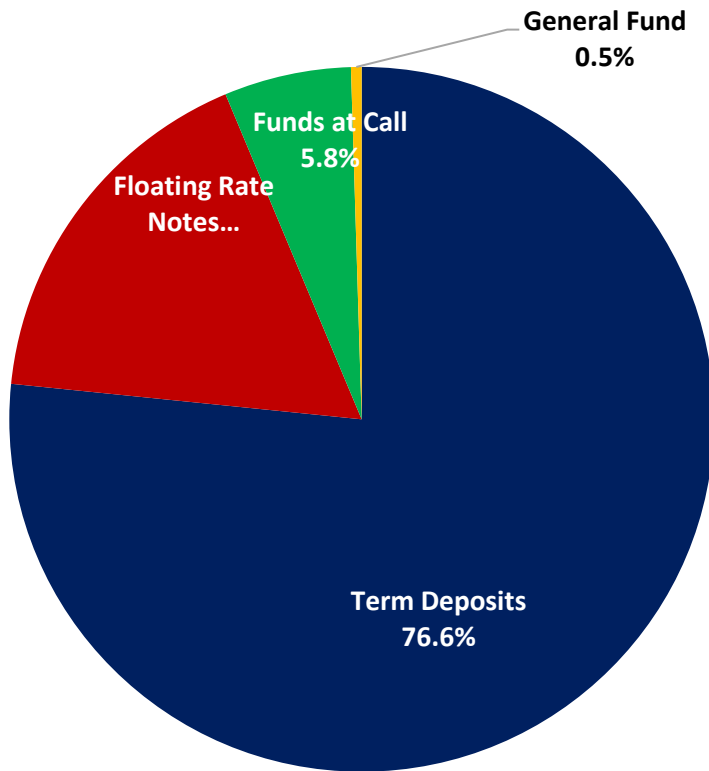
Portfolio Liquidity - Minimum Allocations as at 31 October 2022



Risk Profile as at 31 October 2022



Risk Profile as at 31 October 2022

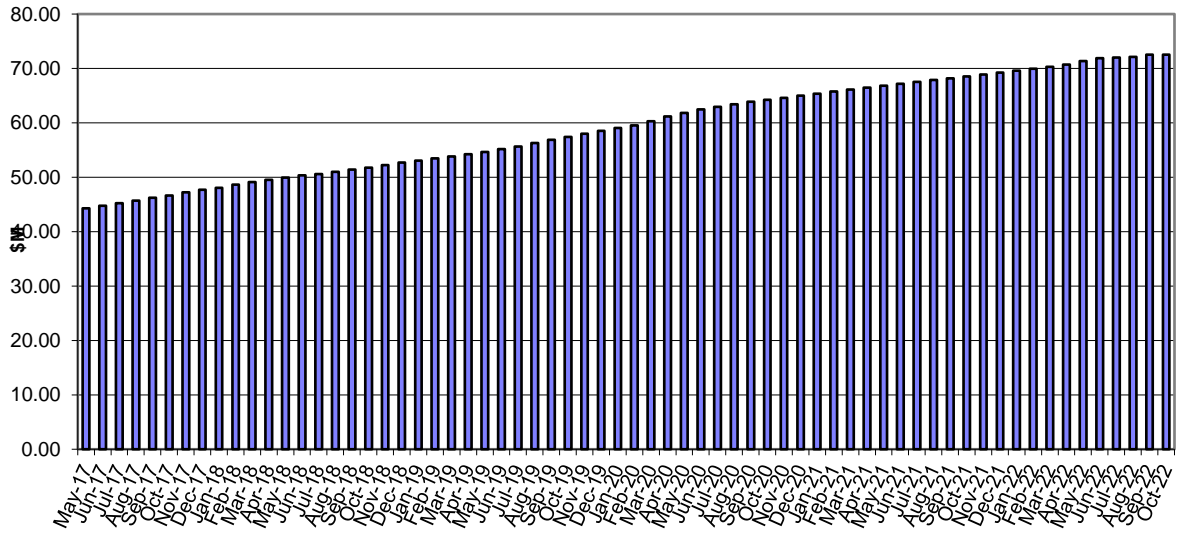


INVESTMENT AND CASH DISTRIBUTION BY FINANCIAL INSTITUTION

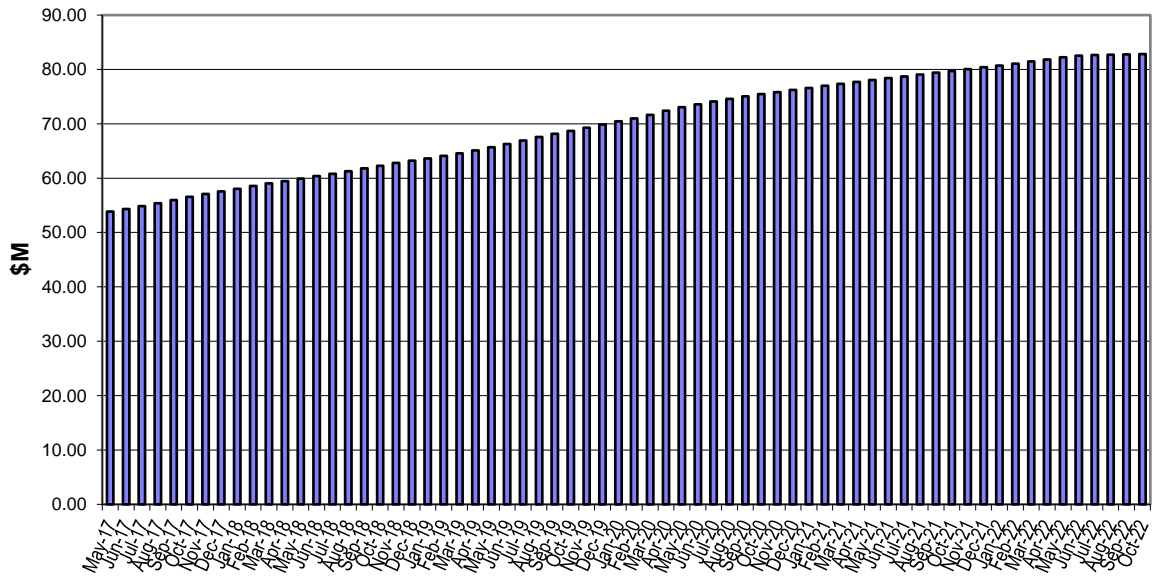
as at 31 October 2022

Institution Category	Financial Institution	Amount \$M	Financial Inst. %	Institution Cat. %
Australian Big 4 Bank (and related institutions)	ANZ Bank	53.0	7.4	
	Commonwealth Bank	178.3	25.0	
	National Aust Bank	49.7	7.0	
	Westpac Banking Corporation	190.4	26.7	
Big 4 Total		471.4		66.0
Other Australian ADIs and Australian subsidiaries of foreign institutions	Bank Australia Limited	10.0	1.4	
	Bank of Queensland	67.0	9.4	
	Bendigo & Adelaide Bank	45.0	6.3	
	Great Southern Bank (formerly Credit Union Australia)	2.8	0.4	
	ING Bank	40.0	5.6	
	Suncorp Bank	48.6	6.8	
	Macquarie Bank Ltd	17.0	2.4	
	Northern Territory Treasury Corporation	5.0	0.7	
Newcastle Permanent Building Society	7.3	1.0		
Other ADI Total		242.6		34.0
Grand Total		714.0	100.0	100.0

Cumulative Outperformance over AusBond Benchmark - 2016-2022



Cumulative Outperformance over 30 Day BBR Benchmark - 2016-2022



Item 6.

Post Exhibition - Councillors' Expenses and Facilities Policy

File No: S051923

Summary

In accordance with the Local Government Act 1993 (the Act), Councillors are entitled to be provided with the necessary resources and facilities and for expenses to be reimbursed in order for them to perform the role and undertake the duties of a Councillor.

To facilitate this, Council is required to adopt a policy, known as the Councillors' Expenses and Facilities Policy (the Policy), for the payment of expenses incurred by, and the provision of facilities to, the Lord Mayor and Councillors.

In accordance with the Act, the Policy must be reviewed and adopted within the first 12 months of the commencement of each term of a council.

The adopted Policy must be consistent with the relevant provisions of the Act (sections 252 and 253) and the Local Government (General) Regulation 2021. These provisions are further informed by the "Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW" (the Guidelines) issued by the Office of Local Government (OLG) in 2009.

Following the commencement of the new term of Council in December 2021, a review of the Policy was undertaken. Council endorsed the draft Policy for public exhibition on 22 August 2022. The draft Policy did not propose the introduction of any new expense categories or facilities. The draft Policy does propose an increase to the scope of some expenditure categories to better meet the needs of Councillors and an increase in the cap related to Councillor meeting expenditure. Other changes were largely administrative, procedural and to promote alignment with the provisions of the Code of Conduct.

The draft Policy was exhibited for 44 days from 24 August to 6 October 2022. No submissions were received. During this period, further feedback was received from Councillors and this report proposes some further refinements to the draft policy.

Recommendation

It is resolved that:

- (A) Council adopt the revised Councillors' Expenses and Facilities Policy as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Councillors' Expenses and Facilities Policy in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

Attachments

Attachment A. Revised Councillors' Expenses and Facilities Policy

Background

1. Council is required to adopt a Policy for the payment of expenses incurred by, and the provision of facilities to, the Lord Mayor, Deputy Lord Mayor and Councillors within the first 12 months of each council term.
2. Council is required to review its Policy and publicly exhibit the proposed Policy, even if the Policy remains the same as the existing Policy.
3. The current version of the Policy has been in place since 2017. Following a review of the Policy in accordance with the provisions of the Local Government Act 1993 (the Act), the Local Government (General) Regulation 2021 and the Office of Local Government (OLG) Guidelines, some modifications and variations were recommended and incorporated into the initial draft endorsed for exhibition by Council on 22 August 22.
4. The draft Policy was exhibited for 44 days from 24 August to 6 October 2022. No submissions were received. During this period, further feedback was received from Councillors.
5. The revised draft Policy (as shown at Attachment A) includes the following refinements to the current draft Policy that was placed on exhibition:

Amendment	Provision	Provision	Proposed Change
	Chapter 3 - Payment of Expenses	16. Postage and Communication Tools (\$1,500) Database Management/Software as a Service	Section renamed "16. Civic Communication Tools (\$1,500)". Subclause "Database Management/Software as a Service" renamed to "Electronic Civic Communications". Entitlement updated to provided Councillors with access to the City provisioned email marketing platform (currently Campaign Monitor) in order to manage their civic communications electronically and resolve technological, privacy and operational issues with exhibited proposal.

Amendment	Provision	Provision	Proposed Change
			Existing Postage and Christmas / Festive Season Cards provisions remain unchanged.
	Chapter 3 - Payment of Expenses	19. Table Purchasing for Charity and Fundraising Events	Guidelines for decision making aligned with revised "Support for Charities Policy", currently under consideration by Council.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

6. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This [choose an item] is aligned with the following strategic directions and objectives:
- (a) Direction 1 - Responsible Governance and Stewardship – The Councillors' Expenses and Facilities Policy has been designed to ensure Councillors have the appropriate tools and resources to meet the civic duties of their office and to ensure there is a transparent and well governed approach towards Councillor expenditure.

Financial Implications

7. The 2022/23 budget already adopted by Council includes funding for the ongoing provision of services and facilities to Councillors, with new provisions made for the inclusion of superannuation contributions for Councillors. The limits applied to specific items of expenditure will be monitored to enable control of expenditure to avoid exceeding budget limits.
8. The draft Policy proposes to increase the cap for Council Related Meeting Costs from \$3,000 to \$6,000 as well as the provision's scope.

Relevant Legislation

9. Local Government Act 1993.
10. Local Government (General) Regulation 2021.

Public Consultation

11. The draft Policy was exhibited for 44 days from 24 August to 6 October 2022. No submissions were received.

MONICA BARONE

Chief Executive Officer

Jeremy Kelshaw, Executive Manager, Chief Executive Office

Attachment A

<p>Revised Councillors' Expenses and Facilities Policy</p>

Councillors' Expenses and Facilities Policy

November 2022

Contents

1. Introduction	4
2. General Policy Provisions	8
3. Payment of Expenses	11
4. Provision of Facilities	25
5. Payment and Reimbursement	30
6. Accountability and Transparency	33

Definitions

The **City of Sydney** or the **City** refers to the Council as an organisation, responsible for the administration of the city.

The **Council** refers to the elected Councillors, as the governing body of the City of Sydney.

The **city** refers to the geographical area that is administered by the City of Sydney and its physical elements (and is sometimes referred to as the local government area or LGA).

Disclaimer

The Councillors' Expenses and Facilities Policy includes references to the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation). The Act and the Regulation may be subject to amendment from time to time. In the event of any inconsistency between the Councillors' Expenses and Facilities Policy and the Act and the Regulation, the Act and the Regulation must be relied upon rather than the Councillors' Expenses and Facilities Policy.

1. Introduction

Overview

Council is required to adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the Lord Mayor, Deputy Lord Mayor and Councillors. The provision of such facilities and expenses assists the Lord Mayor and Councillors to undertake their respective roles under the *Local Government Act, 1993* (the Act) and provides reasonable recompense for expenses they incur in carrying out the functions of civic office.

Under section 252(5) of the Act, the Policy must comply with the provisions of the Act, the *Local Government (General) Regulation 2021* (the Regulation) and any relevant guidelines issued by the Chief Executive of the Office of Local Government under section 23A of the Act.

The City of Sydney's Councillors' Expenses and Facilities Policy (this Policy) is made in accordance with the Act (including sections 252, 253 and 254) and the Regulation and has been prepared with reference to, and in compliance with, the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW (October 2009). This Policy should be read in conjunction with the Guidelines.

The Lord Mayor, Deputy Lord Mayor and Councillors can only be reimbursed for expenses and provided with facilities in accordance with this Policy and for the purpose of carrying out the functions of their civic office.

Purpose

This Policy sets the framework for:

- the provision of adequate and reasonable expenses and facilities to the Lord Mayor, Deputy Lord Mayor and Councillors to enable them to carry out their respective roles under the Act;
- the provision of expenses and facilities to all members of Council's governing body in a manner that is transparent and accountable, and meets the expectations of the local community; and
- compliance with relevant legislative requirements for Council to review and adopt a policy concerning the payment of expenses and the provision of facilities to the Lord Mayor, Deputy Lord Mayor and Councillors.

Guiding Principles

Global Sydney

The Lord Mayor and Councillors elected to the Council of the City of Sydney are members of the governing body for Australia's primary global city.

The City of Sydney local government area is a key driver of the national economy, with a sphere of economic influence that is the greatest of any local government area in Australia".

Economic activity (GDP) generated within the City of Sydney local government area was estimated at approximately \$135 billion for 2020-2021, representing over 7% of the total national economy, over 30% of the Sydney metropolitan economy and over 20% of the entire GDP for New South Wales.

The City of Sydney is:

- a leading Asia-Pacific financial centre and home to Australia's largest and most globally connected finance and insurance district;
- a global tourism destination and gateway to Australia for overseas tourists and visitors;
- a multipurpose centre specialising in higher order retailing serving the needs of visitors, workers and residents of the city, Sydney region and New South Wales;
- a principal centre of intellectual activity, media and communications, major centre for the professions and specialised medical services and an educational centre of excellence;
- the focus for major civic, ceremonial and religious activities of the Sydney region, New South Wales and Australia; and

- a cultural, recreation and entertainment destination for the Sydney region with national significance.

With more than 1.3 million residents, workers and visitors in our local government area daily before the onset of the Covid-19 pandemic, the City of Sydney is unique within the NSW local government environment.

Scale, Scope and Nature of Expenses and Facilities

Given the global status of the City of Sydney, there is an expectation that the Lord Mayor, Deputy Lord Mayor and Councillors will represent Council at city, state and national business, government, community, cultural and other stakeholder forums.

This is in addition to Councillors' responsibilities to residents, ratepayers and businesses, workers and visitors in the city as elected persons and members of the governing body of Council under the Act.

The provisions of this Policy ensure that City of Sydney Councillors are provided with the necessary resources and facilities and for expenses to be reimbursed in order to enable them to fully perform their role under the Act.

Participation, Equity and Access

Consistent with principles of participation, equity and access, this Policy is intended to:

- be non-discriminatory and equitable;
- enable participation on Council of people from diverse backgrounds that represent the demographics of our local community;
- enable all members of the community from different walks of life, particularly underrepresented groups such as those in primary

- caregiver roles, to seek election to council by ensuring that they would not be financially or otherwise disadvantaged in undertaking the civic duties of a councillor;
- take account of and make reasonable provision for the special needs of Councillors to allow appropriate access to council premises and facilities, and to maximise participation in the civic duties and business of council; and
- allow Councillors to represent our local community in different ways and take account of, as much as possible, individual differences.

Annual Fees

This Policy excludes annual fees paid to the Lord Mayor and Councillors under sections 248 to 251 of the Act. The Lord Mayor, Deputy Lord Mayor and Councillors of the City of Sydney are paid an annual fee according to determinations made by the Local Government Remuneration Tribunal.

Under the Act, the Tribunal's role is to determine the categories of councils and mayoral offices in New South Wales, place each council and mayoral office into one of the categories it has determined (at least once every three years), and on an annual basis set the minimum and maximum fees payable to councillors and mayors in each category. Effective from July 2021, there will be two categories with a total of 13 sub-categories:

General Purpose Councils - Metropolitan

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

General Purpose Councils - Non-Metropolitan

- Major Regional City
- Major Strategic Area
- Regional Strategic Area
- Regional Centre
- Regional Rural
- Rural
- County Councils – Water
- County Councils - Other

In determining the appropriate category allocation, the Act requires the Tribunal to have regard to matters such as:

- the size of areas;
- the physical terrain of areas;
- the population of areas and the distribution of the population;
- the nature and volume of business dealt with by each council;
- the nature and extent of the development of areas;
- the diversity of communities served;
- the regional, national and international significance of the council.

