

Council

Meeting No 2

Monday 21 March 2022

Notice No 2/1639

Notice Date 17 March 2022

minutes

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Present

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

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

At the commencement of business at 5.00pm, those present were:-

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

The Chief Executive Officer, Chief Operating Officer, A/Chief Financial Officer, Director City Planning, Development and Transport, A/Director Legal and Governance, Director City Life and Director City Services were also present.

Opening Prayer and Acknowledgement of Country

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

Webcasting Statement

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

Item 1 Confirmation of Minutes

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

That the Minutes of the meeting of Council of Monday, 21 February 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2 Disclosures of Interest

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 11.1 on the agenda, in that she is the President of the Australian Local Government Association (ALGA) and also sat on the national Closing the Gap group.
- a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in that she is a mentor for the University of Sydney's Dalyell mentoring program.

Councillor Scott stated that she considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is a mentor on a volunteer basis for this organisation and is not employed by the University of Sydney.

- a less than significant, non-pecuniary disclosure in Item 6.5 on the agenda, in that she is a member of the Commonwealth Government's Regional Banking Taskforce. In addition, she has a very minor dispute outstanding with the Commonwealth Bank which has now been resolved. Councillor Scott stated that, for an abundance of caution, she would step out for this item.

Councillor Robert Kok disclosed a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in that he is a member of the University of Sydney China Studies Centre Advisory Board. Councillor Kok stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action because as far as he is aware the Centre is not involved in Tech Central.

Councillor HY William Chan made the following disclosures:

- a less than significant, non-pecuniary disclosure in Item 4.1 on the agenda, in that he is a former employee of Hassell architects. During Councillor Chan's employment at Hassell, he worked with Professor Ken Maher and Matthew Pullinger. Ken Maher is a member of the Design Advisory Panel and Matthew Pullinger is a member of the Residential Sub-Committee to the Design Advisory Panel. He also worked with Professor Maher on the City of Sydney's Sydney 2050 Citizens Jury in 2019 as part of the expert panel.

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he no longer has a working professional relationship with either members, and he is no longer an employee of Hassell as of 2013. Additionally, Councillor Chan has not had a working relationship with Ken Maher since the conclusion of the Sydney 2050 Citizens Jury in 2019.

- a less than significant, non-pecuniary disclosure in Item 7.2 on the agenda, in he is currently employed by the University of Sydney as an academic at the Sydney School of Architecture, Design and Planning. Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the recipient of the financial contribution is for the Camperdown Ultimo Alliance and not related to his teaching position at the Sydney School of Architecture, Design and Planning.

- a less than significant, non-pecuniary disclosure in Item 7.2 on the agenda, in that he is a former employee of Cox Architecture. During Councillor Chan's employment at Cox Architecture, he worked on the shortlisted architectural competition entry for the Atlassian Central building, the anchor tenant of Tech Central. The project client was Atlassian and involved the Greater Sydney Commission.

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the project was not the winning scheme of the competition and so did not proceed. He stated that he is no longer an employee of Cox Architecture since 2020, and has no relevant relationship to Atlassian or the Greater Sydney Commission.

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in that she is employed by the University of Sydney.

Councillor Ellsmore stated that she considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because her work for the university is not related to the Tech Central Innovation Precinct.

Councillor Yvonne Weldon disclosed a less than significant, non-pecuniary interest in Item 4.1 on the agenda in that she was previously a member of the City of Sydney's Aboriginal and Torres Strait Islander Advisory Panel as a representative of the Metropolitan Local Aboriginal Land Council. The Metropolitan Local Aboriginal Land Council, for which Councillor Weldon is the elected Deputy Chairperson, retains representation on the Advisory Panel, by way of the elected Chairperson Allan Murray.

Councillor Weldon stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the matter before Council at this meeting simply relates to the extension of the term for prior designated members of the Advisory Panel.

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

Item 3 Minutes by the Lord Mayor**Item 3.1 Solidarity with the People of Ukraine****Minute by the Lord Mayor**

To Council:

On 24 February 2022, the President of the Russian Federation Vladimir Putin launched an invasion of the Sovereign State of Ukraine. In the days that followed Russian Armed Forces crossed the Ukrainian border at several points, leading to several cities now being besieged. Russian aircraft have indiscriminately bombed Ukrainian cities, with at least 67 cities and towns having been hit as of 12 March 2022, according to the New York Times. A later air strike at a military air base close to the city of Lviv, 20kms from the Polish border killing 35 people and injuring another 134.

On 16 March 2022 an airstrike destroyed a theatre sheltering around 1,000 people in Mariupol, a port city in South-Eastern Ukraine. On the ground, neighbourhoods in cities and towns, including the capital Kyiv, continue to be bombarded.

Perhaps the one of the most shocking of these bombings was the Russian airstrike on 9 March 2022 which devastated a Mariupol children's and maternity hospital. Three people, including a child, were killed and 17 patients were injured. Hospital staff and patients, including pregnant women and children were forced to scramble out of the rubble and burnt wreckage. According to the World Health Organization, this was one of 18 attacks on medical facilities since the invasion began.

Yet it has not proceeded as Putin may have expected. It has met fierce resistance from the Ukrainian people and has been bedevilled by logistical problems. On 12 March 2022, Joshua Yaffa observed in the New Yorker: "The sense of purpose and solidarity among Ukrainians was in sharp contrast to the apparently demoralized state of many of the Russian soldiers sent into the fight."

According to Yaffa, the spirit of the country's resistance has been exemplified by its President, Volodymyr Zelenskyy, former law graduate, comic performer and television producer. Elected in 2019 with 73 per cent of the popular vote, he concluded his inaugural presidential speech with: "Throughout my life, I've tried to do everything I can to make Ukrainians smile ... In the next five years, I will do everything to ensure that you, Ukrainians, don't cry."

Since the invasion, he has become a hero to his people and the world with his leadership and inspiring, spirited defiance. When the United States offered to evacuate him from Kyiv, Ukraine's capital, he replied "The fight is here; I need ammunition, not a ride."

The invasion has created a humanitarian and refugee crisis. As of 16 March 2022, over three million people, including 1.5 million children have fled Ukraine, according to the United Nations, with this potentially rising to four million. Those who remain have faced shortages of food, water, essential supplies and lack of heating. An unknown number of people are internally displaced, their homes having been destroyed or rendered unsafe. While the ultimate outcome of this war is uncertain, its toll on the Ukrainian people will continue for years to come.

The war's devastating impact is being felt beyond Ukraine's borders, not least by Ukrainians living abroad. According to the 2016 Census, 14,446 people with Ukrainian ancestry resided in NSW with 749 living in the City of Sydney Local Government Area. Along with others worldwide who are part of the Ukrainian diaspora, they will undoubtedly be concerned with the safety and welfare of family and friends. By standing with Ukraine we stand with them as well.

In late February 2022, the City joined with others in showing solidarity with all Australians of Ukrainian heritage by flying the Ukrainian flag and lighting Sydney Town Hall with its colours.

Australians may also show solidarity by donating to the Ukraine Crisis Appeal www.ukrainecrisisappeal.org. This appeal is a collaboration between the Australian Federation of Ukrainian Organisations Rotary Australia World Community Service (RAWCS) and Caritas Ukraine. The Appeal's priority is providing emergency humanitarian aid for food, shelter, medical aid, psychological support and child welfare.

The Ukrainian Council of NSW, the peak body representing Ukrainians in NSW, has sought the support of the City in promoting this appeal by holding a fundraising event at Sydney Town Hall. I propose that Council agree with this request.

I also invite all persons in the Chamber to join with me in standing for one minute as an expression of solidarity with and support for the people of Ukraine and the Ukrainian diaspora, including the millions who have fled their country.

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

Recommendation

It is resolved that:

- (A) all persons in the Council Chamber stand for one minute as an expression of solidarity with and support for the people of Ukraine and the Ukrainian diaspora, including the millions who have fled their country;
- (B) Council approve a cash sponsorship to the Ukrainian Council of NSW Inc for an amount of up to \$50,000 (excluding GST) for venue hire and associated costs to use Sydney Town Hall for the Ukraine Fundraiser event, with funds to be sourced from the 2021/22 General Contingency Fund; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with the Ukrainian Council of NSW Inc in relation to (B) above.

COUNCILLOR CLOVER MOORE

Lord Mayor

Moved by the Lord Mayor, seconded by Councillor Gannon –

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

Carried unanimously.

S051491

Note – All those present at the meeting observed a minute's silence in solidarity with the people of Ukraine.

Item 3.2 Councillor Yvonne Weldon - 2022 NSW Aboriginal Woman of the Year

Minute by the Lord Mayor

To Council:

Councillor Yvonne Weldon is the 2022 recipient of the Cancer Institute NSW Aboriginal Woman of the Year Award, announced at the NSW Women of the Year Awards on 9 March 2022.

Cr Weldon is a proud Wiradjuri woman and is currently the Deputy Chairperson of Metropolitan Local Aboriginal Land Council. She was previously the Chairperson, Deputy Chair of the NSW Australia Day Council and sits on the boards of Domestic Violence NSW and Redfern Jarjum College.

In 2019, Cr Weldon was awarded NSW Volunteer of the Year Adult Volunteer for the South Sydney Region and the NSW South Sydney Volunteer Region Volunteer of the Year.

The Award recognises Cr Weldon's work for Aboriginal advancement, health child protection and education, strongly shaped by the Wiradjuri values of helping and sharing with others.

Cr Weldon has also achieved recognition as a writer. In 2016, Cr Weldon was shortlisted for David Unaipon Award for an Unpublished Indigenous Writer at the Queensland Literary Awards. In 2017 she received Faber Writing Academy Scholarship. Her debut novel, *Sixty-Seven Days* is to be published by Penguin Australia in July this year.

I invite Councillors to join with me in congratulating Cr Weldon on her Award.

Recommendation

It is resolved that Council congratulate Councillor Yvonne Weldon on being named the Cancer Institute NSW Aboriginal Woman of the Year at the NSW Women of the Year Awards.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

S051491

Item 3.3 Devastating Impacts of Floods and Climate Change

Minute by the Lord Mayor

To Council:

It is less than 12 months since Council considered a Lord Mayoral Minute relating to serious flooding. During mid-March 2021 large areas of New South Wales were severely impacted, the result of an extreme weather event. Multiple weather systems had combined to produce hundreds of millimetres of rain in short periods of time, as well as gale force winds and dangerous surf.

Many of the communities suffering the worst impacts had been devastated by record bushfires the previous summer and by many years of drought.

At the time, these were described as 1 in 100-year floods, but we have now seen extreme flooding over again. I am asking Council for the City to again stand ready to support these communities – both through a \$250,000 donation to flood appeals and through support from City staff and services in the clean-up. In recent weeks Australia's east coast from the Mary River 255 kms north of Brisbane to the Nepean River in South-Western Sydney has experienced an extreme weather event. Gympie suffered its worst flooding since 1893, with the Mary River peaking at 22.8 metres. Maryborough, also on the Mary River, suffered flooding in parts of its CBD. Heavy rainfall falling south-east Queensland over three days equalled 80 per cent of the region's average annual rainfall. Brisbane received more rain in one week than London typically does over an entire year.

The Northern Rivers area of NSW suffered devastating impacts. The Wilsons River peaked at 14.37 metres in Lismore, breaking the previous flood level record by more than 2 metres. Further south, the Richmond River at Bungawalbin peaked at 7.32 metres, greater than its previous high of 6.1 metres. Downstream at Woodburn, the river topped 7.18 metres, nearly 50 per cent higher than its previous record of 4.92 metres. Other towns, such as Casino which had not previously experienced major flooding were inundated.

Lismore suffered its worst flood in history. Over 3,000 homes were affected, with many being all but submerged. People were forced to seek refuge on their roofs for several hours until they were rescued, in many cases by private citizens using their own boats. Once rescued, those who could not be accommodated in the town's two evacuation centres joined thousands of others who had to rely on family and friends for shelter.

Lismore's CBD was inundated causing severe damage to most businesses. The shopping mall Lismore Square, purpose-built and designed to be flood-proof did not escape. St Carthage's Cathedral built more than 100 years ago on a hill was swamped.

Beyond the immediate impacts, northern NSW residents were faced with a shortage of groceries and essential supplies due to floodwaters cutting off highways from the north and south. The flood's impacts will continue long after the waters have subsided. As of 14 March 2022, more than 3300 homes in the Northern Rivers are now deemed uninhabitable and nearly 7000 remain inundated.

On 3 March 2022, thousands of residents were told to evacuate as the Hawkesbury, Nepean and Georges Rivers began to rise after 100 millimetre of rain fell over parts of Western Sydney, potentially threatening areas from Camden to North Richmond and Windsor. Five days later heavy rain fell on much of Sydney, from Liverpool and Bankstown to Wiseman's Ferry. Areas near the Georges River and Manly Dam were placed under an evacuation order as floodwaters began to rise, with 2000 people evacuating in Manly. Floodwaters exceeded 2021 levels, with playgrounds and caravan parks being submerged on parts of the Northern Beaches.

Total Sydney rainfall for the year to date was already over 800 millimetres. This total would not usually be reached before July.

These extreme weather events can no longer be dismissed as rare occurrences given their severity and frequency. Earlier this month the Climate Council published its report, 'A Supercharged Climate: Rain Bombs, Flash Flooding and Destruction' available at <https://bit.ly/3KCblf4> which explains how climate change is intensifying extreme rainfall.

While La Niña and a particular combination of weather systems has been an influence, these events are taking place in an atmosphere made warmer and wetter by climate change. It notes that the pattern of more frequent, intense rainfall events is now well established in Australia. CSIRO and Bureau of Meteorology data shows that the intensity of short duration (hourly) extreme rainfall events has increased by around 10 percent in some regions in recent decades, with larger increases observed in the north of Australia.

