

Council

Meeting No 4

Monday 16 May 2022

Notice No 4/1641

Notice Date 12 May 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 5.02 pm, those present were:-

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

The Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Director People, Performance and Technology, Director City Planning, Development and Transport, Director Legal and Governance, Director City Life, Director City Services and Director Strategic Development and Engagement were also present.

Remote Meeting

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

Opening Prayer and Acknowledgement of Country

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

Webcasting Statement

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

Item 1 Confirmation of Minutes

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

That the minutes of the meeting of Council of Monday 11 April 2022, as circulated to Councillors, be confirmed, subject to the following amendments:

1. Delete Councillor Scott's disclosures of interest with regards to Dan Skehan and Brendan Lonergan (both relating to Item 8.3 on the agenda) on page 7 of the 11 April 2022 Council Minutes. These disclosures were not made at the meeting; and
2. Clarify Councillor Scott's disclosure of interest with regards to Daniel Richardson (relating to Item 8.3 on the agenda) on page 7 of the 11 April 2022 Council Minutes, as follows:
 - a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that Daniel Richardson, of South Dowling Street made a donation of \$140 to Councillor Scott in 2019.

In neither of these cases did any of the individuals make representations to Councillor Scott in relation to this matter.

Carried unanimously.

Item 2 Disclosures of Interest

Councillor Jess Scully disclosed a less than significant, non-pecuniary interest in Item 7.2 on the agenda, as she has previously spoken with business operators in the Stanley Street precinct about pursuing street closure initiatives to encourage foot traffic into the area and support their recovery from the pandemic. Councillor Scully stated that she considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had any contact with the applicant about their grant application and was not aware of the recommendation until the Committee papers were published.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.10 on the agenda, in that she is currently on the advisory group for the CSIRO Ending Plastic Waste Mission in her capacity as President of the Australian Local Government Association. 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, in her capacity as an advisory group member, she discusses strategic matters only. She further stated that she has not been contacted by the CSIRO or anyone else in relation to this issue.
- a less than significant, non-pecuniary interest in Item 7.2 on the agenda, as she has known Jason Yat-Sen Li, who is a member of the Haymarket HQ Advisory Board, in a personal capacity for many years. Jason is the elected Labor representative for the seat of Strathfield in NSW. 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 has not spoken to Mr Li in relation to the Knowledge Exchange Sponsorship program and does not see this as a significant conflict of interest as a result.
- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, as Ian Roberts, a member of the Qtopia organising committee, was a candidate on the City of Sydney Labor ticket in the 2021 local government elections. Councillor Scott stated that this non-pecuniary conflict of interest is not significant and does not require further action in this circumstance as she believes all representations from Qtopia have been delivered to all Councillors equally.
- a less than significant, non-pecuniary interest in Item 13.12 on the agenda, in that she is the President of Australian Local Government Association, the peak body and advocacy organisation for Australian Councils. Councillor Scott stated that this is a less than significant, non-pecuniary interest as the motion pertains to advocacy to other levels of government or motions for the Local Government funding priorities.

Councillor HY William Chan made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in that he was involved in organising and hosting a series of events for Spark Festival, an annual national event for startups, innovators and entrepreneurs:
 - in 2020, *The Great Australian Reset – Shaping a Clean Energy Revolution*; and
 - in 2021, *Innovation City: Incubating Place and Culture for Entrepreneurship*.

Noting that Spark Festival has been recommended for \$100,000 funding, Councillor Chan stated that he has not been involved in this grant proposal nor the assessment process, and his involvement with Spark Festival events was in a voluntary capacity. Councillor Chan stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he collaborates with Spark Festival as a member of Sydney's startup community, receives no reimbursement for his participation and has not been involved with this grant application.

- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that he was commissioned by Destination NSW as a public artist and designed a light installation artwork at Circular Quay for Vivid Sydney in 2012. Councillor Chan stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not worked in any commissioned capacity with Vivid Sydney or Destination NSW since 2012.

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

Item 3 Minutes by the Lord Mayor**Item 3.1 Support for the Transgender Community****Minute by the Lord Mayor**

To Council:

I am proud to say that the City of Sydney is home to the largest LGBTIQ+ community in Australia. While this is mainly due to the pioneering activities of queer activists in the 70s and 80s, I hope it is also because *all* of the diverse members of this community feel truly welcome here.

The City of Sydney aspires to be a vibrant and inclusive city in which its people and communities feel a deep sense of belonging. We want people to feel confident in themselves and connected to their neighbours.

This is why the City recently granted seed funding to Qtopia, a museum that will celebrate the history and culture of the LGBTIQ+ community in Sydney and Australia. We established Equality Green in Prince Alfred Park after people spontaneously gathered there to celebrate the successful outcome of the same-sex marriage referendum, and in 2021, we installed a 90-metre rainbow path to commemorate that special event. Through our grants and sponsorship program, we support numerous LGBTIQ+ organisations and events, including Mardi Gras, the most colourful night in Sydney's social calendar. And next year, we will host WorldPride, the largest event in Sydney since the Olympics.

Yet despite the progress we've made as a society when it comes to celebrating the contributions and achievements of LGBTIQ+ people, too many LGBTIQ+ people regularly experience discrimination and exclusion. This has a devastating impact on their mental health and wellbeing. When it comes to trans people, we know that:

- 8 in 10 trans people have been treated badly because of their gender identity in the past 12 months;
- 8 in 10 trans people have contemplated suicide;
- trans people between the ages of 14 and 25 are fifteen times more likely to attempt suicide than the general population; and
- 1 in 10 trans people have attempted suicide in the past 12 months.

Despite these shocking statistics, politicians have recently taken it upon themselves to stigmatise trans and gender diverse people by airing ignorant views about their participation in sport as part of the election campaign. This really is a new low – bullying some of our most vulnerable community members, including children, for the sake of a few headlines.

And unfortunately, trans and gender diverse people, their families and support groups have told us that this ugly debate has led to an increase in harassment and violence against them and undermined their sense of belonging on the sports field. It has also undermined years of investment by local sporting clubs in supporting trans people to play and compete along with everyone else.

In 2019, the Australian Human Rights Commission partnered with Sports Australia and the Coalition of Major Professional and Participation Sports to develop *Guidelines for the inclusion of transgender and gender diverse people in sport*. As these Guidelines make clear, sport provides physical, social and mental health benefits, which we are all entitled to enjoy, regardless of our sex or gender.

We must all play our part in supporting vulnerable members of our community when they are targeted by bullies. The City of Sydney has supported the Transgender Day of Remembrance since 2006. All of its facilities have been accredited under ACON's Welcome Here Program, which means our spaces are safe and free from discrimination and prejudice. And we proudly fly the Progress and Rainbow Flags around the City during times of significance to our LGBTIQ+ community. But clearly there is still more work to be done.

I would also like to take this opportunity to pay my respects to Davina, an elderly trans woman from Glebe who joined me at Mardi Gras every year until her recent passing. Davina was a loved and loving member of our community. She volunteered in my office over many years when I was the Member for Sydney and Bligh, doing what she could to make life better for others, even though her own life was far from easy. It is incomprehensible to me that anyone would deny Davina – or any trans person – the respect and dignity we all deserve, simply because she was courageous enough to stay true to herself and live a life that was authentically hers.

To trans and gender diverse people across the City of Sydney, I want you to know that we cherish you, and we are proud of the invaluable contribution you have made to our history and culture.

I call on my fellow Councillors to join me in expressing our support for trans and gender diverse people and pledging to do more to ensure they feel safe and included.

Recommendation

It is resolved that:

- (A) Council note – with profound sadness – the high mental health, self-harm and suicide rates of trans and gender diverse people as a result of the stigma and discrimination they face, including from Australia's politicians;
- (B) Council support the NSW LGBTIQ+ Health Strategy which lists the actions government service providers must take to ensure all LGBTIQ+ people can access safe, inclusive and responsive healthcare;
- (C) Council commend the efforts of major sporting codes and associations to make sport more inclusive for trans people, including by developing *Guidelines for the inclusion of transgender and gender diverse people in sport*;
- (D) the Chief Executive Officer be requested to work with ACON's Transhub, the Gender Centre, Twenty10, Transpride, Equality Australia and other advocacy groups for trans and gender diverse communities to identify how the City can further support trans and gender diverse people, including by:
 - (i) ensuring its facilities are inclusive, and
 - (ii) identifying programs and events to promote the health and wellbeing of trans people and their families, such as the commendable Trans and Gender Diverse Swim Night recently held by Inner West Council; and

- (E) the Lord Mayor be requested to write to the Prime Minister and NSW Premier to express the City of Sydney's support for treating transgender and gender diverse people with respect and dignity, including when it comes to their inclusion in sport.

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.

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

It is resolved that:

- (A) Council note – with profound sadness – the high mental health, self-harm and suicide rates of trans and gender diverse people as a result of the stigma and discrimination they face, including from Australia's politicians;
- (B) Council note that the City of Sydney is a proudly welcoming and diverse community for LGBTIQ+ people of all backgrounds, including trans and gender diverse people;
- (C) Council acknowledge that all people have the fundamental right to live free from discrimination and abuse;
- (D) Council support the NSW LGBTIQ+ Health Strategy which lists the actions government service providers must take to ensure all LGBTIQ+ people can access safe, inclusive and responsive healthcare;
- (E) Council commend the efforts of major sporting codes and associations to make sport more inclusive for trans people, including by developing *Guidelines for the inclusion of transgender and gender diverse people in sport*;
- (F) Council reaffirms its commitment to diversity in sport, and supports and encourages sporting organisations in the City of Sydney who actively work to include trans and gender diverse people in their organisations;
- (G) the Chief Executive Officer be requested to work with ACON's Transhub, the Gender Centre, Twenty10, Transpride, Equality Australia and other advocacy groups for trans and gender diverse communities to identify how the City can further support trans and gender diverse people, including by:
- (i) ensuring its facilities are inclusive, and
 - (ii) identifying programs and events to promote the health and wellbeing of trans people and their families, such as the commendable Trans and Gender Diverse Swim Night recently held by Inner West Council; and
- (H) the Lord Mayor be requested to write to the Prime Minister and NSW Premier to express the City of Sydney's support for treating transgender and gender diverse people with respect and dignity, including when it comes to their inclusion in sport.

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

Item 4 Memoranda by the Chief Executive Officer

There are no Memoranda by the Chief Executive Officer for this meeting of Council.

Item 5 Matters for Tabling

5.1 Disclosures of Interest

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

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

Carried unanimously.

5.2 Petitions

(a) Pitt Street, Redfern

The following Petition, of which notice was given by the Lord Mayor, Councillor Clover Moore, was tabled.

We write with reference to the Waterloo Estate (South) Plan which is available at: <https://pp.planningportal.nsw.gov.au/ppr/under-exhibition/waterloo-estate-south>. Below we refer to this as the “Plan” and page numbers refer to pages in the Transport Study contained within the Plan.

As you may be aware, the Plan intends to extend Pitt Street southwards to connect with McEvoy Street. This is “the only significant works proposed to the external road network as a result of the Waterloo South development” (p. 70), however we believe that it will adversely impact on the neighbourhood immediately north of Waterloo Estate, at Pitt Street Redfern.

Pitt Street has been closed at McEvoy Street for well over 30 years.

The Plan indicates at 6.7.5 that the proposed opening of Pitt Street at McEvoy Street is to allow all movements into and out of Waterloo South, and then at page 58, it indicates that opening up Pitt Street at McEvoy will “remove a significant number of right turn movements from the Botany Road/McEvoy Street intersection”. In our opinion, traffic management on Botany and Elizabeth Streets, as well as the use of “traffic calming measures including pedestrian crossings and threshold treatments, narrowing of the street and low speed limits” on Pitt Street Redfern (pages 61-62) are out of scope for Waterloo Estate Planning and they should not be making these decisions that will impact our neighbourhood at Pitt Street, Redfern.

We ask that Council implement a cul-de-sac in consultation with residents and rate-payers on Pitt Street Redfern in order to maintain the no-through status from McEvoy Street. This will not impact on the Waterloo Estate plan and will remove any false sense of security that traffic calming measures might provide.

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

It is resolved that the Petition 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 3.35pm, 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 3.52pm, all Councillors were present.

Report of the Corporate, Finance, Properties and Tenders Committee

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 9 May 2022 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.2, and 6.4 to 6.10 inclusive being adopted in globo, and Item 6.3 being dealt with as shown immediately following that item.

Carried unanimously.

Item 6.1**Disclosures of Interest**

Councillor Linda Scott disclosed a less than significant non-pecuniary interest in Item 6.10 on the agenda, in that she is currently on the advisory group for the CSIRO Ending Plastic Waste Mission in her capacity as President of the Australian Local Government Association. 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, in her capacity as an advisory group member, she discussed strategic matters only.