The City of Sydney is currently the only Council in NSW categorised as a Principal CBD by the Tribunal. As a matter of standing policy, Council has resolved that:

- having regard to the Tribunal's determination of a fee range for Councillors and the Lord Mayor, Council shall always pay the maximum fees as determined by the Tribunal; and
- the Deputy Lord Mayor's fees, to be deducted from the gross Lord Mayor's fee, shall be equal to 10% of the mayoral fee actually paid to the Lord Mayor.

Councillors' annual fees are paid monthly in arrears in accordance with the provisions of the Act.

Relationship between Annual Fees and Expenses

Consistent with the position of the Office of Local Government and the Tribunal, this Policy provides for a level of expense and facility entitlements, informed by, but set independent of, the level of annual fees payable to the Lord Mayor and Councillors.

Superannuation

Section 254B of the Act allows for superannuation contributions to be made to Councillors from 1 July 2021. On 11 April 2022, Council resolved to begin making superannuation contribution payments to councillors.

As of 1 July 2022, the superannuation guarantee rate will be 10.5 per cent. The rate will increase by half a percent each year until 1 July 2025 when it reaches 12 per cent.

Legislative and Policy Provisions

Provisions under the Act

Section 252 of the Act requires Council to adopt or amend a policy for the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Lord Mayor, Deputy Lord Mayor and Councillors.

Section 253 of the Act specifies actions Council must undertake before its policy concerning Councillors' expenses and facilities can be adopted or amended.

Section 254 of the Act requires that a part of the Council or Committee meeting which considers the adoption or amendment of the expenses and facilities policy will be open to the public.

Provisions under the Regulation

Section 403 of the Regulation states that the policy must not provide for the payment of a general expense allowance to any Councillor or for a vehicle to be made available for the exclusive use of a Councillor, other than the Lord Mayor.

It is not appropriate or lawful for the City to pay any Councillor an allowance in the nature of a "general expense allowance", which is unrelated to actual expenses incurred and designed to supplement the Councillor's annual fee.

Section 217 of the Regulation requires the City to include detailed information in its Annual Report about the payment of expenses and provision of facilities to Councillors (refer Part 6 of this Policy for further information).

Model Code of Conduct for Local Councils in NSW

Under section 439 of the Act, Councillors must act honestly and exercise a reasonable degree of care and diligence in carrying out their functions. The City of Sydney's Code of Conduct outlines the minimum requirements of conduct for council officials carrying out their functions.

This Policy is to be read in conjunction with the Code of Conduct, which incorporates the provisions of the Model Code of Conduct for Local Councils in NSW prescribed by the Office of Local Government.

2. General Policy Provisions

1. General Provisions Regarding Payment of Expenses and Provision of Facilities

- 1.1 Payments for expenses and facilities not included in this Policy cannot be made by the City in accordance with section 252(3) of the Act. All expenses and facilities under this Policy will be provided to Councillors for a purpose specific to the functions of holding civic office and are only to be used for Councillors' civic duties.
- 1.2 For the purpose of this Policy, functions of civic office, civic duties or Council business may be defined as "functions that Councillors are required to undertake to fulfil their legislated role and responsibilities for the Council that should result in a direct benefit for the Council and/or for the local government area."
- 1.3 Unless otherwise stated in this Policy, all requests from Councillors for the provision of services, facilities and claims for the payment or reimbursement of expenses are to be directed to the Secretariat Unit.
- 1.4 Equipment, facilities and other resources supplied to Councillors under this Policy will be compatible with and of the same standard as other City equipment and resources.
- 1.5 The services and facilities, as detailed in this Policy, are available to Councillors while carrying out the functions of civic office. These services and facilities, unless specified, are not available for use by a spouse, partner or members of a Councillor's family.
- 1.6 Councillors are encouraged to pool or share facilities in order to make the best use of council resources. Councillors are also encouraged to limit their use of the expenses and facilities provided for in this Policy to the minimum required to enable them to effectively and efficiently discharge the functions of their civic office.
- 1.7 All equipment and facilities provided under this Policy remain the property of the City. On cessation or expiration of a Councillor's term of office, use of all equipment and facilities must cease immediately. On request, equipment and facilities must be returned to the City no later than 14 days from the date of cessation or expiration of a Councillor's term of office, or such other time period as may be specified.
- 1.8 Facilities provided to Councillors under this Policy are not to be converted or modified in any way and may only be used for carrying out the functions of civic office.
- 1.9 Annual expense limits apply to several categories of expenditure in this Policy. Where an annual expense limit applies, it is shown in brackets against that item and specified within the relevant clause

of this Policy. All annual expense limits are based on a financial year and, where applicable, may be applied on a pro-rata basis e.g., before or after a local government election, or where the term of office of a Councillor ceases or commences during a financial year.

- 1.10 The City's regular monitoring and reporting on capped expenditure will identify whether any Councillor has exceeded an annual expense limit in this Policy. Councillors who exceed an annual expense limit will be invoiced and must reimburse the City in accordance with clause 41.2 of the Policy. All monetary expense limits in this Policy are exclusive of GST.
- 1.11 This Policy will apply to any Administrator(s) appointed by the Minister, subject to any necessary modifications.

2. Use of Council Resources

- 2.1 Councillors must only use council resources in accordance with the Code of Conduct. The following parts of the Code of Conduct are applicable to this Policy:

"8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

- 8.15 *You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.*

8.16 *You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.*

8.17 *You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.*

8.18 *You must not use council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material for:*

a) the purpose of assisting your election campaign or the election campaign of others, or

b) for other non-official purposes.

8.19 *You must not convert any property of the council to your own use unless properly authorised."*

- 2.2 Councillors should not obtain private benefit from the provision of equipment and facilities while on Council business. The City, however, acknowledges that incidental personal use of council equipment, facilities and resources may occur from time-to-time. This means use that is infrequent and brief and use that does not breach this Policy or the Code of Conduct (for example, telephoning home to advise that a Council meeting will go until later than expected). Reimbursement to the City is not required for incidental personal use.

2.3 Councillors should not obtain any greater private benefit from City equipment, facilities and resources than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of City equipment and facilities does occur, Councillors must advise the Chief Executive Officer in writing and the Councillor will be invoiced for such private use and must reimburse the City in accordance with clause 41.2 of this Policy.

3. Payment of Expenses

3. Introduction

- 3.1 Expenses may be defined as “payments made by the City to reimburse Councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions.”
- the cost of any meals and the reasonable cost of beverages accompanying a meal, where any such meals are not provided as part of the Conference registration fee (refer clause 7.3 of this Policy);
- 3.2 Unless stated otherwise, the expense reimbursement and entitlement provisions (including expense limits) detailed in Part 3 of this Policy apply to the Lord Mayor, Deputy Lord Mayor and all Councillors on a uniform basis.
- the cost of reasonable associated travel (refer relevant provisions of clauses 21 to 23 of this Policy); and
 - the cost of other reasonable incidentals (e.g. telephone calls, internet, newspapers and parking fees).
- 3.3 Specific additional expense reimbursement and entitlement provisions for the Lord Mayor and Deputy Lord Mayor are detailed at clauses 25 and 26.

4. Annual Conference – Local Government NSW

- 4.1 The City will meet the following costs of attendance at the annual Local Government NSW Conference (the Conference) by all Councillors nominated as delegates:
- delegate registration costs (including official Conference breakfasts, lunches and dinners);
 - the reasonable cost of overnight accommodation for stays outside the Sydney metropolitan region (refer clause 7.2 of this Policy);
- 4.2 Under clause 18.1 of this Policy, costs associated with the attendance of spouses, partners or accompanying persons of Councillors at the Conference are limited to the cost of registration and official conference dinners. The City will therefore meet the direct cost of spouses, partners or accompanying persons attendance at the President’s Opening Reception and the Conference Gala Dinner, or the cost of partner registration (which includes tickets to the official Conference reception and dinner) up to the \$600 annual expenditure limit in clause 18.3 of this Policy.
- 4.3 The City will not meet the cost of travel expenses, additional accommodation expenses (in addition to the expenses incurred for the Councillor) and partner tours/activities for any spouses,

partners or accompanying persons attending the Conference. These expenses are the responsibility of, and must be paid for personally by, individual Councillors.

- 4.4 Costs associated with the attendance of Councillor delegates at the Conference are not to be included within the annual expense limits applicable to Interstate and Intrastate Conferences in clauses 7.4 and 8.3 of this Policy.

5. Carer Expenses

Criteria

- 5.1 An annual limit of \$6,000 for each Councillor will apply to carer expenses.
- 5.2 A carer is a person who cares for a dependent child or another immediate family member, such as a family member with a disability.
- 5.3 Immediate family members include the carer's current or former spouse or domestic partner. Immediate family also includes a child, parent, grandparent or sibling of either the carer or the carer's spouse or domestic partner.
- 5.4 Aboriginal or Torres Strait Islanders who care for a family member related according to Aboriginal or Torres Strait Islander kinship rules are regarded as carers.
- 5.5 Expenses for alternative carer arrangements, including child care expenses and the care of elderly, disabled and/or sick immediate family members of Councillors, are payable when a Councillor attends:
- Council meetings, standing committee meetings, sub-committee meetings, inspections, formal briefing sessions and civic or

ceremonial functions convened by the Lord Mayor or Council;

- meetings scheduled by Council or the Lord Mayor;
- meetings necessary for the Councillor to exercise a delegation given by Council or meetings arising from their official role as chairperson (or deputy chairperson) of a standing committee;
- meetings arising as a result of a Councillor being appointed by Council to an outside body or committee;
- constituent meetings
- a meeting, function or other official role as a representative of the Lord Mayor or Council;
- Councillor training, education, professional development approved under clause 20.5 of this Policy;
- preparation time for meetings of Council (up to 4 days per month)
- Local Government NSW Annual Conference; and
- functions where the payment of carer expenses has been approved by the Chief Executive Officer.

Fees

- 5.6 Carer expenses may consist of:
- child care centre fees;
 - hourly fees;
 - agency booking fees (if claimed); and
 - reasonable travelling expenses (if claimed by the carer).

- 5.7 Fees are payable per hour (or part of an hour) subject to any minimum period which is part of the care provider's usual terms, to a maximum hourly rate approved by the Chief Executive Officer.
- 5.8 Travelling expenses cover the transport costs of the carer to and from the Councillor's residence or of the person to be cared for to and from the place of care.
- 5.9 Claims for reimbursement of carer expenses must be accompanied by a receipt from the care provider showing the date and time care was provided and details of the reason care was needed on each occasion.

6. Communications and Mobile Devices (\$5,000)

- 6.1 An annual limit of \$5,000 for each Councillor will apply to the provision of communications and mobile devices outside the Councillor's Town Hall office, and their ongoing usage/operating costs.
- 6.2 Communications and mobile devices to be provided by the City to each Councillor for the duration of their term of office may comprise any of the following:
- one mobile electronic communication device, e.g., i-Phone, with approved accessories, including monthly service fees;
 - one mobile device such as an i-Pad (including protective case, keyboard and monthly service fees);
 - one multi-function device capable of printing and scanning; and
 - one photographic camera with relevant accessories.

- 6.3 If replacement or upgrade of any of those communications and mobile devices is required during a Councillor's term of office, these costs are included in the total annual expense limit in clause 6.1.
- 6.4 Councillors may seek reimbursement for applications on their mobile electronic communication devices that are directly related to their duties as a Councillor.
- 6.5 Mobile device use is to be in accordance with the City's Mobile Device Policy and Internet and Email Policies. Councillors will receive a copy of their monthly Mobile Summary Report and will be able to identify any personal call charges.
- 6.6 Where personal call charges exceed incidental private use, Councillors must advise the Chief Executive Officer in writing and, in accordance with clause 41.2 of this Policy, the Councillor will be invoiced for reimbursement to the City of the relevant amount.

7. Conferences Interstate (\$3,000)

- 7.1 The City will pay expenses, including registration fees, domestic travel, accommodation, meals and reasonable incidental expenses, associated with Councillors attending conferences or seminars outside New South Wales (including the ACT), provided the Chief Executive Officer approves the Councillor's attendance. The conference or seminar must be directly relevant to the functions of Council and/or benefit the community/local government area. The request for approval should include full details of the travel, including itinerary and costs, in

accordance with clause 23.4 of this Policy.

The provisions of clause 23 of this Policy will apply to all transport arrangements associated with interstate conference attendance.

Overnight Accommodation

- 7.2 The City will pay reasonable costs of overnight accommodation for stays outside the Sydney metropolitan region. Expenses are payable for the nights of the conference or seminar and the night before and after where necessary.

Accommodation is to be at the conference venue, where possible.

In all other cases, accommodation should be based on best value available and proximity to the conference venue.

Preference will be given to accommodation venues providing Government Rates and to those who publicly disclose their environmental performance with third party certified sustainability ratings such as NABERS, EarthCheck, LEED, Green Star Performance, where available.

These costs are included in the total annual expense limit as identified in clause 7.4.

Meals

- 7.3 The City will pay for all meals for Councillors attending approved conferences or seminars, where any of those meals are not provided as part of the conference or seminar fee. The City will also pay the reasonable cost of beverages accompanying a meal.

These costs are included in the total annual expense limit as identified in clause 7.4.

- 7.4 The annual limit for attending conferences or seminars outside New South Wales (including the ACT) including registration, travel, accommodation and meal expenses, is \$3,000 for each Councillor. In addition to this annual expense limit, the standing authority in clause 23.5 of this Policy allows for:

- the attendance by Council’s official delegates at the annual Local Government NSW Conference; and
- the attendance by the Lord Mayor or other Councillors at meetings interstate, including Canberra, explicitly for the discussion of issues related to the functions of the City of Sydney or agreements between Council and the Commonwealth, with such attendance to be explicitly approved by the Chief Executive Officer and the Lord Mayor, and in the case of the Lord Mayor, by the Chief Executive Officer and Director, Legal and Governance.

8. Conferences Intrastate (\$2,000)

- 8.1 The City will pay expenses including, but not limited to, registration fees, domestic travel, accommodation (for stays outside the Sydney metropolitan region), meals and reasonable incidental expenses associated with Councillors attending conferences or seminars within New South Wales (excluding the ACT). The conference or seminar must be directly relevant to the functions of Council and/or benefit the community/local government area.

The provisions of clause 23 of this Policy will apply to transport arrangements associated with intrastate conference attendance.

8.2 Councillors may attend conferences and seminars within New South Wales at the City's expense:

- without approval of the Chief Executive Officer where the all-inclusive cost of the Councillor's attendance at the conference or seminar does not exceed \$500; or
- with the prior approval of the Chief Executive Officer where the all-inclusive cost of the Councillor's attendance at the conference or seminar exceeds \$500.

8.3 The annual limit for attending conferences or seminars within New South Wales (excluding the ACT) is \$2,000 for each Councillor. In addition to this annual expense limit, the standing authority of Council in clause 23.5 of this Policy allows for the attendance by Council's official delegates at the annual Local Government NSW Conference.

9. Council Concerts and Public Entertainment

9.1 Councillors will be offered tickets to events that the City sponsors where tickets are included in the sponsorship agreement.

10. Council Representation at Non-Council Functions and Other Events (\$2,000)

10.1 The annual limit for attending dinners, non-council functions, community and corporate or industry events where Councillor representation would be expected, such as award nights which are relevant to Council's interest is \$2,000 for each Councillor.

10.2 The approval of the Chief Executive Officer is required for attendance at dinners, non-council functions and

community events where the cost exceeds \$500.

10.3 The City will pay the entry fee/ticket cost associated with the attendance of a Councillor at a dinner, non-council functions, community and corporate or industry events relevant to Council's interest.

10.4 The City will not pay for or reimburse to a Councillor costs associated with attendance at any political fundraising event, any donation to a political party or candidate's electoral fund or for some other private benefit.

10.5 Likewise, no payment shall be made or reimbursed by the City for any component of a ticket that is additional to the service cost, such as a donation to a political party or candidate's electoral fund or any other private benefit.

11. Expenses and Facilities for Councillors with Disabilities

11.1 For any Councillor with a disability, Council may resolve to provide reasonable additional facilities and expenses, in order to allow that Councillor to perform their functions of civic office.

12. Gifts and Benefits

12.1 A ceremonial gift is an official gift from one organisation to another, generally provided when conducting official business with delegates from another organisation or when formally representing the City at ceremonial and civic events. For example, when undertaking overseas travel approved by Council, hosting a visiting official delegation or attending ceremonial and civic events as a formal representative of the City (as

approved by Council or the Lord Mayor).

All arrangements for the giving of a ceremonial gift on behalf of the City are coordinated by Protocol.

Ceremonial gifts given by the City shall be:

- of a standard considered appropriate for the occasion;
- considered reasonable in terms of community expectations; and
- approved by a meeting of Council, where the value of a ceremonial gift will exceed \$1,000.

Ceremonial gifts received by Councillors on behalf of the City

12.2 The provisions of the Code of Conduct and the Curatorial Policy of the Civic Collection will apply.

Token gifts and benefits given by Councillors

12.3 In circumstances where it is appropriate for Councillors to give a gift or benefit, for example as a personal gesture of goodwill when receiving visitors, these gifts and benefits should be of token value as defined in the Code of Conduct.

12.4 In appropriate circumstances the Protocol Unit will provide suitable gifts of token value, such as key rings, pens, ties, scarves, chocolates or flowers to Councillors for issue to visitors.

Gifts and benefits received by (or offered to) Councillors

12.5 The provisions of the Code of Conduct will apply.

13. Insurance

13.1 In accordance with Section 382 of the Act, the City is insured against public liability and professional indemnity claims. Councillors are included as a named insured on these policies.