Globally, the frequency of intense rainfall events is likely to almost double with each degree of further warming.

The cost of weather-related disasters in Australia has significantly increased according to the Centre for Research on the Epidemiology of Disasters. After adjusting for inflation, these costs have more than doubled since the 1970s.

Floods are our nation's most expensive extreme weather event, accounting for 29 per cent of economic damages in Australia over the past decade. Between 2010 and 2019, floods caused more than \$10 billion in damages. Annual damages from extreme weather, along with sea-level rise and other impacts of climate change upon Australia, could exceed \$100 billion by 2038. By 2060 floods could cost our national economy an estimated \$40 billion each year according to a Deloitte Access Economics analysis in 2021.

Heavy rainfall and flooding causes loss of life and injury. As of 13 March 2022, 22 people had died in the 2022 floods. Floods can also contaminate food and water supplies and cut off access to emergency services, as has happened along the east coast. Contact with floodwater can cause skin diseases and gastroenteritis. Emotional and psychological distress and mental health issues affecting flood victims can last for many years after a flood event has passed.

The devastating floods and other extreme weather events are evidence of accelerating global warming and the urgent need to take action.

This is why the City of Sydney has had such a strong focus on investing in climate change mitigation and adaption, as well as strengthening the resilience of our community and assets through the Resilient Sydney Strategy.

Recovery from the floods and other extreme weather will take months, if not years, requiring the coordinated efforts of all levels of government.

The City has been in contact with the Office of Local Government and the Local Government Emergency Recovery Support Group and has confirmed we are ready and able to respond to help affected Councils.

Earlier this month we activated the Inner City Emergency Response Protocol for People Sleeping Rough, formalised by the City and the NSW Government in 2015 after Sydney was hit by cyclonic winds, hail and severe thunderstorms and the highest rainfall then registered in over a decade. Under the Protocol our Public Space Liaison Officers patrol the streets and work with the Department of Communities and Justice and NSW Health through St Vincent's Health Network to make sure vulnerable people are looked after, including ensuring safe and dry accommodation for the homeless.

I request that Council continue its longstanding practice of supporting communities impacted by natural disasters.

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

Recommendation

It is resolved that:

(A) Council note:

- (i) the impacts of the extreme weather event and resulting flooding that has devastated many communities in Eastern Australia;
- (ii) the findings of the Climate Council Report 'A Supercharged Climate: Rain Bombs, Flash Flooding and Destruction'; and
- (iii) the City stands ready to provide practical support to impacted communities through the Office of Local Government and the Local Government Emergency Recovery Support Group;

(B) Council approve a donation of \$250,000 to be sourced from the 2021/22 General Contingency Fund, to the Australian Red Cross Society to support community recovery in flood affected zones; and

(C) the Chief Executive Officer be requested to:

- (i) use City of Sydney online communication channels to encourage additional support to the Australian Red Cross Society from City communities; and
- (ii) arrange a program for staff donations to the Australian Red Cross Society and for Council to match dollar for dollar any contributions until the end of May 2022 from the 2021/22 General Contingency Fund, with Council to be advised of final amounts contributed via the CEO Update.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

S051491

Item 3.4 Community Facilities

Minute by the Lord Mayor

To Council:

In recent weeks, I have had to correct false and misleading claims that I am privatising our community centres by stealth and that permanent staff were stood down during the pandemic and have not been asked to return to work. These claims, published online, caused unnecessary anxiety and confusion for many community groups that use these facilities and for staff. They have now been taken down.

Community facilities

I have opposed the privatisation of community assets my entire public life. As Councillors should know, any such proposal to sell the City's community centres to the private sector would require a Council resolution, which is not proposed to happen.

Misleading claims have been made about the leasing arrangements for the City's community facilities. The City provides facilities to the community in three ways: by operating facilities ourselves, by making facilities available for hire and through our Accommodation Grants Program.

The City operates twenty-eight community centres and venues for hire, nine libraries and two library links. Eight community centres and all libraries have permanent staff offering a range of low and no cost activities, programs and events during opening hours, and online. All centres, venues and spaces in libraries can also be hired by community for a wide range of uses.

Many of the City's properties, including town halls, community centres, libraries and recreation facilities have spaces available for hire by community groups, corporate organisations and individuals. There are three charging rates for our community venues for hire, the standard rate (i.e. for corporates), a community rate (50 per cent of the standard rate) and a self-help rate (i.e. Alcoholics Anonymous) at 50 per cent of community rate.

Council sets venue hire fees and charges every year as part of the adoption of the Integrated Planning and Reporting Program and Budget. The fees for 2021/22 are set out on pages 54-68 of the Operational Plan 2021-2022, unanimously adopted by Council on 28 June 2021.

Community and cultural groups and organisations may also apply for the waiver of up to 100 per cent of venue hire fees through a separate grant program. It helps these groups and those demonstrating financial hardship to access our venues for events, concerts, fundraisers, conferences, meetings and community gatherings.

Organisations and individuals hiring our facilities are free to charge what they think is appropriate for their offering, with most offering free or subsidised classes and activities to community.

The Accommodation Grants Program provides ongoing space to community and cultural organisations. Tenants are selected by an expression of interest process and are leased at up to 100 per cent subsidised rent. All tenants must complete an annual performance review which is reported to Council.

The program is enabling the Museum of Chinese in Australia to occupy the former Haymarket Library and the award-winning Hayes Theatre to operate from the Reg Murphy Hall in Potts Point. Other lessees, such as the Surry Hills Neighbourhood Centre in Surry Hills, 107 Projects and Brand X manage creative spaces on behalf of the City. They have the experience and expertise to maximise the use of these spaces, while also making them available for hire. Brand X, which has successfully curated cultural and community programs at East Sydney Community and Arts Centre, is also managing the soon to open City of Sydney Creative Studios.

The City currently has 72 tenants taking space in 48 properties. These properties include theatres, workshops, studios, galleries, offices, childcare facilities and space in some of our community centres. Some properties, such as 107 Redfern Street and St Helen's Centre in Glebe have more than one tenant. 107 Projects makes its gallery and auditorium available to a wide range of arts practitioners. St Helen's Community Centre has a range of tenants as well as a community room available for hire for rehearsals, health and fitness classes, family functions and meetings.

While this program provides opportunities for organisations to operate in facilities they could not otherwise afford, they in turn provide significant social and cultural benefits.

I am aware that some community groups are still uncertain about the use and operation of the City's facilities and have concerns about access. These concerns have been exacerbated by the false and misleading claims recently published online.

The community can find information about the City's community facilities and operations, make requests, and find out how to hire facilities and apply for accommodation grants by using the City's online resources, at centres or by contacting the City's Manager Social City, Kirsten Woodward on 02 9246 7201 or at kwoodward@cityofsydney.nsw.gov.au or communityvenues@cityofsydney.nsw.gov.au

I have asked the Chief Executive Officer to continue to liaise with the community to identify changing needs and address specific concerns and as the population and demographics of communities evolve.

Councillors will have the opportunity to consider the resourcing of our community facilities in the context of the draft operational plan in early May prior to going on public exhibition with final approval anticipated at the June Council meeting. At the same time, Councillors will have the opportunity to review fees and charges for the use of our community facilities. In doing so, Councillors will need to take into account the severe impact of the Covid-19 pandemic over the past two years and the resultant pressure on the City's budget.

Staffing

The Chief Executive Officer has assured me that no permanent staff were stood down at any time since the beginning of Covid-19 pandemic restrictions in March 2020. Eight library staff were on special leave under the Splinter Award for a maximum of 22 days from July 2021. All other employees continued to work and be paid at their standard rates throughout the pandemic. Centres and libraries returned to standard opening hours from October 2021 following the most recent lockdown period.

At the end of February 2020 our community centres and libraries had 132.4 full-time equivalent positions. As at 31 January 2022, our community centres and libraries had 133.2 full-time equivalent positions. Our community centres have had a slight increase in total staff, and not the opposite as was claimed online.

This information was available to all Councillors who cared to ask the Chief Executive Officer.

Recommendation

It is resolved that:

(A) Council note:

- (i) that the City provides a wide range of facilities to the community through its own operations, venue hire and the Accommodation Grants Program;
- (ii) there are no proposals to privatise or outsource the City's community facilities, and if there were, they would require a resolution of Council;
- (iii) Councillors may request information about the operation and staffing of the City's community facilities from the Chief Executive Officer; and
- (iv) the community can find information about the City's community facilities and operations, make requests, and find out how to hire facilities and apply for accommodation grants by using the City's online resources, at centres or by contacting the City's Manager Social City, Kirsten Woodward on 02 9246 7201 or at kwoodward@cityofsydney.nsw.gov.au or at communityvenues@cityofsydney.nsw.gov.au; and

(B) the Chief Executive Officer be requested to:

- (i) continue consulting with the community on the appropriate use and operation of the City's community centres to meet changing needs as demographics evolve;
- (ii) address any changes and requirements to the use and operation of our community centres through the draft operational plan and City budget to be considered by Council in May; and
- (iii) streamline and simplify the booking process for community groups to access community facilities.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

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

It is resolved that:

(A) Council note:

- (i) that the City provides a wide range of facilities to the community through its own operations, venue hire and the Accommodation Grants Program;
- (ii) there are no proposals to privatise or outsource the City's community facilities, and if there were, they would require a resolution of Council to approve a successful tender recipient;

- (iii) Councillors may request information about the operation and staffing of the City's community facilities from the Chief Executive Officer;
- (iv) the community can find information about the City's community facilities and operations, make requests, and find out how to hire facilities and apply for accommodation grants by using the City's online resources, at centres or by contacting the City's Manager Social City, Kirsten Woodward on 02 9246 7201 or at kwoodward@cityofsydney.nsw.gov.au or at communityvenues@cityofsydney.nsw.gov.au;
- (v) City employee numbers have remained consistent throughout the pandemic, but have not grown with the City's growing population;
- (vi) place-based City staff have moved from City community centres under a different model of service delivery; and
- (vii) the recent feedback from local residents and community groups supporting the ongoing need for City-run, place-based services and organised groups in Council community spaces, including community centres, town halls, neighbourhood centres and venues available for hire by the community; and

(B) the Chief Executive Officer be requested to:

- (i) continue consulting with the community on the appropriate use and operation of the City's community centres to meet changing needs as demographics evolve;
- (ii) ensure funding for community centres is, at a minimum, maintained;
- (iii) report back via the CEO Update on opportunities to grow City and other community centre funding in response to community demand for services;
- (iv) report back via the CEO Update on how a transition back to increased placed based City staff in City community centres can be achieved, where there is ongoing community demand, and
- (v) streamline and simplify the booking process for community groups to access community facilities.

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

Ayes (5) Councillors Ellsmore, Gannon, Jarrett, Scott and Weldon

Noes (5) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok and Scully.

The Lord Mayor exercised her casting vote against the amendment.

The amendment was declared lost.

The substantive Minute was carried unanimously.

S051491

Extension of Time

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

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

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

Carried unanimously.

Misrepresentation

During discussion of Item 3.4, Councillor Scott stated that she had been misrepresented in respect to comments made by Councillor Chan and clarified her position accordingly.

Item 4 Memoranda by the Chief Executive Officer**Item 4.1 City of Sydney Advisory Panels and Working Groups****Memorandum by the Chief Executive Officer**

To Council:

Council has established a number of internal committees, advisory panels and a working group with Council appointed Councillor representatives that provide advice on the policies and operations of the City of Sydney across various subject areas.

On 21 February 2022, Council resolved to establish a number of new advisory panels, committees and a working group in addition to existing advisory panels, each with Council appointed Councillor representatives. The Lord Mayor (or delegate) is also a member of these panels, committees and working groups.

Feedback from Councillors was subsequently sought on draft and amended Terms of Reference.

A call for nominations to the newly established Business, Economic Development and Covid Recovery Advisory Panel, Cultural and Creative Sector Advisory Panel, Multicultural Advisory Panel and Housing for All Working Group will be open for applications for two weeks from Friday, 18 March 2022. The call for nominations will be advertised in the Australian Financial Review, Sydney Morning Herald, Koori Mail, ArtsHub and on the City's online channels.

This memorandum recommends that Council endorse the Terms of Reference for the relevant advisory panels and working group.

This memorandum also recommends that Council endorse the extension of some existing advisory panel member terms to 30 June 2022 (Aboriginal and Torres Strait Islander Advisory Panel, Design Advisory Panel, Design Advisory Panel Residential Sub-Committee and Public Art Advisory Panel) and endorse the appointment and reappointment of members to the Inclusion (Disability) Advisory Panel.

Aboriginal and Torres Strait Islander Advisory Panel

In June 2008, Council resolved to establish an Aboriginal and Torres Strait Islander Advisory Panel. The panel's purpose is to provide advice on the policies and operations of the City of Sydney in relation to matters of importance to Aboriginal and Torres Strait Islander communities.

The Panel operates under Terms of Reference which provide for appointments for three years, with up to two consecutive appointments allowed. The term of the current Panel expires on 31 March 2022.

Amendments to the Terms of Reference are recommended to incorporate Aboriginal or Torres Strait Islander representatives to the Panel with expertise in reconciliation action, Indigenous employment, Indigenous procurement, Aboriginal business development and public art.

It is recommended that the term of the current Panel members be extended to 30 June 2022. This will enable an Expression of Interest process to be conducted for a new Panel term, incorporating the proposed updated membership of the Panel.

Business, Economic Development and Covid Recovery Advisory Panel

The Business, Economic Development and Covid Recovery Advisory Panel was established by Council in February 2022.