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

2021/22 Quarter 3 Review - Delivery Program 2017-2021

It is resolved that Council:

- (A) note the financial performance of Council for the third quarter, ending 31 March 2022, including the Quarter 3 Net Surplus of \$32.7M and the full year Net Surplus forecast of \$22.3M, as outlined within the report and summarised at Attachment A to the subject report;
- (B) note the Quarter 3 Capital Works expenditure of \$118.0M and a revised full year forecast of \$177.4M, and approve the proposed adjustments to the adopted budget, including transferring \$1.0M from capital works contingency and bringing forward \$2.2M of future year's funds into 2021/22 as detailed at Attachment B to the subject report;
- (C) note the Technology and Digital Services capital expenditure of \$11.0M and the full year forecast of \$16.2M;
- (D) note the Quarter 3 Plant and Assets expenditure of \$4.6M (net of disposals), and the full year net forecast of \$12.0M;
- (E) note the Quarter 3 net Property Divestment proceeds of \$33.8M, and the full year forecast net Property Divestment of \$24.1M;
- (F) note the supplementary reports, including contracts issued over \$50,000, major legal issues, property and land use matters approved under delegation, international travel and the Quick and Community Emergency Quick Response, Banner Pole and Venue Hire Support Grant Programs in Quarter 3, as detailed in Attachment C to the subject report; and
- (G) note the seventh Community Recovery Plan report, as shown at Attachment D to the subject report.

Carried unanimously.

X039568

Item 6.3

Public Exhibition - Integrated Planning and Reporting Program and Budget 2022/23

Note – the recommendation of the Corporate, Finance, Properties and Tenders Committee was not adopted. The following alternative recommendation was adopted (as contained in the Information Relevant To Memorandum dated 16 May 2022 from the Director City Life, circulated prior to the meeting).

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

It is resolved that:

- (A) Council endorse the suite of Integrated Planning and Reporting documents for public exhibition for a period of 28 days, including:
 - (i) the draft Delivery Program 2022 - 2026 as shown at Attachment A to the subject report;
 - (ii) the draft Operational Plan 2022/23 as shown at Attachment B to the subject report; and

- (iii) the draft Resourcing Strategy 2022 as shown at Attachment C to the subject report;
- (B) Council endorse the draft Operating and Capital Budget, and future years' forward estimates, as reflected in the Operational Plan 2022/2023 and draft Resourcing Strategy (2022) including:
- (i) Operating income of \$651.1M, operating expenditure before depreciation of \$530.1M for an Operating Result of \$121.0M, and a Net Surplus of \$77.1M after allowing for interest, depreciation and capital contributions;
 - (ii) Capital Works expenditure of \$202.1M and a capital works contingency of \$10.0M;
 - (iii) Plant and Assets net expenditure of \$19.9M including Information Technology Capital Works of \$7.0M; and
 - (iv) Net Property Acquisitions of \$147.8M;
- (C) Council note that the main financial schedules presented as part of the Long Term Financial Plan (LTFFP), included in the Resourcing Strategy, assume that the Independent Pricing and Regulatory Tribunal (IPART) will grant the City a permanent general rates increase of 2.5 per cent for 2022/23 and future years;
- (D) Council note that the additional financial schedules presented in the Long Term Financial Plan include an alternate scenario showing the impact of an temporary one year increase of 2.5 per cent just for 2022/23, and a further alternate scenario showing the impact of no increase above the 1.4 per cent increase initially determined by the Independent Pricing and Regulatory Tribunal (IPART) for 2022/23;
- (E) Council note that all fees associated with footway dining are proposed to be set at zero dollars for the 2022/23 financial year;
- (F) authority be delegated to the Chief Executive Officer to extend the temporary provisions of the Outdoor Dining Guidelines, noting a full update to the Outdoor Dining Policy, Outdoor Dining Guidelines and Display of Goods on the Footway Local Approvals Policy will be reported for public exhibition;
- (G) authority be delegated to the Chief Executive Officer to extend existing footway approvals to cover the notification and assessment period where the operator has lodged a new footway application prior to 30 June 2022;
- (H) Council endorse Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the draft Operational Plan 2022/23;
- (I) authority be delegated to the Chief Executive Officer to approve any minor editorial corrections prior to publication for public exhibition and authorise the relevant staff to implement any such corrections;
- (J) Council note that:
- (i) the City is providing a \$5.7 million expanded renovation of the Pymont Community Centre that was initially costed at \$3.03 million but subsequently expanded at the request of the Pymont Community, which is anticipated to take approximately 18 months to complete;
 - (ii) City staff will continue to work in consultation with the community to ensure that current programs and activities delivered at Pymont Community Centre, with the exception of the Pymont Outside School Hours Care (OSHC) service, can be accommodated at Maybanke and Ultimo Community Centres during the upgrade;

- (iii) City staff who currently work at Pymont Community Centre, including the Pymont Outside School Hours Care (OSHC) service, will be temporarily relocated to Maybanke and Ultimo Community Centres, as well as other community centres where required during the renovation period. No staff will be stood down. The City has an ongoing commitment to continue to provide high quality programming and services from the significantly improved space when it reopens;
- (iv) Outside School Hours Care (OSHC) services can only be provided at a site approved to operate under the Education and Care Services National Regulations and therefore, the Pymont Outside School Hours Care (OSHC) service must relocate to the Ultimo Outside School Hours Care (OSHC) service at Ultimo Community Centre, or families may choose to use the on-site Outside School Hours Care Service (OSHC) at Ultimo Primary School for the duration of the upgrade;
- (v) the City will consider providing a bus from Pymont to Ultimo Community Centre on an as needs basis to cater for members of the community who find it difficult to access the centre by walking or using public transport, noting that bus and light rail services are available from John Street Square, approximately 90 metres, or a one-minute walk, from Pymont Community Centre;
- (vi) during the Pymont Community Centre temporary closure, the City will continue to monitor community service needs in the area, work to address any additional requirements, and will consider hiring additional spaces in Pymont if available and necessary;
- (vii) such hire would be through contingency funding, as it has not been included in the draft 2022/23 budget; and
- (viii) should such hire go beyond what would be considered reasonable for contingency funding, a report to Council will be required.

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

It is resolved that:

- (A) Council endorse the suite of Integrated Planning and Reporting documents for public exhibition for a period of 28 days, including:
 - (i) the draft Delivery Program 2022 - 2026 as shown at Attachment A to the subject report;
 - (ii) the draft Operational Plan 2022/23 as shown at Attachment B to the subject report; and
 - (iii) the draft Resourcing Strategy 2022 as shown at Attachment C to the subject report;
- (B) Council endorse the draft Operating and Capital Budget, amended to make provision for an additional \$10M Diverse and Affordable Housing Fund in the 2022/23 draft resourcing strategy from the Council Contingency Fund, as reflected in the Operational Plan 2022/2023 and draft Resourcing Strategy (2022) including:
 - (i) Operating income of \$651.1M, operating expenditure before depreciation of \$530.1M for an Operating Result of \$121.0M, and a Net Surplus of \$77.1M after allowing for interest, depreciation and capital contributions;
 - (ii) Capital Works expenditure of \$202.1M and a capital works contingency of \$10.0M;
 - (iii) Plant and Assets net expenditure of \$19.9M including Information Technology Capital Works of \$7.0M; and
 - (iv) Net Property Acquisitions of \$147.8M;

- (C) Council note that the main financial schedules presented as part of the Long Term Financial Plan (LTFFP), included in the Resourcing Strategy, assume that the Independent Pricing and Regulatory Tribunal (IPART) will grant the City a permanent general rates increase of 2.5 per cent for 2022/23 and future years;
- (D) Council note that the additional financial schedules presented in the Long Term Financial Plan include an alternate scenario showing the impact of an temporary one year increase of 2.5 per cent just for 2022/23, and a further alternate scenario showing the impact of no increase above the 1.4 per cent increase initially determined by the Independent Pricing and Regulatory Tribunal (IPART) for 2022/23;
- (E) Council note that all fees associated with footway dining are proposed to be set at zero dollars for the 2022/23 financial year;
- (F) authority be delegated to the Chief Executive Officer to extend the temporary provisions of the Outdoor Dining Guidelines, noting a full update to the Outdoor Dining Policy, Outdoor Dining Guidelines and Display of Goods on the Footway Local Approvals Policy will be reported for public exhibition;
- (G) authority be delegated to the Chief Executive Officer to extend existing footway approvals to cover the notification and assessment period where the operator has lodged a new footway application prior to 30 June 2022;
- (H) Council endorse Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the draft Operational Plan 2022/23;
- (I) authority be delegated to the Chief Executive Officer to amend the draft Operational Plan 2022/2023 to reflect separate staff and consultant budget lines, where both are fully costed to include superannuation;
- (J) authority be delegated to the Chief Executive Officer to approve any minor editorial corrections prior to publication for public exhibition and authorise the relevant staff to implement any such corrections;
- (K) Council note that:
 - (i) the City is providing a \$5.7 million expanded renovation of the Pymont Community Centre that was initially costed at \$3.03 million but subsequently expanded at the request of the Pymont Community, which is anticipated to take approximately 18 months to complete;
 - (ii) no staff will be stood down. The City has an ongoing commitment to continue to provide high quality programming and services from the significantly improved space when it reopens;
 - (iii) during the Pymont Community Centre temporary closure, the City will continue to monitor community service needs in the area, work to address any additional requirements, and will consider hiring additional spaces in Pymont if available and necessary;
 - (iv) such hire would be through contingency funding, as it has not been included in the draft 2022/23 budget; and
 - (v) should such hire go beyond what would be considered reasonable for contingency funding, a report to Council will be required.

Adjournment

At this stage of the meeting, at 6.26pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 6.46pm.

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 motion was carried unanimously.

X084366

Speakers

Vanessa Knight (Coalition Caring for Community Centres), Mary Mortimer (Coalition Caring for Community Centres) and Leonard Lloyd (Pymont Sings) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.3.

Item 6.4

Investments Held as at 30 April 2022

It is resolved that the Investment Report as at 30 April 2022 be received and noted.

Carried unanimously.

X020701

Item 6.5**Lease Approval - Levels 4 and 5 - 540 George Street, Sydney**

It is resolved that:

- (A) Council approve a lease to IH Sydney Training Services Pty Ltd for Level 4 and Level 5, 540 George Street, Sydney, in accordance with the essential lease terms and conditions contained within Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to the exercise of the option, in accordance with the essential terms and conditions contained within Confidential Attachment A to the subject report.

Carried unanimously.

S098637

Item 6.6**Lease Approval - Levels 6 and 7 - 540 George Street, Sydney**

It is resolved that:

- (A) Council approve a lease to ILSC (Brisbane) Pty Ltd for Level 6 and Level 7, 540 George Street, Sydney, in accordance with the essential lease terms and conditions contained within Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to the exercise of the option, in accordance with the essential lease terms and conditions contained within Confidential Attachment A to the subject report.

Carried unanimously.

S098637.008

Item 6.7**Lease Approval - Level 8 - 540 George Street, Sydney**

It is resolved that:

- (A) Council approve a lease to the Queensland Institute of Higher Education Pty Ltd for Level 8, 540 George Street, Sydney, in accordance with the essential lease terms and conditions contained within Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to the exercise of the option, in accordance with the essential lease terms and conditions contained within Confidential Attachment A to the subject report.

Carried unanimously.

S098637

Item 6.8

Tender - Reject and Negotiate - T-2021-487 - Inspection and Condition Assessment of Road Reserve Assets

It is resolved that:

- (A) Council decline to accept the tender offers for the Inspection and Condition Assessment of Road Reserve Assets for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (E) Council be informed of the successful vendor via the CEO Update.

Carried unanimously.

X019123

Item 6.9

Exemption from Tender - Migration to Ungerboeck Cloud

It is resolved that:

- (A) Council approve an exemption from tender to enter into a contract with Ungerboeck Systems International Pty Ltd for the Ungerboeck 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 because the existing supplier is the sole provider of the relevant software services that have been customised specifically for the City, and a competitive tender process within the required time frame for transition is not possible; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contract(s) relating to the Ungerboeck 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.

X079471.001

Item 6.10**Exemption from Tender and Contract Variations - Alternate Resource Recovery Processing and Cleansing Waste (Putrescible) Receipt, Processing and Disposal Services Agreement**

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 to extend the duration of the:
 - (i) Alternative Resource Recovery Processing Agreement for the processing of domestic waste; and
 - (ii) Cleansing Waste (Putrescible) Receipt, Processing and Disposal Services Agreement contract for the processing of public place and parks waste;

to 31 December 2022, on the terms set out in Confidential Attachments A and B to the subject report by reason of extenuating circumstances, noting that a satisfactory result for the City would not be achieved by inviting tenders at this time;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders because:
 - (i) the market of suitable suppliers is extremely limited, with only two suppliers, one of which is at capacity and the other which is the current City supplier;
- (C) Council approve a variation to the contracts for the processing of domestic waste; and Cleansing Waste (Putrescible) Receipt and Processing to 31 December 2022; as detailed in Confidential Attachments A and B to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation to give effect to the resolutions above.

Carried unanimously.

X085362.004

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 4.05pm those present were -

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

Councillor Scully left the meeting of the Business and Economic Development Committee, which was held remotely, at 4.50pm due to technical issues, prior to the vote on Item 7.3, and did not return to the meeting of the Business and Economic Development Committee.

The meeting of the Business and Economic Development Committee concluded at 4.51pm.

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 9 May 2022 be received, with Item 7.1 being noted, and Items 7.2 and 7.3 being dealt with as shown immediately following those items.

Carried unanimously.

Item 7.1

Disclosures of Interest

Councillor Jess Scully disclosed a less than significant non-pecuniary interest in Item 7.2 on the agenda, as she has previously spoken with business operators in the Stanley Street precinct about pursuing street closure initiatives to encourage foot traffic into the area and support their recovery from the pandemic. Councillor Scully stated that she considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had any contact with the applicant about their grant application and was not aware of the recommendation until the Committee papers were published.