13.2 Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.

13.3 Council shall pay the insurance policy excess in respect of any claim accepted by the City's insurers, whether defended or not.

13.4 In addition to public liability and professional indemnity, the City also provides the following insurances::

- Councillors and Officers Liability Insurance;
- Personal Accident Insurance, (accompanying partners are also covered); and
- International and Domestic Travel Insurance.

14. Legal Costs

14.1 In the particular circumstances outlined below, the City may indemnify or reimburse the reasonable legal expenses of a Councillor for:

- defending an action arising from the performance in good faith of a function under the Act (section 731 refers); or
- defending an action in defamation provided that the outcome of the

- legal proceedings if favourable to the Councillor and the statements complained of were made in good faith in the course of exercising a function under the Act; or
- an inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body, including:
 - NSW Civil and Administrative Tribunal;
 - Independent Commission Against Corruption;
 - Office of the NSW Ombudsman;
 - Office of Local Government;
 - NSW Police Force;
 - Director of Public Prosecutions; and
 - Council's Conduct Review Committee/Reviewer - only where a matter has been referred by the Chief Executive Officer in accordance with the Code of Conduct;
 - but provided that the subject of the inquiry, investigation or hearing arises from the performance of a Councillor's functions under the Act, and the matter has proceeded to a formal investigation or review. In relation to a conduct complaint, reasonable legal expenses should only be reimbursed where a formal investigation has been commenced by the Office of Local Government. Reasonable legal expenses can only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the Councillor.
- 14.2 Where possible, prior approval is to be sought and gained from the Chief Executive Officer before legal expenses are incurred.

14.3 The City will not meet legal expenses in the following circumstances:

- any legal proceedings initiated by a Councillor;
- a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation; and
- any legal proceedings that do not involve a Councillor performing their role as a Councillor.

15. Newspapers

15.1 Each Councillor is entitled to digital subscriptions to two daily newspapers and/or delivery of those same newspapers to their home or Town Hall office.

~~16. Postage and Communication Tools~~ **Civic Communication Tools (\$1,500)**

16.1 Each Councillor will be entitled to post, in City supplied envelopes, 200 standard mail items or equivalent per month cumulative within each financial year, up to a value of \$1,500 per year.

16.2 In recognition of the additional authorities and functions exercised by the Lord Mayor as detailed in clause 35.1, the Lord Mayor will be entitled to postage up to the value of \$3,000 per year.

Christmas / Festive Season Cards

16.3 Councillors may also be supplied with up to 600 Christmas Cards, or other cards specific to similar cultural festivals, and envelopes of standard size each year. Corporate Christmas Cards will also be made available in electronic format and interested Councillors are encouraged to use e-Christmas

Cards. For those Councillors who choose a paper based card format, the cost of posting the 600 cards is included in the annual expense limit for postage.

- 16.4 In recognition of the additional authorities and functions exercised by the Lord Mayor as detailed in clause 35.1, the Lord Mayor will be entitled to 1,200 cards under this Policy. Where the Lord Mayor chooses a paper based card format, the cost of posting the 1,200 cards is included in the annual expense limit for postage.

Database Management/Software as a Service

- ~~16.5 Councillors are entitled to the provision of a software as a service database management tool to manage electronic communications.~~

Electronic Civic Communications

- 16.5 Councillors are entitled to access the City provisioned email marketing platform to manage their electronic civic communications. Communications will be the responsibility of the Councillor and the cost of this will be attributed to the Civic Communication Tools cap.

17. Publications

- 17.1 Councillors are entitled to be reasonably supplied with journals, magazines and other publications of their choice relevant to their civic duties.
- 17.2 Councillors are entitled to one copy, for their own use, of any historical or other books published by or for the City.

18. Spouse / Partner / Accompanying person (\$600)

- 18.1 The cost of a spouse, partner or accompanying person attending official Council functions of a formal and ceremonial nature is appropriate when accompanying a Councillor:

- within the local government area;
- outside the local government area but within the State when representing the Lord Mayor; and
- at the annual conference of Local Government NSW with costs limited to the cost of registration and official conference dinners as per clause 4.2 of this Policy.

- 18.2 Official Council functions include, but are not limited to, Australia Day award ceremonies, citizenship ceremonies, civic receptions and charitable functions formally supported by Council.

- 18.3 The payment of expenses, up to an annual limit of \$600 for each Councillor, for spouses, partners or accompanying persons is appropriate for attendance at community and charity functions held within or contributing to the local government area.

- 18.4 The payment of expenses for spouses, partners or accompanying persons attending appropriate functions shall be limited specifically to the ticket and meal(s). Other expenses, such as grooming, special clothing and transport, will not be reimbursed.

19. Table Purchasing for Charity and Fundraising Events

- 19.1 Under the Support for Charities Policy ~~Guidelines for Purchasing Tables at Charity and Fundraising~~

Events, the Chief Executive Officer is authorised to make the decision on the purchase of tables at fundraising or charity events, in consultation with the Lord Mayor.

19.2 The following guidelines apply when determining whether a table should be purchased for a charity or fundraising event.

Priority will be given to purchasing tables for events / functions which:

- ~~— contribute toward a coordinated approach to service delivery and the development of responses to emerging social, community, cultural or economic issues;~~
- ~~— strengthen formal and informal support networks, reduce isolation and increase community participation and opportunities;~~
- ~~— increase access to and the achievement of basic rights for people with the greatest need;~~
- ~~— promote a balanced debate aimed at achieving social harmony;~~
- ~~— raise funds for a cause or organisation which is in keeping with the City's interests or experiencing exceptional circumstances involving genuine hardship; and~~
- ~~— events linked to the corporate and strategic objectives of the City.~~
- contribute toward a coordinated approach to service delivery and the development of responses to emerging social, cultural environmental or economic issues
- strengthen formal and informal support networks, reduce isolation and increase community participation and opportunities

- increase access to the achievement of basic rights for people with the greatest need
- promote a balanced debate aimed at achieving social harmony
- raise funds for a cause or organisation which is in keeping with the City's priorities and ethics
- raise funds for a cause or organisation experiencing exceptional circumstances involving genuine hardship including domestic or international humanitarian crises
- are reputable and not-for-profit
- provide a benefit or service to the people of the City of Sydney or support an issue which falls within the City's role as a capital city council or facilitate City of Sydney residents and visitors to support efforts to respond to a domestic or international humanitarian crises
- are not for political purposes
- are not for overt activities that could be perceived as divisive within the community.

19.3 Ticket costs or other entry fees associated with the attendance of Councillors at charity and fundraising events are included within the annual expense limit applicable to dinners, non-Council functions and community events in clause 10.1 of this Policy.

20. Training, Educational and Professional Body Membership Expenses (\$50,000 total for all Councillors)

20.1 The City supports the training, education and ongoing professional development of Councillors to ensure that members of Council's governing body are provided with the knowledge and skills required to undertake their roles and responsibilities effectively.

20.2 The City delivers a comprehensive Councillor Induction Program to

assist new Councillors in understanding and performing their role and to build on the existing knowledge and skills of returning Councillors. Following a general Council election, the Councillor Induction Program will include additional training, such as in the Code of Conduct and meeting practice and procedure. New and returning Councillors are also encouraged to attend any post election workshops/seminars conducted by the Office of Local Government.

- 20.3 Costs associated with the Councillor Induction Program and other related training, such as Code of Conduct and meeting practice and procedure will be separately met from the corporate budget.
- 20.4 Council will include in its annual budget an allocation of \$50,000 per year (average of \$5,000 per Councillor) for training and development courses, education and professional body membership expenses that are directly related to Councillors' civic functions and responsibilities. Council may also agree to allocate additional funding in specific cases where it decides there is a benefit to Council from Councillors' attendance or membership. The budget allocation is for all Councillors and the Chief Executive Officer will ensure that access to training and education courses and expenses relating to professional body membership is distributed equitably.
- 20.5 Approval to attend training and education courses and professional body membership is subject to a written request to the Chief Executive Officer outlining the details of the proposed training or education or professional body

membership, the benefits for Council and how it relates to the Councillor's civic functions and responsibilities.

21. Travel

General Provisions

- 21.1 In carrying out the functions of civic office, the Lord Mayor, Deputy Lord Mayor and Councillors may be required to undertake local, interstate and international travel on behalf of the City.
- 21.2 Overseas travel must be approved by Council in accordance with clause 24.1 of this Policy.
- 21.3 All travel arrangements (excluding local travel) must be made through the Office of the Chief Executive Officer. Travel arrangements (excluding local travel) must not be made by Councillors unless prior approval has been provided in accordance with this Policy.
- 21.4 All travel by Councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.
- 21.5 Councillors are responsible for ensuring that they maintain all supporting documentation for travel expenses, as required under this Policy.
- 21.6 Councillors undertaking private travel, in conjunction with travel approved and funded in accordance with this Policy, must ensure that all costs incurred for private travel are clearly delineated from City funded travel arrangements.
- 21.7 Councillors are not to seek, or accept loyalty or frequent flyer points from organisations such as airlines,

hire care companies or hotels in respect of transport and accommodation costs associated with travel approved in accordance with this Policy.

22. Travel – Local (\$6,000)

- 22.1 Councillors may use industry standard vouchers/cards for taxi travel for journeys in the Sydney metropolitan region to assist them to carry out their civic duties.
- 22.2 Upon being issued with such a voucher/card, Councillors must sign a form agreeing to comply with the conditions of use. The City will only meet the cost of taxi journeys undertaken by Councillors for Council business purposes.
- 22.3 At the end of each relevant billing period, each Councillor will receive a statement detailing taxi journeys undertaken during that period. Councillors are required to check the statement, complete a “Taxi Usage” form by providing the details of, and reasons for, each journey, identify any non-Council business related journey, and submit the completed form, and matching receipt for each journey detailed on the statement, to Secretariat within two months of the statement date.
- 22.4 These statements will be checked by Secretariat and, in accordance with clause 41.2 of this Policy, an invoice will be issued for reimbursement to the City of any non-Council business related journey identified by the Councillor.
- 22.5 Councillors may seek reimbursement of Opal Card costs for journeys undertaken in carrying out their functions of civic office. Claims for reimbursement of these expenses must be accompanied by a Councillor’s Opal Card statement

highlighting relevant journeys undertaken for Council business purposes.

- 22.6 When available, City vehicles and drivers may be utilised by Councillors for journeys in the Sydney metropolitan region to assist them to carry out their role. Requests should be directed to the Civic Functions Manager. The costs will be allocated at an hourly rate and will vary depending on whether overtime is applicable. Costs associated with driving Councillors when they are representing the Lord Mayor will not be included in the annual expense limit for local transport.
- 22.7 Councillors using their private vehicles to travel to and from meetings of Council and Committees of Council, and to carry out their other Council functions, may be reimbursed according to the rates prescribed by the Australian Tax Office. All references to private vehicles also include car share and rental vehicle use.
- 22.8 A record of private vehicle use must be maintained by the Councillor and submitted on a monthly basis using the log book provided. The record shall contain details of the Council business for which the travel was undertaken, dates, destinations, number of kilometres and any tolls, for which receipts must be provided.
- 22.9 Car parking fees incurred while conducting Council business will be reimbursed on the basis of original receipts and relevant details regarding the purpose, date and time of the meeting or function.
- 22.10 The driver of the vehicle is personally responsible for all traffic or parking fines incurred while

travelling in private or City vehicles on Council business.

- 22.11 Councillors are able to claim reimbursement for any bicycle hire costs used for transport while on Council business. Secure storage space is provided for Councillors in the car park of Town Hall House, 456 Kent Street, Sydney.
- 22.12 Councillors are able to claim reimbursement for the use of other forms of local transport as approved by the Chief Executive Officer, or delegate, from time-to-time.
- 22.13 The annual limit for all local transport expenses indicated above is \$6,000 for each Councillor.

23. Travel – Intrastate and Interstate

- 23.1 The City will pay reasonable expenses for domestic travel related to carrying out the functions of civic office.
- 23.2 Councillors may choose the mode of transport which is most appropriate to the circumstances, subject to overall economy and convenience.
- 23.3 Airline tickets are not transferable and cannot be used for defraying or offsetting any other costs, including the costs of other persons accompanying the Councillor.
- 23.4 Prior approval is required from the Chief Executive Officer for travel outside the Sydney metropolitan area and interstate. The application for approval should include full details of the travel, including itinerary, costs and reasons for the travel.
- 23.5 In addition to the provisions of clauses 23.1 to 23.4, the following standing authorities are deemed to exist as at the date of this Policy:

- the attendance by Council’s official delegates at the annual Local Government NSW Conference; and
- the attendance by Councillors at meetings interstate, including Canberra, explicitly for the discussion of issues related to the functions of the City of Sydney or agreements between Council and the Commonwealth, such attendance to be explicitly approved by the Chief Executive Officer in consultation with the Lord Mayor in each case. In the case of the Lord Mayor, attendance will be approved by the Chief Executive Officer and the Director, Legal and Governance.

Costs associated with the standing authorities referred to above are not to be included within the annual expense limits detailed in clauses 7.4 and 8.3.

Class of Air Travel

- 23.6 Unless otherwise specified in a Resolution of Council, the class of air travel to be used is to be:
- by a Councillor for continuous journeys of less than or equal to two hours duration, economy class;
 - by a Councillor for continuous journeys exceeding two hours, business class; and
 - by the Lord Mayor, and other Councillors accompanying the Lord Mayor, business class.
- 23.7 A journey which is interrupted by an overnight stop-over is not a continuous journey.
- 23.8 In the case of travel via a non-direct route, travel expenses are payable for the amount which would have

been incurred if the most direct route had been available and followed at the same class of travel as was actually used. A claim for expenses must not exceed the amount actually paid.

Use of Private Vehicle

23.9 Where a Councillor uses their private vehicle, including car share and rental vehicle, to attend an approved conference or seminar outside the Sydney metropolitan region, the total claim for use of the vehicle must not exceed the cost of air travel at the specified class, plus the taxi fares to and from the airports. Reimbursement rates and procedures are the same as those detailed in clause 22.7.

Train Travel

23.10 Train travel may be first class, including sleeping berths where necessary.

Transfers

23.11 Taxis, coaches and other transfer transport expenses, including at the destination point, may be reimbursed for approved travel. (See clause 7.4 for the annual limit on expenses for attending conferences outside New South Wales (including the ACT) and clause 8.3 for the annual limit on expenses for attending conferences within New South Wales (excluding the ACT).

24. Travel – Overseas

24.1 Detailed proposals for overseas travel, including the benefits to Council, a list of associated costs and anticipated expenses must be included in the Committee or Council business papers by way of a report and approved by a meeting of Council prior to a Councillor undertaking a trip. Overseas travel is

to be approved on an individual trip basis.

24.2 Airline tickets are not transferable and cannot be used for defraying or offsetting any other costs, including the costs of other persons accompanying the Councillor.

Class of Air Travel

24.3 Unless otherwise specified in a Resolution of Council, the class of international air travel to be used by the Lord Mayor and all Councillors is to be business class.

24.4 In the case of travel via a non-direct route, travel expenses are payable for the amount which would have been incurred if the most direct route had been taken.

Reports on Attendance

24.5 For overseas meetings, conferences or seminars, a report or relevant material must be prepared for circulation to the Council and review by the public within six months of the travel undertaken.

25. Additional Expenses for the Lord Mayor

Attendance at Conferences, Seminars and Meetings

25.1 The Lord Mayor may attend meetings, with the City meeting the cost of travel, accommodation, meals and reasonable incidentals, as follows:

- Council of Capital City Lord Mayors (while Council remains a CCCLM member);
- Australian Local Government Association;
- Local Government NSW;

- meetings interstate and intrastate with representatives of the Commonwealth Government, State Governments, capital city local governments and regional local governments, or other bodies on city related issues; and
- other meetings relevant to the functions of the City or the Lord Mayor’s functions of office approved from time to time by Council.

Other Expenses

25.2 The Lord Mayor is entitled to ISD telephone access or the equivalent.

26. Additional Expenses for the Deputy Lord Mayor

26.1 The Deputy Lord Mayor is entitled to ISD telephone access or the equivalent.

4. Provision of Facilities

27. Introduction

- 27.1 Facilities may be defined as “equipment and services that are provided by councils to Councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as Councillors”.
- 27.2 Unless stated otherwise, the facilities, equipment, administrative and other support services detailed in Part 4 of this Policy are to be made available to all Councillors on a uniform basis.
- 27.3 Specific additional facilities, equipment, administrative and other support services for the Lord Mayor and Deputy Lord Mayor are detailed in clauses 35 and 36.
- 27.4 As detailed in Part 2 of this Policy, Councillors must only use Council facilities, equipment and services in accordance with the Code of Conduct.

28. Administrative and Other Support Services

- 28.1 Each Councillor will be provided with administrative and other support services equivalent to one full time staff.
- 28.2 Any hours worked in excess of this entitlement will only be paid as a result of these staff attending Council meetings, standing committee meetings and sub-committee meetings after 5.00pm or

as approved in advance by the Executive Manager, Office of the CEO.

- 28.3 Councillor support staff will be recruited by the Chief Executive Officer, in consultation with the relevant Councillor(s).
- 28.4 A generic position description for these positions is to be approved by the Chief Executive Officer.
- 28.5 Councillor support staff will be provided with a workstation or equivalent, a personal computer connected to City's network, land line phone and mobile device.

29. Building Access and Parking

- 29.1 Each Councillor will receive one security card and one key fob, allowing them 24 hour access to appropriate areas within the Sydney Town Hall and Town Hall House.
- 29.2 Each Councillor is entitled to the use of one parking space accessible on a 24 hour basis in the Town Hall House car park.

30. Name Badge

- 30.1 Each Councillor is entitled to two standard name badges.