The primary role of the Business, Economic Development and Covid Recovery Advisory Panel (the advisory panel) is to provide high-level independent expert advice to the City of Sydney (the City) on the implementation of the City of Sydney Sustainable Sydney 2030-2050 vision through the actions of the City of Sydney Economic Strategy 2022.

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

It is recommended that Council endorse the Terms of Reference for the Business, Economic Development and Covid Recovery Advisory Panel.

Cultural and Creative Sector Advisory Panel

The Cultural and Creative Sector Advisory Panel was established by Council in February 2022.

The purpose of the Cultural and Creative Sector Advisory Panel will be to provide strategic advice on making space for culture and focus on addressing the loss of creative employment floor space in Sydney which is a critical issue that has been exacerbated by the pandemic.

The Panel will help set the pathway for the City's contribution over the medium term to cultural infrastructure programs and sustainable recovery of the City's creative and cultural life.

It is recommended that Council endorse the Terms of Reference for the Cultural and Creative Sector Advisory Panel.

Design Advisory Panel

The Design Advisory Panel has been established to provide the City with high level independent expert advice and expertise on urban design, architecture, landscape architecture, art and sustainability. The advice is to inform the assessment by City officers of development applications with a view to promoting the delivery of world class urban design, architecture and sustainable and inclusive design in Sydney's buildings and public spaces. The advice is to inform the assessment process and advise on strategies and policies affecting the City's built environment and public domain. It is not the purpose of the Panel to have any role in the process of determination of development applications.

The Panel operates under Terms of Reference which provide that the Advisory Panel consists of at least three and not more than 10 permanent members. Permanent members are engaged for an initial term of two years and reviewed subsequently every two years. Member terms expire on 31 March 2022.

It is recommended that the term of current Panel members be extended to 30 June 2022. This will enable a review of current membership and terms of reference as well as continuity with projects underway.

Design Advisory Panel Residential Sub-Committee

The City has established a Residential Sub-Committee to the existing Design Advisory Panel, to provide high level independent expert advice and expertise on urban design, architecture, landscape architecture and sustainability for SEPP 65 and similar residential applications. This advice assists the City in its promotion and delivery of high-quality built environments and design excellence. The Sub-Committee supports and supplements the Design Advisory Panel, with the Panel Chair being a member of the Design Advisory Panel.

Design Advisory Panel Residential Sub-Committee member terms expire on 31 March 2022. To align with Design Advisory Panel members, it is recommended that the term of Residential Sub-Committee members also be extended to 30 June 2022.

Housing for All Working Group

The Housing for All Working Group was established by Council in February 2022.

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

It is recommended that Council endorse the Terms of Reference for the Housing for All Working Group.

Inclusion (Disability) Advisory Panel

The Inclusion (Disability) Advisory Panel was established by Council in November 2012 to provide strategic, expert and impartial advice on the development, implementation, monitoring and review of the City's policies, strategies and plans to advance the inclusion of people with disability.

The Panel operates under Terms of Reference which provide for member appointments for three years, with up to two consecutive appointments allowed. Current member terms expire on 31 March 2022.

The current Panel is comprised of nine members, five members that have served a six-year term (2016-2021) and four members that have served a four-year term (2018-2021).

The City would like to acknowledge the contribution and commitment of the departing Panel members: Dr Phillippa Carnemolla, Judy Harwood, Julie Millard, Mark Tonga and Morwenna Collett.

The recommended Inclusion (Disability) Advisory Panel comprises 12 people, all with diverse lived experience of disability and/or mental health conditions. The recommended Panel includes people from various age groups including a young person, people of diverse cultural and linguistic backgrounds, a First Nations person and people of diverse genders and sexualities.

New members have a high level of expertise in key areas such as government policy and strategy development, planning and design, disability related legislation, access to mental health services, reform, housing, transport, employment, advocacy, arts, culture and events, media and communication.

Multicultural Advisory Panel

The Multicultural Advisory Panel was established by Council in February 2022.

The Primary role of the Multicultural Advisory Panel is to provide advice on policies and operations of the City of Sydney in relation to matters of importance to culturally diverse communities.

It is recommended that Council endorse the Terms of Reference for the Multicultural Advisory Panel.

Public Art Advisory Panel

The Public Art Advisory Panel has been established to provide the City of Sydney with independent expert advice on public art.

The Panel operates under Terms of Reference which provide that the Advisory Panel consists of at least five and not more than nine permanent members. Permanent members are engaged for an initial term of two years and reviewed subsequently every two years. Member terms expire on 31 March 2022.

It is recommended that the term of current Panel members be extended to 30 June 2022. This will enable a review of current membership and terms of reference as well as continuity with projects underway.

Recommendation

It is resolved that:

- (A) Council endorse the amended Terms of Reference - Aboriginal and Torres Strait Islander Advisory Panel as shown at Attachment A to the subject memorandum;
- (B) Council endorse the extension of the following members of the Aboriginal and Torres Strait Islander Advisory Panel: Timothy Gray, Bronwyn Penrith, Sara Hamilton, Matthew Doyle, Jinny-Jane Smith, Dallas Wellington, Ashlee Donohue, Medika Thorpe, Suzy Evans, Beau James, Daniel Coe and Ryan Donohue-Pitt to 30 June 2022;
- (C) Council endorse the draft Terms of Reference - Business, Economic Development and Covid Recovery Advisory Panel as shown at Attachment B to the subject memorandum;
- (D) Council endorse the draft Terms of Reference - Cultural and Creative Sector Advisory Panel as shown at Attachment C to the subject memorandum;
- (E) Council endorse the extension of the following members of the Design Advisory Panel: Ken Maher, Kerry Clare, Richard Johnson, Peter Mould, Abbie Galvin, James Weirick, Rachel Neeson and Che Wall to 30 June 2022;
- (F) Council endorse the extension of the following members of the Design Advisory Panel Residential Sub-Committee: Kerry Clare, Libby Gallagher, Matthew Pullinger, Michael Zanardo, Paul Berkemeier, Alexander Koll and Tony Caro to 30 June 2022;
- (G) Council endorse the draft Terms of Reference - Housing for All Working Group as shown at Attachment D to the subject memorandum;
- (H) Council endorse the reappointment of four current Inclusion (Disability) Advisory Panel members: Max Burt, Nidhi Shekaran, Sabrina Houssami and Tara Elliffe for a further two-year term to December 2023;
- (I) Council endorse the appointment of eight new members to the Inclusion (Disability) Advisory Panel: Charles Hung, Daniel McDonald, Giancarlo de Vera, Matthew Hall, Melinda Smith, Nanushka Tamtam, Paul Nunnari and Stephen Adei for an initial two-year term to December 2023, with the option of extending for a further three years to December 2026;
- (J) Council endorse the draft Terms of Reference - Multicultural Advisory Panel as shown at Attachment E to the subject memorandum;

- (K) Council endorse the extension of the following members of the Public Art Advisory Panel: Felicity Fenner, Leon Paroissen, Janet Laurence, Anne Loxley, Judith Blackall, Richard Johnson, Lisa Havilah and Tony Albert to 30 June 2022; and
- (L) authority be delegated to the Chief Executive Officer to make minor amendments to the above Terms of Reference if required.

MONICA BARONE

Chief Executive Officer

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

It is resolved that:

- (A) Council endorse the amended Terms of Reference - Aboriginal and Torres Strait Islander Advisory Panel as shown at Attachment A to the subject memorandum;
- (B) Council endorse the extension of the following members of the Aboriginal and Torres Strait Islander Advisory Panel: Timothy Gray, Bronwyn Penrith, Sara Hamilton, Matthew Doyle, Jinny-Jane Smith, Dallas Wellington, Ashlee Donohue, Medika Thorpe, Suzy Evans, Beau James, Daniel Coe and Ryan Donohue-Pitt to 30 June 2022;
- (C) Council endorse the draft Terms of Reference - Business, Economic Development and Covid Recovery Advisory Panel as shown at Attachment B to the subject memorandum;
- (D) Council endorse the draft Terms of Reference - Cultural and Creative Sector Advisory Panel as shown at Attachment C to the subject memorandum;
- (E) Council endorse the extension of the following members of the Design Advisory Panel: Ken Maher, Kerry Clare, Richard Johnson, Peter Mould, Abbie Galvin, James Weirick, Rachel Neeson and Che Wall to 30 June 2022;
- (F) Council endorse the extension of the following members of the Design Advisory Panel Residential Sub-Committee: Kerry Clare, Libby Gallagher, Matthew Pullinger, Michael Zanardo, Paul Berkemeier, Alexander Koll and Tony Caro to 30 June 2022;
- (G) Council endorse the draft Terms of Reference - Housing for All Working Group as shown at Attachment D to the subject memorandum;
- (H) Council endorse the reappointment of four current Inclusion (Disability) Advisory Panel members: Max Burt, Nidhi Shekaran, Sabrina Houssami and Tara Elliffe for a further two-year term to December 2023;
- (I) Council endorse the appointment of eight new members to the Inclusion (Disability) Advisory Panel: Charles Hung, Daniel McDonald, Giancarlo de Vera, Matthew Hall, Melinda Smith, Nanushka Tamtam, Paul Nunnari and Stephen Adei for an initial two-year term to December 2023, with the option of extending for a further three years to December 2026;
- (J) Council endorse the draft Terms of Reference - Multicultural Advisory Panel as shown at Attachment E to the subject memorandum;

- (K) Council endorse the extension of the following members of the Public Art Advisory Panel: Felicity Fenner, Leon Paroissen, Janet Laurence, Anne Loxley, Judith Blackall, Richard Johnson, Lisa Havilah and Tony Albert to 30 June 2022; and
- (L) authority be delegated to the Chief Executive Officer to make minor amendments to the above Terms of Reference if required.

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

It is resolved that:

- (A) Council endorse the amended Terms of Reference - Aboriginal and Torres Strait Islander Advisory Panel as shown at Attachment A to the subject memorandum, subject to the amendment of the Terms of Reference to include a nominee of the Metropolitan Local Aboriginal Land Council, in accordance with the Principles of Cooperation between the City of Sydney Council and Metropolitan Local Aboriginal Land Council;
- (B) Council endorse the extension of the following members of the Aboriginal and Torres Strait Islander Advisory Panel: Timothy Gray, Bronwyn Penrith, Sara Hamilton, Matthew Doyle, Jinny-Jane Smith, Dallas Wellington, Ashlee Donohue, Medika Thorpe, Suzy Evans, Beau James, Daniel Coe and Ryan Donohue-Pitt to 30 June 2022;
- (C) Council endorse the draft Terms of Reference - Business, Economic Development and Covid Recovery Advisory Panel as shown at Attachment B to the subject memorandum;
- (D) Council endorse the draft Terms of Reference - Cultural and Creative Sector Advisory Panel as shown at Attachment C to the subject memorandum;
- (E) Council endorse the extension of the following members of the Design Advisory Panel: Ken Maher, Kerry Clare, Richard Johnson, Peter Mould, Abbie Galvin, James Weirick, Rachel Neeson and Che Wall to 30 June 2022;
- (F) Council endorse the extension of the following members of the Design Advisory Panel Residential Sub-Committee: Kerry Clare, Libby Gallagher, Matthew Pullinger, Michael Zanardo, Paul Berkemeier, Alexander Koll and Tony Caro to 30 June 2022;
- (G) Council endorse the draft Terms of Reference - Housing for All Working Group as shown at Attachment D to the subject memorandum;
- (H) Council endorse the reappointment of four current Inclusion (Disability) Advisory Panel members: Max Burt, Nidhi Shekaran, Sabrina Houssami and Tara Elliffe for a further two-year term to December 2023;
- (I) Council endorse the appointment of eight new members to the Inclusion (Disability) Advisory Panel: Charles Hung, Daniel McDonald, Giancarlo de Vera, Matthew Hall, Melinda Smith, Nanushka Tamtam, Paul Nunnari and Stephen Adei for an initial two-year term to December 2023, with the option of extending for a further three years to December 2026;
- (J) Council endorse the draft Terms of Reference - Multicultural Advisory Panel as shown at Attachment E to the subject memorandum;

- (K) Council endorse the extension of the following members of the Public Art Advisory Panel: Felicity Fenner, Leon Paroissen, Janet Laurence, Anne Loxley, Judith Blackall, Richard Johnson, Lisa Havilah and Tony Albert to 30 June 2022; and
- (L) authority be delegated to the Chief Executive Officer to make minor amendments to the above Terms of Reference if required, including clarification that the Housing for All Working Group's purpose and objective include to advise the Council on affordable housing strategies, actions and opportunities.

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

S000818

Item 5 Matters for Tabling

5.1 Disclosures of Interest

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

It is resolved that the Disclosures of Interest returns be received and noted.

Carried unanimously.

5.2 Petitions

(a) Kimberley Estate Household Waste

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

Petition to stop collection of the Kimberley Estate household bulk rubbish in the Stage 1 KE development (Blocks A, B, C) garbage room.

Recycled waste bins have been relocated into the small general bin room and area designed and approved for recycled bins from 3 blocks (120 units) now used for collection of bulky waste from the whole complex of 16 blocks (793 units).

This does not comply with the Council Waste Management Policy and City of Sydney DU 1995/505 (Health – (39); (52); (93)). Also is a safety issue as lattice structure and bulky waste is too close to a transformer box.

Residents lost adequate facilities provided for them, the very small enclosed room filled with all types of bins and residents dropping any waste into the nearest to entry bin, regardless of its type, the room opening has been widened with installation of second shutter door designed for use in storage units and stays opened all the time which is a health problem.