Councillor Linda Scott disclosed a less than significant non-pecuniary interest in Item 7.2 on the agenda, as she has known Jason Yat-Sen Li, who is a member of the Haymarket HQ Advisory Board, in a personal capacity for some time, and Jason is the elected Labor representative for the seat of Strathfield in NSW. 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 has not spoke to Mr Li in relation to the Knowledge Exchange Sponsorship program and does not see this as a significant conflict of interest as a result.

Councillor HY William Chan made the following disclosures:

- a less than significant non-pecuniary interest in Item 7.2 on the agenda, in that he was involved in organising and hosting a series of events for Spark Festival, an annual national event for startups, innovators and entrepreneurs:
 - in 2020, *The Great Australian Reset – Shaping a Clean Energy Revolution*; and
 - in 2021, *Innovation City: Incubating Place and Culture for Entrepreneurship*.

Noting that Spark Festival has been recommended for \$100,000 funding, Councillor Chan stated that he has not been involved in this grant proposal nor the assessment process, and his involvement with Spark Festival events was in a voluntary capacity. Councillor Chan stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he collaborates with Spark Festival as a member of Sydney's startup community, receives no reimbursement for his participation and has not been involved with this grant application.

- a less than significant non-pecuniary interest in Item 7.3 on the agenda, in that he was commissioned by Destination NSW as a public artist and designed a light installation artwork at Circular Quay for Vivid Sydney in 2012. Councillor Chan stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not worked in any commissioned capacity with Vivid Sydney or Destination NSW since 2012.

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

Item 7.2

Grants and Sponsorship - Precinct Activation Grants

Note – the recommendation of the Business and Economic Development Committee was not adopted. The following alternative recommendation was adopted (as contained in the Information Relevant To Memorandum dated 13 May 2022 from the Director City Life, circulated prior to the meeting).

Moved by Councillor Kok, seconded by Councillor Scully –

It is resolved that:

- (A) Council approve the cash and value-in-kind recommendations for the Precinct Activation grant program as per Attachment A to the subject report subject to the following amendment:

Organisation Name	Project Name	Project Description	\$ Amount Requested	VIK Requested	\$ Amount Recommended	VIK Recommended	Additional Conditions
Dostine Ventures Pty Ltd.	Secrets on Stanley Street	Stanley Street Darlinghurst will host a festival of food, drinks and music over six weekends.	\$194,800	Nil.	\$100,000	Up to \$100,000	Revised budget with funding to support the Cultural programming only

- (B) Council note the applicants who were not successful in obtaining a cash grant for the Precinct Activation grant program as per Attachment B to the subject report;

- (C) Council note that all grants amounts are exclusive of GST and all value-in-kind offered is subject to availability;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (E) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Variation. At the request of Councillor Ellsmore, and by consent, the motion was varied by the addition of words, such that clause (A) read as follows –

- (A) Council approve the cash and value-in-kind recommendations for the Precinct Activation grant program as per Attachment A to the subject report subject to the following amendment, and note the further information provided to Councillors:

Organisation Name	Project Name	Project Description	\$ Amount Requested	VIK Requested	\$ Amount Recommended	VIK Recommended	Additional Conditions
Dostine Ventures Pty Ltd.	Secrets on Stanley Street	Stanley Street Darlinghurst will host a festival of food, drinks and music over six weekends.	\$194,800	Nil.	\$100,000	Up to \$100,000	Revised budget with funding to support the Cultural programming only

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

S117847

Speakers

Lorraine Lock (Eastside Sydney) addressed the meeting of the Business and Economic Development Committee on Item 7.2.

Item 7.3

Grants and Sponsorship - Commercial Creative and Business Events Sponsorship - Vivid Sydney (XCELERATE Program) 2023

Moved by Councillor Kok, seconded by Councillor Scully –

It is resolved that:

- (A) Council approve a cash sponsorship of \$100,000 (excluding GST) and value in kind sponsorship of up to \$300,000 (excluding GST) under the Commercial Creative Business Events Sponsorship to Destination NSW to support the Vivid X/Celerate live music program as part of Vivid Sydney 2023; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the sponsorship agreement with Destination NSW in support of the X/Celerate program as part of Vivid 2023.

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

That the motion be amended by an additional clause (B), such that it read as follows –

It is resolved that:

- (A) Council approve a cash sponsorship of \$100,000 (excluding GST) and value in kind sponsorship of up to \$300,000 (excluding GST) under the Commercial Creative Business Events Sponsorship to Destination NSW to support the Vivid X/Celerate live music program as part of Vivid Sydney 2023;
- (B) the Chief Executive Officer be requested to seek to ensure the City of Sydney's Chinatown, Koreatown and ThaiTown are included in future Vivid activations; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the sponsorship agreement with Destination NSW in support of the X/Celerate program as part of Vivid 2023.

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 motion was carried unanimously.

X024914

Speakers

Gill Minervini (Destination NSW) and Julian Remundi (Destination NSW) addressed the meeting of the Business and Economic Development Committee on Item 7.3.

Item 8 Report of the Cultural and Creative Committee

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor Lyndon Gannon
(Deputy Chair)

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

At the commencement of business at 4.51pm those present were -

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

The meeting of the Cultural and Creative Committee concluded at 5.09pm.

Report of the Cultural and Creative Committee

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

That the report of the Cultural and Creative Committee of its meeting of 9 May 2022 be received, with Item 8.1 being noted, and the recommendations set out below for Items 8.2 and 8.3 being adopted.

Carried unanimously.

Item 8.1

Disclosures of Interest

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 8.2 on the agenda, as Ian Roberts, a member of the Qtopia organising committee, was a candidate on the City of Sydney Labor ticket in the 2021 local government elections. Councillor Scott stated that this non-pecuniary conflict of interest is not significant and does not require further action in this circumstance as she believes all representations from Qtopia have been delivered to all Councillors equally.

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

Item 8.2**Grants and Sponsorship - Ad Hoc Grant - Support for Qtopia LGBTIQA+ Museum**

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

It is resolved that:

- (A) Council approve a \$283,500 (excluding GST) cash grant to Qtopia Sydney Limited to be paid as set out in the payment schedule in Confidential Attachment B to the subject report;
- (B) Council note that \$100,000 will be sourced from the 2021/22 General Contingency Fund;
- (C) Council note that the remaining \$183,500 has been included in the draft 2022/23 Operating Budget; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a grant agreement with Qtopia Sydney Limited on appropriate terms and conditions in relation to acquittal of grant funds and pre-conditions to payment of grant tranches, including as outlined in Confidential Attachment B to the subject report.

Carried unanimously.

S051491

Speakers

Greg Fisher (Qtopia) addressed the meeting of the Cultural and Creative Committee on Item 8.2.

Item 8.3

Grants and Sponsorship - Ad Hoc Grant (Value-In-Kind Support) - Sydney WorldPride 2023

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

It is resolved that:

- (A) Council note that on 9 September 2019, Council approved a \$50,000 (excluding GST) cash sponsorship to support the successful bid by Sydney Gay and Lesbian Mardi Gras Ltd (SGLMG) to host WorldPride in 2023 as well as a further \$250,000 cash sponsorship on 9 December 2019 to establish Sydney WorldPride Limited as the delivery organisation;
- (B) Council note that on 28 June 2021, Council approved a cash sponsorship of \$500,000 (plus GST) to Sydney WorldPride Limited split equally over two years in 2021/22 and 2022/23 for planning and delivery of Sydney WorldPride 2023;
- (C) Council approve up to \$650,000 Value in Kind sponsorship to Sydney WorldPride Limited over two years in 2021/22 (\$38,000) and 2022/23 (\$612,000);
- (D) Council note that the Value in Kind will be governed under the existing Grant Agreement for the Sydney WorldPride event between the City and Sydney WorldPride Limited; and
- (E) authority be delegated to the Chief Executive Officer to notify Sydney WorldPride Limited of the approved amount of value in kind for the Sydney WorldPride event in accordance with the Grant Agreement between the City and Sydney WorldPride Limited.

Carried unanimously.

X082566

Speakers

Kate Wickett (Sydney WorldPride) and Alex Daoust (Sydney WorldPride) addressed the meeting of the Cultural and Creative Committee on Item 8.3.

Item 9 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, Robert Kok, Linda Scott and Yvonne Weldon.

At the commencement of business at 5.09pm those present were -

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

Apologies

Councillor Jarrett extended her apologies for her inability to attend the meeting of the Transport, Heritage, Environment and Planning Committee.

The meeting of the Transport, Heritage, Environment and Planning Committee concluded at 5.36pm.

Report of the Transport, Heritage, Environment and Planning Committee

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

That the report of the Transport, Heritage, Environment and Planning Committee of its meeting of 9 May 2022 be received, with Item 9.1 being noted, the recommendations set out below for Items 9.2, 9.4 and 9.5 being adopted in globo (noting an alternative recommendation in an Information Relevant To Memorandum for Item 9.2), and Item 9.3 being dealt with as shown immediately following that item.

Carried unanimously.

Item 9.1**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.

Local Government and Planning Legislation Amendment (Political Donations) Act 2008

No disclosures were made by any members of the public at this meeting of the Transport, Heritage and Planning Committee.

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

Item 9.2**Post Exhibition - Planning Proposal - Enterprise Area Review - Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012 Amendment**

Note – the recommendation of the Transport, Heritage, Environment and Planning Committee was not adopted. The following alternative recommendation was adopted as part of an in globo motion (as contained in the Information Relevant To Memorandum dated 12 May 2022 from the Director City Planning, Development and Transport, circulated prior to the meeting).

It is resolved that:

- (A) Council note the requirements of the Gateway Determination issued by the Department of Planning and Environment to amend the contents of Planning Proposal: Enterprise Area Review, prior to public exhibition, as shown at Attachment C to the subject report;
- (B) Council note the matters raised in response to the public exhibition of Planning Proposal: Enterprise Area Review and draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment, as described in this report and shown at Attachment D to the subject report;
- (C) Council approve the Planning Proposal: Enterprise Area Review, with amendments in response to submissions, as shown at Attachment A to the subject report, to be sent to the Department of Planning and Environment to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979 subject to the following amendments:
 - (i) amendment of the 'Height of buildings map' in Part 6 of the Planning Proposal: Enterprise Area Review to show a height of building control of 22 metres at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria; and
 - (ii) amendment of Figure 16: 'Proposed height of building controls' in the Planning Proposal: Enterprise Area Review to show a height of building control of 22 metres at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria;
- (D) Council approve Sydney Development Control Plan 2012: Southern Enterprise Area Amendment, with amendments in response to submissions, as shown at Attachment B to the subject report, noting that it will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000 subject to the following amendments:
 - (i) amendment of the 'Height in storeys map' in the draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to show five storeys at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria and four storeys along the frontage of current and proposed streets for these sites;
 - (ii) amendment of the 'Building setback and alignment map' in the draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to show a three metre upper level setback, fronting the current and proposed streets at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria;
 - (iii) amendment of the 'Building street frontage height in storeys map' in the draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to show a four storey street wall height, fronting the current and proposed streets at 112-122B McEvoy Street and 20 Stokes Avenue Alexandria; and

- (iv) amendment of figure 5.184: 'North Alexandria Public Domain Dedications and Easements' in the draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to annotate the width of the Stokes Avenue extension as 20 metres measured from the western boundary of 12-18 Stokes Avenue;
- (E) authority be delegated to the Chief Executive Officer to make minor amendments to Planning Proposal: Enterprise Area Review and Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to correct any minor errors or omissions prior to finalisation; and
- (F) Council note the City of Sydney Employment Lands Strategy 2014-2019 will continue to guide development in the City's enterprise areas until an updated strategy is prepared, publicly exhibited and adopted.

Carried unanimously.

X025568

Speakers

Nicole Leuning (Smart Design Studio) and Anthony Kunz (Planning Lab) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 9.2.

Item 9.3

Public Exhibition - Planning Proposal - 757-763 George Street, Haymarket - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

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

It is resolved that:

- (A) Council approve Planning Proposal - 757-763 George Street, Haymarket as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Homes with a request for Gateway Determination;
- (B) Council approve Planning Proposal - 757-763 George Street, Haymarket, as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Minister for Planning and Homes to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect Planning Proposal - 757-763 George Street, Haymarket;
- (D) Council approve Draft Sydney Development Control Plan 2012 - 757-763 George Street, Haymarket Amendment as shown at Attachment B to the subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 757-763 George Street, Haymarket and Draft Sydney Development Control Plan 2012 – 757-763 George Street, Haymarket Amendment to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and

- (F) authority be delegated to the Chief Executive Officer to prepare a draft planning agreement in accordance with the letter of offer dated 2 May 2022 at Attachment C to the subject report and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal.

The motion was carried on the following show of hands –

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

Noes (2) Councillors Ellsmore and Jarrett*.

*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.

Motion carried.

X038464

Item 9.4

Approved Variations to Development Standards Reported to the Department of Planning and Environment

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

Carried unanimously.

S040864

Item 9.5

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 of the subject report;
- (C) note the contents of Attachment B and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2-4 Cunningham Street, 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 23-25 Pymont Bridge Road, Camperdown.

Carried unanimously.