31. Office Accommodation and Equipment

- 31.1 Councillors will be provided with office accommodation. The location of the office, the standard of accommodation, and expenditure on

equipment, furniture and fit out are to be approved by the Chief Executive Officer. The standard will be such as to enable Councillors to satisfactorily carry out their civic duties.

- 31.2 Councillors will be entitled to a personal computer in their office. In lieu of a personal computer, Councillors may choose to have a lap-top computer for use at their home, non-Council workplace and office.
- 31.3 Computer usage is subject to City policy (including Internet and Email Policies) and is to be used only in the execution of the Councillors' civic duties.
- 31.4 Software required by Councillors in the exercise of their civic duties will be provided by the City as approved by the Chief Executive Officer.
- 31.5 Computer training in the use of the computer systems provided by the City will be available at the City's expense.
- 31.6 Other equipment available in each Councillors' office will include the following:
- access to a multi-function device for printing, scanning, copying and faxing;
 - paper shredder;
 - a multi-function headset capable of integration with a desk phone, mobile phone and internet phone; and
 - day-to-day stationery and other minor office equipment including any relevant personal protective equipment (PPE).

31.7 Maintenance, telephone line rental, fax and call costs for telephones in Councillors' offices (including STD calls on Council business only) will be at the City's expense. Town Hall office phones will be connected to voicemail.

32. Council Related Meeting costs (\$6,000)

- 32.1 Food and beverages will be available for Council meetings, standing committee and sub-committee meetings, Central Sydney Planning Committee meetings, other official Council Committees, Councillor briefings, approved meetings or engagements, and official Council functions as approved by the Chief Executive Officer in consultation with the Lord Mayor.
- 32.2 Councillors will be reimbursed reasonable out-of pocket expenses incurred whilst entertaining visiting dignitaries on behalf of Council. The Chief Executive Officer in consultation with the Lord Mayor must give prior approval to these arrangements.
- 32.3 Food and beverages associated with conducting other Council business related meetings in Sydney Town Hall or Town Hall House can be arranged for Councillors through Civic Functions and/or other providers as nominated by the Chief Executive Officer, or delegate.
- 32.4 Councillors' office refrigerators may be stocked with beverages for the use of Councillors and their guests in relation to Council business from a standard range of stock items available. Requests should be directed to the Civic Functions Manager on a beverage use order form and the costs involved will be

allocated to the Councillor concerned.

- 32.5 Further meeting requirements including costs for catering, audio visual equipment or personnel can be arranged for Councillors through Civic Functions with the approval of the CEO.
- 32.6 The annual combined limit for clauses 32.2 - 32.5 is \$6,000 for each Councillor.

33. Room use

Sydney Town Hall

- 33.1 The VIP Boardroom, Finance Room, Treasury Room and Council Chamber may be booked at no cost for meetings in the exercise of the Councillor's civic duty.
- 33.2 Bookings may be made through the Civic Functions Manager.

Other Venues

- 33.3 Meeting rooms in other City of Sydney venues, such as Town Halls, Town Hall House and community centres, may be booked at no cost for meetings of up to approximately 100 people, subject to availability, in the exercise of the Councillor's civic duty.
- 33.4 Booking requests are to be made through the Executive Manager, Office of the CEO who will then seek the approval of the Chief Executive Officer, in consultation with the Lord Mayor.
- 33.5 All Councillors are to be invited to meetings held in other City venues.

Conditions of Usage

- 33.6 Room or venue bookings which may be perceived to be of a political nature or not related to the Councillor's civic duties will not be

approved for free use. Where applicable, room or venue usage in those circumstances would be charged at the current community rate.

- 33.7 Costs for catering, audio visual equipment, personnel or other meeting requirements are to be met by the Councillor under clause 32.

34. Stationery

- 34.1 Councillors will be supplied with corporate standard Councillors' letterhead, note paper, envelopes and business cards. The letterhead will display one Councillor's name only. Groups and affiliations are not to be displayed on Councillors' letterhead.
- 34.2 Council stationery is not to be converted or modified in any way and may only be used for carrying out the functions of civic office.

35. Additional Facilities for the Lord Mayor

- 35.1 This Policy recognises the additional authorities and functions exercised by the Lord Mayor, in accordance with the Act (as amended) and Council's adopted delegations to the Lord Mayor, which include:
- to lead the governing body of Council;
 - to be a leader in the community;
 - to advance community cohesion and promote civic awareness,
 - to be the principal spokesperson on Council policy;
 - to promote partnerships between Council and key stakeholders;

- to represent the Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level; and
- the undertaking of civic and ceremonial functions of the mayoral office; and
- other functions as authorised by Council in accordance with its delegations to the Lord Mayor.

35.2 Council will provide the Lord Mayor with office accommodation and the services of a business unit (the Office of the Lord Mayor) to support the Lord Mayor in carrying out these authorities and functions.

Office of the Lord Mayor (Business Unit)

35.3 The Office of the Lord Mayor will provide support and related services to the Lord Mayor for the purposes of:

- policy development and advocacy;
- strategic planning and research;
- communications and media;
- community, government and industry liaison;
- exercise of civic and ceremonial functions; and
- administrative support.

35.4 The Office of the Lord Mayor is not to be used to provide services or facilities for any other purpose.

35.5 Council will allocate and approve an annual budget for the Office of the Lord Mayor to provide for required staff resources, facilities and other expenses associated with its day-to-day operation.

35.6 The annual budget for the Office of the Lord Mayor will be published on the City’s website.

35.7 Under Council’s adopted delegations, the Lord Mayor has authority to determine the structure of the Office of the Lord Mayor in consultation with the Chief Executive Officer, subject to the costs being within the annual budget allocated and provided the staffing of the unit does not exceed the equivalent of 22 full time staff.

35.8 Resources utilised and expenditure incurred within the Office of the Lord Mayor must be in accordance with relevant financial delegations and in consultation with the Chief Executive Officer.

35.9 For financial management purposes, the Office of the Lord Mayor operates as a separate cost centre.

35.10 Expenses reimbursed and facilities made available to the Lord Mayor in accordance with the other provisions of this Policy will be funded from the overall budget allocation for the provision of expenses and facilities to councillors and be subject to the limits specified in this policy.

Other Facilities

35.11 A dedicated vehicle including a fuel card and driver for local and intrastate journeys (and the ACT) will be made available to the Lord Mayor to assist them to carry out the duties of civic office.

35.12 The vehicle and driver are to be available for other duties when not utilised by the Lord Mayor. The Lord Mayor’s vehicle is maintained and replaced in accordance with the City of Sydney Motor Vehicle Policy.

35.13 In carrying out the functions of civic office, the Lord Mayor may use rooms in Sydney Town Hall including the Reception Room and the Lady Mayoress' Room.

35.14 The Lord Mayor has access to Lord Mayoral Chains of office and robes for official, civic and ceremonial use.

36. Additional Facilities for the Deputy Lord Mayor

36.1 The Deputy Lord Mayor is entitled to administrative support services equivalent to two full time staff.

36.2 A non-dedicated vehicle and driver is available to assist them to carry out the duties of Deputy Lord Mayor for journeys in the Sydney metropolitan region. The vehicle and driver may only be used where the purpose of the transport is directly related to the functions of the Council. Such vehicle and driver will be available for other duties when not utilised by the Deputy Lord Mayor.

36.3 In the event a new Deputy Lord Mayor is elected, both the incoming and outgoing Deputy Lord Mayor shall be entitled to new corporate letterhead, notepaper and business cards.

5. Payment and Reimbursement

37. Payments Generally

37.1 Expenses and facilities provided for in this Policy can be paid by:

- the City directly;
- reimbursement; or
- advance payment (in exceptional circumstances eg. overseas travel).

37.2 All payments by the City under this Policy will be made in accordance with existing City financial delegations, policies and procedures applicable to the particular payment method used (i.e., Purchase Order, EFT, corporate credit card, payment requests and petty cash).

37.3 The payment method used for particular expenses and facilities may vary depending on the cost involved in the particular expense or facility, payment deadline, staff availability and expediency. If credit card is the only available or most suitable payment method in a particular circumstance, relevant surcharges and/or processing fees may apply.

38. Assessment and Approval of Payments and Reimbursements

38.1 Claims for payment or reimbursement of expenses and the provision of facilities under this Policy will be assessed/approved by at least two of the following:

- the Chief Executive Officer (or the Chief Executive Officer's nominated delegate) – claim assessment and approval where specifically required under a clause of this Policy; or

- Executive Manager, Office of the CEO (claim assessment and approval within financial delegations and where expenses claimed are within an annual expense or other limit in the Policy); or

- Council Business Coordinator (claim assessment and approval within financial delegations and where expenses claimed are within an annual expense or other limit in the Policy); or

- Committee Secretary (claim assessment for compliance with Policy/annual limits only). If a claim is approved, the City will make the payment directly to the relevant suppliers/service providers or reimburse the Councillor/other claimant through Accounts Payable.

38.2 If a claim is refused, the City will inform the Councillor/other claimant that the claim has been refused and the reasoning.

38.3 Claims for payment or reimbursement of expenses which are approved in accordance with the provisions of clauses 38.1 are subject to the oversight and accountability requirements outlined in clauses 44.2 and 44.3.

39. Process for Direct Payment and Reimbursement of Expenses

- 39.1 Whenever possible and practicable, the City will directly pay for Councillors' expenses and provide facilities, equipment and other resources up to the relevant annual expense limit or standard specified in this Policy. In other cases, Councillors may claim for payment or reimbursement of expenses or facilities as outlined below.
- 39.2 If sought by a Councillor, the City will pay or reimburse expenses incurred or to be incurred by a Councillor in carrying out the functions of civic office. Claims for payment or reimbursement of expenses by the City must be made using the appropriate form and provide sufficient supporting information to allow assessment of the claim.
- 39.3 Where direct payment by the City of an expense is sought by a Councillor, pre-approval under clause 38.1 of this Policy must be obtained prior to the expense being incurred.
- 39.4 Councillors are responsible for providing original receipts (with GST marked where applicable) and completing any other required documentation (e.g., private motor vehicle log book, Opal card statement reconciliation) in support of claims for payment or reimbursement of an expense by the City under this Policy.
- 39.5 Unless otherwise stated in this Policy, claims for reimbursement of expenses incurred by a Councillor must be lodged within two months of the date of the cost being incurred, or issue date of a periodic statement or billing summary detailing the

expenditure incurred by the Councillor.

- 39.6 If a claim is lodged after the time period provided in clause 39.5, it may be refused. Requests for reimbursement outside of this time limit may be accepted in exceptional circumstances, subject to the approval of the Chief Executive Officer.

40. Payment in Advance

- 40.1 Councillors seeking payment in advance for the cost of any expenses provided for in this Policy that they anticipate will be incurred in the course of undertaking their civic duties must provide sufficient supporting information to allow assessment of the request.
- 40.2 If a Councillor receives an advance payment from the City, the Councillor must, within one month of receiving such a payment, provide to the City:
- a full reconciliation of all expenses, including receipts; and
 - a reimbursement of any amount of the cash advance that was not expended in the course of undertaking their civic duties.

41. Reimbursement to the City

- 41.1 For expenses that are later billed directly to the City, such as mobile phones/device and taxi vouchers/cards, Councillors are required to review the relevant bill, confirm those expenses that were incurred in carrying out their Council duties and declare any private usage. For the purposes of clause 41.2 of this Policy, Councillors will be invoiced and must reimburse the City for:

- any personal mobile phone call costs which exceeds incidental private use; and
 - the full cost of any taxi journeys undertaken for private purposes (as determined through the reconciliation mechanism/process in clause 22.2 of this Policy).
- (comprised of the independent external members of the committee only) for determination.

41.2 If the City has incurred any other expense on behalf of a Councillor that exceeds an annual expense limit as detailed in this Policy, or exceeds reasonable incidental private use (as declared by the Councillor in writing or determined by the Chief Executive Officer or their delegate):

- the City will invoice the Councillor for the amount by which the annual expense limit for a category has been exceeded, plus GST, for the actual costs incurred by the Councillor for private benefits (where these can be ascertained), or at market value; and
- the Councillor will reimburse the City for that expense as per the invoice amount and payment terms.

42. Dispute Resolution Procedure

42.1 In the event of a dispute regarding the reimbursement of expenses or the provision of facilities under this Policy, the Lord Mayor or a Councillor may, by written request to the Chief Executive Officer, request the review and determination of the disputed matter by the Chief Executive Officer and the Director, Legal and Governance.

42.2 If any matter remains in dispute, or the review parties (as detailed above) are unable to determine the matter, the disputed matter may be referred to a meeting of the Audit, Risk and Compliance Committee

6. Accountability and Transparency

43. Administrative Oversight

43.1 The Office of the Chief Executive Officer is responsible for the oversight and ongoing administration of the Policy, including, where necessary, the establishment of subsidiary practices and procedures intended to ensure high standards of probity are maintained.

44. Budget Oversight and Financial Accountability

44.1 Cost information for expenses incurred by Councillors and services and facilities provided to Councillors is generated from business units across the City.

44.2 The Chief Finance Office maintains the necessary accounting systems that ensure compliance with the requirements of this Policy and is responsible for ensuring the correct categorisation and charging of approved expenditure.

44.3 The primary internal controls that apply to the provisions of this Policy are:

- hierarchical approval requirements for all claims for expense reimbursement and the provision of facilities (operating in accordance with relevant financial delegations issued to City staff);
- monthly management reporting for budget and expenditure review and verification;

- regular capped expenditure reporting to all Councillors for secondary review and verification purposes;
- periodic expenses and facilities compliance review by way of internal audit; and
- annual operating budget development and approval processes.

45. Statutory Reporting Requirements

45.1 Under the Act and Regulation, the City is required to include specific information in its Annual Report about the payment of expenses and facilities to councillors in relation to their civic functions.

45.2 A statement of the total amount expended on the provision of facilities, and the total cost of particular categories of expenses and facilities as detailed in section 217 of the Regulation, are included in the City's Annual Report. The categories reported are as follows:

General

- the total cost of expenses and the provision of facilities for the Lord Mayor and Councillors;

Provision of facilities

- the cost of the provision of dedicated office equipment allocated to councillors on a personal basis such as laptop computers, mobile phones, telephones and facsimile machines and internet installed in the councillors' homes (including line rental and internet access). This item does not include the costs of using this equipment, such as calls;

Expenses

- the cost of phone calls including mobiles, home located landlines, facsimile and internet services;
- spouse, partner or accompanying person expenses;
- conference and seminar expenses;
- training and skill development expenses;
- interstate travel expenses (including subsistence and out-of-pocket expenses);
- overseas travel expenses (including subsistence and out-of-pocket expenses); and
- care and other related expenses (of dependants to enable a councillor to undertake their civic functions).

46. Additional Reporting of Expenses and Facilities

- 46.1 In addition to the statutory reporting requirements, the City reports the total cost of expenses and the provision of facilities for the Office of the Lord Mayor by way of the City's Integrated Planning and Reporting program and quarterly financial performance reporting.

47. Online Reporting

- 47.1 Council has resolved that expenditure incurred in accordance with this Policy will be published on the City's website quarterly.

48. Availability of the Policy

- 48.1 In accordance with the Government Information (Public Access) Act 2008, this Policy is to be made publicly available, free of charge, on the City of Sydney website as part of Council's register of open access information and policy register.

49. Policy Review

- 49.1 Council is required to review this Policy within the first 12 months of each term of office.

50. Relevant State legislation and guidelines

- Local Government Act, 1993
- Local Government (General) Regulation 2021
- Guidelines for the payment of expenses and provision of facilities for Mayors and Councillors in NSW - October 2009 (issued in accordance with section 23A of the Act)
- Circular 10/26 Misuse of council resources
- Independent Commission Against Corruption (ICAC) publication, No excuse for misuse, preventing the misuse of council resources - Guidelines 2 (November 2002).

51. Relevant City policy documents

- City of Sydney Code of Conduct
- Internet and Email Policies
- Petty Cash Policy
- Mobile Device Policy
- Motor Vehicle Policy

52. Policy Control Statement

Authority Resolution of Council dated

Review Date This policy is to be reviewed within 12 months of any Council election.

File reference 2022/330393

Owner Office of the Chief Executive Officer

This Policy supersedes any previous policies concerning the payment of expenses and provision of facilities to Councillors.

Item 7.

Sydney Metro Compulsory Acquisition by Agreement - City's Stratum Interest, De Mestre Place, Sydney

File No: X036064

Summary

The Sydney Metro automated rapid transit system is a 113-kilometre network comprising the operational North-West line with three lines under construction including the City and Southwest line, the Western Sydney Airport and the West line connecting Greater Parramatta to Hunter Street, Sydney CBD.

The Sydney CBD Metro West precinct is anchored by the stations at O'Connell and Bligh Streets (East) and George and Hunter Street (West) opposite Wynyard Station and close to the Light Rail.

The City has property interests within the Hunter Street Station West CBD land boundary comprising a road, De Mestre Place and stratum pedestrian bridge linking two properties now being acquired by Sydney Metro. The Stratum is required by Transport for NSW to enable the construction of the Hunter Street Station West.

Under the Transport Administration Act 1988 Sydney Metro may acquire land by agreement or compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991.

De Mestre Place (Road) is to be acquired through compulsory process to effect the road closure. The compensable matters for compulsory acquisition of roads are governed by the Roads Act and are procedural.

The City and Sydney Metro have reached agreement on the market value of the stratum lot and is recommended for Council endorsement.

