

Council

Meeting No 5

Monday 27 June 2022

Notice No 5/1642

Notice Date 23 June 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 5.06pm, those present were:-

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

The Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, A/Director People, Performance and Technology, Director City Planning, Development and Transport, Director Legal and Governance, Director City Life and Director Strategic Engagement and Consultation 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.

Councillor Davis left the meeting of Council at 5.47pm, prior to the vote on Item 4.1, and returned at 5.48pm, after the vote on Item 4.1. Councillor Davis was not present at the meeting of Council, which was held remotely, during voting on Item 4.1.

Councillor Scully left the meeting of Council at 6.27pm, prior to discussion on Item 6.8, and returned at 6.28pm, after the vote on Item 6.8. Councillor Scully was not present at the meeting of Council, which was held remotely, during discussion and voting on Item 6.8.

Councillor Scott left the meeting of Council at 7.34pm, prior to discussion on Item 9.2, and returned at 7.37pm, after the vote on Item 9.2. Councillor Scott was not present at the meeting of Council, which was held remotely, during discussion and voting on Item 9.2.

Councillor Scott left the meeting of Council at 7.39pm, prior to discussion on Item 10.2, and returned at 7.40pm, after the vote on Item 10.2. Councillor Scott was not present at the meeting of Council, which was held remotely, during discussion and voting on Item 10.2.

Item 1 Confirmation of Minutes

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

That the Minutes of the meeting of Council of Monday, 16 May 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2 Disclosures of Interest

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 4.2 on the agenda, in that she is the current President of the Australian Local Government Association, the peak body and advocacy organisation for Australian Council, of which Local Government NSW (LGNSW) is a member. Councillor Scott is the former President and a former Board member of LGNSW.

Councillor Scott stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the motion pertains to the City of Sydney's membership of LGNSW and their associated conference.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, as she has an existing relationship with the CEO of the Council of the Ageing (COTA) Meagan Lawson, who ran on her City of Sydney 2021 Labor ticket for the 2021 Local Government Elections. Additionally, Felix Faber, who previously worked in Councillor Scott's office, now works at COTA. This organisation is receiving a grant for this item.

Councillor Scott stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has received no representations on this grant application from anyone working at or associated with COTA, has not discussed the application in any form, and was unaware it was coming to Council. Councillor Scott stated that, for an abundance of caution, she would be stepping out for this item and would not be voting on it.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, as she has an existing relationship with one of the board members of Wyanga Aboriginal Aged Care, Norma Ingram, who ran on her City of Sydney 2021 Labor ticket for the 2021 Local Government Elections.

Councillor Scott stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had contact with any board members or members of Wyanga Aboriginal Aged Care about this grant, has not discussed it in any capacity, and was also unaware of this grant application. Councillor Scott stated that, for an abundance of caution, she would be stepping out for this item and would not be voting on it.

- a less than significant, non-pecuniary interest in Items 9.2 and 11.2 on the agenda, in that she is a volunteer on a non-paid basis for Sydney University as a Dalyell mentor. The University has been approved for funding grants in these items.

Councillor Scott stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she volunteers at the university in an unpaid capacity. No one from the University has contacted Councillor Scott in relation to either grant application in any form and she was also not aware of these items coming to Council.

- a less than significant, non-pecuniary interest in Items 3.1 and 15.5 on the agenda, in that she is the current President of the Australian Local Government Association, the peak body and advocacy organisation for Australian Councils.

Councillor Scott stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the motion pertains to general advocacy to the Commonwealth Government.

- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that she has known Jason Yat-Sen Li, who is a member of the Haymarket HQ Advisory Board, in a personal capacity for some time. Jason is the elected Labor Representative for the seat of Strathfield in NSW.

Councillor Scott stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not spoken to him in relation to this grant in any capacity and was unaware this was coming to Council.

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that she has in her professional capacity as a City of Sydney Councillor had a meeting with Rebecca Pinkstone from Bridge Housing. Councillor Scott similarly has had meetings with other affordable housing providers for the same purposes.

Councillor Scott stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not been contacted in relation to this matter and has not discussed it in any way with Ms Pinkstone. Councillor Scott was also unaware that it was coming to Council.