S105001.002

Item 10 Property Matter (Confidential)

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

It is resolved that Council approve the recommendation contained within Confidential Attachment A to the subject report.

Carried unanimously.

X0225359

Item 11 Questions on Notice

1. Staff Responses to Constituent Emails

By Councillor Jarrett

Question

Councillors often receive emails directly from constituents regarding certain issues which are addressed to all Councillors at the City.

These emails are directly addressed by the relevant staff and responses are sent out directly to the constituents.

Why are Councillors not systematically included on the email sent by the City staff to the constituent to keep us informed of the outcome of the issue?

X086666

Answer by the Chief Executive Officer

The City receives and manages almost 30,000 incoming contacts per day (over 7.3 million annually) from all sources across multiple channels.

Channel	Average per day
Calls	1478
Email	27,000
Digital	724
Mail	80

The community sends correspondence to the City, Councillors and staff in numerous ways and through various channels. For example, sometimes the community copies all Councillors, sometimes the community copies some Councillors and staff and sometimes Councillors and staff are blind copied in correspondence.

Given the high volumes and range of correspondence channels, should Councillors wish to know the outcome of a specific piece of correspondence, they can request through the Office of the CEO or the relevant Director.

2. Public Art Installation – Tobias Rehberger ‘Artificial Sunshine’

By Councillor Jarrett

Question

The City of Sydney has approved a \$1.7 million public art installation and have commissioned German contemporary artist, Tobias Rehberger’s ‘Artificial Sunshine’ design, after he won the international design competition in 2015.

1. Can you provide a breakdown of how the \$1.7 million is being spent:
 - (a) How much is provided as commission to the artist?
 - (b) How much is being used in installation?
2. How is the art installation being powered?
3. Where is the City sourcing the funds for the ongoing maintenance of the art installation?
4. Why is the commissioned artist not a local artist?
5. Has the City Art Public Art Policy and Strategy been reviewed since it was last set to be in 2019?

X086666

Answer by the Chief Executive Officer

1.
 - (a) The artist fee for the project commencing in 2017 to completion is \$300k. This covers technical support to the artist such as engineering, lighting design and other relevant technical expertise.
 - (b) The fabrication and installation costs for the work is \$1.4M includes documentation, fabrication and installation for main contractor and 10 subcontractors.
2. Artworks elements will be connected to existing street lighting being powered from the private wire, which is powered by the City’s green power.
3. The City has an annual operational budget for artwork maintenance.
4. An open Expression of Interest was held in 2015 available to local, national and international artists. The evaluation panel recommended Tobias Rehberger as the artist with the strongest proposal.
5. The Public Art Policy has been recently reviewed and no changes have been recommended. The Public Art Strategy (2011) and Policy are scheduled to be reviewed commencing 2023.

3. Closure of Andrew (Boy) Charlton Pool in Winter

By Councillor Jarrett

Question

Andrew (Boy) Charlton Pool's 2021/22 season concluded on 30 April 2022. The pool is set to remain closed from 1 May 2022 until 1 September 2022.

1. Why is the Andrew (Boy) Charlton Pool closed during the Winter months when the City's goal is to enhance the health and wellbeing of the community all year round?
2. In turn, why is the café connected to the pool also closed in Winter when people still drink coffee and enjoy dining out in the cooler months?
3. Are the group fitness classes for Yoga and Pilates still running during Winter? If not, why not?

X086666

Answer by the Chief Executive Officer

The City has no plans to open the Andrew (Boy) Charlton pool during winter.

This centre was designed as a seasonal pool and its scheduled closure each year allows extensive essential maintenance to be undertaken to ensure it is well maintained in the corrosive harbourside environment. The current closure period maintenance works include the painting of the entire pool concourse, major repairs to the timber grandstand, major repairs to the pool filters and repairs to various stainless-steel fixtures around the site.

The City has previously trialled a longer season at the pool which led to the then seven-month season being extended to eight months. The season now starts on 1 September instead of 1 October. The May trial period was not very successful and as a result the season ends on 30 April.

The City owns three other outdoor pools nearby which offer all-year swimming. These are located at Prince Alfred Park, next to Central Station, Victoria Park, located on Broadway, next to Sydney University and the recently completed Gunyama Park Aquatic Recreation Centre at Green Square. The Cook & Phillip Park pool is also in close proximity to Andrew (Boy) Charlton pool and also offers all year-round indoor swimming and fitness activities.

4. Council and Public Spaces - Hire Fee and Rent Waivers to Assist the City and the Community during Covid

By Councillor Ellsmore

Question

1. For the financial year 2021/22, what is the total estimated loss of revenue for Council, as a result of waiving or reducing fees or rent for the use or hire of Council assets or spaces, as a result of Covid, broken down by key areas:

Please include in the figures where Council has introduced specific measures to respond to Covid.

- (a) Waiver or reduction of footpath dining fees,
- (b) Waiver or reduction of fees for health and building compliance, market permit and filming fees,
- (c) Flexible approach to parking, including reduced enforcement of parking fines,

- (d) Rent relief (not including rent deferrals) for Council's commercial properties,
 - (e) Rent relief (not including rent deferrals) for child-care centre providers,
 - (f) Rent relief for Council-owned community properties (noting that this includes community halls, community centres and other properties which are part of the Council's community property portfolio)?
 - (g) Other waivers of hire fees for Council-owned community properties?
 - (h) Any other significant Council rent, hire or fee waivers provided in 2021/22 to assist the community to adapt and recover from COVID, other than those listed above? (please provide details)
2. For 2021/22, noting that the Council's Community Recovery Plan includes specific actions to maximise the opportunities for the cultural sector in City owned spaces and creative venues, rent relief and fee waivers for Council-owned community properties as noted above, broken down by:
- (a) Creative tenants,
 - (b) Other tenants.
3. What is the total figure for lease, licence and fee waivers for hire or leasing Council properties or assets (as broken down above) for the financial year 2021/22?
4. For the 2022/23 financial year, what is the estimated total loss of revenue for the City of Sydney Council included in the draft budget, as a result of:
- (a) Waiver or reduction of footpath dining fees,
 - (b) Waiver or reduction of fees for health and building compliance, market permit and filming fees,
 - (c) Flexible approach to parking, including reduced enforcement of parking fines,
 - (d) Rent relief (not including rent deferrals) for Council's commercial properties,
 - (e) Rent relief (not including rent deferrals) for child-care centre providers,
 - (f) Rent relief for Council-owned community properties (noting that this includes community halls, community centres and other properties which are part of the Council's community property portfolio)?
 - (g) Other waivers of hire fees for Council-owned community properties?
 - (h) Any other significant Council rent, hire or fee waivers provided in 2021/22 to assist the community to adapt and recover from COVID, other than those listed above? (please provide details)
5. For the 2022/23 financial year, what is the rent relief or other waivers for Council-owned community properties as noted above, broken down by:
- (a) Creative tenants,
 - (b) Other tenants.

6. What is the total figure for lease, licence and fee waivers for hire or leasing Council properties or assets (as broken down above) for the financial year 2022/23?

X086664

Answer by the Chief Executive Officer

1.

- (a) The Community Recovery Plan references \$4.9M to June 2022, which is the total amount waived since the commencement of the pandemic. The average footway licence fee income, for the five years leading up to the first year of the pandemic was \$2.1M. The City did not budget for footway dining fees in 2021/22 given Council's commitment to support economic recovery in the City.
- (b) Health and Building compliance fee waivers were in place from March 2020 to March 2021, and then reinstated in April 2021. Note that during the pandemic period inspections were suspended for matters other than those considered high risk, in line with the health and building risk assessment, and in the interests of public safety. Reduced revenue in 2020/21 therefore reflects fee waivers, and lower targeted activity.

Market permit and filming fees of \$60,324 have been waived in the current 2021/22 financial year (to the end of March YTD).

The proposed budgets for Health and Building related income for 2022/23 and future years is shown on page 45 of the LTFP.

- (c) It is difficult to calculate the gross parking enforcement revenue foregone, as during the lockdown period, enforcement activities focused on safety and infringements were generally issued for safety related offences rather than all parking related matters. The average gross enforcement income in the five years leading up to the first year of the pandemic was \$35M, while the forecast gross enforcement income for 2021/22 is \$19.1M.

The City supported essential workers by offering parking permits (325) for on street use, and free parking at the two city owned parking stations (along with council staff) to help support these workers. The revenue foregone in 2021/22 was \$287,500.

- (d) The Community Recovery Plan references \$13.2M to June 2022, which is the total amount waived since the commencement of the pandemic. The current 2021/22 financial year's estimate (to the end of March YTD) is \$9.1M, noting that the code of conduct for commercial leases ceased from the end of March 2021.
- (e) The Community Recovery Plan references \$632,189 for the current 2021/22 financial year (to the end of March YTD).
- (f) The amount of rent relief waived for community tenants in the current 2021/22 financial year (to the end of March) is \$265,720.
- (g) The Community Recovery Plan (Action 4.4) set the rent relief for creative spaces, short term empty property, creative accommodation grant and live/work Waterloo and William Street tenants. The amount of other venue hire fees waived for Council owned community properties in the current 2021/22 financial year (to the end of March) is \$216,573.

- (h) The City continues to work to support its tenants, and forecasts an additional \$1.8M in assistance for the last quarter of the 2021/22 financial year. As part of its support response during the pandemic, the City also waived all cancellation fees for events which were unable to proceed, and refunded or rolled over any deposits that had been received for sporting competitions. A venue hire waiver of \$91,363 was granted to the Sydney Local Health District to utilise the Lower Town Hall as a vaccination clinic for the latter half of October 2021.

2.

- (a) The Community Recovery Plan report notes creative spaces fee relief of \$28,225 for the current 2021/22 financial year (to the end of March), and \$201,000 since the beginning of the pandemic. Noting that a further \$6,455 has been approved since March 2022.
- (b) The Community Recovery Plan report notes other cultural tenants fee relief is \$83,883 for the current 2021/22 financial year (to the end of March), and \$381,483 since the beginning of the pandemic.

3. It is challenging to estimate the total figure for the financial year in part because the financial year is not yet complete but also because, as noted above, some services were reduced rather than waived. In addition, a more flexible approach was taken to parking enforcement. All measures were designed to support the community. Excluding parking enforcement the total is likely to be in the order of \$14.5M.

Note that the revenue policy contained within the Operational Plan sets out the conditions under which the community may apply for fee waivers, discounts or reduced fees.

4. The City has not budgeted for any additional fee waivers for 2022/23, aside from setting the zero fee for outdoor dining for 2022/23 only, noting that the footway licence fee income in normal trading conditions is estimated to be in the order of \$2.5M.

It is worth noting, that while not due to fee waivers, the City will continue to support its tenants through this difficult trading period and this is expected to have significant ongoing impacts on its direct property rental income, and its rental share arrangements through its long term lease of the QVB.

5. There are no budgeted fee waivers.

Note that Accommodation Grant Program and cultural tenant rent subsidies amount to \$7.7M.

6. There are no budgeted fee waivers.

5. Budget

By Councillor Scott

1. At the Council meeting on 26 July 2021, Council voted unanimously to request the CEO "investigate the concerns in relation to Hollis Park as part of a future park upgrade to improve disability access." How much funding in the 2022/23 budget been allocated to this upgrade? When will this project be complete?
2. At the Council meeting on 20 September 2021, Council voted unanimously to request the CEO "order an updated assessment be undertaken to effectively consider the need for an amendment to the small parks and playgrounds renewal timeframe to include an upgrade for the Ernest Pederson Reserve". How much funding in the 2022/23 budget has been allocated to this upgrade? When will this project be complete?

3. At the Council meeting on 20 September 2021, Council voted unanimously to request that the CEO “investigate design options to improve pedestrian amenity in Seymour Place and Church Street, Paddington.” How much funding in the 2022/23 budget has been allocated to improve pedestrian amenity in this area? When will this project be complete?
4. At the Council meeting on 15 November 2021, Council voted unanimously to request that the CEO “investigate traffic calming measures for Rainford Street and report back to Councillors via the CEO Update”. How much funding in the 2022/23 budget has been allocated to implement these traffic calming measures? When will this project be complete?
5. At the Council meeting on 21 March 2022, Council voted unanimously to request that the CEO “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”. How much funding in the 2022/23 budget has been allocated to install kayak racks in Rushcutters Bay Park? When will this project be complete?

X086668

Answer by the Chief Executive Officer

1. As outlined in the 26 July 2021 Resolution of Council, accessibility issues will be investigated as part of a future park upgrade, when the asset condition warrants intervention. Hollis Park is currently in good condition, with three points of accessible access and a fully accessible playground.
2. The Ernest Pederson Reserve upgrade (part of the City’s ongoing park improvement program) was completed and opened to the public in July 2021. No funding is included in the 2022/23 budget.
3. The 20 September 2021 Resolution of Council requested that the Chief Executive Officer investigate design options to improve pedestrian amenity in Seymour Place and Church Street, Paddington.

Traffic and pedestrian counts were undertaken in April 2022, after traffic patterns returned to normal following recent Covid outbreaks, wet weather and school holiday periods. City staff are now working to analyse the data and investigate options, and a CEO Update will be provided when these investigations are complete.

While there are no works included within the 2022/23 budget, if required, future works could be accommodated within the future year forward estimates.

4. The 15 November 2021 Resolution of Council requested that the Chief Executive Officer investigate design options to investigate traffic calming measures for Rainford Street, Surry Hills.