(b) Stop the Sale of 600 Elizabeth Street, Redfern – Build Public Housing Instead

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

The NSW Government's Land and Housing Corporation plans to sell off a vacant block of land at 600 Elizabeth Street, Redfern. Sign this petition to demand they retain ownership and build public housing instead.

Public housing at 600-660 Elizabeth Street was demolished in 2013. After originally proposing to retain public ownership and develop a mix of social and market-rate 'build-to-rent' apartments, the Land and Housing Corporation has decided it will sell the site. The developer that buys it will only need to devote 30% of its apartments to community housing.

More than 1,000 households are on the waiting list for public housing in inner-Sydney, according to the latest published data. Many thousands more will be added in the years to come. And if the redevelopment of the Waterloo public housing estate goes ahead, this shortage of public housing will become even more severe because current Waterloo tenants will need to be relocated before new tenants can be housed.

Public land should not be getting sold off for private housing while thousands of people wait for public housing.

We are calling on NSW Minister for Planning and Homes, Hon. Anthony Roberts MP, and the Land and Housing Corporation to commit to retaining public ownership of 600-660 Elizabeth Street and developing it as 100% public housing.

The decision to revise the redevelopment of 17-31 Cowper St Glebe, making it 100% social housing instead of mostly private housing, shows that this can be done.

We are also calling for development of 600 Elizabeth Street to meet the demands of the Redfern Waterloo Aboriginal Housing Campaign: more than 10% of all housing devoted to Aboriginal households and Aboriginal employment targets for both construction and ongoing services. This is essential to address the displacement of Aboriginal people from Redfern over the past several decades due to state-sponsored gentrification.

Sign the petition below to send an email to Hon. Anthony Roberts MP and Deborah Brill, Acting Chief Executive of NSW Land and Housing Corporation.

(c) Rushcutters Bay Canoe and Kayak Racks - Storage for Public Use

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

Request for the City of Sydney Council to find a storage solution for kayaks and canoes to be safely stored at Rushcutters Bay by the water.

We're seeking the councils support for health and fitness activity by way of storage facilities for the kayaks/canoes. Provide racks for the storage of kayaks and canoes for easy access to the water, with a commitment from council to encourage outdoor fitness.

As an area with high apartment dwelling, often without garage or car spots that would otherwise provide options for storage of kayaks and canoes means many local residents don't have a storage option. This is where our local council can make a difference and include it in their local wellbeing plan to provide a solution.

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

It is resolved that the Petitions be received and noted.

Carried unanimously.

S044250

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

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Deputy Lord Mayor Councillor Jess Scully
(Deputy Chair)

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

At the commencement of business at 2.03pm those present were -

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

Adjournment

At 3.18pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

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

Carried unanimously.

At the resumption of the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.36pm, those present were –

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

Councillor Weldon returned to the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.37pm, during discussion and before the vote on Item 6.4.

Councillor Scott left the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.41pm, prior to discussion and the vote on Item 6.5, and returned at 3.42pm, after the vote on Item 6.5. Councillor Scott was not present at the meeting of the Corporate, Finance, Properties and Tenders Committee, which was held remotely, during discussion or voting on Item 6.5.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 4.16pm.

Report of the Corporate, Finance, Properties and Tenders Committee

Moved by Councillor Scully, seconded by Councillor Kok –

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 14 March 2022 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.2, 6.4 and 6.7 to 6.10 inclusive being adopted in globo, and Items 6.3, 6.5 and 6.6 being dealt with as shown immediately following those Items.

Carried unanimously.

Item 6.1**Disclosures of Interest**

During Item 6.5, Councillor Linda Scott made a less than significant, non-pecuniary disclosure in Item 6.5 on the agenda, in that she is a member of the Commonwealth Government's Regional Banking Taskforce. In addition, she has a very minor dispute outstanding with the Commonwealth Bank that is currently in the process of being resolved. Councillor Scott stated that, for an abundance of caution, she would step out for this item.

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

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

Item 6.2**Investments Held as at 28 February 2022**

It is resolved that the Investment Report as at 28 February 2022 be received and noted.

Carried unanimously.

X020701

Item 6.3**Post Exhibition - Crown Land Plans of Management**

Note – The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 21 March 2022.

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

Moved by Councillor Scully, seconded by Councillor Kok –

It is resolved that:

- (A) Council note the outcomes of the public exhibition period as shown at Attachment S to the subject report;
- (B) Council note the change in title of the Observatory Hill Plan of Management to Observatory Park Plan of Management;
- (C) Council note that the Hyde Park Plan of Management is subject to a future Council report;
- (D) authority be delegated to the Chief Executive Officer to amend the Crown Lands Plans of Management to:
 - (i) include an Executive Summary that reflects how these documents respond to the City of Sydney's commitment to sustainability, climate action, equity, access and caring for Country; and
 - (ii) revise the Appendices to reference all influencing policies, strategies and standards for clarity; and

- (E) Council adopt the final Crown Lands Plan of Management as shown at Attachments B to Q to the subject report, subject to the completion of the amendments identified in (D) above.

Carried unanimously.

X030693

Speakers

Michael Mobbs, Bernard Kelly (Millers Point Community Resident Action Group), Vanessa Bennett, Jan Macindoe (Glebe Society) and Jeanette Brokman (Chippendale Residents Interest Group) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.3.

Adjournment

At this stage of the meeting, at 6.29pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

At the resumption of Council at 6.47pm, the Chair (the Lord Mayor) and Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scully and Weldon were present.

Councillor Scott returned at 6.48pm, after the vote on Item 6.5.

Item 6.4

Policy - Adoption - Access to Information Policy

Note – the recommendation of the Corporate, Finance, Properties and Tenders Committee was not adopted. The following alternative recommendation was adopted as part of an in globo motion (as contained in the memo dated 17 March 2022 from the Acting Director People, Performance and Technology, circulated prior to the meeting).

It is resolved that Council adopt the revised Access to Information Policy, as shown at Attachment A to the subject report to the Corporate, Finance, Properties and Tenders Committee on 14 March 2022, subject to the following amendments –

1. Add as the third dot point to Principles, following the dot point beginning “a presumption in favour of disclosure...”

equitable access to information, including for people with a disability

2. Add to the References table on page 10, as the last dot point under the Policies and Procedures section:

Inclusion Disability Action Plan 2021-2025.

Carried unanimously.

S093563.022

Item 6.5**Lease Approval - Basement Suite 2 and Ground Floor - 546 George Street, Sydney**

Moved by Councillor Scully, seconded by Councillor Gannon –

It is resolved that:

- (A) Council approve a lease to the Commonwealth Bank of Australia for a term of four years for Basement Suite 2 and Ground Floor - 546 George Street, Sydney in accordance with the terms and conditions contained in Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease in accordance with the essential lease terms and conditions contained in Confidential Attachment A to the subject report.

Carried unanimously.

X026840

Item 6.6**Tender - T-2021-555 - Public Domain Signage**

Moved by Councillor Scully, seconded by Councillor Kok -

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for Public Domain Signage for the schedule of rates and fixed prices outlined in Confidential Attachments A and B to the subject report, for a period of five years, with the option of two extensions, each of two years, if appropriate;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute, and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the option referred to in clause (A), if appropriate, and to extend the contract accordingly.

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

That the item be deferred to a later meeting.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

Amendment lost.

The motion was carried unanimously.

X039311

Item 6.7

Tender - T-2021-562 - 343 George Street Facade Remediation - Stage 1 Barrack Lane

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for 343 George Street Façade Remediation - Stage 1 Barrack Lane for the price and contingency outlined in Confidential Attachment A to the subject report;
- (B) Council note that the total contract sum and contingency for 343 George Street Façade Remediation - Stage1 Barrack Lane is outlined in Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

Carried unanimously.

X011030.001

Item 6.8

Tender – Reject and Negotiate - T-2021-564 – Lift Replacement/Upgrade Project at Various Locations

It is resolved that:

- (A) Council decline to accept the tender offer/s for Lift Replacement/Upgrade Project for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable tenderers over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contract with the preferred contractor following completion of the negotiations; and
- (E) Council be informed of the successful contractor via CEO Update.

Carried unanimously.

X011030.001

Item 6.9**Tender - Reject and Negotiate - T-2021-598 - NAIDOC in the City Event Management**

It is resolved that:

- (A) Council decline to accept the tender offer for NAIDOC in the City Event Management for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (C) in consultation with Councillors, authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (E) Council be informed of the outcome of negotiations via the CEO Update.

Carried unanimously.

X083522

Item 6.10**Exemption from Tender – Technology One Transition to Cloud**

It is resolved that:

- (A) Council approve an exemption from tender to enter into a contract with Technology One Limited for the TechnologyOne Transition to, and continued service in, a cloud based service as the unavailability of competitive tenders would not achieve a satisfactory result by inviting tenders;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because the existing supplier is the sole provider of the relevant software services, and a competitive tender process is not possible; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contract(s) relating to the TechnologyOne Transition to, and ongoing service in, a cloud based service on terms acceptable to the City, for the term and total contract sum detailed in Confidential Attachment A to the subject report.

Carried unanimously.

X084974

Speaker

Paul Coates (Technology One) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.10.

Item 7 Report of the Business and Economic Development Committee

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor Robert Kok
(Deputy Chair)

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

At the commencement of business at 4.17pm those present were -

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

The meeting of the Business and Economic Development Committee concluded at 5.10pm.

Report of the Business and Economic Development Committee

Moved by Councillor Kok, seconded by Councillor Scully –

That the report of the Business and Economic Development Committee of its meeting of 14 March 2022 be received, with Item 7.1 being noted and the recommendation set out below for Item 7.2 being dealt with as shown immediately following that item.

Carried unanimously.

Item 7.1

Disclosures of Interest

Councillor Sylvie Ellsmore disclosed a less than significant non-pecuniary interest in Item 7.2 on the agenda, in that she is employed by the University of Sydney.

Councillor Ellsmore stated that she considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because her work for the university is not related to the Tech Central Innovation Precinct.

Councillor HY William Chan disclosed a less than significant non-pecuniary interest in Item 7.2 on the agenda, in that he is currently employed by the University of Sydney as an academic at the Sydney School of Architecture, Design and Planning.

Councillor Chan stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the recipient of the financial contribution is for the Camperdown Ultimo Alliance and not related to his teaching position at the Sydney School of Architecture, Design and Planning.

During discussion on Item 7.2, Councillor Chan disclosed a further less than significant non-pecuniary interest in this item, in that he is a former employee of Cox Architecture, and during his employment there he worked on the shortlisted architectural competition entry for the Atlassian Central building, the anchor tenant of Tech Central. The project client was Atlassian and involved the Greater Sydney Commission.

Councillor Chan stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the project was not the winning scheme of the competition and so it did not proceed, and he is no longer an employee of Cox Architecture since 2020 and has no relevant relationship to Atlassian or the Greater Sydney Commission.

Councillor Linda Scott disclosed a less than significant non-pecuniary interest in Item 7.2 on the agenda, in that she is a mentor for the University of Sydney's Dalyell mentoring program.

Councillor Scott stated that she considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is a mentor on a volunteer basis for this organisation and is not employed by the University of Sydney.

Councillor Robert Kok disclosed a less than significant non-pecuniary interest in Item 7.2 on the agenda, in that he is a member of the University of Sydney China Studies Centre Advisory Board.

Councillor Kok stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action because as far as he is aware the Centre is not involved in Tech Central.

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

Item 7.2

Tech Central Innovation Precinct - Progress Update

Note – the recommendation of the Business and Economic Development Committee was not adopted. The following alternative recommendation was adopted (as contained in the memo dated 17 March 2022 from the Chief Operating Officer, circulated prior to the meeting).

It is resolved that:

- (A) Council note the current and upcoming work of the City of Sydney in the Tech Central innovation precinct;
- (B) Council approve the ongoing financial contribution to the University of Sydney of \$50,000 (exclusive of GST) per year for two years as the City's contribution towards the cost of an officer to provide secretariat and coordination support for the Camperdown Ultimo Alliance, which is coordinated and managed by University of Sydney;
- (C) Council approve the financial contribution of \$39,000 (inclusive of GST) as the City's contribution towards the Camperdown Structure Plan, which is coordinated and managed by Inner West Council;

- (D) authority be delegated to the Chief Executive Officer to negotiate, finalise and administer contracts with the University of Sydney in respect of the contribution referred to in (B) above and Inner West Council in respect of (C) above; and
- (E) Council continue to promote the importance of community engagement among all partners and projects owners within the precinct and work with those stakeholders to provide information for the community about what is happening in Tech Central overall.

X084741

Speakers

Glenn Wightwick (University of Technology Sydney), Teresa Anderson (Sydney Local Health District), Greg Robinson (University of Sydney) and Jeanette Brokman (Chippendale Residents Interest Group) addressed the meeting of the Business and Economic Development Committee on Item 7.2.

Item 8 Report of the Transport, Heritage, Environment and Planning Committee**PRESENT**

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor HY William Chan
(Deputy Chair)

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

At the commencement of business at 5.10pm those present were -

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

The meeting of the Transport, Heritage, Environment and Planning Committee concluded at 5.20pm.

Report of the Transport, Heritage, Environment and Planning Committee

Moved by Councillor Chan, seconded by Councillor Kok –

That the report of the Transport, Heritage, Environment and Planning Committee of its meeting of 14 March 2022 be received, with Item 8.1 being noted, and the recommendation set out below for Item 8.2 being dealt with as shown immediately following that item.

Carried unanimously.

Item 8.1**Disclosures of Interest**

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

The Transport, Heritage, Environment and Planning Committee recommended the following –

Item 8.2

Fire Safety Reports

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B and C to the subject report;
- (C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 33 Ultimo Road, Haymarket; and
- (D) note the contents of Attachment C and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 19-21 Larkin Street, Camperdown.