Recommendation

It is resolved that:

- (A) Council note the acquisition by compulsory process of the City's freehold interest in road known as De Mestre Place;
- (B) Council note that compensation for the compulsory acquisition of De Mestre Place is assessed under the Roads Act 1993 as detailed within the report;
- (C) Council endorse the compulsory acquisition by agreement under the Land Acquisition (Just Terms Compensation) Act 1991 by Sydney Metro of Lot 1 in Deposited Plan 1003818 being a freehold stratum lot, limited in height and depth within De Mestre Place; and
- (D) Council endorse the negotiated compensation amount and the commercial terms for the acquisition of the freehold stratum as detailed within confidential Attachment C to the subject report and delegate authority to the Chief Executive Officer to finalise an agreement generally in accordance with these terms.

Attachments

- Attachment A.** Identification Plans
- Attachment B.** Photos - City's Property Interests
- Attachment C.** Commercial Considerations (Confidential)

Background

1. Sydney Metro (Metro) are developing the 26-kilometre Sydney Metro West line, forming part of the broader Sydney Metro network, connecting Westmead through to Sydney Olympic Park, Five Dock, The Bays, Pyrmont and Hunter Street, Sydney (the Project).
2. The Hunter Street Station precinct will comprise the East Station at O'Connell and Bligh Streets and the West Station at Hunter and George Streets providing connectivity to:
 - (a) George Street Light Rail,
 - (b) Sydney Trains services at Wynyard and Martin Place, and
 - (c) the new Sydney Metro City & Southwest station at Martin Place.
3. The Hunter Street Station precinct between George, Hunter, O'Connell and Bligh streets will prioritise pedestrians support a vibrant public domain and be transformed through significant over station developments that are currently in the planning stage.

City's Property Interests - Hunter Street Station West

4. The Hunter Street Station West comprises an amalgamated site area of approximately 3,728 square metres with frontages to George and Hunter Street.
5. Except for the City's interests Metro have completed the required property acquisitions.
6. The City owns in fee simple De Mestre Place which was vested in the City as road in 1966 and a freehold stratum lot, limited in height and depth above De Mestre Place.
7. The stratum contains a structure providing pedestrian access from the Hunter Connection (a five level, strata retail arcade integrated within the 21 level 'John Hunter' commercial office building at 9 Hunter Street) to the property at 310 George Street, directly opposite the new Wynyard station.
8. The freehold pedestrian stratum lot (Overpass Stratum) is known as Lot 1 in Deposited Plan 1003818 and has an area of 64.7 square metres. Attachment A contains identification plans for the Hunter Street Station West site, De Mestre Place and Overpass Stratum with Attachment B containing photos of the City's interests.
9. On 21 February 1986, the City entered into a 40-year lease commencing 1 January 1982 with the then owner of 310 George Street and 7-13 Hunter Street who constructed the overpass structure within the stratum.
10. In 1994, the properties were sold to Leda Holdings Pty Limited who refurbished and created individual strata shops and commercial spaces. On 3 January 1996 the stratum overpass lease was assigned to the Proprietors – Strata Plan 50276.
11. Metro have recently acquired both 310 George Street and 9 Hunter Street.

Acquisition Process

12. The acquisition process and current status for both City interests are as follows.

Freehold Stratum - Lot 1 in Deposited Plan 1003818 (Stratum Overpass)

13. In November 2021, Metro and the City agreed to commence negotiation for the acquisition by Metro of the City's freehold interest in the Stratum Overpass with the objective of reaching agreement under Section 30 of the Land Acquisition (Just Terms Compensation) Act 1991 (Just Terms Act).
14. The applicable compensable matters under Section 55 of the Just Terms Act include:
 - (a) the market value of the land on the date of its acquisition; and
 - (b) any loss attributable to disturbance.
15. Details of the negotiation process and compensation agreed subject to Council endorsement are within Confidential Attachment C – Commercial Considerations.

De Mestre Place - Compensation for Road

16. In order for land that is classified as public road to be disposed of by Council, the road (or affected part) must either be formally closed by the Council or alternatively compulsorily acquired by Sydney Metro.
17. Section 41 of the Roads Act 1993 provides that compulsory acquisition of a public road operates to formally close the road (or affected part).
18. For the purposes of meeting the project's program Sydney Metro will acquire the road through compulsory process.
19. Compensation for compulsory acquisition of road by an acquiring authority is prescribed under the Roads Act 1993 with a focus on costs incurred by Council in acquiring and constructing the road together with relocation of any services.
20. The City did not acquire the road and there are no services to be relocated. The value of historical construction works is to be determined from archival records and submitted to Metro.
21. On 26 October 2022, Metro issued a Proposed Acquisition Notice (PAN), with a minimum 90-day period following which the acquisition will be gazetted.

Financial Implications

22. The compensation for the Overpass Stratum is not currently included in the City's Long Term Financial Plan.
23. As a result of the acquisitions the City will not continue to receive rental income from the freehold stratum nor will it incur maintenance and renewal costs in respect of De Mestre Place (Road).

Relevant Legislation

24. Metro operates under the Transport Administration Act 1988 having been formed under the Transport Administration Amendment Act (Metro Rail) Act 2008 No 115.
25. Under section 38C and clause 11 of Schedule 1 to the Transport Administration Act 1988, Metro may exercise the functions of TfNSW in respect to development of the metro, and for the purpose of exercising that function, may acquire an interest in land by agreement or by compulsory process in accordance with the Just Terms Act.
26. In respect of the stratum freehold lot compensation is assessed under the Land Acquisition (Just Terms Compensation) Act 1991 (Just Terms Act).
27. Section 41 of the Roads Act 1993 provides that compulsory acquisition of a public road operates to formally close the road (or affected part).
28. In respect of De Mestre Place (Road) whilst the provisions of the Just Terms Act apply in relation to the acquisition process, the assessment of compensation for the Road is made with reference to the provisions of Division 4 of Part 12 of the Roads Act 1993 including Sections 206 (2) and (3) which sets out the factors relevant to assessing compensation to which council is entitled to where a public road is compulsorily acquired.
29. Under Section 206 (2) the following matters are to be taken into account:
 - (a) the money (if any) that the council paid for the acquisition of the land;
 - (b) the money that the council has spent on the construction of the road; and
 - (c) the money that the council has spent in erecting or constructing, in, on or over the road, any conduits, poles or structures for use in connection with any water, sewerage or drainage work of, or any trading undertaking carried on by, the council, which, at the time of the acquisition by the Crown, were owned and used by that council in connection with any such work or trading undertaking, but does not include any money spent on the maintenance, replacement or repair of the road or any such conduits, poles or structures.
30. Under Section 206 (3) compensation is not payable under subsection (2) (c) to the extent to which any such conduits, poles or structures can reasonably continue to be used by the council in connection with any such work or trading undertaking.
31. Under Section 377(h) of the Local Government Act 1993 only Council has the authority to approve the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
32. Attachment C contains confidential commercial information which, if disclosed, would:
 - (a) confer a commercial advantage on a person with whom City's is conducting (or proposes to conduct) business; and
 - (b) prejudice the commercial position of the person who supplied it.
33. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise City's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

Critical Dates / Time Frames

34. Metro have indicated that their schedule requires them to complete the acquisition of all property interest no later than 1 March 2023.
35. The acquisition of the Overpass Stratum and De Mestre Place (Road) will complete within the timeframe.

Public Consultation

36. No public consultation is required by the acquiring authority.

KIM WOODBURY

Chief Operating Officer

Nicholas Male-Perkins, Commercial Manager, Development and Strategy

Attachment A

Identification Plans

HUNTER STREET STATION WEST

DE MESTRE PLACE RED SHADING



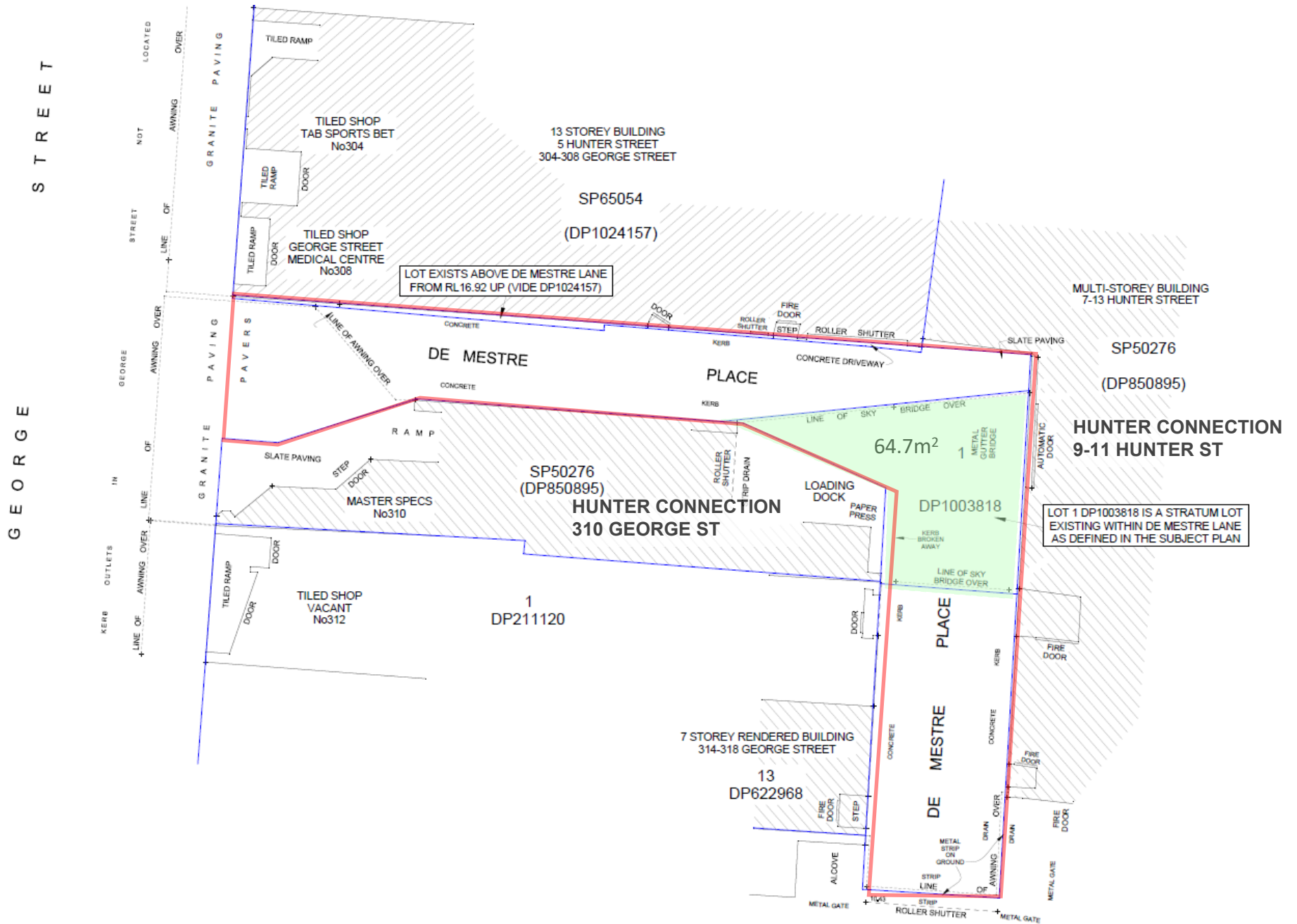
© City of Sydney Council 2021. All Rights Reserved.
This map has been compiled from various sources and the publisher and/or contributors accept no responsibility for any injury, loss or damage arising from the use, error or omissions therein. While all care is taken to ensure a high degree of accuracy, users are invited to notify Council's Spatial Services of any map discrepancies.
No part of this map may be reproduced without written permission.



DE MESTRE PLACE IDENTIFICATION SURVEY

STRATUM OVERPASS SHADED GREEN

6



Attachment B

Photos – City’s Property Interests



**De Mestre Place: Facing east from George Street
To right: Hunter Connection 310 George Street
Background: Overpass stratum connection to Hunter Connection 9-11 Hunter Street**





**De Mestre Place facing south toward Ash Street
Foreground: Underside of Overpass stratum**

Document is Restricted

Item 8.

Lease Approval and Permanent Road Closure - Part Jones Street, Ultimo

File No: X003280.001

Summary

This report seeks Council's approval to grant a lease for Jones Street, Ultimo, between Broadway and Thomas Street, to the University of Technology Sydney (UTS), for a term of forty years as outlined in Confidential Attachment I.

Council has previously endorsed the partial closure of Jones Street in 2007 and its full closure to traffic in 2010, subject to the delivery of traffic treatments, which have since been completed.

The City of Sydney is the road authority for Jones Street. This section of Jones Street is required to be permanently closed in order to grant exclusive use by way of a lease, to UTS.

UTS currently occupies this section of Jones Street under a short-term lease of an unused road. Upon publication of a Government Gazette to formalise the permanent road closure and vesting to the City of Sydney as operational land, the existing road lease to UTS will be surrendered and the new lease will commence.

The purpose of the lease is to enable UTS to deliver a long-term plan to integrate its City Campus buildings through the creation of a new pedestrian link and open space. During the lease term the UTS will occupy, maintain and manage Jones Street.

The essential terms and conditions of the proposed lease are shown in Confidential Attachment I.

Council is required to approve any lease where the term of the lease exceeds five years.

Recommendation

It is resolved that:

- (A) Council endorse the permanent road closure of Jones Street, Ultimo, between Broadway and Thomas Street, vesting in the City of Sydney as operational land, and as shown as Proposed Lot 100 in the Draft Plan of First Title Creation at Attachment B to the subject report;
- (B) Council approve the proposed 40 year lease to the University of Technology Sydney for the occupation of Jones Street, Ultimo, between Broadway and Thomas Street, in accordance with the terms and conditions contained in Confidential Attachment I to the subject report;
- (C) Council note the surrender of the existing short-term lease of an unused road to University of Technology Sydney will occur in accordance with the delegations from the Chief Executive Officer to Directors and staff, one day prior to the commencement of the new lease, subject to the terms and conditions outlined in Confidential Attachment I to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to:
 - (i) negotiate, execute and administer the terms of the lease in accordance with the essential terms and conditions contained in the Confidential Attachment I to the subject report; and
 - (ii) approve the publication of a Government Gazette to give effect to the permanent road closure and classification as operational land.

Attachments

- Attachment A.** University of Technology Sydney Concept Design
- Attachment B.** Draft Plan of First Title Creation - Jones Street, Ultimo
- Attachment C.** Resolution of Council - Partial Road Closure Jones Street, Ultimo - 10 December 2007
- Attachment D.** Sydney Traffic Committee – Proposed Permanent Road Closure – Jones Street, Ultimo - 17 February 2010
- Attachment E.** Resolution of Council - Broadway Road Widening and Closure of Jones Street, Ultimo - 26 July 2010
- Attachment F.** Council Report - Partial Road Closure – Jones Street, Ultimo – 10 December 2007
- Attachment G.** Council Report - Broadway Road Widening and Closure of Jones Street, Ultimo – 26 July 2010
- Attachment H.** Sydney Traffic Committee – Proposed Permanent Road Closure – Jones Street, Ultimo – 19 December 2007
- Attachment I.** Essential Lease Terms and Conditions (Confidential)

Background

1. UTS has a long term proposal to redevelop various university buildings, which would ultimately achieve greater unity of the City Campus and enhance pedestrian safety and amenity for students.
2. The UTS Master Plan identifies the need to close Jones Street, Ultimo, between Broadway and Thomas Street, as it forms a barrier dividing the campus. The permanent closure of Jones Street would enable the two sides of the campus to be linked to form one integrated educational facility.
3. The vision would see the road section converted into open space and a pedestrian link, improving safety and connectivity for students accessing the adjoining facilities, and health and wellbeing through enhanced greenery - see UTS Concept Design (Attachment A).
4. UTS has agreed to fund the upgrade of Jones Street as a pedestrian space in connection with the proposed lease agreement.
5. UTS currently occupies this section of Jones Street under a short-term lease of an unused road for the purposes of public domain and outdoor student focused recreation and learning areas and ancillary uses, that support the operation of the university campus, including landscaping and street furniture.

Jones Street, Ultimo

6. Jones Street, Ultimo, between Broadway and Thomas Street, is a public road managed by the City of Sydney as the road authority (proposed Lot 100 in Attachment B). The road section also comprises three lots owned by the City of Sydney as operational land (proposed Lot 101 in Attachment B).
7. In December 2007, Council endorsed the partial road closure of Jones Street Ultimo between Broadway and Thomas Street and the in-principle long-term vision of a full road closure (Attachment C). This would link Mary Ann Street Park in the north, to the existing pedestrian mall in Jones Street.
8. In February 2010, the Sydney Traffic Committee endorsed the closure of Jones Street to traffic between Broadway and Thomas Street following public consultation (Attachment D). Four submissions were received in support of the proposal and no objections were received to the proposed road closure.
9. In July 2010, Council resolved to endorse the road closure of Jones Street between Broadway and Thomas Street, Ultimo, to traffic under section 116 of the Roads Act 1993 subject to the delivery of the identified traffic treatments (Attachment E).
10. Concurrent to the delivery of the identified traffic treatments (now since completed), Jones Street remained open for vehicular access enabling UTS to deliver staged redevelopment works on its adjacent City Campus buildings.
11. From 2014, kerb extensions were introduced to restrict vehicular access into Jones Street from Broadway.
12. Upon completion of the UTS Campus redevelopment in 2020, bollards were installed in Jones Street, intersecting with Thomas Street, closing the road to traffic and enabling UTS full occupation in accordance with their short-term lease of unused road, discussed below.