Traffic and pedestrian counts were undertaken in April 2022, after traffic patterns returned to normal following recent Covid outbreaks, wet weather and school holiday periods. City staff will analyse the data to determine if traffic calming treatments are required in Rainford Street and the potential treatment options. A CEO Update will be provided when these investigations are complete.

While there are no works included within the 2022/23 budget, future works if required, could be accommodated within the future year forward estimates if required.

5. The City monitored the use of the watercraft and recreational boating activity during fair-weather, between sunrise and sunset from 23 April until 12 May 2022, to identify the number of watercraft in active use. Signage was installed at both sites inviting owners and the public to undertake an online survey to determine their views on this issue and to assist in the identification of boat owners using or storing their boats within the parks. The survey was hosted and open for comment on the Sydney Your Say website from 8 April until 18 May 2022.

The results of the monitoring and community feedback will be summarised and reported to Council through a CEO Update in mid-2022, assist the City in exploring alternative options to provide for the recreational needs of local recreational boaters, and guide future budget requirements.

6. Budget for Parks

By Councillor Scott

Question

1. How much is budgeted for the creation of new parks, and park upgrades, in the City in the 2022/23 financial year, as per the upcoming Council budget?
2. Please provide details of the locations of these parks, or proposed parks, with the details of the relevant budget allocation.
3. Please provide details of the new parks created, and those upgraded, in 2021/22, with the costs.
4. Please provide details of the new parks created, and those upgraded, in 2020/21 2019/20, 2018/19, 2017/18, and 2016/17 with the costs.

X086668

Answer by the Chief Executive Officer

1. \$31.5M.
- 2.

\$M	2022/23 Budget	Project Total	Status in 2022/23
North Rosebery Green Link Stage 1	1.08	2.25	Completing
Peace Park, Chippendale	0.45	1.35	Completing
Archibald Fountain	0.65	2.68	Completing
Tote Park, Zetland	0.31	0.59	Completing
Blackwattle Playground, Glebe	0.52	0.65	Completing
James Watkinson Reserve, Pyrmont	1.72	1.84	Completing
Michael Kelly Reserve, Newtown	0.35	0.42	Completing
Minogue Crescent Reserve, Forest Lodge	0.88	1.07	Completing
Ernest Wright Playground, Newtown	0.18	0.23	Completing
Ethel Street Playground, Erskineville	0.29	0.41	Completing
Edgely St Reserve, Surry Hills	0.73	0.78	Completing
Woolloomooloo Playground	1.13	1.92	Completing

\$M	2022/23 Budget	Project Total	Status in 2022/23	
Park on Lyons Road, Camperdown	0.49	1.26	Completing	
Little Cleveland St, Surry Hills	0.26	0.33	Completing	
Sydney Park Impact Mitigation Works	3.83	4.38	Completing	
Pirrama Park Water Recycling System Renewal	0.07	0.18	Completing	
Crown and Corning Parks Water Recycling System Renewal	0.03	0.20	Completing	
Wimbo Park, Surry Hills	1.30	6.21	Continuing	
City Centre Playground Works	0.16	7.77	Continuing	
North Rosebery Park	2.77	4.51	Continuing	
Synthetic Sports Field Installations - Perry Park	2.17	8.73	Continuing	
Alexandria School and Park Synthetic Sportsfield - Joint Use	3.00	8.18	Continuing	
Hyde Park Lighting	0.53	15.99	Continuing	
Harry Noble Reserve, Erskineville	1.77	2.60	Continuing	
Synthetic Sports Field - the Crescent	1.16	4.98	Continuing	
Open Space Renewal - Cricket Infrastructure	0.27	0.84	Continuing	
Alexandria Park - McKell Playground, interface work, fitness	0.42	1.68	Continuing	
Arthur St Reserve, Surry Hills	0.04	0.38	Continuing	
Douglas St People's Park, Redfern	0.05	0.46	Continuing	
Avona Ave Streetscape, Glebe	0.06	0.60	Continuing	
Minogue Reserve and Playgrou, Glebe	0.05	1.08	Continuing	
Wattle Ln Park Playground, Ultimo	0.05	0.97	Continuing	
Prince Alfred Park Meadows Pathways	0.05	0.98	Continuing	
Gunyama Park Stage 2 & George Julius Avenue North	0.35	18.43	Continuing	
Fitness Stations - Embarkation Park (part of park renewal)	0.04	0.26	Commencing	
Sydney Park - Fmr Nursery Re-use, St Peters	0.20	6.40	Commencing	
Darghan Street Steps, Glebe	0.02	0.37	Commencing	
Water Features Renewal and Improvements - Various	0.25	0.58	Commencing	
Water Recycling Renewal and Improvements - Various	0.10	0.12	Commencing	
Water Features Renewal - Barrenjoey Memorial Fountain	0.05	0.05	Commencing	
Water Features Renewal - JJ Collins Memorial Fountain	0.05	0.05	Commencing	
Robyn Kemmis Reserve, Glebe	0.05	1.07	Commencing	
Glebe Street Playground, Glebe	0.02	0.30	Commencing	
Mountain Street Reserve, Ultimo	0.04	0.90	Commencing	
Ada Villa Terrace, Erskineville	0.02	0.35	Commencing	
Regent Street Reserve, Paddington	0.05	1.11	Commencing	
Cooper Street Reserv, Surry Hills	0.04	0.90	Commencing	
Embarkation Park, Potts Point	0.06	0.06	Commencing	
Glebe Library Park, Glebe	0.06	0.06	Commencing	
Waterloo Park Mt Carmel, Waterloo	0.06	0.06	Commencing	

\$M	2022/23 Budget	Project Total	Status in 2022/23
<u>Rolling works/programs (i.e. not site specific, or no specific end date)</u>			
Sydney City Farm	0.15	1.36	Ongoing improvements
Parks Renewal - Accelerated Minor Works	1.33	N/A	Annual program - minor works various sites
Parks Lighting Program	0.84	N/A	Annual program - minor works various sites
Public Domain Landscaping Program	0.90	N/A	Annual program - minor works various sites

3.

	2021/22 Budget	Project Total	
Drying Green Park, Green Square	8.90	22.63	
Ernest Pederson Reserve, Glebe	0.25	0.65	
Clyne Reserve, Millers Point	1.02	1.22	
Wattle and Broadway Rest area, Broadway	0.22	0.23	
Lawrence Hargraves Reserve, Elizabeth Bay	1.91	2.84	
Vine Street, Redfern	0.12	0.14	
Chelsea Street Playground Heritage Wall	0.23	0.25	
Taylor Square Water Feature Lighting and Civil	0.50	0.50	
Parks Renewal - Accelerated Minor Works Program	1.08		Various sites
Total	14.22	28.48	

4.

	2016/17	Project Total	
Quarry Green Park, Ultimo	0.01	1.26	
City Centre Regimental Square	1.52	1.54	
Harbour Village North Integration Works	0.20	7.32	
Renwick Street Playground, Erskineville	0.29	0.37	
Amy Street Reserve, Erskineville	0.12	0.12	
John St Reserve, Glebe	0.02	0.88	
Playground upgrades/shade sails - Program	0.41		Various sites
Total	2.56	11.49	

	2017/18	Project Total	
Bank street reserve through site link	0.05	0.33	
Victoria Park Upgrade, Camperdown	3.81	5.57	
Elizabeth McCrea, Redfern	0.39	0.53	
Playground upgrades/shade sails - Program	0.41		Various sites
Total	4.66	6.43	
	2018/19 Budget	Project Total	
Harold Park - New Park Construction	0.70	14.23	
Dyuralya Park, Waterloo	3.36	4.81	
John St, Woolley Lane and St James Ave Shared Zone	0.34	0.41	
East Sydney Small Parks Upgrade 222 Palmer St	0.35	0.64	
Fitness Stations Program - in Larger Parks	0.48		Various sites
Total	5.22	20.09	
	2019/20 Budget	Project Total	
Sydney Park Cares Precinct	0.92	2.58	
Maybanke Park, Ultimo	0.21	0.22	
Les White Reserve, Alexandria	0.14	0.16	
Ross Street Playground, Forest Lodge	0.66	0.71	
Crete Reserve Playground and Pathways, Rosebery	0.22	0.27	
Womerah Gardens, Darlinghurst	0.52	0.56	
Parks Renewal Program - Accelerated Landscape Works - Contract Area	0.62		Various sites
Total	3.30	4.50	

	2020/21 Budget	Project Total	
Hyde Park Tree Replacement & Other Works*	1.34	22.37	
Shannon Reserve, Surry Hills	0.37	1.58	
The Crescent lands at Johnstons creek	9.66	13.41	
Urban Skate Park - Sydney Park	1.27	8.01	
Daniel Dawson Playground, Redfern	0.91	1.09	
James Hilder Reserve, Surry Hills	0.88	1.05	
Beaconsfield Park Playground, Beaconsfield	1.00	1.17	
Strickland Park, Chippendale	0.41	0.61	
Hollis Park Playground, Newtown	0.77	0.95	
Fig Lane Park Playground, Ultimo	0.22	0.50	
Cardigan reserve, Glebe	0.50	0.72	
Kings Lane Reserve, Darlinghurst	0.07	0.32	
Palmerston Ave Steps and Sarah Penninton, Glebe	0.50	0.69	
Fitness Stations - Pirrama Park, Pyrmont	0.24	0.27	
Parks Renewal Program - Accelerated Landscape Works - Contract Area	1.78		Various sites
Parks Renewal Program - Accelerated Landscape Works - In-House	1.18		Various sites
Total	21.10	52.74	
* as per current adopted plan			

7. Cliff Noble Community Centre

By Councillor Scott

Question

The roof in Cliff Noble Community Centre is leaking.

Has maintenance to address this been scheduled? If so, when is this maintenance due?

X086668

Answer by the Chief Executive Officer

Maintenance has been scheduled to address the leaking roof. It is anticipated that this work will be carried out in the week of 16 May 2022, subject to favourable weather conditions.

8. JCDecaux

By Councillor Scott

Question

The City signed a contract with QMS Media that began on 30 June 2020, yet the JCDecaux street furniture began to be removed in December 2021.

Broken down by month since January 2020, what were the total sums paid by the City, either directly or through subcontractors, to QMS and JCDecaux under these street furniture contracts?

X086668

Answer by the Chief Executive Officer

Total payments to JCDecaux for the period January 2020 to April 2022 are \$8.25M (table below). These are in accordance with the City of Sydney and JCDecaux Street Furniture Extension Agreement.

No payments to QMS Media have been made during this period.

Month	Amount
Jan-20	NIL
Feb-20	NIL
Mar-20	\$38,998.34
Apr-20	NIL
May-20	\$1,401,237.47
Jun-20	\$357,517.16
Jul-20	NIL
Aug-20	\$843,720.19
Sep-20	\$450,990.71
Oct-20	\$404,854.16
Nov-20	\$420,296.44
Dec-20	\$424,349.98
Jan-21	\$535,793.77
Feb-21	\$414,973.24
Mar-21	\$411,907.49
Apr-21	\$410,258.71
May-21	\$424,957.43
Jun-21	\$486,775.16
Jul-21	\$418,235.92
Aug-21	\$79,400.91
Sep-21	\$40,727.10
Oct-21	NIL
Nov-21	\$201,935.41

Month	Amount
Dec-21	\$185,908.63
Jan-22	\$145,317.43
Feb-22	\$91,253.23
Mar-22	\$52,398.62
Apr-22	\$8,338.96
Total	\$8,250,146.46

9. Returned Grants

By Councillor Scott

Question

1. Broken down by year, how many returned grants did Council receive from 2016 to present?
2. Also broken down by year, what was the value of these returned grants?

X086668

Answer by the Chief Executive Officer

Since 2016/17 the City has had 39 returned grants to a total value of \$490,178.

Below is a summary of the number and value of returned grants broken down by year:

Financial Year	Number of Returned Grants	Total Value of Returned Grants
2016-17	5	\$54,889
2017-18	3	\$25,949
2018-19	2	\$31,500
2019-20	6	\$73,897
2020-21	10	\$79,637
2021-22	13	\$224,306
Total Value	39	\$490,178

10. Staffing for Community Centres and Other Community Venues

By Councillor Ellsmore

Question

1. What was is the total budget for Council staffing of community centres and other community venues, in the 2021/22 Council budget?
2. What is the breakdown of the budget for key activities within the Council's budget for community centres and other community venues, in the 2021/22 Council budget?

In brief, please provide details by number and cost of staff, key areas of activity and program costs.

3. Which line items in the 2021/22 Council budget include the activities listed above?
4. What was is the total budget for Council staffing of community centres and other community centres, in the draft 2022/23 Council budget?
5. What new funding for Council staffing of community centres and other community centres, in the draft 2022/23 Council budget?

Please include details of the overall additional budget, and the breakdown of what this is proposed to include.

6. What is the proposed process and timeline to confirm the position descriptions, location and primary activities for the new positions and funding?
7. Which line items in the 2022/23 Council budget include the activities listed above?

X086664

Answer by the Chief Executive Officer

1. The Council budget papers provide a breakdown by business unit. The \$17M falls across two business units and under two separate sections within Creative City and Social City. This detail is not provided in the Council Budget.