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 has been involved in the Social Enterprise Council of the NSW and ACT community as a sector leader in a voluntary capacity. The Social Enterprise Council is a sector-led peak body that represents the interests of social entrepreneurs and social enterprises across NSW and ACT.

The Social Enterprise Council of NSW and ACT (SECNA) Ltd has been recommended for two economic grants:

- Project 1 – Social Enterprise Myths and Legends – Live Storytelling Events (\$20,000)
- Project 2 – Connect – Networking Events and eNewsletters (\$26,666)

Councillor Chan stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances, as he engages with SECNA in a voluntary capacity. He has no prior knowledge of these grant applications and has not been involved with these grant applications at any stage.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he is currently employed by the University of Sydney as an academic at the Sydney School of Architecture, Design and Planning. The University of Sydney has been recommended for a grant as part of the Grants and Sponsorship Cultural Grants: Walking Sydney: Writers in a Changing City (\$5,000).

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the recipient of the grant is not related to his teaching position at the Sydney School of Architecture, Design and Planning. He has had no prior knowledge of these grant applications and has not been involved with these grant applications at any stage.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he is currently engaged by the University of Technology Sydney in an academic guest lecturer capacity with UTS BUILD which is a global leadership program. UTS has been recommended for one grant as part of the Grants and Sponsorship Cultural Grants: The Green Square Atlas of Water Stories (\$15,000).

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the recipient of the grant is not related to his role as an academic guest lecturer. He has had no prior knowledge of these grant applications and has not been involved with these grant applications at any stage.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that he is currently employed by the University of Sydney as an academic at the Sydney School of Architecture, Design and Planning. The University of Sydney has been recommended for a grant as part of the Grants and Sponsorship Community Services Grant Program: Reconnecting after Covid (Nil funding, venue hire waiver to the value of \$2,961).

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the recipient of the grant is not related to his teaching position at the Sydney School of Architecture, Design and Planning. He has had no prior knowledge of these applications and has not been involved with these grant applications at any stage.

- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that he has been involved in Vibelab's Global Cities After Dark Sydney program as a key actor and industry leader in transport, health and safety in a voluntary capacity. Vibelab Asia Pacific Pty Ltd has been recommended for a grant as part of the Grants and Sponsorship Knowledge Exchange Sponsorship Program: Global Cities After Dark 2023 – World Pride Edition (\$40,000 and venue hire fee waiver to the value of \$16,500).

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has been involved with the grant recipient in a voluntary capacity. He has had no prior knowledge of these applications and has not been involved with the grant applications at any stage.

Councillor Shauna Jarrett made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.2, in that she attended Pyrmont Food and Wine Festival where her brother and sister-in-law were exhibitors.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she was attending the Pyrmont Food and Wine Festival in her capacity as a local resident of the City of Sydney.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she was a volunteer Non-Executive Director of the Arts Law Centre of Australia between 2002-2007. The Arts Law Centre of Australia's Protecting and Respecting: Law and Indigenous Cultural and IP Workshops project has been recommended for a grant of \$20,000 from the City of Sydney's Cultural and Creative Grants and Sponsorship program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not been a Non-Executive Director of the Arts Law Centre of Australia since 2007 and is no longer affiliated or connected with them.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she attended the Milk Crate Theatre production of 'A Retrospective: Celebrating 23 Magnificent Years' on Tuesday 17 May 2022. Milk Crate Theatre's Urban Fables project has been recommended for a grant of \$25,000 under the City of Sydney's Cultural and Creative Grants and Sponsorship program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is not affiliated with the Milk Crate Theatre in any way.

- a less than significant, non-pecuniary interest in Items 9.2 and 10.2 on the agenda, in that she completed a BA (Hons) and graduated from the University of Sydney in 1985. Councillor Jarrett was the University of Sydney's Assistant Group Secretary between 2008 and 2015. The University of Sydney has applied for various grants.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is no longer the Assistant Group Secretary and is not affiliated with the University of Sydney anymore.