Lease Agreement

13. In 2019, a short-term lease of unused road was granted to the UTS to allow its use of the road which by then had restricted access for traffic with the full closure to traffic occurring in 2020. The proposed new lease will convert the current short-term lease of an unused road to a long-term ground lease with no significant changes to the terms and conditions of the current lease, and will provide UTS with the security of tenure required, in order to commence the process of upgrade works. Details of the proposed lease are contained within Confidential Attachment I.
14. The lease proposal provides a long-term income stream for the City of Sydney. The upgrade works to be carried out by UTS will transform this space currently closed to traffic by creating an open pedestrian link for students.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

15. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. 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 2 - A leading environmental performer - UTS' proposed conversion of the road into dedicated areas of open space will support the reduction of the urban island heat effect within the UTS City Campus precinct.
 - (b) Direction 3 - Public places for all - the proposed creation of a new public space will support precinct activation and enable greater social outcomes for the UTS City Campus students and members of the community.
 - (c) Direction 5 - A city for walking, cycling and public transport - the permanent road closure and upgrade works to Jones Street will enable improved pedestrian access, safety and connectivity for student and community movement between the UTS City Campus buildings.

Risks

16. To mitigate the risk that UTS would not complete the upgrade works, there will be a condition in the lease that UTS undertake the works within three years from the commencement date of the lease.
17. To mitigate the risk that pedestrian public access and emergency services access would be restricted, it has been agreed that the afore-mentioned access will be maintained at all times. This condition will form part of the lease.

Social / Cultural / Community

18. Jones Street is a key outdoor link between significant UTS City Campus facilities. The proposed permanent road closure will enable UTS to improve amenities for students and community members accessing the area via the provision of new open space and social zones.

19. The Broadway footway is an important pedestrian route to the UTS campus which caters for substantial pedestrian activity in the peak hours especially between the campus and Railway Square bus stops and Central Station.
20. Jones Street is a key pedestrian and bicycle link. Improving facilities for pedestrians and cyclists would improve student amenity and outdoor activity.

Environmental

21. The section of road identified for closure is proposed for landscaping by UTS and is to include a green urban forest/garden concept zone and study lawn. The introduction of shade and greenery will assist in reducing urban heat impacts associated with the adjoining buildings and will support the City of Sydney in achieving its canopy targets, as identified in the Greening Sydney Strategy 2021.

Economic

22. The terms of the new lease are materially the same as the existing short-term lease of the unused road.

Financial Implications

23. The City of Sydney will be funding the administrative process for the permanent road closure through the operational budget. UTS will fund the design and implementation of the upgrade works for Jones Street.
24. The new lease will provide the security of a long-term income stream with increases annually throughout the term.

Relevant Legislation

25. The following sections of the Roads Act 1993 are relevant:
 - (a) Section 38A permits Council as the road authority to close a public road if it is not reasonably required for public use, does not provide continuity for an existing road network; and is not required for access to adjoining land;
 - (b) Section 38B requires Council to give notice of the proposed road closure for a minimum period of 28 days (this requirement only applies to notifiable authorities as public consultation was previously completed in 2007 and 2009);
 - (c) Under section 38C, public submissions and formal objections by notifiable authorities may be issued to Council during the notifiable period;
 - (d) Upon consideration of any submissions duly made, section 38D (1) authorises Council to close the public road via the publication of a Government Gazette however, this is subject to the withdrawal of any formal objection from a notifiable authority (s38D (2)(b)); and
 - (e) Under section 38E, upon publication of the Government Gazette, the road ceases to be a public road, whereby all rights of passage and access are extinguished. The land comprising of the former road remains vested in the Council as operational land.

26. Section 10A of the Local Government Act 1993 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.
27. Attachment I 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.
28. 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

29. UTS are currently occupying the section of Jones Street, Ultimo, proposed for permanent closure under a five year lease of an unused road. Upon completion of the permanent closure of Jones Street and the publication of the Government Gazette, anticipated late 2023, the road lease will be surrendered and the long-term lease may commence, enabling UTS to carry out the proposed upgrade works to Jones Street.

Options

30. Council may choose not to endorse the permanent road closure and the subsequent conversion of Jones Street, Ultimo, between Broadway and Thomas Street, into operational land and forego the potential rental income. In this situation, UTS will be unable to facilitate the upgrade works proposed to Jones Street as part of its redevelopment of the City Campus.

Public Consultation

31. The City of Sydney completed the following public consultation processes on the permanent road closure of part Jones Street, Ultimo:

2007

- (a) The proposed permanent closure was advertised in The Sydney Morning Herald and the Daily Telegraph on 31 October 2007 for 28 days seeking public comment until 28 November 2007;
- (b) The local community was notified by way of letter box drop (Attachment F);

2009

- (c) The proposed permanent closure was advertised in The Sydney Morning Herald on 25 November 2009 for 28 days seeking public comment until 23 December 2009; and
- (d) Twelve letters were sent to properties within a 25 metre radius of Jones Street in accordance with Council's Development Application consultation policy (Attachment G).

32. The proposed permanent road closure was submitted to a Special Sydney Traffic Committee on 4 December 2007 (noted in a report dated 19 December 2007 - Attachment H) and again on 17 February 2010 (Attachment D). No objections to the proposal were raised however, the 2010 endorsement was subject to satisfying the following requirements which have since been completed:
- (a) The installation of traffic lights and road realignment works at the intersection of Broadway and Balfour Street, which will proceed only when the new right turn bay for buses and taxis is available to turn into Wattle Street together with adjustment to the Wattle Street median and provision of a bus stop in Thomas Street.
 - (b) The physical road closure of Jones Street should not proceed until Council's concerns over the road widening of Broadway, which narrows the footway, are resolved.
 - (c) A Traffic Management Plan for the road closure of Jones Street is to be submitted to the RTA for approval.
33. In accordance with the requirements under section 38B (1) of the Roads Act 1993, the City of Sydney has commenced consultation with Ausgrid and Sydney Water who may be affected by the proposed permanent closure. Additional public consultation is not required given the processes historically undertaken.

KIM WOODBURY

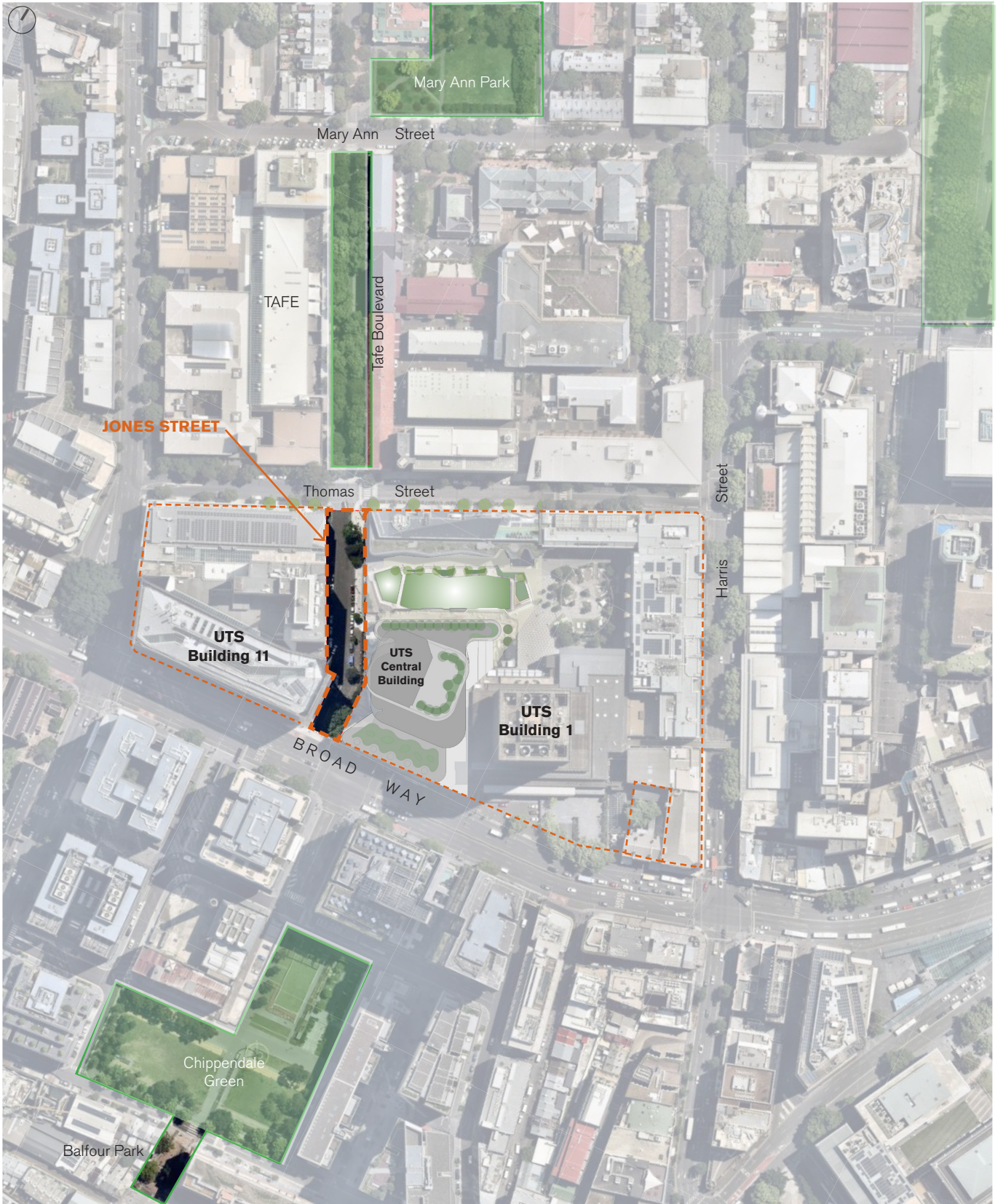
Chief Operating Officer

Annabel Chapman, Commercial Property Manager

Attachment A

**University of Technology Sydney Concept
Design**

UTS - Concept Plan













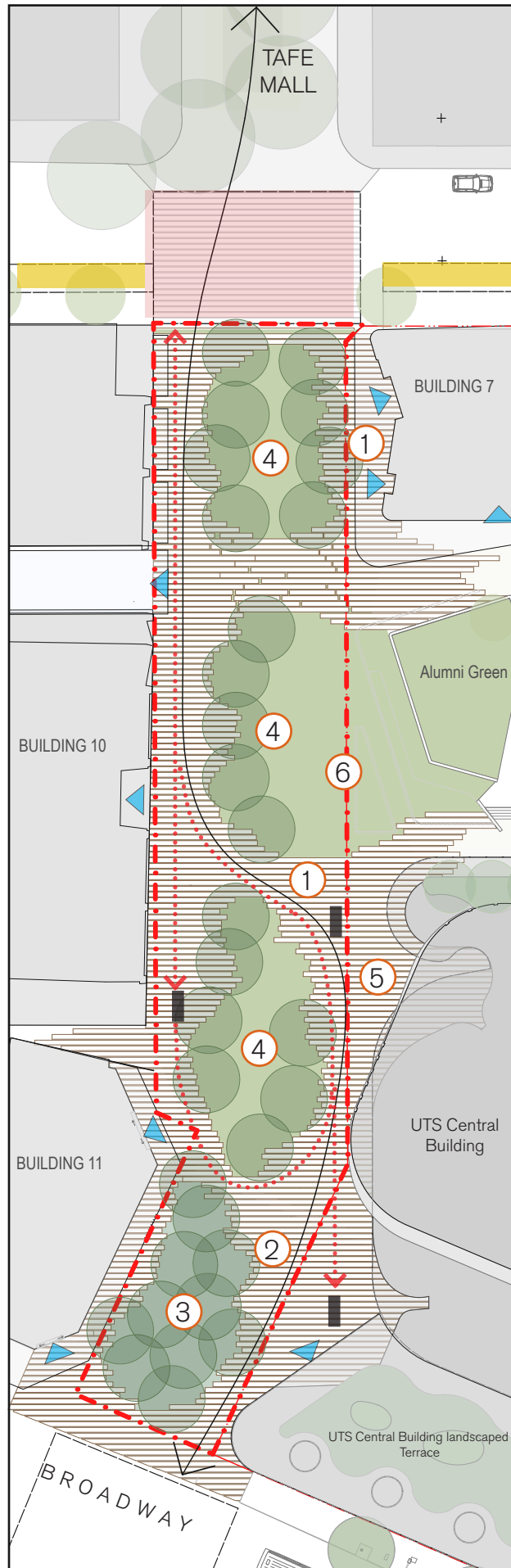
Proposed Pedestrianisation and Landscaping of Jones Street Between Broadway & Thomas Street

FJMT STUDIO ARCHITECTURE INTERIORS URBAN LANDSCAPE
JUNE 2019

2.0 Reference Design Concept

LEGEND

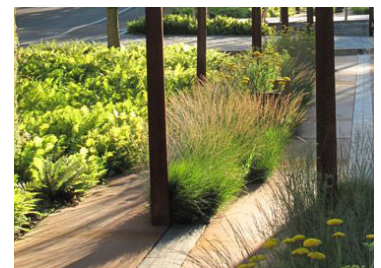
-  FIRE SERVICE & EMERGENCY ACCESS POINTS
-  FIRE TRUCK & EMERGENCY VEHICLE ACCESS ROUTE
-  BUILDING ENTRY
-  POTENTIAL CYCLE LINK
-  KISS AND GO ZONE
(Council to consider Installing Kiss and Go zones to Thomas Street)
-  CROSSING UPGRADE
(Council to consider relocating existing pedestrian crossing to align with the Jones Street public domain corridor)
-  URBAN FOREST / GARDEN CONCEPT ZONE
-  STUDY LAWN
-  PAVED / PERMEABLE GROUND PLANE
-  BOUNDARY (Refer to Lot Survey)



1 INFORMAL PAVED AREAS / SOCIAL ZONE



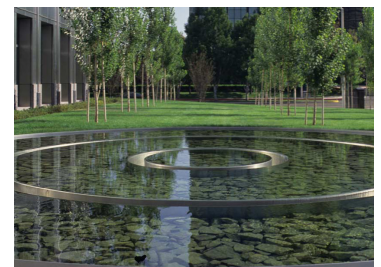
2 BUILDING FORECOURT NODES



3 GREEN URBAN FOREST / GARDEN CONCEPT ZONE



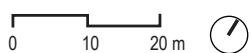
4 STUDY LAWN



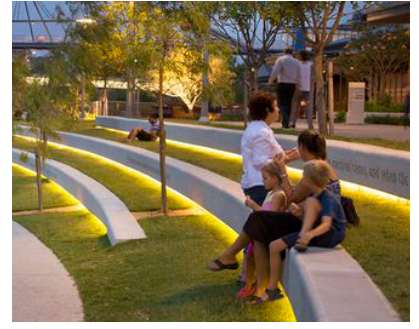
5 POTENTIAL WATER FEATURE



6 POTENTIAL PUBLIC ART



3.0 Concept Reference images



1 INFORMAL PAVED AREAS / SOCIAL ZONE



2 BUILDING FORECOURT NODES



3 GREEN URBAN FOREST/GARDEN CONCEPT ZONE

4 STUDY LAWN



5 POTENTIAL WATER FEATURE



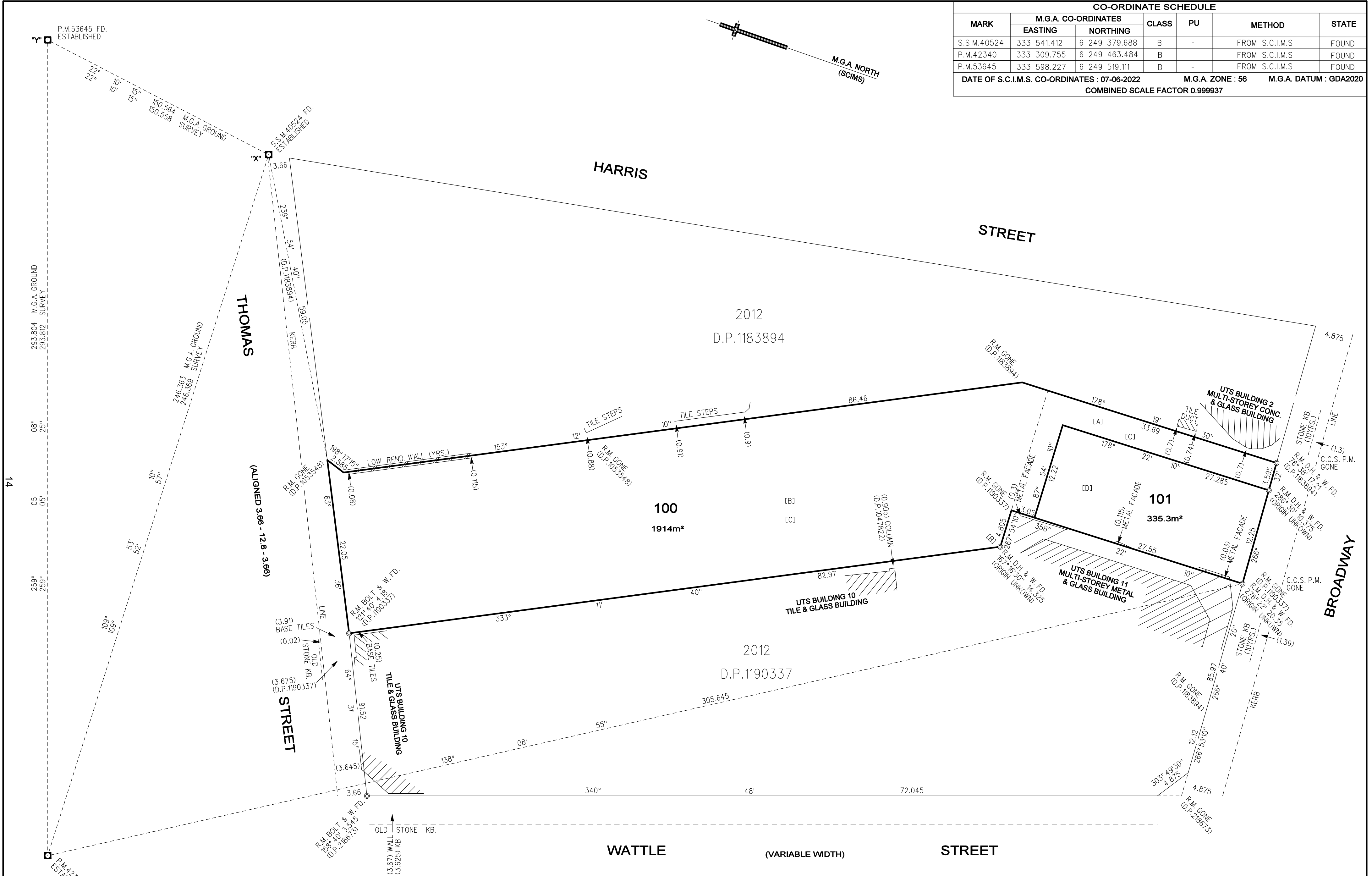
6 POTENTIAL PUBLIC ART

Attachment B

**Draft Plan of First Title Creation – Jones
Street, Ultimo**

CO-ORDINATE SCHEDULE						
MARK	M.G.A. CO-ORDINATES		CLASS	PU	METHOD	STATE
	EASTING	NORTHING				
S.S.M.40524	333 541.412	6 249 379.688	B	-	FROM S.C.I.M.S	FOUND
P.M.42340	333 309.755	6 249 463.484	B	-	FROM S.C.I.M.S	FOUND
P.M.53645	333 598.227	6 249 519.111	B	-	FROM S.C.I.M.S	FOUND