The \$17M is made up of operational, programming and staffing costs for community centres, libraries, cultural and library programming, community venues, and the administration team overseeing these operations.

2. The below budget breakdown includes operational, programming and staffing costs:

Budget Summary	21/22 Budget (\$)
Libraries	9,700,919
Pine St Creative Arts Centre	283,198
Cultural & Library Programs	875,265
Community Centres	4,521,407
City Space Admin	993,178
Community Venue	395,179
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Grand Total	16,769,146

Current Full Time Equivalent (FTE) staff for financial year 2021/22 is 133.2 FTE.

3. Refer to 1 and 2 above.
4. Refer to 1 and 2 above.
5. The new 9.6 FTE is made up of the below:
 - Library Programs and Cultural Programs - 4.98FTE
 - Community Centres - 3.62 FTE
 - Community Venues - 1.00 FTE

Total 2021/22 = \$6,075M

Total 2022/23 = \$7.3M

Total for all programs, operational and staffing = \$1.2M increase

This is a 20 per cent increase in staffing and programming for 2022/23
6. Recruitment can commence subject to Council endorsement of the 2022/23 budget in late June 2022.
7. The below budget breakdown includes operational, programming and staffing costs:

Budget Summary	Budget 22/23 (\$)
Libraries	10,027,579
Pine St Creative Arts Centre	574,860
Cultural & Library Programs	989,710
City Space Admin	1,108,821
Community Centres	5,238,160
Community Venue	498,452
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Grand Total	18,437,582
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11. Fee Waivers for the Community, Not-for-Profits and Low-Income Community Members

By Councillor Ellsmore

Question

1. For the financial year 2021/22, what fee waivers or fee discounts (including library fees, program fees, discounted access to pools, and childcare fees) are available for identified community groups or individuals in the Council budget?
2. Which budget documents, policy or procedures guide when fee waivers or fee discounts are available?

3. In the draft 2022/23 Council budget, what fee waivers or fee discounts (including library fees, program fees, discounted access to pools, and childcare fees) are available for identified community groups or individuals?

X086664

Answer by the Chief Executive Officer

1. Fee waivers and discounts are listed in the City's [Revenue Policy: Fees and Charges](#) and placed on public exhibition in June each year. In addition, Value in Kind (VIK) for venue hire can be requested through the City's [Grants and Sponsorship](#) program, and up to 100 per cent fee waivers for venue hire are available through the [Community Venue Hire Support](#) program.

Discounts for childcare fees are available on application and are guided by the City's internal procedures, while further discounts are available for some groups and individuals at community centres (such as asylum seekers and those experiencing financial hardship) and through the City's Access Card at pools, gyms, tennis courts and indoor courts. Local schools receive free use of the City's sports fields for school term sports and seasonal bookings receive discounted use. These discounts are in line with the Revenue Policy and are implemented in accordance with the City's delegations register and supported by internal procedures.

In addition, waivers for gap fees associated with childcare fees have been provided to families where there has been non-attendance due to Covid related reasons. This is in line with temporary changes made to Australian Family Assistance Law. The Family Assistance Law is the basis for Commonwealth childcare fee assistance, which includes the Child Care Subsidy (CCS) and Additional Child Care Subsidy (ACCS). These fee waivers will be available to families until 30 June 2022, in line with the current announcements by the Commonwealth. These fee waivers may be extended by the Commonwealth, however this is not known at this time.

2. The City's [Revenue Policy: Fees and Charges](#) and [Grants and Sponsorship](#) program, along with the delegations register and internal procedures relating to further discounts available on application in line with the Revenue Policy.
3. The draft 2022/23 Fees and Charges are included in the draft budget provided to Council for consideration.

12. Community Concerns Regarding the Proposed Site of a Local Aboriginal Knowledge and Culture Centre

By Councillor Weldon

Question

1. Is the City of Sydney aware of community concerns that the proposed site at 119 Redfern Street is not suitable for a local Aboriginal knowledge and culture centre due to the building's colonial and segregation-era history?
2. Is the City of Sydney aware of community concerns that the proposed site at 119 Redfern Street is not fit-for-purpose as a museum/exhibition space as the building is prone to rising damp, has insufficient temperature regulation and faces other long-term maintenance challenges.
3. How will the City of Sydney respond to these concerns?

X086670

Answer by the Chief Executive Officer

1. The City has been consulting local Aboriginal communities on how the building at 119 Redfern Street can be used.

So far we have received a range of ideas about how it may be used from over 120 Aboriginal and Torres Strait Islander community members who have completed a survey or attended a workshop.

We have received a submission from Metropolitan Local Aboriginal Land Council raising the concerns about the colonial nature of the building.

We have approval to remove and store items representing colonial symbols for example etched glass windows. We have undertaken a cultural design study and will continue to seek input on decolonising the building.

2. The City undertakes a comprehensive assessment of buildings before purchase. We have a property management plan for all City owned buildings.

The City of Sydney undertook a development application process in 2021. The proposal was on public exhibition in January to February 2021 and the Development Application was reported to the 28 April 2021 Local Planning Panel meeting. Two submissions in support were received. No submissions raised concerns about the condition of the building.

There is no rising damp at 119 Redfern Street. There is a standard condition of consent to ensure adequate subfloor ventilation and other measure for buildings built prior to 1920 to address the potential of rising damp.

The City is currently undertaking work to the building to install a lift, ensure the building is fully accessible and maximise the space for community use. We are aiming for the space to open in early 2023.

The Aboriginal and Torres Strait Islander Advisory Panel has been briefed throughout the process to prepare the building for community use.

At no point has the City of Sydney proposed that it would be museum. In the case that the community decides to keep objects that may require a controlled environment, there are experts in this field who can be consulted. We can also learn from Aboriginal communities across NSW with collections in their keeping places and local centres who are balancing community access to cultural objects with preservation of delicate items. The museum standards provide a range to work within and it is a process to manage the needs of the community and the collection rather than prescribing one specific standard temperature. An advantage for the building at 119 Redfern Street is it already has a good air-conditioning system.

3. The City is finalising the first phase of consultation. The City will continue to work with the community to ensure this building provides the best possible opportunities for use by local Aboriginal and Torres Strait Islander communities.

13. Places for Women and Children to Seek Safety from Domestic Violence

By Councillor Weldon

Question

1. Does the City of Sydney maintain a register of organisations providing shelter for women and children escaping domestic violence in the City of Sydney Local Government Area?

2.

- (a) Do any organisations providing shelter for women and children escaping domestic violence receive funding from the City of Sydney?
- (b) If yes, how much City of Sydney funding has been provided to these organisations in the 2020/21 and 2021/22 financial years?
- (c) If yes, when did funding commence for each organisation?

3.

- (d) How many women and children were assisted by the 2021 City of Sydney initiative to fund spaces in student accommodation for women and children escaping domestic violence?
- (e) How much funding/what resources did the City of Sydney contribute toward this initiative?
- (f) Is the initiative ongoing?
- (g) If the initiative is not ongoing, when did it end?
- (h) Are there any other Council programs operating to assist women and children escaping domestic violence?

X086670

Answer by the Chief Executive Officer

- 1. No. In order to remain safe, domestic and family violence crisis accommodation locations are not disclosed outside of specialist services in order to reduce the risk of harm to women and children leaving violence.

2.

- (a) Yes.
- (b) The City has funded services supporting women and their children experiencing domestic and family violence through grants.

\$245,587.00 in grant funding was provided for 13 projects delivered by nine organisations who support people experiencing domestic and family violence in 2021/22.

Covid-19 Grant funding exceeding \$240,000.00 was provided to projects delivered by nine organisations supporting people with experience of domestic and family violence in 2020/21.

- (c) Funding has been provided through grants to support services in delivering projects and programs commencing at different times during the respective financial years including Covid-19 Recovery Grants and Community Emergency Quick Response Grants.

3.

- (a) The project has assisted 15 women into student accommodation. Women's Community Shelters Limited is working with each woman to find permanent accommodation.
- (b) \$118,540.
- (c) No.
- (d) Funded until December 2022.
- (e) The City coordinates a quarterly Inner City Domestic and Family Violence Forum bringing together organisations working to prevent and respond to domestic violence and sexual assault in Sydney. The forum provides networks with opportunities to collaborate for solutions. The City engages specialist services to deliver community capacity building courses to ensure people know where to get help when they need it and to prevent domestic and family violence.

14. Staffing of the Office of the Lord Mayor

By Councillor Weldon

Question

1. How is resource allocation for staffing the Office of the Lord Mayor determined?
2. By how much has resource allocation for staffing the Office of the Lord Mayor increased from the commencement of the current Lord Mayor's first term until now?
3. What processes are there for reviewing resource allocation for the Office of the Lord Mayor?
4. Are staff for the Office of the Lord Mayor recruited following the same processes as for other City of Sydney staff?
5. In respect of the Office of the Lord Mayor, for each financial year ended 30 June 2016 to 30 June 2021 what was:
 - (a) The number of staff employed on a full time, part time or casual, basis?
 - (b) The total cost of staff employed?
 - (c) The number of consultants employed or contracted?
 - (d) The total cost of number of consultants employed or contracted?

X086670

Answer by the Chief Executive Officer

1. The Councillors' Expenses and Facilities Policy approved by Council outlines the support provided by the City to the Lord Mayor, Deputy Lord Mayor and Councillors. It notes that in 2017 the Local Government Remuneration Tribunal observed the "the role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW."

Accordingly, under the Policy there is provision for an Office of the Lord Mayor to provide support and related services to the Lord Mayor for the purposes of: policy development and advocacy; strategic planning and research; communications and media; community, government and industry liaison; exercise of civic and ceremonial functions; and administrative support.

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

2. Between 2004/05 and 2019/20 the Office of the Lord Mayor's actual expenditure has increased by an average of 1.7 per cent per year. This is below CPI increases.

The resident population in the City of Sydney has grown from 152,892 in 2004 to 246,343 in 2019. An increase of 93,451 since 2004 (61.1 per cent increase). Source: ABS Estimated Resident Population 2004-2019.

The workforce in the City of Sydney grew from 385,421 in 2007 to 501,786 in 2017. An increase of 116,365 (over the ten-year period). (30.2 per cent increase). Source: City of Sydney Floor Space and Employment Survey, 2007 and 2017.

3. As with all City business units, the Office of the Lord Mayor's resource allocation is reviewed by Council and adopted each budget cycle.
4. Yes.
- 5.

(a)

Office of the Lord Mayor as at:	Employee FTE
30/06/2016	19.60
30/06/2017	20.60
30/06/2018	20.60
30/06/2019	21.00
30/06/2020	21.80

Office of the Lord Mayor as at:	Employee FTE
30/06/2021	21.19

(b)

Year	Actual (\$M)
2015/16	3.44
2016/17	3.7
2017/18	3.21
2018/19	3.55
2019/20	3.49
2020/21	3.16

(c) Nil.

(d) Nil.

15. Council Actions Regarding the Safety of the Bridge Road Cycleway

By Councillor Weldon

Question

1. The Pyrmont Bridge Road Cycleway Evaluation Report (Final) dated May 2021, co-authored by Transport for NSW and City of Sydney, refers to "City Specific Indicators" involving the City of Sydney:

(a) Support People to Ride Safely

- (i) What is the number of cyclists who have been injured, including those requiring hospitalisation, on Bridge Road Glebe/ Forest Lodge since the cycleway was installed in September 2020?
- (ii) What information is known about when/where the accident occurred, severity of injury and age of the injured cyclist?
- (iii) How many cyclists were injured on Bridge Road in the 10 years prior to the cycleway being installed?
- (iv) What is the source of data for (i) and (ii)

(b) Increase the Number of People Riding

- (i) What is the source of data that informs the City of Sydney whether there has been an increase or decrease in number of cyclists riding on Bridge Road?

- (ii) Has the number of cyclists riding on Bridge Road increased or decreased since the cycleway was installed?
- (iii) What are the number of trips by cyclists on Bridge Road recorded by counters each month from January 2020 to April 2022?

(c) Balanced Approach

- (i) Regarding the statement in the Evaluation Report that “access has been reasonably maintained across a variety of users” in relation to “safe walking, vehicles, waste vehicles, people with restricted mobility and emergency workers”:
- (ii) Who conducted the “observations and desktop analysis” evaluating the data that supports the statements in the Report in (i) above?
- (iii) Over what period were the “observations and desktop analysis” evaluations conducted that produced the data that supports the statements in the Report in (i) above?
- (iv) Were any investigations conducted by the City of Sydney regarding the impact of removal of the clearway raised by residents with no rear lane access?
- (v) If the answer to (iv) is yes, what were the findings of these investigations?
- (vi) Were any investigations conducted about the impact reported by residents getting access to their properties for removals/deliveries/tradies since the removal of the clearway?
- (vii) If the answer to (vi) is yes, what were the findings of these investigations?
- (viii) Did the City of Sydney contact Australia Post, Fedex, UPS, DHL or any other delivery company to seek feedback on the impact of deliveries on Bridge Road since the removal of the clearway?
- (ix) If the answer to (viii) is yes, what were the findings of these investigations?
- (x) What period of time did investigations occur with respect to the impact of the removal of the clearway on garbage collection and the impact on road safety of these changes
- (xi) What were the findings of the impact of the removal of the clearway on garbage collection and road safety on Bridge Road?
- (xii) Did the City of Sydney contact the Fire Brigade, Police and Ambulance Service to obtain feedback on the impact of the cycleway for their operations?
- (xiii) If the answer to (xii) is yes what was the feedback provided?
- (xiv) Did the City of Sydney contact taxi or ride share operators to seek feedback on the impact of the cycleway for their operations?
- (xv) If the answer to (xiv) is yes what was the feedback provided?