Carried unanimously.

S105001.002

Item 9 Questions on Notice

1. Summer Streets

By Councillor Scott

Question

1. Please detail, broken down by method, the cost of City communications about the “Summer Streets” events.
2. Please detail other funding, broken into categories including road closures.
3. How many days before the events did communications reach businesses and residents?

X086668

Answer by the Chief Executive Officer

1. Media partnership with Broadsheet Sydney: \$22,400

Social media advertising (Facebook and Instagram): \$5,000

Email marketing, digital content production, photography, organic social media, media outreach: \$Nil (produced internally/owned channels)

Photography: \$7,080

2. Below is the budgeted amount for the recent six street closure events. Costs will be confirmed once invoices are received and processed.

Artists fees	\$114,300	Roving entertainment
State Government Costs	\$145,377	Road Closures including NSW Police, Transport for NSW
Traffic Management Costs	\$219,410	Traffic Management supplier
Other Event Costs	\$351,003	Staffing, technical services, decorations, security, equipment hire
Total for six events	\$830,090	

3. Communications to the business community about the broader Summer Streets program was done across various channels:

- (a) Business Consultation sessions to co-create the Summer Streets Events

Four, one-hour consultation sessions with business representatives of all six high streets (approximately 60 attendees in total) were conducted in November 2021 as soon as possible after approval was received from the Local Pedestrian, Cycling and Traffic Calming Committee that the street closures could proceed.

Feedback from businesses:

- Businesses were supportive of road closures.
- Focus on celebration of the local community is really positive.
- Businesses keen to get involved and activate onto the streets, with the City providing roving entertainment and tables and chairs.

(b) Business Concierge Engagement with all businesses in and around road closure locations

The City's business concierge were active in engaging with businesses across all six high streets from early December 2021. Staff knocked on business doors to inform every single business about the event and the opportunities for each business to participate; and also left a flier behind that directed them to an online page with all of the relevant information as to how to get involved:

<https://www.cityofsydney.nsw.gov.au/business-support-funding/join-us-sydney-summer-streets>.

The business concierge team also actively followed up with emails and phone calls to help all interested businesses through the process. A total of 228 face to face follow up for each individual enquiry, a total of 123 follow up calls, a total of 604 emails including reminder of the event, and a total of 244 surveys conducted.

(c) What's On website

The dedicated What's On event program page went live week commencing 4 January 2022, with dedicated marketing to consumer audiences for each event undertaken one week prior to the event dates.

2. Jones Street Pocket Park

By Councillor Scott

Question

The City is working in collaboration with Office of Strategic Lands on a new fence at the Jones Street Park.

When will the fence at Jones Street Pocket Park be completed?

X086668

Answer by the Chief Executive Officer

The Jones Street Pocket Park is owned by the City of Sydney. Adjoining the park is the McCaffreys Cliff Wall, which is owned by the Ministerial Planning Corporation and managed by the Office of Strategic Lands (OSL).

City staff inspected the Jones Street Pocket Park on 31 December 2019 after being notified that a rock had fallen from the McCaffreys Cliff Wall behind Miller Street. Following the inspection, the City immediately closed the park and notified the Office of Strategic Lands. Make-safe works were completed by the Office of Strategic Lands in early 2020 and a temporary fence installed within the Jones Street Pocket Park as a precautionary measure to ensure public safety is maintained.

The City is actively working with the Office of Strategic Lands to resolve the remediation issues surrounding the McCaffreys Cliff Wall which will enable removal of the temporary fencing.

3. Park Revenue

By Councillor Scott

Question

1. How many parks, open spaces or green spaces within the City of Sydney Local Government Area are never available for commercial use?
2. How many parks, open spaces or green spaces within the City of Sydney Local Government Area are available for commercial use?
3. Please detail the revenue, broken down by individual green space or park space, within the City of Sydney Local Government Area, broken down by year since 2004.
4. When a park is hired, what are the standard conditions under which this occurs?
5. Are there any park or green space specific conditions for particular spaces? If so, please detail.

X086668

Answer by the Chief Executive Officer

1. All parks and open spaces are available to be booked by Not-for-Profits, Charities, Community Groups and commercial entities where the proposed activities are permissible under local guidelines, policies and NSW Government planning restrictions.

The City classifies its parks into three categories including Iconic Parks (i.e. Hyde Park, Victoria Park, etc.), Neighbourhood Parks (i.e. Perry Park, Gunyama Park, etc.), and Pocket Parks; the total of which are detailed below:

Iconic Parks	Neighbourhood Parks	Pocket Parks
22	40	286

2. As above.
3. Due to a change in the electronic booking system, information is only readily available from 2015 onwards as per the below and within the three categories.

Year	Iconic Parks	Neighbourhood Parks	Pocket Parks
2015	\$173,932	\$3,793	\$2,009
2016	\$207,722	\$4,724	\$1,295
2017	\$256,425	\$9,002	\$1,863
2018	\$230,913	\$5,486	\$4,945

Year	Iconic Parks	Neighbourhood Parks	Pocket Parks
2019	\$205,661	\$5,868	\$3,667
2020	\$110,174	\$5,147	\$7,821
2021	\$95,784	\$18,496	\$3,388

4. As a general condition, private events that exclude the community are not supported. All events or activities in public spaces should be open to the public, accessible and inclusive, be that free, or via an entry fee.

Any event going into the public space is required to occupy for the least amount of time possible, including managing the event set up and pack down, that maintains as much safe public access as possible.

All hirers must abide by a range of standard conditions and be required to provide documentation in relation to insurances, safety and risk management plans, sustainable event requirements, rubbish and waste management, etc.

5. Site specific conditions are added on a case by case basis depending on the location (including its condition at the time of the event), type of activity, capacity and expected attendance, impact of noise (including the type of music or performance), and risk assessments.

Other factors that dictate usage conditions include individual Plans of Management, Tree Management Plans, Development Consents, Heritage Listing requirements and inclement weather.

Other conditions may be imposed on outdoor events by external parties such as NSW Police; NSW Health / Ambulance; Office of Liquor, Gaming and Racing, etc.

4. Pandemic Leave and Stand Downs for City Staff

By Councillor Scott

Question

1. Broken down by year, how many City staff have been stood down under the Splinter Award, and for how long?
2. Broken down by month, how many City staff have had their hours reduced since lockdown began in June 2021?

X086668

Answer by the Chief Executive Officer

1. There have been no changes since the last update was provided to Council on 21 February 2022.
2. There have been no changes since the last update was provided to Council on 21 February 2022.

5. Lift Contracts in the City of Sydney

By Councillor Gannon

Question

1. How many lifts does the City of Sydney manage and/or own in total?
2. How many lift maintenance contracts does the City of Sydney have in total?
 - (a) Who are these contracts with?
 - (b) When do these contracts come up for renewal or retender?
3. How many lifts are fully functional as of March 18, 2022?
4. What is the average time it takes, from reporting to repair for a lift outage to be rectified?
5. What is the longest time a lift repair has taken?
6. Are there currently any lifts needing immediate replacing or repairing?

X086665

Answer by the Chief Executive Officer

1. 91.
2. The City has one lift maintenance contact with Ventia until January 2024.
3. As at 16 March 2022, 90 lifts are fully functional.
4. The City uses a priority system for all reactive repairs, including repairs to lifts. The response times reflect the priority assigned to the task.
5. Repairs are responded to and rectified based on their assigned priority code.
6. Repairs are needed on one lift which is out of service as at 16 March 2022 due to flooding from the recent storm event.

6. Opportunities for the Community to Address Council

By Councillor Ellsmore

Question

1. What avenues do members of the community have to address or make submissions to the elected Council, prior to the elected Council making a decision at a Council meeting?
2. Can members of the community address the elected Councillors at Council meetings?
3. What City of Sydney rules, provisions or documents guide whether the public can address the elected Council at, or before, a Council meeting?

4. Where are the current rules, provisions or documents available for access by the public?
5. What were the previous City of Sydney rules or provisions guiding whether the public can address the elected Council at or before a Council meeting?
6. Where are the previous rules, provisions or documents available for access by the public?

X086664

Answer by the Chief Executive Officer

1. Members of the public may address meetings of Council committees on items that are on the committee agendas, subject to the approval of the relevant committee. Committee meetings are held the week prior to the Council meeting.

Committee meeting papers are published on the City's website, prior to the meeting (note that Council does not make the determination until the Council meeting the week following the Committee meeting) - <https://meetings.cityofsydney.nsw.gov.au/ieDocHome.aspx?bcr=1>

The City invites feedback and submissions on projects and policies to help inform decisions.

Consultation and engagement outcomes are collated, analysed and considered along with other input and technical, financial or legislative requirements as a key part of the decision-making process.

2. No. (Unless the Council resolves to form a Committee of the Whole in accordance with Part 10 of the Code of Meeting Practice and section 373 of the Local Government Act 1993).
3. The Code of Meeting Practice and the Code of Conduct.
4. Code of Meeting Practice - <https://www.cityofsydney.nsw.gov.au/policies/code-of-meeting-practice>
Code of Conduct - <https://www.cityofsydney.nsw.gov.au/policies/code-of-conduct>
5. The City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct were reviewed and endorsed by Council in 2019, following the introduction of the Model Code of Meeting Practice (section 360 of the Local Government Act 1993) and Model Code of Conduct (section 440 of the Local Government Act 1993). The Code of Meeting Practice was endorsed by Council following a public exhibition period.
6. Previous versions are no longer publicly available as they are no longer applicable.

7. Council-Run Community Venues and Spaces

By Councillor Ellsmore

Question

1. Which community venues or spaces (including town halls, community centres, neighbourhood centres, and spaces for community hire) are currently owned by Council?
2. Which community venues or spaces (including town halls, community centres, neighbourhood centres, and spaces for community hire) are currently owned by the State or Federal Government, but managed or controlled by Council (for example Crown Lands)?
3. Of the community venues or spaces owned or controlled by Council, which are managed by Council and which are subject to another long term management arrangement, for part or all of the site (for example a long term lease or licence to a community group)?

4. What is the current total Council staffing for Council-owned community venues and spaces?
5. What is the current Council staffing for each of the individual community venues and spaces?
6. What is the current usage of the various Council run spaces for 2021/22?
7. Does this include any period that Council-run spaces were closed, due to Covid-19 pandemic restrictions?
8. Which community venues or spaces aim to support the following suburbs within the Local Government Area (either individually or in combination)?
 - Alexandria
 - Annandale
 - Barangaroo
 - Beaconsfield
 - Camperdown
 - Centennial Park
 - Chippendale
 - Darlinghurst
 - Darlington
 - Dawes Point
 - Elizabeth Bay
 - Erskineville
 - Eveleigh
 - Forest Lodge
 - Glebe
 - Haymarket
 - Millers Point
 - Moore Park
 - Newtown
 - Paddington
 - Potts Point
 - Pyrmont
 - Redfern

- Rosebery
- Rushcutters Bay
- St Peters
- Surry Hills
- Sydney
- The Rocks
- Ultimo
- Waterloo
- Woolloomooloo
- Zetland

9. Do any of the Council-run community venues noted above have a particular focus for their activities or programming, for example primarily supporting younger people, or older people, or First Nations communities? If yes, please provide details in brief.

X086664

Answer by the Chief Executive Officer

1. All of the City's community facilities are listed on the City's website at <https://www.cityofsydney.nsw.gov.au/places>
2. The below table shows ownership and management of facilities owned by State Government and managed by the City.

In addition, the Land Register contains all properties where the City has an interest and is available at <https://bit.ly/3tcS7fl>

Building Name and Address	Land Owner	City of Sydney Tenure
Abraham Mott Hall, 2 Watson Road MILLERS POINT NSW 2000	State of New South Wales (Crown Lands)	Crown Land Manager
Abraham Mott Youth Centre, 2 Watson Road MILLERS POINT NSW 2000	State of New South Wales (Crown Lands)	Crown Land Manager
Harry Jensen Centre, 2 Watson Road MILLERS POINT NSW 2000	State of New South Wales (Crown Lands)	Crown Land Manager
Hilda Booler Child Care Centre, 2 Northcote Road, GLEBE NSW 2037	State of New South Wales (Crown Lands)	Crown Land Manager
Mary McDonald Activity Centre, 80 and 82-88 Bourke Street, WOOLLOOMOOLOO, 2011	Railcorp	Lessee
Robyn Kemmis Reserve Community Space, 50 Glebe Street, GLEBE, 2037	State of New South Wales (Crown Lands)	Crown Land Manager

Building Name and Address	Land Owner	City of Sydney Tenure
Perry Park Recreation Centre - 1B Maddox Street , ALEXANDRIA NSW 2015	State of New South Wales (Crown Lands)	Crown Land Manager
Prince Alfred Park Pool, 105 Chalmers Street, SURRY HILLS, 2012	State of New South Wales (Crown Lands)	Crown Land Manager
Andrew 'Boy' Charlton Pool, 1C Mrs MacQuarie's Road SYDNEY NSW 2000	RMS	Lessee
Cook and Phillip Park Aquatic and Leisure Centre, 2 College Street SYDNEY NSW 2000	State of New South Wales (Crown Lands)	Lessee
Victoria Park Pool, 1001 City Road CAMPERDOWN NSW 2050	State of New South Wales (Crown Lands)	Crown Land Manager

- Council approves all community tenancies for spaces under the Accommodation Grants Program (AGP). Details of the program are at <https://bit.ly/3l13hJq> and the most recent Council Report regarding these tenancies is at <https://bit.ly/3l9ET7n>
- At the end of February 2020 our community centres and libraries had 132.4 full-time equivalent positions. As at 31 January 2022, our community centres and libraries had 133.2 full-time equivalent positions.
- All library and community centre staff are shared across the facilities according to need and the different experiences for the community, whilst maintaining staffing levels required to meet programming and community needs.
- Attendance figures for libraries and community centres from 2018/19 to end Q2 2021/22 are shown below.

