

16 May 2022

At 5.00 pm

Council

Agenda

1. **Confirmation of Minutes**
2. **Disclosures of Interest**
3. **Minutes by the Lord Mayor**
 - 3.1 Support for the Transgender Community
4. **Memoranda by the Chief Executive Officer**
5. **Matters for Tabling**
6. **Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Disclosures of Interest
 - 6.2 2021/22 Quarter 3 Review - Delivery Program 2017-2021
 - 6.3 Public Exhibition - Integrated Planning and Reporting Program and Budget 2022/23
 - 6.4 Investments Held as at 30 April 2022
 - 6.5 Lease Approval - Levels 4 and 5 - 540 George Street, Sydney
 - 6.6 Lease Approval - Levels 6 and 7 - 540 George Street, Sydney
 - 6.7 Lease Approval - Level 8 - 540 George St. Sydney
 - 6.8 Tender - Reject and Negotiate - T-2021-487 - Inspection and Condition Assessment of Road Reserve Assets
 - 6.9 Exemption from Tender - Migration to Ungerboeck Cloud
 - 6.10 Exemption from Tender and Contract Variations - Alternate Resource Recovery Processing and Cleansing Waste (Putrescible) Receipt, Processing and Disposal Services Agreement

Agenda

7. Report of the Business and Economic Development Committee

- 7.1 Disclosures of Interest
- 7.2 Grants and Sponsorship - Precinct Activation Grants
- 7.3 Grants and Sponsorship - Commercial Creative and Business Events Sponsorship - Vivid Sydney (XCelerate Program) 2023

8. Report of the Cultural and Creative Committee

- 8.1 Disclosures of Interest
- 8.2 Grants and Sponsorship - Ad Hoc Grant - Support for Qtopia LGBTIQA+ Museum
- 8.3 Grants and Sponsorship - Ad Hoc Grant (Value-In-Kind Support) - Sydney WorldPride 2023

9. Report of the Transport, Heritage, Environment and Planning Committee

- 9.1 Disclosures of Interest
- 9.2 Post Exhibition - Planning Proposal - Enterprise Area Review - Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012 Amendment
- 9.3 Public Exhibition - Planning Proposal - 757-763 George Street, Haymarket - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment
- 9.4 Approved Variations to Development Standards Reported to the Department of Planning and Environment
- 9.5 Fire Safety Reports

10. Property Matter (Confidential)

11. Questions on Notice

12. Supplementary Answers to Previous Questions

Agenda

13. Notices of Motion

- 13.1 Access to Early Childcare for People Seeking Asylum
- 13.2 City Community Centres
- 13.3 Pyrmont Community Centre Relocation
- 13.4 Trans and Gender Inclusive Swim Nights
- 13.5 Cliff Noble Community Centre Hearing Loop Installation
- 13.6 Fitness Passports
- 13.7 Trans and Gender Diverse Swimming Night
- 13.8 Rosebery Eligibility Low Rise Medium Density Housing Code
- 13.9 Statement of Support for Refugee Week
- 13.10 Report on Bus Stop and Street Furniture Roll Out
- 13.11 24 Hour Economy – Flicking the Switch Report
- 13.12 ALGA Election Advocacy

Item 1

Confirmation of Minutes

Minutes of the following meeting of Council are submitted for confirmation:

Meeting of 11 April 2022

Item 2

Disclosures of Interest

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

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

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

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

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

The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 ("the Act") requires the disclosure of relevant political donations or gifts when planning applications are made to minimise any perception of undue influence. The amendments to the Act require disclosure to the Electoral Funding Authority of:

- a **reportable political donation** as defined in the Election Funding and Disclosures Act 1981 (a donation of \$1000 or more made to or for the benefit of the party, elected member, group or candidate or made by a major political donor to or for the benefit of a party, elected member, group or candidate, or made to the major political donor), or
- a **gift** (as defined in the Election Funding and Disclosures Act 1981) to any local councillor or council employee (and includes a disposition of property or a gift of money or the provision of other valuable or service for no consideration or for inadequate consideration) when a relevant planning application is made to a council.

A donation of less than \$1000 can be a reportable political donation if the aggregated total of such donations was made by an entity or person to the same party, elected member, group or candidate or person.

Item 3.1

Support for the Transgender Community

Minute by the Lord Mayor

Document to Follow

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

Disclosure of Interest returns that have been lodged in accordance with the City of Sydney Code of Conduct will be tabled.

Recommendation

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

5.2 Petitions

(a) Pitt Street, Redfern

The Lord Mayor, Councillor Clover Moore, gives notice that, at the meeting of Council on Monday, 16 May 2022, she will table and speak to a petition (with 110 signatures) with the following terms:

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 ratepayers 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.

Recommendation

It is resolved that the Petition be received and noted.

Item 6**Report of the Corporate, Finance, Properties and Tenders Committee - 9 May 2022****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 recommends 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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

X039568

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

Item 6.3

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

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 (LTFP), 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; and

- (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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

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.

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

X020701

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

S098637

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Kok, and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

S098637.008

The Corporate, Finance, Properties and Tenders Committee recommends the following:-

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Chan, and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

S098637

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Kok, and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

X019123

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Kok, and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

X079471.001

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

X085362.004

Item 7

Report of the Business and Economic Development Committee - 9 May 2022

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.

The Business and Economic Development Committee recommends the following:

Item 7.2

Grants and Sponsorship - Precinct Activation Grants

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;
- (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.

(Note – at the meeting of the Business and Economic Development Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Scully, and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

S117847

Speakers

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

The Business and Economic Development Committee recommends the following:

Item 7.3

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

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.