(d) Addressing Community Concerns

To clarify statements in the Evaluation Report about “addressing community concerns”, and that “the majority of concerns have been mitigated or otherwise resolved”:

- (i) What are the community concerns that have not been mitigated or otherwise resolved?
- (ii) Did the City of Sydney follow up with any disabled residents unable to access their homes on Bridge Road to check whether a relocated parking spot met their needs?
- (iii) Since it opened in September 2020, has another safety audit been conducted on Bridge Road cycleway that includes the safety issues the Auditor who conducted the Pre Opening Road Safety Audit was asked to exclude from his audit?

4. Consultation with Community/Resident/Cycling Organisations

- (a) What are the names of the community and cycling organisations City of Sydney directly consulted with regarding “community concerns” for the Evaluation Report?
- (b) Prior to coming to the conclusion stated in the Evaluation Report that the “majority of concerns were mitigated or otherwise resolved”, did the City of Sydney consult with representatives of the Bridge Road Friends community group who were so concerned about the safety of the cycleway they crowdfunded an independent road safety audit on it in 2020?
- (c) Prior to coming to the conclusion stated in the Evaluation Report that the “majority of concerns were mitigated or otherwise resolved”, did the City of Sydney consult with the Glebe Society, whose members had written to the Lord Mayor and Council raising concerns about safety and loss of residents amenity following the installation of the cycleway?

X086670

Answer by the Chief Executive Officer

1.

- (a) Along the length of Bridge Road where there is now a pop-up cycleway:

There were two bicycle injury crashes in the six months before the pop-up cycleway (at Talfourd Street – 47-year-old male and near Burton Street – 31-year-old female).

There were two bicycle injury crashes in the remainder of 2020 (at Gottenham Street – 55-year-old male and at Jarocin Avenue -58-year-old male).

There were two bicycle injury crashes in the first half of 2021 (the latest data available (at Gottenham Street – 17-year-old male and outside number 5 Pymont Bridge Road – 27-year-old male)

Crash data is very variable, with between one and six bike crashes per year on Bridge Road in the four years before the pop-up cycleway

Crash data comes from the NSW Centre for Road Safety, and originates from NSW Police crash reports.

- (b) Transport for NSW installed a bicycle counter on each side of the road when the cycleway was installed (in September 2020).

The number of cyclists have increased.

The weekly trip count from opening until March 2021 is shown in the evaluation report. In the first two months it varies between 2,000 and 2,300 bike trips per week. The counter was replaced in May 2021 (due to maintenance issues). Between May 2021 and March 2022 the weekly count mostly varies between 2,000 and 2,900 bike trips per week (it is lower than that during the Christmas and New Year period).

- (c) The Bridge Road temporary ("pop-up") cycleway is a Transport for NSW project.

Transport for NSW was responsible for the design and implementation of the temporary ("pop up") cycleway, including the necessary road safety assessments and consultation with key stakeholders.

For City of Sydney projects, we would normally make contact with key stakeholders including Australia Post, the Police and Fire Brigade.

- (d) Listed on page 25 of the Evaluation Report.

Transport for NSW met with the resident to relocate the mobility parking space to where it better met their needs.

The Bridge Road pop-up cycleway is a Transport for NSW project and they will can advise if they have done another road safety audit.

2.

- (a) The Bridge Road pop-up cycleway is a Transport for NSW project - the City of Sydney did not contact community or cycling organisations about Bridge Road pop-up cycleway.

Issues raised by the community are shown in the list of issues on page 25 of the Evaluation Report.

- (b) The list of issues and status are shown on page 25 of the Evaluation Report.
- (c) The list of issues and status are shown on page 25 of the Evaluation Report.

Item 12 Supplementary Answers to Previous Questions

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

Item 13 Notices of Motion**Item 13.1 Access to Early Childcare for People Seeking Asylum**

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney became a Refugee Welcome Zone in 2005 and reaffirmed this commitment in 2014. Our initiatives and programs to support refugees and people seeking asylum include providing this community group with free and low-cost access to a range of Council facilities and services including swimming pools, gyms, and libraries;
 - (a) the City of Sydney currently offers free after school and vacation care at Redfern, Surry Hills and Woolloomooloo Children's Programs (Outside School Hours Care or OSHC services) to all vulnerable children, including people seeking asylum;
 - (b) at Hilda Booter and Broughton Street Kindergartens we offer prioritised places to vulnerable children and any child who is in the year before school. Currently children enrolled at Hilda and Broughton receive 600 hours of free care which the State Government is funding. Any care above 600 hours is provided at a cost to families; and
 - (c) the City of Sydney also offers prioritised places to vulnerable children, including people seeking asylum, at Alexandria Child Care, Redfern Occasional Care Centre, and Ultimo, Pyrmont and KGV Children's Programs. Families who are seeking asylum currently pay to use these services as they are not eligible for Child Care Subsidy (CCS) and it is not currently possible for a CCS registered service to offer free care; and
- (ii) while their cases are being assessed, people seeking asylum are unable to access early childhood subsidies that Australian families depend upon to make access to early childhood education more affordable. According to the Asylum Seekers Centre, there are 400 children of people seeking asylum in NSW under five years of age; and

(B) the Chief Executive Officer be requested to investigate how the City of Sydney might join the Inner West Council, Canterbury-Bankstown Council and others in providing free early education services to children whose parents are awaiting asylum seeker determination, and report back to Councillors on what might be possible, via the CEO Update.

Carried unanimously.

X086654

Adjournment

At this stage of the meeting, at 8.10pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.32pm.

Item 13.2 City Community Centres

By Councillor Scott

It is resolved that:

- (A) the Chief Executive Officer be requested to investigate leasing a space in Pymont which can accommodate all the activities and equipment that will not fit at Maybanke Recreation Centre and bring back a recommendation to Council which includes an assessment of the financial implications;
- (B) Council retain the Pymont community centre staff - both in the main centre and children's services area; and
- (C) the Chief Executive Officer be requested to work with the community, including Friends of Pymont Community Centre and Pymont Cares, to enact this for the term of the closure of the Pymont Community Centre.

Note – at the meeting of Council, the content of the original Notice of Motion was varied by Councillor Scott, to include content from a similar motion by Councillor Jarrett, which was withdrawn at Item 13.3. Subsequently it was –

Moved by Councillor Scott, seconded by Councillor Jarrett –

It is resolved that:

- (A) Council note:
 - (i) the Pymont Community Centre has since 1993, consistent with Sustainable Sydney 2030 Direction 6 – Vibrant Local Communities and Economies, provided a diverse range of community activities and services, including a library link, children's' programs, including after-school care, a gym and two spaces for hire, on the site the former Pymont Public school (a community facility since 1884). In the past two years the centre has provided essential support in the Covid crisis;
 - (ii) with continuing residential growth since the 1990s, the strong and increasing demand for the existing programs and facilities at the centre has outgrown the centre facilities and space, which was recognised by Council in September 2019 and Council resolution in June 2020 to endorse a project scope and budget for the Pymont Community Centre Upgrade, which was further endorsed on 19 July 2021;
 - (iii) the Project Scope noted the centre will continue to be operated by the City of Sydney, under the community centre's operating model supporting increased community participation and providing improved community access, but at a risk that not implementing the scope of works could result in failure to meet community expectations;
 - (iv) commencement of the works is due to commence in mid/late 2022 and be completed in early 2024, a period of some 70 weeks (approximately one year and five months);
 - (v) planning for the upgrade has failed to address or provide for a satisfactory transition which allows continuing provision of the existing community activities and services during the construction period;

- (vi) the Friends of Pymont Centre and other users have since at least mid-2019, and most recently in an email to Councillors dated 19 March 2022 (co-signed by 19 representatives of community groups), expressed their concerns about the need to address the transition period during construction; and
- (vii) the Friends of Pymont Community Centre have undertaken the identification of alternative spaces in the community that could be rented to enable all the activities to be continued for the duration of the works, however whilst they have considered crowd funding to raise the rent, storage and necessary re-location costs the community needs the financial assistance of Council to meet these expenses and to continue to provide community services during the upgrade works;

(B) Council further note:

- (i) fees and charges income provides around 23.1 per cent of the City's budgeted income from Continuing Operations for 2021/2022;
- (ii) Pymont Community Centre provides the City with an annual revenue through gymnasium membership fees and court and venue hire fees; and
- (iii) if Pymont Community Centre is temporarily closed for 70 weeks during its renovation, the City will lose the revenue provided to it through the centre's activities; and

(C) the Chief Executive Officer be requested to:

- (i) acknowledge that the members of Pymont Community Group have investigated and identified suitable temporary locations for Pymont Community Centre;
- (ii) investigate leasing a space in Pymont which can accommodate all the activities and equipment that will not fit at Maybanke Recreation Centre and bring a recommendation to Council which includes an assessment of the financial implications;
- (iii) provide appropriate support for the re-location of the community centre including assistance with obtaining a lease for the proposed location;
- (iv) provide funding from the General Contingency Fund to relocate the Pymont Community Centre for the duration of the refurbishment and other funding if necessary for storage of furniture;
- (v) provide any assistance needed to move the Pymont Community Centre to its new temporary location, including Council support staff;
- (vi) ensure Council retain the Pymont Community Centre staff – both in the main centre and children's services area;
- (vii) assist in advertising the new temporary location of the Pymont Community Centre to the residents and community members of the Pymont area to ensure that they understand the change in location and are aware of the continuation of the operation of the centre in a new venue;
- (viii) work with the community, including Friends of Pymont Community Centre and Pymont Cares, to enact these recommendations for the term of the closure of the Pymont Community Centre;
- (ix) provide assurance to the Friends of Pymont Community that they will be able to return to the refurbished centre with a full range of activities at the completion of the works;
- (x) ensure that community re-location/displacement plans are included in all future scope of works for all community centres upgrades; and

- (xi) report back to Councillors via the 10 June 2022 CEO Update of the action taken to address the relocation of the Pymont Community Centre to its new temporary location, including the rental grant and assistance provided to assist in the upkeep and maintenance of the services and activities offered through the Pymont Community Centre.

A show of hands on the motion 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 motion.

The motion was declared lost.

X086655

Item 13.3 Pymont Community Centre Relocation**Procedural Motion**

Moved by Councillor Jarrett, seconded by Councillor Gannon –

That the motion be withdrawn.

Adjournment

During Item 13.3, at 8.53pm, it was moved by the Deputy Chair, Councillor Scully, seconded by Councillor Chan –

That the meeting be briefly adjourned as the Chair (the Lord Mayor) was experiencing technical difficulties.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.57pm.

The procedural motion to withdraw Item 13.3 was carried unanimously.

Item 13.4 Trans and Gender Inclusive Swim Nights

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that:

(A) Council:

- (i) notes that IDAHOBIT (International Day Against Homophobia, Biphobia, Intersexism and Transphobia) will be held on 17 May 2022; and
- (ii) notes and congratulates the Inner West Council and the Inner West LGBTQ Working Group on the success of the Trans and Gender Diverse Swim Night, held at Ashfield Aquatic Centre on 29 April 2022; and

(B) the Chief Executive Officer be requested to:

- (i) provide a brief report to the Council via the CEO Update regarding the feasibility of the City of Sydney holding one or more Trans and Gender Diverse Swim Nights at pools in the City of Sydney Local Government Area; and
- (ii) include advice as to whether holding one or more Trans and Gender Diverse Swim Nights could be accommodated in the 2022/23 Council budget, or whether a budget variation would be required.

Carried unanimously.

X086659

Item 13.5 Cliff Noble Community Centre Hearing Loop Installation

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

It is resolved that:

(A) Council note:

- (i) Alexandria's Cliff Noble Community Centre is a widely utilised City of Sydney facility that is essential to local residents within the area, especially seniors who use this space as a way to connect with other local residents and to access services that enhance their quality of life;
- (ii) currently services offered here include creative writing classes, dance classes, fitness classes and arts and crafts classes. These classes and other services provided by the centre attract a diverse range of community members including many who have impairments such as hearing impairments;
- (iii) currently the Cliff Noble Community Centre does not have a permanent hearing loop installed which makes it difficult for residents who need support for their hearing to participate in services within this centre and to utilise the services offered;
- (iv) the absence of a hearing loop alienates people who struggle with hearing;
- (v) under the current system different community centres have different systems to assist people with hearing difficulties, however the system varies according to the specific need and is not accommodated for permanently at the Cliff Noble Community Centre;
- (vi) currently, inbuilt hearing augmentation systems link to inbuilt amplification systems, which are not currently available at the Cliff Noble Community Centre;
- (vii) such a system supports those who wear a hearing aid or alternatively have a cochlear implant;
- (viii) the review implemented by the City recommended that inbuilt systems should be fitted in larger facilities where larger activities and events take place, not including any of the smaller centres such as Cliff Noble Community Centre; and
- (ix) the City is currently trialling portable hearing loops in the Cliff Noble Community Centre. Portable systems can be used to both support those who are hard of hearing as well as those who need to wear a hearing aid or cochlear implant; and

(B) the Chief Executive Officer be requested to:

- (i) review the trial, including consultation with attendees of Cliff Noble Community Centre, and report back to Councillors via the CEO Update;

- (ii) depending on the trial outcomes and community feedback, consider the installation of a hearing loop in Alexandria's Cliff Noble Community Centre within this Council term, and report back to Councillors via the CEO Update;
- (iii) review the accessibility in all other City community centres to ensure, where required, they are also equipped with hearing loops; and
- (iv) report back on the progress of installation and review in the CEO Update.