	Libraries	Community centres
2018/19	1,310,705	896,443
2019/20	1,266,718	604,492
2020/21	293,110	66,949
2021/22 to Q2	70,822	23,276

- The City's community facilities were closed between 18 March and 22 June 2020, and late June and 11 October 2021 with a staggered approach. In addition, there were occasional full and partial closures of individual centres during the 2020/21 and 2021/22 financial years due to Covid impacts. Councillors and the community were advised of all closure periods and reopening, and regular updates were provided via our website.

8. For planning purposes in adopting Sustainable Sydney 2030, the City was divided into 10 village areas. Planning for community facilities was based on a catchment area (the village area) to ensure that people have access to facilities and services within a reasonable distance of their home. The 10 village areas are: CBD and Harbour, Chinatown and CBD South, Macleay Street and Woolloomooloo, Oxford Street, Redfern Street, King Street, Glebe Point Road, Crown and Baptist Streets, Harris Street, Green Square and City South. More information about the village areas can be found at <https://bit.ly/3KOKrLi> and a map at <https://bit.ly/3waXsWn>.
9. Over the years the City has moved away from providing stand-alone services, as the community has told us they want diversity in programming and services, nor is it best practice in community service delivery. The City offers a wide range of programs, activities and events to suit the needs of our diverse communities across the local government area. Due to demographics, in some facilities additional services or support is provided. For example, Redfern Community Centre provides a higher percentage of cultural activities by and for the Indigenous community, Ultimo and Ron Williams Community Centres have bilingual staff, and there is a Koori collection at Waterloo, Glebe and Customs House libraries.

8. Resident Parking and Resident Parking Permits for Residents in Glebe

By Councillor Weldon

Question

1. How many resident parking permits have been issued by Council from 14 March 2021 to 14 March 2022 to residents in Glebe, who reside on Bridge Road between Lyons Road and Taylor Street?
2. How many resident parking spots currently exist on Bridge Road, Glebe from 14 March 2021 to 14 March 2022?
3. How many resident parking permits have been issued by Council to residents of Ross Street between Parramatta Road and Bridge Road from 14 March 2021 and 14 March 2022?
4. How many resident parking spots exist on Ross Street between Parramatta Road and Bridge Road between 14 March 2021 and 14 March 2022?
5. How many resident parking spots existed on Bridge Road Glebe prior to the installation of the Bridge Road Pop Up cycleway in July 2020?
6. How many resident parking permits have been issued by Council to residents living in Junction, Talfourd, Gottenham, Taylor, Cross, Ross, Foss, Clare Woolley Rosebank, Streets and Jarocin Avenue between 14 March 2021 and 14 March 2022?
7. How many resident parking spots exist on Talfourd, Gottenham, Junction, Taylor, Cross, Rosebank, Foss, Clare, Woolley Streets and Jarocin Avenue between 14 March 2021 and 14 March 2022?
8. Does Council have plans to consult with Glebe residents whose parking was impacted by the installation of the Bridge Road pop up cycleway to improve access to parking for residents?
9. What is the total number of resident parking permits that Council has issued in Glebe/Forest Lodge from 14 March 2021 to 14 March 2022?
10. What is the total number of resident parking spots available in Glebe/Forest Lodge at 14 March 2022?

11. What was the total number of resident parking spots available in Glebe/Forest Lodge at 14 March 2021?

X086670

Answer by the Chief Executive Officer

Note: The figures quoted for the number of resident parking spaces only refers to spaces signposted as “permit holders excepted” and does not include unrestricted or other timed parking spaces.

In addition, based on the data from Customer Service in relation to the number of resident parking permits issued (Parts 6 and 9) – the total number of resident parking permits issued within the specified areas is less than the number of resident parking spaces, which indicates the resident permit parking demand is less than the on-street resident parking capacity.

1. A total of 109 residential permits were issued to residents residing in Bridge Road between Lyons Road and Taylor Street during the period 14 March 2021 to 14 March 2022
2. There are currently no parking spaces allocated for resident permit holders in Bridge Road, Glebe.
3. A total of 20 residential permits were issued to residents of Ross Street between Parramatta Road and Bridge Road from 14 March 2021 and 14 March 2022.
4. The number of parking spaces varies over time, due to factors such as installation of traffic treatments, Works Zones and creation of new roads.

The most recent estimate of the number of parking spaces in Glebe and Forest Lodge was carried out in November 2019. At that time, there were approximately seven parking spaces allocated for resident permit holders in Ross Street between Parramatta and Bridge Roads.

5. Prior to the Bridge Road pop-up cycleway, there were no parking spaces allocated for resident permit holders in Bridge Road, Glebe.
6. A total of 186 Residential permits were issued to residents living in Junction, Talfourd, Gottenham, Taylor, Cross, Ross, Foss, Clare Woolley Rosebank, Streets and Jarocin Avenue between 14 March 2021 and 14 March 2022.

A breakdown of residential permits issued by street is shown in the following table:

Street	Residential Permits Issued 14 March 2021 - 14 March 2022
Junction Street	6
Talfourd Street	30
Gottenham Street	53
Taylor Street	0
Cross Street	14

Street	Residential Permits Issued 14 March 2021 - 14 March 2022
Ross Street	47
Foss Street	18
Clare Street	0
Woolley Street	0
Rosebank Street	10
Jarocin Avenue	8
Total Issued	186

7.

Street	Number of spaces allocated for resident permit holders as at November 2019
Talfourd Street	40
Gottenham Street	49
Junction Street	22
Taylor Street	0
Cross Street	19
Rosebank Street	6
Foss Street	37
Clare Street	0
Woolley Street	6
Jarocin Avenue	19
Total	198

8. The Bridge Road pop up cycleway is a NSW Government project on a State Road.

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

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

9. A total of 2,506 Residential permits were issued to residents living in Glebe/Forest Lodge from 14 March 2021 to 14 March 2022.

10.

Area	Number of spaces allocated for resident permit holders as at November 2019
Glebe/Forest Lodge	3747

There were no changes to the number of resident permit parking spaces in Glebe and Forest Lodge between 14 March 2021 and 14 March 2022.

11. Refer Part 10. There were no changes to the number of resident permit parking spaces in Glebe and Forest Lodge between 14 March 2021 and 14 March 2022.

9. Consultation - Proposed Cycleway in King and Phillip Streets Sydney

By Councillor Weldon

Question

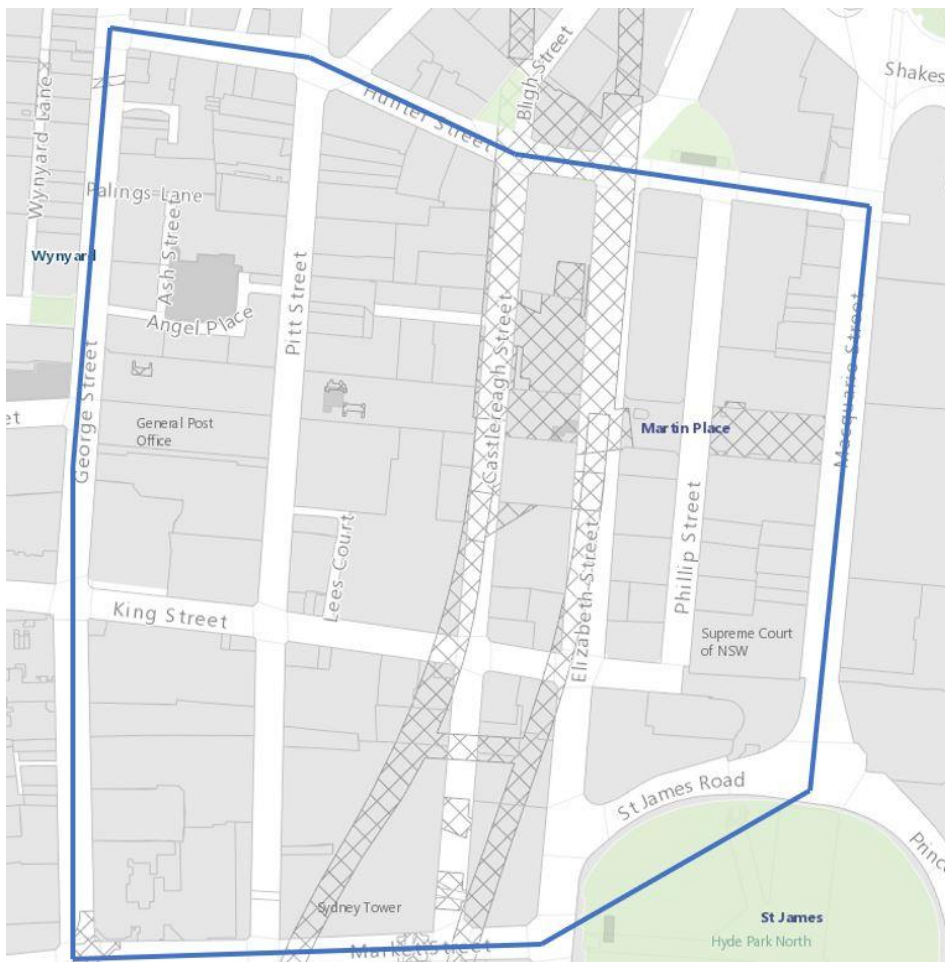
1. Did Council notify the NSW Bar Association about the proposed construction of a cycleway in King Street and Phillip Streets Sydney at any point prior to or during the period feedback being sought from the public on the proposal?
 - (a) If the answer to 1, is no, what were the reasons for not notifying the NSW Bar Association?
 - (b) If the answer to 1 is no, does Council plan to invite the NSW Bar Association to provide a submission on the impact of changes to Phillip Street for their members?
2. Did Council notify the NSW Law Society about the proposed construction of a Cycleway in King Street and Phillip Streets Sydney at any point prior to or during the period feedback was sought from the public on the proposal?
 - (a) If the answer to 2 is no, what were the reasons for not notifying the NSW Law Society?
 - (b) If the answer to 2 is no, does Council plan to invite the NSW Law Society to provide a submission on the impact of changes to Phillip Street for their members?
3. Did Council notify the NSW Supreme Court about the proposed construction of a Cycleway in King Street and Phillip Streets Sydney at any point prior to or during the period feedback being sought from the public on the proposal?
 - (a) If the answer to 3 is no, what were the reasons for not notifying the NSW Supreme Court?
 - (b) If the answer to 3 is no, does Council plan to invite the NSW Supreme Court to provide a submission on the impact of changes to Phillip Street for their operations?
4. Did Council notify the Federal Court of Australia about the proposed construction of a Cycleway in King Street and Phillip Streets Sydney at any point prior to or during the period feedback being sought from the public on the proposal?
 - (a) If the answer to 4 is no, what were the reasons for not notifying the Federal Court of Australia?
 - (b) If the answer to 4 is no, does Council plan to invite the NSW Law Society to provide a submission on the impact of changes to Phillip Street for their operations.

5. What are the names of any organisations notified by Council about the proposed construction of a cycleway in King Street/Phillip Street?
6. What are the names of any organisations invited by Council to participate in the feedback process regards the proposed construction of a cycleway in King Street/Phillip Street?
7. What are the names of any organisations who made submissions to the feedback process for the proposed cycleway on King Street/Phillip Streets?
8. Was any heritage advice sought on the impact of the proposed cycleway on Phillip Street/King Street? If the answer to 8 is yes, who provided the heritage advice and what advice was provided?

X086670

Answer by the Chief Executive Officer

1. Yes. A letter was sent along with an email.
2. Yes. A letter was sent along with an email.
3. Yes. A letter was sent along with several emails.
4. Yes. A letter was sent along with several emails.
5. The organisations notified include owners and occupiers of properties in a large area of the City including Law professionals on King, Phillip and Macquarie Streets. This area is shown below.



6. See response to Part 5.

7. 136 people/organisations had their say on this project. Details of the feedback received are included in the engagement report:
<https://meetings.cityofsydney.nsw.gov.au/documents/s59539/Attachment%20C%20-%20Engagement%20Report.pdf>
8. Specialist heritage consultant City Plan Heritage prepared a Heritage Impact Statement. They advised

“...it is considered by City Plan Heritage that the proposed works associated with the new cycleway along King Street between Pitt and Phillip Streets, ... will result in no impact to the heritage significance of the 'Governor's Domain and Civic Precinct' or the heritage items in proximity...”.

The City also submitted project information to Native Title Services over the same consultation period but received no submissions.

10. Cyclist Safety and Community Attitudes on Active Transport

By Councillor Weldon

Question

1. What is the source organisation for data that informs Council on numbers of cyclists injured in the LGA?
2. What is the source and method of data collection used by Council to report numbers of cyclists using cycleways in the LGA by time of day/day of week and monthly usage?
3. What is the source and method of data collection used by Council to report numbers of cyclists travelling to and from work each day?
4. What is the source and method of data collection regarding the number of cyclists who reside in the LGA who use cycleways in the LGA?
5. What is the source and method of data collection regarding the number of cyclists who reside outside the LGA who use cycleways in the LGA?
6. What is source of the data supplied to Council about the number of cyclists injured by car doorings in the LGA during the past 10 years?
7. If information is not available for the period requested in 6, what period of time is information available for instances of cyclists injured by car doorings?
8. What data is available for location/date/number/number of hospitalisations of cyclists who have been injured by car doorings in the available period?
9. What is the name of the organisation from which Council sources data and interprets data on community attitudes on active transport/cycling/walking/cycleways?
10. Has the source of collection of data on community attitudes on active transport/cycling/walking/cycleways changed during the past 10 years?