(Note – at the meeting of the Business and Economic Development Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

** Due to technical issues, Councillor Scully did not indicate a vote. Councillor Scully is considered to have been absent during voting on this item.)

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 - 9 May 2022****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 organizing 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.

The Cultural and Creative Committee recommends the following:

Item 8.2

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

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.

(Note – at the meeting of the Cultural and Creative Committee, this recommendation was moved by Councillor Gannon, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

S051491

Speakers

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

The Cultural and Creative Committee recommends the following:

Item 8.3

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

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.

(Note – at the meeting of the Cultural and Creative Committee, this recommendation was moved by Councillor Gannon, seconded by the Chair (the Lord Mayor), and 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 - 9 May 2022

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 recommends the following:

Item 9.2

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

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;
- (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;
- (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.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by Councillor Scully, and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

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.

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

Item 9.3

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

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.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

X038464

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

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.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

S040864

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

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 Pyrmont Bridge Road, Camperdown.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by Councillor Scully, and carried on the following show of hands:

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

Noes (1) Councillor Ellsmore*

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

S105001.002

Item 10

Property Matter (Confidential)

Document to Follow

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

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

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

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 2022/23 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

5. Budget

By Councillor Scott

1. At the Council meeting on 26 July 2021, Council voted unanimously to request the Chief Executive Officer “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 Chief Executive Officer “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 Chief Executive Officer “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 Chief Executive Officer 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 Chief Executive Officer “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

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

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

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

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

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

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

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

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.
 - (a) 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?
 - (b) How much funding/what resources did the City of Sydney contribute toward this initiative?
 - (c) Is the initiative ongoing?
 - (d) If the initiative is not ongoing, when did it end?

- (e) Are there any other Council programs operating to assist women and children escaping domestic violence?

X086670

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

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?

2. 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

Item 12

Supplementary Answers to Previous Questions

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

Item 13.1

Notices of Motion

Access to Early Childcare for People Seeking Asylum

By Councillor Scully

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.

X086654

Item 13.2

Notices of Motion

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.

X086655

Item 13.3

Notices of Motion

Pymont Community Centre Relocation

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 of 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) although Council has been considering the upgrade proposal and has been aware of the needs of the community, and the risk of failing to provide upgraded and expanded community facilities, since at least September 2019, the planning 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, a very long one year and five months, assuming the program is met;
- (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;

- (vii) to date there has been no satisfactory relocation plan provided to the users of the Centre as to Council's commitment to the community to enable the activities and services to continue during the upgrade; and
 - (viii) due to lack of definite advice or scope for re-location of the community activities and facilities from Council, 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 2021/22;
 - (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) provide urgent advice as to the proposed re-location of the Centre's activities to the Friends of the Community Centre, the community and the providers;
 - (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) 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;
 - (vii) 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;
 - (viii) ensure that community relocation/displacement plans are included in all future scope of works for all Community Centres upgrades; and

- (ix) 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.

X086657

Item 13.4**Notices of Motion****Trans and Gender Inclusive Swim Nights**

By Councillor Ellsmore

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.

X086659

Item 13.5

Notices of Motion

Cliff Noble Community Centre Hearing Loop Installation

By Councillor Scott

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.

(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.

X086655

Item 13.6

Notices of Motion

Fitness Passports

By Councillor Scott

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.

X086655

Item 13.7**Notices of Motion****Trans and Gender Diverse Swimming Night**

By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) that the City of Sydney is a proudly welcoming and diverse community for LGBTIQ+ people of all backgrounds, including trans and gender diverse people;
 - (ii) that all people have the fundamental right to live free from discrimination and abuse;
 - (iii) that candidates in the recent federal election campaign have attempted to turn the issue of transgender athletes into a political football, demonising members of our community; and
 - (iv) that the Inner West Council recently hosted a Trans and Gender Diverse Swim Night that was described as a “raging success,” offering the chance for trans and gender diverse members of the community, as well as their friends and allies, to come together as a community;
- (B) 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;
- (C) the Chief Executive Officer be requested to:
- (i) organise a Trans and Gender Diverse Swim Night at a City of Sydney pool facility, to be attended by trans and gender diverse people, their families and their allies;
 - (ii) collaborate with the LGBTIQ+ community in the City of Sydney to organise and promote this event; and
 - (iii) provide an update via the CEO Update about the organisation of this event; and
- (D) the Lord Mayor be requested to write to the Prime Minister to show the City’s support for our diverse LGBTIQ+ community, and to call on him to condemn the recent comments by the Liberal candidate for Warringah, noting they are dangerous to the health of City residents and wrong in fact.

X086655

Item 13.8**Notices of Motion****Rosebery Eligibility Low Rise Medium Density Housing Code**

By Councillor Scott

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.

X086655

Item 13.9**Notices of Motion****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 – 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.

X086659

Item 13.10**Notices of Motion****Report on Bus Stop and Street Furniture Roll Out**

By Councillor Ellsmore

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;
- (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;
- (ix) provide the above information via the CEO Update.

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Item 13.11

Notices of Motion

24 Hour Economy – Flicking the Switch Report

By Councillor Gannon

It is resolved that:

(A) Council note:

- (i) on 27 April 2022, the 24 Hour Economy Commissioner along with Ernest and Young (EY) 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 EY consulted 3017 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 overnment in Australia at any level to have a late night economy strategy, and strongly advocated for the creation of a 24 Hour Economy Commissioner;
- (iv) that without urgent and coordinated action across all levels of government the CBD will be at risk of long-term stagnation; and
- (v) 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.

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Item 13.12**Notices of Motion****ALGA Election Advocacy**

By Councillor Scott

It is resolved that:

- (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; 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.

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