- a less than significant, non-pecuniary interest in Items 9.2 and 10.2 on the agenda, in that she completed an LLB and graduated from the University of Technology Sydney in 1992. Councillor Jarrett also worked with the University of Technology Sydney and provided legal advice and consulting as a contractor to the Advancement Office. The University of Technology has applied for various grants and sponsorships.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is no longer affiliated with the University of Technology Sydney.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that she was a volunteer Non-Executive Board Member from 2001 and Chair from 2006-2009 of the Public Interest Advocacy Centre Ltd. The Public Interest Advocacy Centre's Speak Out Street Care project has not been recommended for a grant of \$28,568 under the City of Sydney's Community Services Grant program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not been a Non-Executive Board Member of the Public Interest Advocacy Centre since 2015 and is no longer affiliated with them.

Councillor Sylvie Ellsmore made the following disclosures:

- a less than significant, non-pecuniary interest in Item 4.1 on the agenda, in that two of the members of the Housing For All working group are people that she went to school with and who she knows socially. Councillor Ellsmore stated that she would not consider those relationships to be close enough to be significant and therefore requiring Councillor Ellsmore not to be involved in the decision-making.
- a less than significant, non-pecuniary interest in Item 6.2, in that she is a member of her local residents' action group – Redfern Everleigh Darlington Waterloo Watch (or 'REDWatch'). Councillor Ellsmore is an elected member of the Coordinating Committee for REDWatch. REDWatch has endorsed and/or provided submissions to Council by the Coalition Caring 4 Community Centres ('the 4 Cs').

- a less than significant, non-pecuniary interest in Item 11.5 on the agenda, in that she is a member of her local residents action group Redfern Eveleigh Darlington and Waterloo, or REDWatch, where she is an elected member. REDWatch has previously provided submissions to Council and been consulted by Council on this item.

Councillor Ellsmore stated that she considers that these non-pecuniary conflicts of interest are not significant and do not require further action in the circumstances because her role with REDWatch is as an unpaid volunteer; and while her participation in REDWatch helps inform her understanding of issues in the local community, it does not bind or pressure her to vote in a particular way on these, or other items.

- a less than significant, non-pecuniary interest in Items 7.2 and 9.2 on the agenda, in relation to one of the proposed grant recipients considered for funding – the Sydney Improv Theatre Inc. Councillor Ellsmore's recent former flatmate is a regular performer with the Sydney Improv Theatre.

Councillor Ellsmore stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she does not have any relationship with the Sydney Improv Theatre; and she was not aware of the grant recommendations until the Committee papers were published, has not liaised with the Sydney Improv Theatre, or been lobbied by anyone associated with the Sydney Improv Theatre about their grant applications. Councillor Ellsmore declared her intention to remain in the meeting during these items and to participate in the debate and decision.

- a less than significant, non-pecuniary interest in Items 9.2, 10.2 and 10.4 on the agenda, in that she is employed by the University of Sydney, which has applied for a number of grants. Councillor Ellsmore works part-time for the University of Sydney Policy Lab. She was not aware that the university was applying for any grants; they are not related to an area that she works in, and she has not liaised with anyone or been lobbied by anyone about the grants.

Councillor Ellsmore stated her intention to remain in the meeting during the item, and participate in the debate and decision.

- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that she is a member of Shelter NSW. Shelter NSW is an applicant for the Knowledge Exchange Sponsorship Grants program.
- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that she is a member and former board member of the Inner Sydney Regional Council for Social Development, also known as Inner Sydney Voice, which is the recipient of an accommodation grant.
- a less than significant, non-pecuniary interest in Item 11.5 on the agenda, in that she was formerly employed by Indigenous consultancy Cox Inall Ridgeway to undertake a cultural heritage study for the Botany Road precinct, which was independent advice provided to the Council a couple of years ago.

Councillor Ellsmore stated that she considers this non-pecuniary conflict of interest is not significant and does not require her to absent herself from the discussion. She is no longer employed by Cox Inall Ridgeway.

Councillor Yvonne Weldon made the following disclosures:

- a less than significant, non-pecuniary interest in Item 4.1 on the agenda, in that this item recommends that Council endorse the extension of current members of the Aboriginal and Torres Strait Islander Advisory Panel to 31 December 2022. Daniel Coe, a current member of the Aboriginal and Torres Strait Islander Advisory Panel, is Councillor Weldon's cousinbrother under Wiradjuri kinship practices and traditions. The Metropolitan Local Aboriginal Land Council, for which she is the elected Deputy Chairperson, also retains representation on the panel.