Carried unanimously.

X086655

Item 13.6 Fitness Passports

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) that in 2017, without prior permission from the City of Sydney, Belgravia Leisure engaged in a contract with Fitness Passport, a private company that provides access to gyms and leisure facilities for its members;
- (ii) that the City ordered Belgravia Leisure to remove City facilities from the Fitness Passport program, with Fitness Passport members losing access from 1 February 2022;
- (iii) that Belgravia Leisure has advised that Fitness Passport users represented 4 per cent of attendances at City of Sydney facilities between October and December 2021;
- (iv) that Fitness Passport holders were given 56 days' notice of removal of City of Sydney facilities;
- (v) that Fitness Passport holders were offered a 30 per cent discount on City of Sydney 360 memberships until the end of June 2022, bringing the cost of membership down to \$20.65 per week;
- (vi) that this discounted rate is still one-third higher than the Fitness Passport rate;
- (vii) that a Fitness Passport member electing to receive a discounted 360 membership will pay \$118.65 more by the end of June than they would have under the Fitness Passport program;
- (viii) that many healthcare providers participate in the Fitness Passport program, and the removal of this service has removed many healthcare workers' affordable access to leisure facilities in the City of Sydney; and
- (ix) that a petition opposing the removal of the Fitness Passport program received over 82 signatures; and

(B) the Chief Executive Officer be requested to:

- (i) write to the Chief Executive Officer of Belgravia Leisure to seek compensation for City of Sydney residents who are Fitness Passport users to ensure that they receive suitable redress for the cost of the changed program;
- (ii) investigate any legal avenues the Council may have as a result of this removal of service in order to support our residents; and
- (iii) inform Council of the action taken on this issue via a further CEO Update.

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.

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

The motion was lost.

X086655

Item 13.7 Trans and Gender Diverse Swimming Night**Procedural Motion**

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

That the motion be withdrawn.

Carried unanimously.

Item 13.8 Rosebery Eligibility Low Rise Medium Density Housing Code

Moved by Councillor Scott, seconded by Councillor Chan –

It is resolved that:

- (A) Council note the NSW Low Rise Medium Density Housing Code came into effect on 1 July 2020;
- (B) Council note the City has:
 - (i) consulted extensively with residents in the R2 zone in Rosebery about the impact of the Low Rise Medium Density Housing Code; and
 - (ii) with the support of Local Government NSW, successfully sought to exempt the Rosebery Special Character Area identified in Sydney Local Environmental Plan 2012 from the Low Rise Medium Density Housing Code, from the commencement of the code until 1 July 2019; from 1 July 2019 until 31 October 2019; and from 31 October 2019 until 1 July 2020;
- (C) Council note:
 - (i) the Lord Mayor wrote to the former Minister for Planning and Public Spaces, requesting the Rosebery Special Character Area identified in Sydney Local Environmental Plan 2012 be exempted from the Low Rise Medium Density Housing Code, as resolved by Council on 20 July 2020, and that this request was granted for a period of two years; and
 - (ii) the Lord Mayor wrote to the Minister for Planning, again requesting the Rosebery Special Character Area identified in Sydney Local Environmental Plan 2012 be exempted permanently from the Low Rise Medium Density Housing Code, in April 2022, however she has not yet received a response; and
- (D) in light of the lack of response and urgent need for a decision, the Lord Mayor be requested to again write urgently to the Minister for Planning to seek a meeting, requesting the Rosebery Special Character Area identified in Sydney Local Environmental Plan 2012 be exempted from the Low Rise Medium Density Housing Code permanently.

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 the NSW Low Rise Housing Diversity Code came into effect on 1 July 2020;
- (B) Council note, the City has:
 - (i) consulted extensively with residents in the R2 zone in Rosebery about the impact of the Low Rise Housing Diversity Code; and
 - (ii) with the support of Local Government NSW, successfully sought to exempt the Rosebery Special Character Area identified in Sydney Local Environmental Plan 2012 be exempted from the Low Rise Housing Diversity Code, from the commencement of the code until 1 July 2019; from 1 July 2019 until 31 October 2019; and from 31 October 2019 until 1 July 2020;

- (C) Council note:
- (i) the Lord Mayor wrote to the former Minister for Planning and Public Spaces, requesting the Rosebery Special Character Area identified in Sydney Local Environmental Plan 2012 be exempted from the Low Rise Housing Diversity Code, as resolved by Council on 20 July 2020, and that this request was granted for a period of two years and expires on 31 December 2022; and
 - (ii) the Lord Mayor wrote to the Minister for Planning, again requesting the Rosebery Special Character Area identified in Sydney Local Environmental Plan 2012 be exempted permanently from the Low Rise Housing Diversity Code, on 27 April 2022, however she has not yet received a response;
- (D) if the Minister does not agree to permanently exempt the Rosebery Special Character Area from the Low Rise Housing Diversity Code by 30 June 2022, the Lord Mayor be requested to again write urgently to the Minister for Planning to seek a meeting; and
- (E) the Chief Executive Officer be requested to provide an update to Councillors via the CEO Update on the Minister's response and decision.

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

X086655

Item 13.9 Statement of Support for Refugee Week

By Councillor Ellsmore

It is resolved that:

- (A) Council note:
 - (i) that the City of Sydney has been a Refugee Welcome Zone since 2005; and
 - (ii) the theme of this year's Refugee Week, 19 June to 25 June 2022, is Healing;
- (B) Council affirms its commitment to commemorate Refugee Week in 2022; and
- (C) the Chief Executive Officer be requested to:
 - (i) advise Council via the CEO Update as to how the City is currently promoting fee waiver programs to the refugee community and people seeking asylum community, including how language and literacy barriers are taken into consideration; and
 - (ii) provide an update to Council via the CEO Update as to the estimated cost of expanding the free swimming lessons program for refugees and people seeking asylum, to include access to free swimming gear, for consideration as part of the 2022/23 budget.

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

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

It is resolved that:

- (A) Council note the theme of this year's Refugee Week, 19 June to 25 June 2022, is Healing;
- (B) Council affirms its commitment to commemorate Refugee Week in 2022; and
- (C) the Chief Executive Officer be requested to:
 - (i) advise Council via the CEO Update as to how the City is currently promoting fee waiver programs to the refugee community and people seeking asylum community, including how language and literacy barriers are taken into consideration; and
 - (ii) provide an update to Council via the CEO Update as to the estimated cost of expanding the free swimming lessons program for refugees and people seeking asylum, to include access to free swimming gear, for consideration as part of the 2022/23 budget.

Carried unanimously.

X086659

Item 13.10 Report on Bus Stop and Street Furniture Roll Out

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that:

(A) Council note:

- (i) that bus shelters make using public transport more pleasant and are relied on by many residents, particularly older people;
- (ii) that bus shelters provide cover from the elements and allow for timetabling information to be displayed;
- (iii) that the replacement street furniture has resulted in many residents being without bus shelters for an extensive period of time during an extreme wet weather;
- (iv) that many residents feel that the council has not communicated adequately about the destruction and installation of new bus shelters; and
- (v) that many residents and community organisations have written to councillors expressing their concerns; and

(B) the Chief Executive Officer be requested to:

- (i) confirm the total number of bus stops in total marked for replacement, over 2021 and 2022, and their locations;
- (ii) confirm the key terms of the contracts to replace the bus stops;
- (iii) confirm how many of the new bus stops have been installed (as of 10 May 2022);
- (iv) confirm the number and location of the old bus stops that have been removed (as of 10 May 2022) and not yet replaced, and the timeframe for their replacement;
- (v) confirm the number and location of the old bus stops that are scheduled for replacement but have not yet been removed, the timeframe for their proposed removal, and the timeframe for their replacement;
- (vi) advise the Council as to how the community has been kept updated about the bus stop replacements, and what strategies are in place to advise residents, students, workers and visitors of further delays to replacement of the bus stops;
- (vii) advise the Council of what strategies were explored and implemented to mitigate the impact of the extended bus stop losses, particularly during wet weather; and
- (viii) confirm the expected life of the new bus shelters and if they are to be replaced during the existing contract with QMS, or the five-year extension option.

Carried unanimously.

X086659

Item 13.11 24 Hour Economy – Flicking the Switch Report

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

It is resolved that:

(A) Council note:

- (i) on 27 April 2022, the 24 Hour Economy Commissioner, along with Ernst and Young, released the Flicking The Switch report that offers strategies to ‘help Sydney’s CBD turn the lights on a new era’:
 - (a) this report noted the cultural and economic importance of the Sydney CBD;
 - (b) the pandemic has significantly changed how people view the CBD and has altered their visitation patterns;
 - (c) the market research conducted by Ernst and Young consulted 3,017 Sydneysiders to understand their attitudes towards the CBD; and
 - (d) the report made 29 recommendations across five different policy areas;
- (ii) that City staff have worked collaboratively with the 24 Hour Economy Commissioner since the Commissioner was appointed, and will continue to do so;
- (iii) the City of Sydney was the first government in Australia at any level to have a late night economy strategy, and strongly advocated for the creation of a 24 Hour Economy Commissioner; and
- (iv) that without urgent and coordinated action across all levels of government the CBD will be at risk of long-term stagnation; and the City has a long and proud history of commitment to supporting the night time economy; and

(B) the Lord Mayor be requested to:

- (i) write to Minister Stuart Ayres, and the 24 Hour Economy Commissioner to express this Council’s enthusiastic support of the report and its recommendations; and
- (ii) offer this Council’s continued assistance in any reasonable means to facilitate the introduction of the recommendations within the report.

Carried unanimously.

X086658

Item 13.12 ALGA Election Advocacy

By Councillor Scott

It is resolved that:

- (A) Council supports the national funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs; and
- (B) Council agrees to support and participate in the Australian Local Government Association's advocacy for their endorsed national funding priorities by writing to the local Federal Member(s) of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:
 - (i) express support for ALGA's funding priorities;
 - (ii) identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and
 - (iii) seek funding commitments from the members, candidates and their parties for these identified local projects and programs.

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

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

- (A) Council support the national funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs;
- (B) alongside Australia's 536 other councils, Council is advocating for:
 - (i) economic recovery:
 - (a) an initial injection of Financial Assistance Grants to local government of \$1.3 billion to support communities and jobs and also resolve the current practice of bringing forward two quarterly Financial Assistance Grant payments each year; and
 - (b) a commitment to return Financial Assistance Grants to at least one percent of Commonwealth taxation revenue via a phased approach.
 - (ii) transport and community infrastructure:
 - (a) \$500 million per annum for a four-year continuation of the Local Roads and Community Infrastructure Program;
 - (b) a strategic local roads investment program of \$300 million per annum over four years to address road transport first and last mile issues and congestion on local roads;

- (c) an increase in Roads to Recovery to \$800 million per annum (an additional \$300 million per annum) and the Black Spot Program to \$200 million per annum over four years, while addressing the South Australian road funding anomaly by making the additional \$20 million per annum to SA in 2021-22 and 2022-23 permanent;
 - (d) continuing the Stronger Regional Digital Connectivity Package at \$55 million over four years; and
 - (e) \$200 million over four years to assist councils to develop and implement innovative housing partnerships;
- (iii) building resilience:
- (a) a targeted disaster mitigation program of \$200 million per annum for four years which will reduce the costs of response and recovery and strengthen community resilience;
 - (b) commitment to ensuring betterment funding as a core element of disaster recovery funding arrangements;
 - (c) a commitment to include community infrastructure that is publicly accessible and owned, and local government waste, water and wastewater assets under Disaster Recovery Funding Arrangements;
 - (d) a Local Government Climate Response Partnership Fund of \$200 million over four years to enable planning and preparation to minimise the impacts of climate change in local communities and enable councils to achieve climate neutrality as soon as practicable; and
 - (e) \$100 million per annum over four years provided directly to local governments to support the capabilities of Indigenous councils and the implementation of the Closing the Gap local/regional voice;
- (iv) circular economy:
- (a) support to provide guidance and advice to councils on how to unlock the circular economy locally, particularly in rural, regional, and remote areas;
 - (b) support to investigate and, if feasible, implement a national bin harmonisation program that will improve kerbside recycling, reduce contamination, and maximise opportunities for reuse; and
 - (c) \$100 million per annum over four years to fund local government circular waste innovation projects;
- (v) intergovernmental relations:
- (a) reinstating local government representation to the primary intergovernmental forum in Australia, the National Cabinet; and
 - (b) ensuring local government's ongoing voting membership of other relevant Ministerial forums; and

- (C) Council agrees to support and participate in the Australian Local Government Association's advocacy for their endorsed national funding priorities by writing to the local Federal Member(s) of Parliament, all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:
- (i) identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and
 - (ii) seek funding commitments from the members, candidates and their parties for these identified local projects and programs.

Carried unanimously.

X086655

At 9.38 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 27 June 2022 at which
meeting the signature herein was subscribed.