DATE OF S.C.I.M.S. CO-ORDINATES : 07-06-2022 M.G.A. ZONE : 56 M.G.A. DATUM : GDA2020
 COMBINED SCALE FACTOR 0.999937



[A] - LAND COMPRISED IN DEED OF LEASE & RELEASE BOOK No.487 DATED 22nd & 23rd JULY, 1831.
 [B] - LAND COMPRISED IN CERTIFICATE OF TITLE BOOK 62 No.705
 [C] - EASEMENT FOR ELECTRICITY PURPOSES (VARIABLE WIDTH)
 [D] - EASEMENT FOR ELECTRICITY PURPOSES (VARIABLE WIDTH)

<p>SURVEYOR Name : MICHAEL ALEXANDER BROWN Date : Reference : 79706</p>	<p>PLAN OF PART OF JONES STREET FOR TITLE ISSUE & ROAD CLOSING UNDER THE ROADS ACT 1993 & CONSOLIDATION OF LAND IN BOOK 612 No.760 & BOOK 134 No.613</p>	<p>LGA: SYDNEY Locality : ULTIMO Reduction Ratio 1:300 Lengths are in metres</p>	<p>REGISTERED</p>	<p>Draft 13th Oct, 2022</p>
---	--	---	-------------------	--

Attachment C

**Resolution of Council – Partial Road Closure
Jones Street, Ultimo - 10 December 2007**

Resolution of Council

10 DECEMBER 2007

ITEM 12 PARTIAL ROAD CLOSURE - JONES STREET ULTIMO (S048082)

Moved by Councillor McInerney, seconded by Councillor Kemmis -

It is resolved that Council:

- (A) approve the partial road closure of Jones Street, Ultimo, between Broadway and Thomas Street, as shown in the Interim Traffic Management Plan at Attachment A to the subject report; and
- (B) endorse in-principle the long term vision, subject to a detailed investigation of servicing needs, for a full closure of Jones Street, between Broadway and Thomas Street.

Carried unanimously.

Referred for appropriate action, please.

JENNY DAVIS (9519)
Committee Secretary
12 December 2007

DEPUTY DIRECTOR CITY, COMMUNITY AND CULTURAL SERVICES
Attention: Col Warne

Attachment D

**Sydney Traffic Committee – Proposed
Permanent Road Closure – Jones Street,
Ultimo – 17 February 2010**

ITEM 59 TRAFFIC TREATMENT – PROPOSED PERMANENT ROAD CLOSURE - JONES STREET ULTIMO (S072097 (2009/238955))**RECOMMENDATION**

It is recommended that the Committee raise no objection to the permanent road closure of Jones Street between Broadway and Thomas Street, Ultimo subject to the following:-

- (A) Frasers Broadway is prepared to fund the necessary traffic lights changes and road realignment works at the intersection of Broadway and Balfour Street.
- (B) The cost of implementing the closure of Jones Street is to be borne by the UTS as part of their ongoing redevelopment of their campus.
- (C) The physical closure of Jones Street will not proceed until the Council's concerns over the road widening of Broadway, which narrows the footway is resolved.

DECISION

The recommendation was carried unanimously by the Committee subject the amendments to Recommendation (A) and (C) and an additional recommendation (D) as follows:-

- (A) Frasers Broadway is prepared to fund the necessary traffic lights changes and road realignment works at the intersection of Broadway and Balfour Street and also fund the traffic light changes at Broadway and Wattle Street including the right turn bay for buses and taxis.
- (C) The physical closure of Jones Street will not proceed until the Council's concerns over the road widening of Broadway, which narrows the footway is resolved, and will proceed only when the new right turn bay for buses and taxis is available to turn into Wattle Street together with adjustment to the median and provision of a bus stop in Thomas Street.
- (D) A Traffic Management Plan for the closure of Jones Street is to be submitted to the RTA for approval.

BACKGROUND

On 16 September 2009, the Sydney Traffic Committee (Item 54) raised no objection to the City undertaking consultation on the proposed road closure of Jones Street, Ultimo between Broadway and Thomas Street.

Attachment E

**Resolution of Council - Broadway Road
Widening and Closure of Jones Street,
Ultimo - 26 July 2010**

Resolution of Council

26 JULY 2010

ITEM 9.4

BROADWAY ROAD WIDENING AND CLOSURE OF JONES STREET ULTIMO

(S057942-01)

Moved by Councillor McInerney, seconded by Councillor Black –

It is resolved that Council:

- (A) endorse the road closure of Jones Street between Broadway and Thomas Street Ultimo, subject to the following conditions:
 - (i) a right-turn bay being provided for buses and taxis to turn from Broadway into Wattle Street;
 - (ii) the central median island in Thomas Street being adjusted to allow buses to make a right-hand turn from Wattle Street into Thomas Street;
 - (iii) a new bus stop being provided in Thomas Street for the 501 and University Special bus routes, which would be diverted along Thomas Street when Jones Street is closed; and
 - (iv) a Traffic Management Plan being submitted to the Roads and Traffic Authority for approval;
- (B) maintain support for the signalised intersection of Broadway and Balfour Street and associated traffic changes to be funded by Frasers, provided there is no reduction to the width of the Broadway footway, or removal of Plane trees;
- (C) note the Roads and Traffic Authority's (RTA) advice that because of the unacceptable congestion and delays outlined in the traffic modelling, the Broadway footway would need to be narrowed instead of Council's preference to remove a traffic lane and, under the Roads Act 1993, the RTA can override Council's decision;

- (D) request that the Lord Mayor urgently write to the Minister for Roads seeking RTA acceptance of the delay conditions created by removal of a lane on Broadway, as was the case in the original Gateway agreement; and
- (E) request that the Chief Executive Officer urgently commission an independent review of the traffic analysis and meet with the Director General, Transport NSW, to advocate removing a lane of traffic on Broadway to accommodate the changes outlined in clause (A).

Carried unanimously.

Attachment F

**Council Report - Partial Road Closure -
Jones Street, Ultimo - 10 December 2007**

ITEM 12. PARTIAL ROAD CLOSURE - JONES STREET ULTIMO**FILE NO: S048082****SUMMARY**

The permanent closure of Jones Street to traffic, between Broadway and Thomas Street, is part of the Development Approval conditions for the CUB site. It is also consistent with the proposed future redevelopment of various university buildings by UTS to achieve greater unity of the City Campus and enhance pedestrian safety and amenity for students.

The long term vision is for the roadway to become part of a series of pedestrian friendly spaces linking Mary Ann Street Park in the north through the existing pedestrian mall in Jones Street and the proposed development of Balfour Street to the proposed neighbourhood park to the south of the CUB site and the pocket park further south in Balfour Street itself.

As the works for the CUB site and the permanent closure of Jones Street are still some time away, the University of Technology (UTS) would like to implement an Interim Traffic Management Scheme to overcome the current pedestrian safety concerns between Broadway and Thomas Street. A proposal has been developed by UTS in consultation with the City of Sydney which will deliver significant improvements for students, pedestrians, cyclists and public transport.

The proposal involves a partial closure of Jones Street, Ultimo, for which Council approval is sought. From a midway point between Broadway and Thomas Street, only buses, taxis, service vehicles and bicycles will be allowed to travel northbound. All southbound access on Jones Street from Thomas Street will be prohibited except for cyclists, who would be provided with a dedicated contra-flow lane. In addition, the existing ticket parking would be replaced with extensive bicycle parking, some motorcycle and scooter parking, and loading facilities for service vehicles.

The proposal was advertised for a period of four weeks. No objections were received and on 4 December 2007 a special Sydney Traffic Committee endorsed the proposal. This will be recorded in the Traffic Committee minutes for 19 December 2007.

RECOMMENDATION

It is resolved that Council:

- (A) approve the partial road closure of Jones Street, Ultimo, between Broadway and Thomas Street, as shown in the Interim Traffic Management Plan at Attachment A to the subject report; and
- (B) endorse in-principle the long term vision for a full closure of Jones Street, between Broadway and Thomas Street.

ATTACHMENTS

Attachment A: Sketch showing the proposal.

Attachment B: Letter from UTS to the City of Sydney dated 9 August 2007.

BACKGROUND

1. The University of Technology (UTS) is concerned about the safety of a large number of students crossing Jones Street between Broadway and Thomas Street as they move to different part of the campus. UTS has consulted with the City of Sydney regarding measures to improve student, pedestrian and cycle safety while retaining public transport (buses and taxis) access.
2. UTS has a longer term proposal to redevelop various university buildings, which would ultimately achieve greater unity of the City Campus and enhance pedestrian safety and amenity for students. This proposal includes a full closure of Jones Street, which will enhance pedestrian safety, improve student access and provide large open space.
3. The full closure of Jones Street to traffic, between Broadway and Thomas Street, is also part of the development approval conditions for the CUB site. The closure will see the existing traffic lights at Jones Street relocated to Balfour Street to provide right turn access from Broadway into the site. At the same time, the existing bus and taxi right turn from Broadway into Jones Street will be provided for at the Broadway and Wattle Street intersection.
4. The long term vision is for the roadway to become part of a series of pedestrian friendly spaces linking Mary Ann Street Park in the north through the existing pedestrian mall in Jones Street, and the proposed development of Balfour Street, to the proposed neighbourhood park to the south of the CUB site and the pocket park further south in Balfour Street itself.
5. It is expected that the full road closure will be achievable, but this will require the existing right turn access from Broadway into Jones Street for buses and taxis to be relocated to a right turn into Wattle Street. This arrangement is undergoing further discussion between the Roads and Traffic Authority, Frasers Greencliff and the City.
6. However, there are already a significant number of student movements along Jones Street to Broadway and towards Thomas Street that require immediate attention to improve student safety.
7. To address the safety issues, and to improve the urban environment adjacent to the university main building entrance, UTS has suggested implementing an interim traffic management strategy. The strategy has been developed in consultation with City staff and UTS has agreed to fund the design and implementation.

PROPOSAL

8. Currently Jones Street provides a two way traffic flow with pay parking on either side of the street.
9. The proposal, which involves a partial closure of Jones Street, Ultimo, will significantly improve safety for students and the general public in the area (see Attachment A).
10. From a midway point between Broadway and Thomas Street, only buses, taxis, service vehicles and bicycles will be allowed to travel northbound.

11. All southbound access on Jones Street from Thomas Street will be prohibited except for cyclists, who would be provided with a dedicated contra-flow lane, which will assist cycling connections to Broadway.
12. Pedestrian access to and from Broadway will be improved via provision of new kerb extensions either side of Jones Street at Thomas Street, and a raised, marked zebra crossing with kerb extension at the midway point on Jones Street between Broadway and Thomas Street.
13. Currently there is metered pay parking for approximately twenty cars along Jones Street which will be removed as part of the proposal. This will be replaced with extensive bicycle parking along the eastern kerb of Jones Street, some motorcycle and scooter parking, and loading facilities for service vehicles.
14. The proposed motorcycle/scooter parking along the eastern kerb lane between the pedestrian crossing and Broadway serves a dual purpose by also encouraging pedestrians to use the marked foot crossing, while also assisting with parking for motorcycles/scooters, which are popular among students.

KEY IMPLICATIONS

Environmental Implications

15. The interim traffic management strategy will significantly improve the urban environment, reduce traffic conflicts and improve safety for pedestrians.
16. The partial road closure of Jones Street midway between Broadway and Thomas Street will reduce the volume of traffic using the street. Moreover, on-street pay parking for cars will be replaced with extensive parking for bicycles and some parking for motorcycles and scooters.
17. There would be only minor traffic diversions on to other adjacent streets.

Social Implications

18. Jones Street is a key outdoor link between significant campus facilities, where student safety and amenity is currently compromised. By reducing traffic, and improving facilities for cyclists and pedestrians, the interim proposal would improve student life and outdoor activity.

FINANCIAL IMPLICATIONS

19. There will be no construction cost to Council. The UTS has agreed to fund the design and implementation of this scheme (see Attachment B). There will be a revenue loss arising from the removal of two parking meters. This is estimated at around \$90,000 per annum.

RELEVANT LEGISLATION

20. Roads Act 1993, Division 2 of Part 8. Under Section 116 of the Roads Acts 1993, Council may apply to the RTA for consent to close a local road to traffic, subject to public advertising of the proposal and obtaining the consent of the Traffic Committee.

CRITICAL DATES / TIME FRAMES

21. The UTS has advised that it would like to have this work completed for the beginning of the first Semester 2008. Accordingly, Council approval is required as soon as possible, and certainly no later than the end of 2007.

OPTIONS

22. Council has the option not to support the interim partial road closure, however, this is not recommended. There are pedestrian safety issues which should be addressed and opportunities to significantly improve the urban environment and social activity at this location.

PUBLIC CONSULTATION

23. Advertising of the Jones Street proposal for a minimum of 28 days commenced on 31 October 2007 and was completed on 28 November 2007. The proposal was advertised in the Sydney Morning Herald and the Daily Telegraph and the local community notified by way of letter box drop.
24. One submission was received expressing support for the proposed road closure and no submissions were received expressing opposition to the closure.
25. The Roads and Traffic Authority's delegation to Council requires Council to consider the advice of its Traffic Committee. Comments received from the advertisement were collated and submitted to a special meeting of the Sydney Traffic Committee on 4 December 2007, and no objections to the proposal were raised.

VICTOR FRANCO

Deputy Director City, Community and Cultural Services

Col Warne, Traffic Operations Manager

Attachment G

**Council Report - Broadway Road Widening
and Closure of Jones Street, Ultimo – 26
July 2010**

BROADWAY ROAD WIDENING AND CLOSURE OF JONES STREET ULTIMO

FILE NO: S057942-01

SUMMARY

This report recommends the permanent closure of Jones Street, and advises Council on work undertaken with the Roads and Traffic Authority (RTA) to remove a traffic lane of Broadway instead of narrowing the footway of Broadway.

The Roads and Traffic Authority (RTA) has jurisdiction for Broadway and requires the road to be widened for the new signalised intersection at Balfour Street together with the closure of nearby Jones Street and the provision of a right-turn bay for buses and taxis on Broadway at Wattle Street.

In December 2007, Council endorsed the long term vision to close Jones Street to traffic, between Broadway and Thomas Street, Ultimo. This would link Mary Ann Street Park in the north, to the existing pedestrian mall in Jones Street.

Council resolved on 7 December 2009 to support the new signalised intersection at Balfour Street and associated traffic changes provided there is no reduction in the Broadway footway or removal of Plane trees on the northern side. The City was advised that construction of the signalised intersection any later than mid 2010 would hold up construction of their Jean Nouvel building.

The Sydney Traffic Committee of February 2010 endorsed the closure of Jones Street to traffic between Broadway and Thomas Street following public consultation. No objections were received to the proposed road closure which is supported by the University of Technology Sydney (UTS) and this report recommends the closure of Jones Street.

In January 2010 the City engaged the RTA to undertake traffic modelling to test the impact of all feasible options to remove a traffic lane on Broadway instead of narrowing the footway. All the modelling reports concluded that removal of a traffic lane would result in longer travel times, more congestion and increased intersection delays during the morning peak and afternoon traffic peaks. The RTA advised that, because of the unacceptable congestion and delays outlined in the traffic modelling, it does not agree to remove a Broadway traffic lane. Consequently the Broadway footway will need to be narrowed instead of Council's preference to remove a traffic lane.

RECOMMENDATION

It is resolved that Council:

- (A) endorse the road closure of Jones Street between Broadway and Thomas Street Ultimo, subject to the following conditions:
 - (i) A right-turn bay is provided for buses and taxis to turn from Broadway into Wattle Street;
 - (ii) The central median island in Thomas Street is adjusted to allow buses to make a right-hand turn from Wattle Street into Thomas Street;

- (iii) A new bus stop is provided in Thomas Street for the 501 and University Special bus routes, which would be diverted along Thomas Street when Jones Street is closed;
 - (iv) A Traffic Management Plan is submitted to the Roads and Traffic Authority for approval;
- (B) maintains support for the signalised intersection of Broadway and Balfour Street and associated traffic changes, provided there is no reduction to the width of the Broadway footway, or removal of Plane trees on the northern side; and
- (C) note the RTA's advice that because of the unacceptable congestion and delays outlined in the traffic modelling, the Broadway footway would need to be narrowed instead of Council's preference to remove a traffic lane and, under the *Roads Act 1993*, the RTA can override Council's decision.