X086670

Answer by the Chief Executive Officer

1. NSW Centre for Road Safety (part of Transport for NSW)

2. The City has twenty permanent bicycle counters installed on cycleways which provide hourly data.

The City also has a contract with traffic counting company Matrix to conduct counts at 77 intersections around the LGA twice a year in peak periods (6-9am and 4-7pm) which are published on the City's open data platform <https://data.cityofsydney.nsw.gov.au/>

3. The only journey to work data available is published by Transport for NSW based on data from the Australian Bureau of Statistics census which is conducted on one day every five years.
4. The City has no data on this.
5. The City has no data on this.
6. NSW Centre for Road Safety crash data has police reported crashes for all road users.
7. The City has crash data covering ten years, up until 30 June 2021 which is the latest data available from the NSW Centre for Road Safety.
8. NSW Centre for Road Safety crash data has police reported crashes (a subset of actual hospitalisations) including people riding who were injured by opening car doors (classified as "Road User Movement" code 63). The crash data includes location, date, time, and other crash details. There were 143 reported dooring injuries in the years 2010 to 2020 in the City of Sydney LGA.
9. The City has commissioned research on cycling/active transport community attitudes since 2006 (to inform development of the first Cycling Strategy and Action Plan) with follow up research in 2009, 2012, 2015, 2017 and 2021. Following procurement rules, the company conducting the research depends on the result of the competitive procurement process, so it varies.
10. The process of collecting data on community attitudes continues to be a representative phone or internet survey of the community. The company conducting the research varies as per procurement processes.

11. Applications to use On-Street Car Parking Spaces for Outdoor Dining in Glebe

By Councillor Weldon

Question

1. How many applications have been approved by Council for businesses to use on-street car parking space for outdoor dining in Glebe/Forest Lodge during Covid?
2. What are the locations of the outdoor dining locations where on street parking spaces have been removed?
3. How many car spaces have been removed to make way for outdoor dining at each approved location?
4. Was there any community consultation that occurred with residents and other business prior to the approval being granted by Council for businesses to have outdoor dining on streets in Glebe at each location?
5. If the answer to 4 is yes, what was the extent of the community consultation that occurred.
6. Did Council seek advice from heritage experts on the impact of outdoor dining on the streets?

7. If the answer to 6 is yes, which organisation provided the advice and what was the nature of the advice?
8. Did Council seek advice on the health/safety impact of outdoor dining on the street?
9. If the answer to 8 is yes, which organisation provided the advice and what was the nature of the advice?
10. Was a road safety audit, or other safety investigation required or undertaken prior to or during the installation of outdoor dining to replace parking at each location to assess safety impacts for changes to the street?
11. If the answer to 10 is yes, what is the name of the organisation that undertook the road safety audit or safety investigation at each location and what were the findings of each audit?

X086670

Answer requested by the Chief Executive Officer

1. 13.

2.

Business name	Street No.	Street	Suburb	No. of parking spaces removed	Type of parking restrictions
Tom Yum Tum Gang - to be installed next week	249	Glebe Point Road	Glebe	1	Ticket parking
Forest Lodge Hotel	117	Arundel Street	Forest Lodge	3	Permit parking
The Glebe Hotel	63	Bay Street	Glebe	3	Unrestricted parking
The Toxteth Hotel	345	Glebe Point Road	Glebe	3	Ticket parking
The Charleston Bar	199	Glebe Point Road	Glebe	2	Ticket parking
Descanso	197	Glebe Point Road	Glebe		
Oh My Days	99	Glebe Point Road	Glebe	6	Ticket parking
Jambo Jambo Africa	89	Glebe Point Road	Glebe		
Despana	101	Glebe Point Road	Glebe		
Hannibal Lebanese Cuisine	95-97	Glebe Point Road	Glebe		
The Little Guy	87	Glebe Point Road	Glebe		
Vecino	91	Glebe Point Road	Glebe		
The Nags Head Hotel	162-164	St Johns Road	Glebe	1	Timed parking

3. See above table for number of spaces for each location. A total of 19 car spaces have been temporarily removed in the area.
4. Yes. Each application was on public consultation for 10 days. The application was included on the City's website, notification letters were delivered to neighbouring properties and the application was notified to subscribers by email through the City's planning newsletter. All submissions are considered and addressed during the assessment of each application in accordance with the requirements of the Outdoor Dining Guidelines. Any barriers that fronted neighbouring commercial properties were contacted to obtain their written support before proceeding.
5. See above response to Part 4.
6. No. This was due to the temporary nature of on-street dining areas and in order to quickly respond to the economic situation. There are no permanent, ongoing visual, or physical impacts associated with on-street dining on heritage items or conservation areas.
7. See above response to Part 6.
8. The City commissioned a Road Safety Auditor to undertake a road safety review of three on-street outdoor dining installations located at the following sites:
 - (a) Stanley Street, Darlinghurst (southern side cluster)
 - (b) Lower Fort Street, Millers Point (Hero of Waterloo)
 - (c) Goulburn Street, Sydney (Maloney's Hotel)

The above sites were some of the early outdoor dining installations in the program and were chosen to identify any potential safety risks associated with on-street outdoor dining. Further to this the City's Traffic Engineer and contractor QMC conducted an assessment of all sites to identify any safety risks prior to installation. In principal approval was gained from Transport for NSW and NSW Police before proceeding to Planning Assessment and Local Pedestrian, Cycling and Traffic Calming Committee endorsement. Each site is subject to the Outdoor Dining Guidelines, endorsed by Council, that have provisions for safe and enjoyable dining experiences for customers.

9. The City commissioned DC Engineering to undertake the road safety checks for the three outdoor dining locations described above. The report resulted in a condition applied to all approvals requiring the outdoor dining area having a safety offset of 500mm from the base of the inside edge of the installed concrete barriers including all furniture and structures.
10. See above responses to Parts 8 and 9.
11. See above responses to Parts 8 and 9.

12. Council Owned Properties on Oxford Street

By Councillor Ellsmore

Question

1. What properties does Council own on Oxford Street, and in the Oxford Street precinct?
2. In brief, what management arrangements are currently in place for each of the properties?
3. What are each of those properties currently being used for?

Answer by the Chief Executive Officer

The City owns the three addresses at 56-76, 82-106 and 110-122 Oxford Street, Darlington.

On 25 November 2019, the City entered into a Development Deed and 99 year Lease with AM Darlington Investment Pty Ltd (Ashe Morgan), to acquire, implement and manage a successful transformation and repositioning of these properties in an urban revitalisation/activation context with uses that support core urban activation concept including significant cultural destination at local / international level.

Ashe Morgan and its development partner, Toga Pty Limited, are progressing through the planning process and are on schedule for a two staged refurbishment completing in 2023 including an upgrade to Foley Street, from Oxford Square to Taylor Square.

The City also owns properties at 136 Oxford Street Darlington - comprising the redundant Taylor Square Sub Station and underground toilets which are subject to a Conservation Management Plan, and 247 Oxford Street – the Paddington Town Hall site comprising:

- Palace Cinemas - a commercial lease to Palace Cinemas. This is a 10-year lease commencing in 2016. The option period is currently being finalised. The lease expiry will be 2026.
- Cobbstar - an Accommodation Grants Program tenant who operate as a film recording studio and creative industries workspace. The current lease expired 31 January 2022 and the tenant is currently on holdover.
- Eastside Radio – an Accommodation Grants Program tenant who operate a community radio station. The lease expiry is 30 June 2024.
- A venue for hire managed by the City.

13. Definition of Creative Space, Activity or Organisation

By Councillor Ellsmore

Questions

1. What is the current definition of a creative space, under Council planning instruments?
2. What is the current definition of a creative space, under Council policies, including grant guidelines?
3. What is the current definition of a creative use or activity, under Council planning instruments?
4. What is the current definition of a creative use or activity, under Council policies, including grant guidelines?
5. What is the current definition of a creative organisation or body, under Council planning instruments?
6. What is the current definition of a creative organisation or body, under Council policies, including grant guidelines?

X086664

Answer by the Chief Executive Officer

1. There is no definition of creative space (or similar) in Council's current planning controls.

The Oxford Street Planning Proposal proposes the following clause to define cultural and creative gross floor area in the Oxford Street precinct:

'Cultural and creative GFA means the gross floor area of the building used or proposed to be used for the purpose of live entertainment, performing arts, fine arts and craft, design (fashion, industrial or graphic), media, film and television, photography or publishing, or museums and archives dedicated to these purposes.'

2. The City's grants guidelines refer to Creative Space as follows:

The City provides support through the Creative Spaces Grant program under two categories:

- Work spaces are offered to organisations or creative workers for their projects or practice through the provision of subsidised workshop, office, rehearsal, retail and exhibition space.
- Live/Work spaces are offered to artists and creative practitioners to live and work in the city at below market rental in response to the challenges they face in obtaining affordable inner city housing and creative facilities

<https://www.cityofsydney.nsw.gov.au/policies/grants-and-sponsorship-policy>

3. In relation to Late Night Trading, section 3.15 of Sydney Development Control Plan 2012 defines 'performance, creative or cultural uses' as follows:

'Performance, creative or cultural uses include:

- Live entertainment, being an event at which one or more persons are engaged to play or perform live or pre-recorded music, or a performance at which the performers (or at least some of them) are present in person; or
- Display, projection or production of an artwork, craft, design, media, image or immersive technology; or
- Rehearsal, teaching or discussion of art, craft, design, literature or performance.

Note: The definition of live entertainment is consistent with clause 102 of the Liquor Regulation 2018.'

Clause 7.22A(2)(a) of the Sydney Local Environmental Plan 2012 describes a 'creative purpose' in relation to the adaptation of non-residential buildings in a residential zone as follows:

'the relevant existing building will be used for a creative purpose that involves media, fine arts and craft, design (fashion, industrial or graphic), film and television, photography or publishing,'

The Sydney Local Environmental Plan 2012 (and other standard instrument local environmental plans) includes a definition for 'creative industry' as follows:

'creative industry means a building or place the principal purpose of which is to produce or demonstrate arts, crafts, design or other creative products, and includes artists' studios, recording studios, and set design and production facilities. Note—Creative industries are a type of light industry'

The City's Open and Creative Planning Proposal and Development Control Plan were approved by Council in March 2021. They will come into force when the planning proposal is finalised by NSW Department of Planning and Environment. The Planning Proposal and Development Control Plan include the following definition of small-scale cultural activities:

'Small scale cultural activities include:

- (a) live entertainment, (being an event at which one or more persons are engaged to play or perform live or pre-recorded music, or a performance at which at least some of the performers are present in person), including the presentation or rehearsal of music, film, theatre, spoken word, comedy or dance, or
- (b) the production or an event in association with an exhibition of art, craft, design, media, image or immersive technology, or
- (c) teaching or discussion related to (a) or (b).'

The Oxford Street Planning Proposal proposes clauses which describe a creative purpose (emphasis added) as follows:

'Development consent must not be granted under subsection (3) to development where there are no existing cultural and creative uses on site unless the consent authority is satisfied that 10 per cent of the total GFA is allocated ***within the development for a creative purpose that is live entertainment, performing arts, fine arts and craft, design (fashion, industrial or graphic), media, film and television, photography or publishing, or museums and archives dedicated to these purposes.***'

4. The definition of Culture and Cultural Life is defined in the Creative City Cultural Policy and Action Plan 2014-2024 (p16).

<https://www.cityofsydney.nsw.gov.au/strategies-action-plans/creative-city-cultural-policy-action-plan>

This strategy includes actions related to the provision of space for creation and production in the City of Sydney.

Since then the City has undertaken substantial research to map and define different types of Creative Space.

The City commissioned a UWS study in 2016 which categorises and defines the following creative spaces:

- Performance and Exhibition
- Community and Participation
- Commercial and Enterprise
- Practice, Education Development
- Festival, Event and Public Space

The City also published Making Space for Culture in 2020 which analysed Creative Space in the City of Sydney using Floorspace Employment Data and ABS Data.

<https://www.cityofsydney.nsw.gov.au/surveys-case-studies-reports/understanding-the-cultural-sector-research-and-studies>

5. A creative organisation or body is not defined in Council's current planning controls.
6. See response to Part 4 above.