Councillor Weldon stated that she considers that these non-pecuniary interests are less than significant and do not require further action in the circumstances as the matter before Council at this meeting simply relates to an interim extension of the term of current panel members to allow for a robust expression of interest process for a new panel term. These members were appointed prior to her term on Council.

This item also recommends the endorsement of new members of the Housing for All Working Group. Paul Coe, a prospective new member of this working group, like Daniel, is Councillor Weldon's cousinbrother under Wiradjuri kinship practices and traditions.

Councillor Weldon stated that she considers that this non-pecuniary interest is less than significant and does not require further action in the circumstances as I have not had any involvement in the panel selection process.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that this item recommends that Council approve the cash and value in kind recommendations for the Community Services Grant Program. One of the unsuccessful applicants, Story Factory Inc, were applying for funding for a creative writing program for students of Redfern's Jarjum College. Up until 20 June 2022, Councillor Weldon served as a Board member of Jarjum College.

Councillor Weldon stated that she considers that this non-pecuniary interest is less than significant and does not require further action in the circumstances as she did not have any involvement in the assessment of grants. Moreover, she had no knowledge of Story Factory Inc's application.

Councillor Jess Scully disclosed a pecuniary interest in Item 6.8, in that in early 2022, she was invited to participate in the QVB's Never Stop Exploring campaign, encouraging Sydneysiders to return to the CBD and enjoy the retail and hospitality offerings of the city. Councillor Scully participated in a personal capacity and received a small payment for her time. Given there was income received, she will declare it in her pecuniary interest register for the year.

Councillor Scully stated that there is no direct likelihood of further income, and the connection to this lease is remote, but for an abundance of caution she would declare a pecuniary interest, would not vote on this item and would leave the meeting for the item.

Councillor Lyndon Gannon made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.2, in that he is friends with Rafael Bonachela, Artistic Director of the Sydney Dance Company, which applied for a grant, but was not recommended.
- a less than significant, non-pecuniary interest in Item 7.2, in that he met with the Art Gallery of NSW to discuss arts policy, and at the meeting there was no mention or discussion of their grants application.

Councillor Gannon stated that he considers these non-pecuniary conflicts of interest are not significant and so not require further action in the circumstances because he was not aware these organisations had applied for a grant, and in any case, neither of them received funding.

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that Diana D'Ambra, Chair of the City West Housing Board, is married to his godfather.

Councillor Gannon stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because they have not discussed this agenda item.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he met with the Darlinghurst Theatre Company to discuss arts policy, however, their grant application was not discussed or mentioned.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he is friends with Luke Hawthorn, who is on the board of Shaun Parker Co, however, Councillor Gannon was not aware he was on the board until his staff informed him, and at no point have they discussed this grant application.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he is friends with Raphael Bonachela, who is the artistic director of Sydney Dance Company. At no point have they discussed this grant application.

Councillor Gannon stated that he considers that these non-pecuniary conflicts of interest are not significant and do not require further action in the circumstances because in all cases, he has not been aware of their grant applications.

- Councillor Lyndon Gannon disclosed a less than significant, non-pecuniary in Item 10.2 on the agenda, in that he is friends with the President of the Potts Point Partnership.

Councillor Gannon stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because they are not recommended for a grant, although he did have discussions with him about the grant recently.

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in that she has an existing relationship with the Pyrmont Ultimo Chamber of Commerce President, as in the past, ASSIPJ, a not-for-profit organisation that she chairs, has engaged his services to the sum of \$450 in December 2020 for festival event mapping and design assistance.
- a less than significant, non-pecuniary interest in Item 7.2, in that she has attended the launch of the Pyrmont Food and Wine Festival as a Councillor accompanying the Lord Mayor, on 18 May 2022, followed by the opening of the festival on 28 May 2022.

a less than significant, non-pecuniary interest in Items 9.2, 10.2 and 10.3 on the agenda, in that she is currently housed by Uniting Care Housing (1998 to date).

- a less than significant, non-pecuniary interest in Items 9.2 and 11.2 on the agenda, in that she has an existing relationship with various faculties at the University of Sydney in hosting social justice symposiums over the years, such as the Macleay Museum / Faculty of Law (2010, 2013, 2014, 2016); presenting, hosting and participating in ASSI / Pacific forums; in 2018 ASSIPJ were hired to participate and cater for the Business School Justice Through Treaty Workshop; and more recently as a guest as Councillor to the 2022 30th Anniversary of Mabo Decision.