ATTACHMENTS

Attachment A: Resolution of Council, 10 December 2007

Attachment B: Resolution of Council, 7 December 2009

Attachment C: Jones Street Proposed Road Closure Sketch

BACKGROUND

1. The redevelopment of the Central Park (former CUB) site was granted by the Minister for Planning as part of a Voluntary Planning Agreement. The Development Approval includes the permanent road closure of Jones Street to traffic between Broadway and Thomas Street, Ultimo.
2. A new signalised intersection is to be constructed at the intersection of Broadway and Balfour Street as the primary vehicle access to the Central Park site. The RTA requires the closure of Jones Street to enable the signalised intersection to be constructed.
3. In December 2007, Council endorsed the long term vision to close Jones Street to traffic, between Broadway and Thomas Street, Ultimo (Attachment A). This would link Mary Ann Street Park in the north, to the existing pedestrian mall in Jones Street.
4. Closing Jones Street requires relocation of the right turn bay on Broadway from Jones Street to Wattle Street for westbound buses and taxis to access Thomas Street via Wattle Street. This new turn bay and the new signalised intersection at Broadway will require either removal of a lane of traffic on Broadway, or reduction of the Broadway footway.
5. Frasers Property is required to fund the road closure of Jones Street. This includes the necessary traffic light changes and road realignment works at the intersection of Broadway and Balfour Street and any other traffic adjustments required on Broadway.
6. Additional works to be funded by Frasers Property include, traffic light changes at Broadway and Wattle Street, including a right-turn bay for buses and taxis, adjusting the median in Thomas, east of Wattle Street, and providing a bus stop in Thomas Street.
7. The new traffic lights at Balfour Street and Broadway will be used for residential access when construction at the Central Park site is complete.
8. The proposed redevelopment by the University of Technology, Sydney (UTS) will be enhanced by the road closure of Jones Street. The benefits will include a pedestrian link between the various buildings on the campus, improved pedestrian safety, creating a large open space and improved student amenity.
9. The UTS has agreed to fund the upgrade of Jones Street as a pedestrian space when Jones Street is closed to traffic.
10. Council resolved on 7 December 2009 to support the signalised intersection of Broadway and Balfour Street and associated traffic changes provided there was no reduction to the width of the Broadway footway or removal of Plane trees on the northern side (Attachment B). The new signalised intersection requires the closure of Jones Street and Council noted that the closure would be subject to a separate report to Council in 2010 following public consultation, which has now been completed.
11. Between January 2010 and June 2010 the City engaged the RTA to traffic model numerous options involving the removal of a traffic lane on Broadway, rather than narrowing the footway. The RTA subsequently commissioned Halcrow to undertake the technical modelling and prepare the report. The City is currently not permitted to

engage consultants direct to undertake such modelling, nor were given opportunity to liaise during the course of each modelling scenario. Whilst the RTA has been responsive to City requests on completion of reports, the two step engagement process has complicated the process and slowed down delivery of desired reports.

KEY IMPLICATIONS

Broadway - Traffic access to the Central Park site

12. The RTA modelled options to remove either an eastbound or a westbound traffic lane in Broadway between Wattle and Balfour Streets. The scenarios modelled included the closure of Jones Street, changes to the Broadway and Balfour Street intersection and removal of the slip lane at Wattle Street.
- 13.
14. The modelling reports for all the options tested concluded that removal of a traffic lane would result in longer travel times, more congestion and increased intersection delays during the morning peak and afternoon traffic peaks particularly in Broadway, Harris, George and Pitt Streets and City Road.
15. The RTA advised that because of the unacceptable congestion and delays outlined in the traffic modelling, the Broadway footway would need to be narrowed instead of Council's preference to remove a traffic lane.
16. Closure of George Street, CBD light rail and the desired reduction of traffic in the CBD will have impact on the section of Broadway that is the subject of this report. Until adequate studies and modelling has been completed the exact impact will not be known.
17. Ahead of the broader traffic modelling required for the closure of George Street and CBD light rail, City officers proposed to the RTA the trial removal of a lane on Broadway. However, the RTA would not accept the proposal.

Jones Street – Proposed Road Closure

18. The University of Technology Sydney (UTS) proposes to redevelop its campus facilities along Jones Street. The development includes a permanent road closure of Jones Street to improve student safety and the pedestrian environment adjacent to University main building entrance (Attachment C).
19. The UTS Master Plan identifies the need to close Jones Street, as it forms a barrier dividing the campus. The closure of Jones Street would enable the two sides of the campus to be linked to form one integrated educational facility.
20. The Jones Street closure requires traffic management changes including a new right-turn bay for buses and taxis at Broadway and Wattle Street, adjusting the median in Thomas Street east of Wattle Street, and relocating a bus stop in Thomas Street.
21. Closing Jones Street to traffic would provide an integrated pedestrian and cycling link through the UTS campus to the Central Park site which aligns with the City's *Sustainable Sydney 2030 plan*.
22. The proposed redevelopment by the UTS will be enhanced by the road closure of Jones Street. The benefits will include a pedestrian link between the various

buildings on the campus, improved pedestrian safety, creating a large open space and improved student amenity.

23. The RTA requires Jones Street to be closed and the UTS has agreed to fund the upgrade of Jones Street as a pedestrian space after Jones Street is closed to traffic.

Strategic Alignment

24. The Jones Street closure and associated traffic changes are consistent with Sustainable Sydney 2030 objective 4, "A City for Pedestrians and Cyclists."

Social / Cultural / Community

25. The Broadway footway is an important pedestrian route to the UTS campus which caters for substantial pedestrian activity in the peak hours especially between the campus and Railway Square bus stops and Central Station.
26. Jones Street is a key pedestrian and bicycle link where student safety and amenity is currently compromised. Removing traffic and improving facilities for pedestrians and cyclists would improve student amenity and outdoor activity.

Environmental

27. Council's preference of removing a traffic lane in Broadway would retain the current footway width for the safety and amenity of pedestrians and also retain the Plane trees on the northern side of Broadway.
28. The RTA has advised that it does not agree to the removal of a Broadway traffic lane. As a consequence the Broadway footway will need to be narrowed and five Plane trees removed on the northern side of Broadway.
29. Direct and convenient access to the arterial network via Broadway is important for access to the Central Park site and also to protect the residential amenity of nearby Chippendale so that traffic does not rat-run to through local streets.
30. Jones Street is used by buses, taxis and a low volume of local traffic, and its closure is expected to divert only a small amount of traffic into the adjacent main roads of Broadway and Wattle Street.
31. The closure of Jones Street will significantly improve the urban environment, reduce traffic conflicts, and improve safety for cyclists and the 2,000 pedestrians per hour that cross Jones Street at Broadway.

BUDGET IMPLICATIONS

32. The Broadway traffic management facilities, Jones Street road closure and associated works do not involve expenditure by the City.
33. All costs associated with the road closure of Jones Street and associated traffic management changes are funded by Frasers Property.
34. The UTS has agreed to fund the upgrade of the pedestrian space after Jones Street is closed to traffic.
35. Removal of the parking meters from Jones Street will result in a revenue loss of approximately \$109,000 per annum.

RELEVANT LEGISLATION

36. The RTA is legislatively responsible for the regulation and control of traffic on all roads in New South Wales, but has delegated to Council certain functions to regulate traffic on local roads. The delegation stipulates that Council must not exercise a function on a road classified as a Freeway, Controlled Access Road, Tollway, Transitway or those roads classified under the Roads Act 1993 which are indicated as State Roads.
37. Broadway and Wattle Street are both Classified State Roads under the jurisdiction of the RTA. The traffic management arrangements proposed for access to the Central Park site and associated traffic changes at Jones and Wattle Streets requires the RTA's approval.
38. The RTA has delegated authority to Council to close public roads under Division 2 of Part 8 of the *Roads Act 1993*. The RTA's delegation to Council is subject to a number of conditions and limitations, including the need to obtain advice from the local Traffic Committee and Council approval before Jones Street can be closed to traffic.
39. If Council decides to close Jones Street a Traffic Management Plan must be submitted to the RTA for approval.
40. The RTA can override Council's decision under the *Roads Act 1993*.

CRITICAL DATES / TIME FRAMES

41. Frasers Property and the Department of Planning advised that the construction of the Broadway and Balfour Street signalised intersection any later than mid 2010 will hold up construction of the Jean Nouvel building.
42. The concurrent closure of Jones Street is required so traffic lights can be installed at the intersection of Broadway and Balfour Street to enable heavy construction vehicle access to the site from Broadway. This will limit the amount of heavy construction vehicles passing through Chippendale.
43. A new right-turn bay for taxis and buses must be provided at the intersection of Wattle Street and Broadway before Jones Street is closed. These facilities are required when Jones Street is closed as buses and taxis will then not be able to access Thomas Street via Jones Street.
44. Additional bus stop changes are to be made in Thomas Street for the 501 and University Special bus routes that currently use Jones Street. The central median in Thomas Street east of Wattle Street will need to be adjusted to allow buses to turn into Thomas Street.

OPTIONS

45. Council has the option of maintaining support for the signalised intersection and associated traffic changes provided there is no reduction in the footway or removal of Plane trees on the northern side. But this will not enable the construction of the intersection to RTA requirements because the RTA does not agree to the removal of a traffic lane of Broadway to the east of Wattle Street.
46. Council could decide to keep Jones Street open to traffic. This is not recommended as it does not align with the long term vision for Jones Street.

PUBLIC CONSULTATION

47. Based on the results of the traffic modelling undertaken in April, May and June the RTA advised that they would not support removal of a traffic lane in Broadway.
48. The UTS supports the proposed road closure of Jones Street, as this will achieve greater unity of its campus and enhance pedestrian safety and student amenity.
49. The City advertised the proposed closure of Jones Street in The Sydney Morning Herald on 25 November 2009 for 28 days, seeking public comment until 23 December 2009.
50. A total of twelve (12) letters were sent to properties within a 25 metre radius of Jones Street in accordance with Council's Development Application consultation policy. The three submissions received raised no objections to the proposed road closure of Jones Street, but instead sought further information on the proposal as follows:

- i) Two submissions requested the design and construction of the road closure of Jones Street, allow for easy access for cyclists to Broadway.

Response: The request is supported. Cyclists will be able to access Broadway by using the traffic lights at Balfour Street.

- ii) A request for information about access to a UTS building car park on Jones Street when Jones Street is closed.

Response: UTS intends to redevelop the building and car park access will then be from Thomas Street.

51. On 17 February 2010, the Sydney Traffic Committee meeting raised no objection to the proposed road closure of Jones Street to traffic subject to:

- i) The installation of traffic lights and road realignment works at the intersection of Broadway and Balfour Street, which will proceed only when the new right turn bay for buses and taxis is available to turn into Wattle Street together with adjustment to the Wattle Street median and provision of a bus stop in Thomas Street.
- ii) The physical road closure of Jones Street should not proceed until Council's concerns over the road widening of Broadway, which narrows the footway, are resolved.
- iii) A Traffic Management Plan for the road closure of Jones Street is to be submitted to the RTA for approval.

Michael Harrison

Director, City Strategy and Design

Steve O'Brien, Executive Manager City Renewal

Richard Campbell, Manager Traffic Management

Attachment H

**Sydney Traffic Committee – Proposed
Permanent Road Closure – Jones Street,
Ultimo – 19 December 2007**

ITEM 52. JONES STREET ULTIMO – ROAD CLOSURE**FILE NO: S048082****RECOMMENDATION**

It is recommended that the Committee endorse the 4 December 2007 no objection to the Jones Street Partial Road Closure as follows:

- (A) Endorse the proposed partial road closure of Jones Street midway between Broadway and Thomas Street,
- (B) All two-way vehicle access will be maintained from Broadway to midway along Jones Street towards Thomas Street,
- (C) Provide a one-way north traffic flow midway along Jones Street to Thomas Street with only Buses, Taxis, Services vehicles and bicycle access permitted,
- (D) Provide a raised marked zebra crossing with kerb extension at the midway point on Jones Street between Broadway and Thomas Street,
- (E) Bicycle access will be maintained in both directions along Jones Street for the full length (Contra flow southbound bicycle lane),
- (F) Provision of kerb extensions in Jones Street, south of Thomas street,
- (G) Provision of Bicycle parking on the eastern side of Jones street between Thomas Street and pedestrian crossing,
- (H) Provision of motorcycle/scooter parking on the eastern side of Jones Street between pedestrian crossing and midway towards Broadway,
- (I) The City to forward a Traffic Management Plan to the Road and Traffic Authority for final approval of partial Road Closure.

DECISION**BACKGROUND**

The University of Technology Sydney (UTS) is seeking a partial closure of Jones Street between Thomas Street and Broadway to improve student safety and the environment adjacent to university main building entrance.

COMMENTS

The Committee at its 19 September 2007 meeting raised no objection to the City advertising under Section 116 of the Roads Act 1993 for traffic changes in Jones Street between Broadway and Thomas Street, Ultimo.

The City undertook public consultation via an ad in The Sydney Morning Herald, The Daily Telegraph and letterbox drop to properties along Jones Street.

Proposal highlighted the proposed close Jones Street midway between Broadway and Thomas Street with changes as follows:

All two-way vehicle access will be maintained from Broadway to midway along Jones Street towards Thomas Street,

Provide a one-way north traffic flow midway along Jones Street to Thomas Street with only Buses, Taxis, Services vehicles and bicycle access permitted,

Provide a raised marked zebra crossing with kerb extension at the midway point on Jones Street between Broadway and Thomas Street,

Bicycle access will be maintained in both directions along Jones Street for the full length.

This partial road closure is see as an interim measures until the full closure of Jones Street has been discussed as part of as part of the redevelopment of the Carlton United Brewery site (CUB).

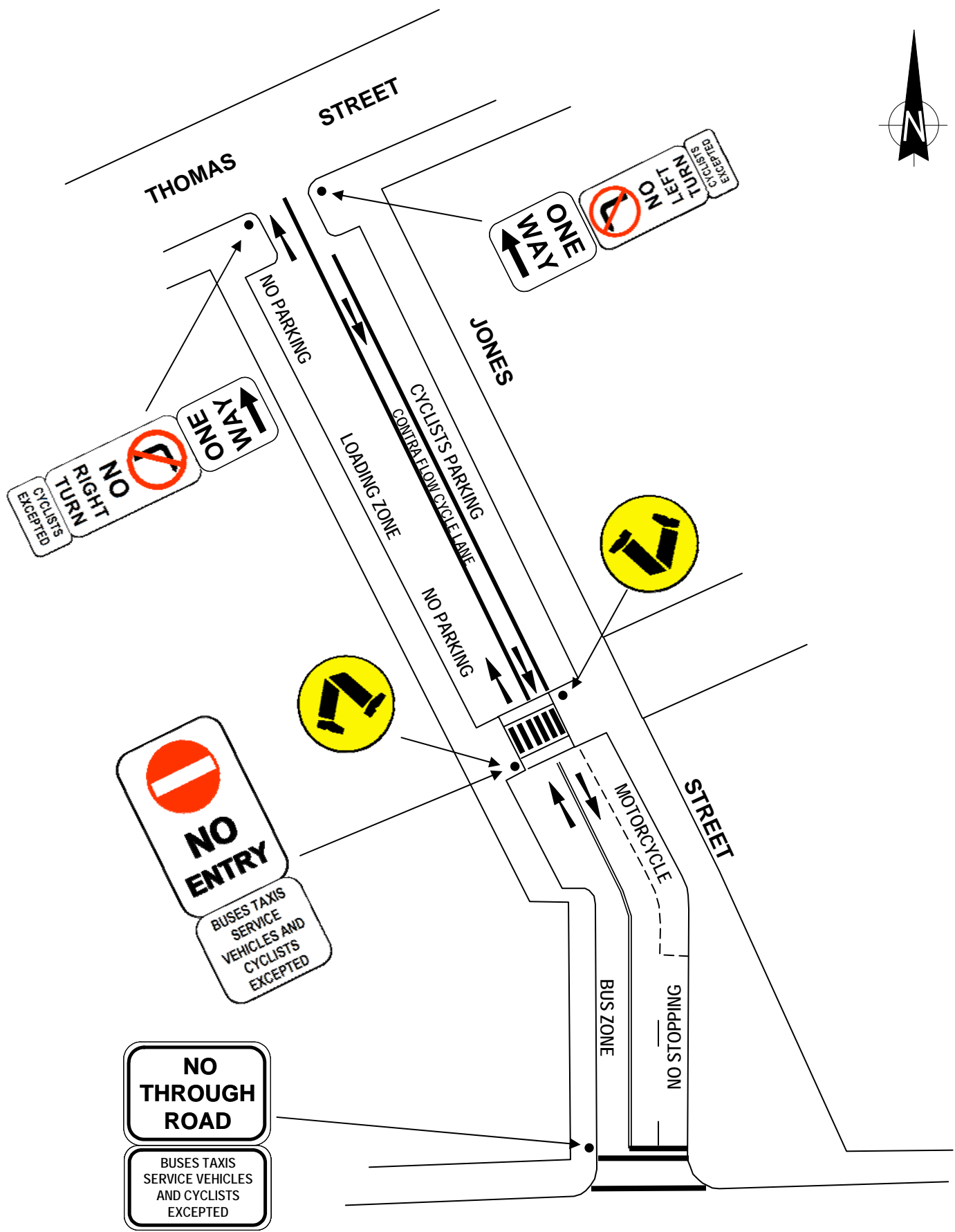
The Jones Street proposal was advertised for over 28 days (31 October 2007 to 28 November 2007) and there was only one comment received from Frasers Property which supported the Jones Street partial road closure.

A Special Sydney Traffic Committee on 4 December 2007 about the proposed partial road closure of Jones Street and the members had no objection the new traffic arrangement.

ATTACHMENTS

Jones Street Ultimo – Partial Road Closure

Col Warne Traffic Operations Manger



38

BROADWAY

Document is Restricted