Item 10 Supplementary Answers to Previous Questions

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

Item 11 Notices of Motion

Item 11.1 Closing the Gap

Moved by Councillor Scott, seconded by Councillor Weldon –

It is resolved that:

(A) Council note:

- (i) the City of Sydney is keenly committed to Reconciliation and addressing the disproportionate disadvantage experienced by Aboriginal and Torres Strait Islander peoples;
- (ii) a National Agreement on Closing the Gap has been developed to enable Aboriginal and Torres Strait Islander people and governments to work together to overcome the inequality experienced by Aboriginal and Torres Strait Islander people, and achieve life outcomes equal to all Australians;
- (iii) the National Agreement requires each jurisdiction (state and territory) to have an implementation plan in place to Close the Gap by July 2021;
- (iv) the NSW Coalition of Aboriginal Peak Organisations (CAPO) and NSW Government have been developing a NSW Implementation Plan for Closing the Gap which is currently Cabinet-in-confidence and not publicly available;
- (v) CAPO have notified the City that they will conduct community consultations in our local area for our community to provide input into the NSW Government's Closing the Gap Implementation Plan;
- (vi) councils across Australia are highly engaged in the priority reform areas and socio-economic targets referred to throughout the National Agreement on Closing the Gap including early childhood care and development; social and emotional wellbeing initiatives; housing, health, disability inclusion, social cohesion, inclusion and anti-racism initiatives; prevention of family and domestic violence and community infrastructures;
- (vii) local government engagement will be crucial to ensuring the success of Closing the Gap initiatives;
- (viii) all councils have a role to play and should develop their own strategies to close the gap;
- (ix) staff have met with staff from the NSW Government Department of Aboriginal Affairs who have advised that they will issue guidance to Local Government on their proposed aims and methodology for Closing the Gap Strategy;
- (x) the Closing the Gap Local Government Factsheet - Guidance for Local Councils is available on the Department's website and includes suggested actions/prompts for meeting the targets of Closing the Gap's five priority areas;

- (xi) on 27 July 2021 Council unanimously:
 - (a) requested the Chief Executive Officer to seek advice and comment on the development of a Closing the Gap Strategy from the Aboriginal and Torres Strait Islander Advisory Panel; and
 - (b) pending advice received from the Aboriginal and Torres Strait Islander Advisory Panel, requested City staff consider a Closing the Gap Strategy which builds on and links to the existing City Stretch Reconciliation Action Plan, outlining how Council can contribute and is contributing to the priority reform areas and socioeconomic targets in the National Agreement for Closing the Gap as soon as practicable following appropriate community consultation with local Aboriginal stakeholders and organisations;
- (xii) NSW Aboriginal Affairs briefed the City's Aboriginal and Torres Strait Islander Advisory Panel at their October 2021 meeting;
- (xiii) the action arising out of this briefing and subsequent discussion was "Further Closing the Gap consultation information will be provided to the Panel";
- (xiv) draft priority reform areas and socioeconomic targets to Close the Gap that the Council is already taking, and will contribute in future, have been added to the City's draft Community Strategic Plan: Sustainable Sydney 2030-2050 to be considered by Council by June 2022; and
- (xv) the City will undertake a stocktake of partnerships between the City and Aboriginal community and stakeholders, and provide this to the Closing the Gap team at NSW Aboriginal Affairs by March; and
- (B) alongside the Aboriginal and Torres Strait Islander Advisory Panel, the Chief Executive Officer be requested develop a Closing the Gap Strategy for Council endorsement as part of the City's 2022 Community Strategic Plan to:
 - (i) outline how Council can contribute and is contributing to the priority reform areas and socioeconomic targets in the National Agreement on Closing the Gap;
 - (ii) consult on the Closing the Gap actions that will form part of the Community Strategic Plan during the public exhibition period for the Community Strategic Plan;
 - (iii) consult on the Closing the Gap actions that will form part of the Community Strategic Plan with local Aboriginal stakeholders and organisations; and
 - (iv) continue to advocate to the NSW Government to allow the City to increase Indigenous employment and procurement, and include targets the City could meet if supported to by the NSW Government.

Carried unanimously.

X086655

**Item 11.2 Council Community Centres, Creative Centres, Town Halls,
Neighbourhood Centres and Community Venues**

Procedural Motion

At this stage of the meeting, it was moved by Councillor Scott, seconded by Councillor Scully –

That Item 11.2 be withdrawn.

Carried unanimously.

Item 11.3 FOGO Food Recycling

Moved by Councillor Scott, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) food scraps currently account for 40 per cent of the makeup of household bins in Australia and have detrimental impacts on our environment due to the production of toxins, leachate and green house gases;
- (ii) in the National Waste Policy Action Plan, the Australian Government along with states and territories have agreed to the introduction of FOGO collection services to households and businesses by 2023;
- (iii) the City of Sydney area produces more than 5,500 tonnes of waste every day and contributes to approximately 8 per cent of the city's total greenhouse gas emissions;
- (iv) the City of Sydney's 'Leave Nothing to Waste' Strategy and Action Plan 2017 – 2030 identified two priority areas:
 - (a) Improving recycling outcomes; and
 - (b) Promote innovation to avoid waste;
- (v) the City currently delivers a fortnightly garden organics (GO) service which is available to all residential properties within the Local Government Area; 5567 (30 per cent) single unit dwellings and 789 (44 per cent) multi-unit dwellings use this service;
- (vi) on 29 July 2019, the City commenced a trial food scraps (FO) collection service for selected residential properties, which concluded on 31 October 2021;
- (vii) the trial service has continued for properties already receiving the service, with 1005 (5.5 per cent) single unit dwellings and 207 (11.5 per cent) multi-unit dwellings participating in the service;
- (viii) in the 2021 calendar year, the City collected 1709 tonnes of garden organic waste and 475 tonnes of food waste; and
- (ix) that full household FOGO collection is currently undertaken by a large number of NSW councils, including the Inner West Council, Woollahra, Randwick, Penrith, Dubbo, Forbes, Parkes and Bega Valley Shires;

(B) Council, in line with the National Waste Policy Action Plan, commit to providing food organic and organics waste recycling (FOGO) to City of Sydney households during the current term of Council; and

(C) the Chief Executive Officer be requested to report back to Council via the CEO Update on progress to achieve this objective and on how the transition to FOGO can be implemented in the Council's budgets between now and the 2023/2024 budget.

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

It is resolved that:

(A) Council note:

- (i) food scraps currently account for 40 per cent of the makeup of household bins in Australia and have detrimental impacts on our environment due to the production of toxins, leachate and greenhouse gases;
- (ii) in the National Waste Policy Action Plan, the Australian Government along with states and territories, have agreed to the introduction of FOGO collection services to households and businesses by 2023;
- (iii) the City of Sydney area produces more than 5,500 tonnes of waste every day and contributes to approximately 8 per cent of the city's total greenhouse gas emissions. Resultantly, we have a responsibility to ensure we are providing a diversified system of waste management practices for City residents within their homes; and
- (iv) the City of Sydney's 'Leave Nothing to Waste' Strategy and Action Plan 2017 – 2030 identified two priority areas:
 - (a) improving recycling outcomes; and
 - (b) promoting innovation to avoid waste;
- (v) the City currently delivers a fortnightly garden organics (GO) service which is available to all residential properties within the Local Government Area; 5567 (30 per cent) single unit dwellings and 789 (44 per cent) multi-unit dwellings use this service;
- (vi) on 29 July 2019, the City commenced a trial food scraps (FO) collection service for selected residential properties. The formal trial period concluded on 31 October 2021; the service has continued for properties already receiving the service. The trial is currently under review;
- (vii) the trial service has continued for properties already receiving the service, with 1005 (5.5 per cent) single unit dwellings and 207 (11.5 per cent) multi-unit dwellings participating in the service;
- (viii) in the 2021 calendar year, the City collected 1709 tonnes of garden organic waste and 475 tonnes of food waste; and
- (ix) that full household FOGO collection is currently undertaken by a large number of NSW councils, including the Inner West Council, Woollahra, Randwick, Penrith, Dubbo, Forbes, Parkes and Bega Valley Shires;

(B) Council note that the City of Sydney is committed to developing a food organics and organic garden waste recycling service in line with the NSW Waste and Sustainable Materials Strategy 2041 Stage 1 plan: 2021–2027 (the Strategy), and that residential waste management in Australia is devolved to state governments; and

- (C) when the legislative requirements are confirmed for the Strategy, which is anticipated in April 2022, that outlines the requirements for Councils to provide a food and garden organics service, the Chief Executive Officer be requested to present an options paper to Council that takes into account the review of the Food Scraps trial, to decide on the delivery of FOGO within this term.

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

X086655

Item 11.4 Rushcutters Bay Park - Kayaks

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

It is resolved that:

(A) Council note:

- (i) the importance of physical exercise for the wellbeing of residents and that:
 - (a) kayaking is an increasingly popular form of physical exercise in the City of Sydney;
 - (b) equality of access to the harbour is a policy that this Council has reaffirmed at previous meetings;
 - (c) according to the Rushcutters Bay Park Plan of Management snapshot, 74 per cent of residents use Rushcutters Bay Park for physical exercise; and
 - (d) the Rushcutters Bay masterplan affirms the importance of stair access to the harbour;
- (ii) Potts Point, Elizabeth Bay, Rushcutters Bay and surrounding suburbs are some of the densest suburbs in Australia;
- (iii) that a majority of residents in these suburbs live in apartments;
- (iv) that most apartments in the area do not come with adequate storage space;
- (v) that removing the right to store kayaks at Rushcutters Bay Park disproportionately impacts residents who cannot afford large apartments or houses with adequate storage; and
- (vi) that residents have been storing their kayaks down at Rushcutters Bay Park for many years without issue; and

(D) the Chief Executive Officer be requested to:

- (i) cease any current action taken against residents who store their kayaks at Rushcutters Bay Park, including the impounding of kayaks stored at Rushcutters Bay Park;
- (ii) investigate immediate and long-term alternatives for the storage of kayaks at Rushcutters Bay Park, including the option of installing free-to-use kayak racks, similar to that of bike racks;
- (iii) establish ongoing community consultation with residents in the area regarding the storage of kayaks at Rushcutters Bay Park; and
- (iv) regularly notify Councillors through the CEO Update of all progress of Council's community consultation and alternative storage options.

Variation. At the request of the Chair (the Lord Mayor) and by consent, the motion was varied such that it read as follows –

It is resolved that:

(A) Council note:

- (i) the importance of physical exercise for the wellbeing of residents and that:
 - (a) kayaking is an increasingly popular form of physical exercise in the City of Sydney;
 - (b) equality of access to the harbour is a policy that this Council has reaffirmed at previous meetings;
 - (c) according to the Rushcutters Bay Park Plan of Management snapshot, 74 per cent of residents use Rushcutters Bay Park for physical exercise; and
 - (d) the Rushcutters Bay masterplan affirms the importance of stair access to the harbour;
- (ii) Potts Point, Elizabeth Bay, Rushcutters Bay and surrounding suburbs are some of the densest suburbs in Australia;
- (iii) that a majority of residents in these suburbs live in apartments;
- (v) since the start of the pandemic, more people have taken up kayaking and purchased their own kayaks, which they store along the foreshore areas of Rushcutters Bay Park and Beare Park because they do not have adequate storage in their apartments;
- (vi) many people have complained to the City about the significant build-up and storage of kayaks at Rushcutters Bay Park and Beare Park without Council approval;
- (vii) the City asked people to remove their kayaks because their build-up can restrict public access to the parks, create an obstruction for the City's park maintenance staff, and impacts on the visual amenity of the area;
- (viii) it is important that people respond to the City's call to retrieve their watercraft from the foreshore and if they don't, the City can assume they do not want their property anymore or wish to contribute to the discussion about a long-term storage solution; and

(B) the Chief Executive Officer be requested to:

- (i) update signage at Rushcutters Bay Park and Beare Park to include a QR code with additional information and to encourage owners of watercraft at those foreshore areas to come forward and claim their property so the City can determine who the regular users are and get information from them to help inform a long-term storage solution including a kayak share scheme;
- (ii) work with owners of claimed watercraft to allow access to the harbour from those foreshore areas while a longer-term solution is found;

- (iii) investigate long-term alternatives for the storage of kayaks at Rushcutters Bay Park, including the option of installing free-to-use kayak racks, similar to that of bike racks;
- (iv) establish community consultation with residents in the area regarding the storage of kayaks at Rushcutters Bay Park; and
- (v) regularly notify Councillors through the CEO Update of all progress of Council's community consultation and alternative storage options.

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

X086658

Item 11.5 Statement of Support for Public Ownership and Control of Council-Run Spaces

Moved by Councillor Ellsmore, seconded by Councillor Scott -

It is resolved that Council:

- (A) affirms its commitment to public ownership and control of community centres, neighbourhood centres, town halls and other community spaces which are currently run by Council;
- (B) notes the recent community concern about potential changes to ownership and control of Council-run spaces;
- (C) notes and welcomes the Lord Mayor's recent correspondence to community groups confirming that Council has no plans to private or outsource Council-run spaces;
- (D) commits to maintain Council ownership and management of Council-run community centres, neighbourhood centres, town halls and other Council-run spaces;
- (E) notes that where Council is considering involving a non-Council organisation, staff or operator in the management or control of a space that is currently run by Council, that this is brought to the elected Council for determination;
- (F) if changes are proposed to the management or control of one or more Council-run spaces, commits to ensure that a specific, locally-targeted community consultation is included as part of the consultation and advertising undertaken before a determination is made; and
- (G) notes that this resolution is not intended to impact short term use agreements, leases or licences that enable the use of Council-run spaces by the community, for example the hire of a space by the community for an event, meeting, or community program.

The motion was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

The motion was lost.

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

X086659

Item 11.6 Deferral of Oxford Street Planning Changes until Community Consultation on the 'Oxford Street LGBTIQA+ Cultural and Social Place Strategy' is Completed

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that Council:

- (A) notes and affirms its commitment to the development of an Oxford Street LGBTIQA+ Cultural and Social Place Strategy, which will protect, celebrate and help ensure the future of Oxford Street as a world leading LGBTIQA+ precinct;
- (B) notes that substantial work has been undertaken by Council to develop the Oxford Street LGBTIQA+ Cultural and Social Place Strategy;
- (C) notes that the elected Council will shortly be asked to endorse the draft strategy for community consultation;
- (D) notes that the strategy will include aims or actions relevant to the planning and development of Oxford Street, including in relation to creative spaces and affordable spaces for the community to use and access; and
- (E) commits to defer consideration of planning proposals or other changes to development rules for Oxford Street until after the public consultation on the Oxford St LGBTIQA+ Cultural and Social Place Strategy has been completed, and Council has the opportunity to consider the final strategy.

The motion was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

The motion was lost.

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

X086659

Extension of Time

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

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

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

Carried unanimously.

At 8.04 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 11 April 2022 at which
meeting the signature herein was subscribed.