- a less than significant, non-pecuniary interest in Items 9.2 and 10.3 on the agenda, in that she completed her Masters by Research with the Faculty of Social Sciences at the University of Technology, as well as received the Networking Tranby Scholarship for completing her thesis, Children of the Sugar Slaves; Black and Resilient. Councillor Davis's office space was based at Tranby College and she was a student at Jumbanna Institute.
- a less than significant, non-pecuniary interest in Items 9.2 and 10.3 on the agenda, in that as Chair of ASSIPJ, they received funds in 2020 through the Centre for Social Justice and Inclusion towards their Sugar Fest event hosted annually at Pirrama Park. The donation received was \$1,000.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she worked closely with the executive of Documentary Australia in seeking production funding for the film, Black is Inclusive, the Carole Johnson Story.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she is a member of Gadigal Information Service and chaired a member's meeting in 2019. For many years, Gadigal Information Service have broadcast ASSIPJ events and have had discussions with Councillor Davis, as she has an existing and long-term relationship with them as broadcasters.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she sits on the Indigenous Advisory with the CEO of Mudgin-gal Aboriginal Corp and has attended the premises over the years with elders of the community for women, for domestic violence workshops, as well as meet and greets with visiting indigenous women from the United Nations.
- a less than significant, non-pecuniary interest in Item 11.2 on the agenda, in that as Chair of ASSIPJ, they are currently a Partner Investigator on an Australian Research Council Grant with the University of NSW School of Humanities and Languages. The grant is yet to be received in 2023/24.

Councillor Davis stated that she considers that these non-pecuniary conflicts of interest are not significant and do not require further action in the circumstances because they are of a relationship and historical basis, and they do not impede the objectiveness of her decision-making and do not render personal beneficiary benefits.

At a later stage of the meeting, during discussion on Item 4.1, Councillor Davis disclosed that her daughter Binette Diop has been recommended for appointment as a member of the Multicultural Advisory Panel for a three-year term to 30 June 2025.

Councillor Davis left the meeting, which was held remotely, for the vote on this item.

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

Item 3 Minutes by the Lord Mayor**Item 3.1 2022 Federal Election****Minute by the Lord Mayor**

To Council:

I want to congratulate the Federal Government on the recent election outcome. Prime Minister Anthony Albanese's victory speech was inspiring. It signalled that he heard that Australians want to see urgent, meaningful action on reconciliation, accelerating climate change and affordable housing, and they want to see the establishment of an anti-corruption commission.

Reconciliation

Thirty years ago, the High Court handed down its judgement in the Mabo case, finding that the Meriam People of the Torres Strait Islands, led by Eddie Mabo, owned Murray Island. The High Court finally recognised that – at the time of colonisation – Aboriginal and Torres Strait Islander people had lived in Australia for thousands of years and enjoyed a deep connection to the land. Accordingly, Aboriginal and Torres Strait Islander people are entitled to enjoy the rights embedded in that connection.

I commend the Federal Government for committing to implement the Uluru Statement from the Heart in full, meaning it will:

- enshrine a First Nations Voice to Parliament in the Constitution; and
- establish a Makarrata Commission to supervise a process of agreement-making and truth-telling between governments and First Nations.

In my Lord Mayoral Minute of June 2018, Council recognised the unique status of Aboriginal and Torres Strait Islander people as custodians of this land and supported the recommendations of the Uluru Statement from the Heart.

In supporting our own First Nations people, the City of Sydney has worked with our Aboriginal and Torres Strait Advisory Panels – who have been our voice to Council – and our Aboriginal and Torres Strait Islander leadership team on a range of initiatives. These include:

- the Eora Journey, through which we pay respect to First Nations histories, cultures and communities;
- our Stretch Reconciliation Action Plan, which makes reconciliation everyone's business at the City of Sydney;
- our Aboriginal and Torres Strait Islander procurement, employment and grants programs; and
- Yananurala, our story telling harbour walk.

Today I ask Council to reaffirm our commitment to the Uluru Statement.

Affordable housing

Access to affordable and social housing is essential for a diverse, cohesive, and economically successful global city. However, Sydney is Australia's least affordable city. And our social housing stock has shrunk as the NSW Government has sold off valuable inner-city social housing in Millers Point.

The City of Sydney's Local Housing Strategy aims to ensure 7.5 per cent of all private dwellings are affordable by 2036. To date, the City has collected \$343 million in levies, and provided \$18 million in discounted land and \$10 million in grants. And though we are on track to deliver over 4,000 new affordable rental dwellings by 2036, we will still fall short of our target without more support from other tiers of government.

The Federal Government has committed to delivering 30,000 social and affordable homes in the next five years. There are over 50,000 people on the social housing waiting list in NSW alone, so I ask Council to call on the Federal Government to:

- encourage State Governments to set minimum targets for new social housing stock
- establish a funding and investment model that substantially increases and improves the provision of affordable and social housing, including by directing funds towards the community housing sector, and
- work with State Governments and Councils to identify shovel-ready projects.

Urgent action on accelerating global warming

After successive years of devastating fires and floods, Australians voted for action on the accelerating climate crisis.

Climate action has been the City's highest priority. In 2008, we adopted Sustainable Sydney 2030 and we made the commitment to reduce emissions in our own operations by 70 per cent by 2030. We did the master plans, set the targets and took action, and met our goal nine years early in 2021. The City is responding to the climate emergency by working in partnership with residents, businesses, and other levels of government to build a resilient and inclusive city. We lead by example, we influence the wider city area through advocacy, collaboration and partnerships and we report on our progress with detailed Green Reports that are published every six months.

We have brought forward our target for City-wide net zero greenhouse gas emissions to 2035 (from 2040). Under the previous Federal Government we believed this was achievable through the further expansion of renewable energy, working with our partner businesses and residents to increase the efficiency of our buildings, better managing our waste and promoting active transport, including by completing our bike network and switching to electric vehicles.

The most significant action we've taken to reduce emissions is to switch to 100 per cent renewable electricity. This was part of a \$60 million, 10-year agreement with Flow Power to purchase renewable electricity for the City of Sydney.

I commend the Albanese Government's commitment to reducing greenhouse gas emissions; investing in clean energy industries and modernising the energy grid. If the Federal Government delivers on these commitments, this may allow the City to bring forward our net zero target even further.

Following my Lord Mayoral Minute in August 2021 asking the City to prepare a report encouraging the take-up of renewable electricity, the City launched a GreenPower campaign to encourage residents and businesses to shop around using the Energy Made Easy site to find the best deal. I have written to Metropolitan Mayors encouraging them to join the City's GreenPower campaign, and to date 18 councils have asked for our support to run their own campaign.

The Federal Government commitment to modernise and extend the energy grid, as well as support the development of new clean energy will further support our efforts to expand the take up of GreenPower among residents – and reduce emissions across the Local Government Area. Renewable energy is the key to improving reliability and resilience to our energy system, and to bring down energy prices for all energy users.

Anti-corruption commission

I congratulate the Federal Government on its commitment to establish a National Anti-Corruption Commission.

Recommendation

It is resolved that:

- (A) Council note that the Lord Mayor has written a letter to the Prime Minister, the Hon Anthony Albanese MP, congratulating the Federal Government on the outcome of the election;
- (B) Council reaffirm its support for the Uluru Statement from the Heart and commends the Federal Government for committing to implement it in full;
- (C) Council commend the Federal Government for its commitment to addressing accelerating global warming by reducing greenhouse gas emissions, investing in clean energy industries and modernising the energy grid;
- (D) Council note that the City is running a GreenPower campaign to encourage residents and businesses to move to renewable electricity and potentially pay less, and that the City is supporting 18 other metropolitan councils to run the campaign in their local government areas;
- (E) the Lord Mayor be requested to write to the Prime Minister to advocate for more ambitious social and affordable housing targets and to ask the Federal Government to:
 - (i) encourage State Governments to set minimum targets for new social housing stock;
 - (ii) establish a funding and investment model that substantially increase and improves the provision of affordable and social housing, including by directing funds towards the community housing sector; and
 - (iii) work with State Governments and Councils to identify shovel-ready projects; and
- (F) Council endorse the establishment of a National Anti-Corruption Commission.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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 that the Lord Mayor has written a letter to the Prime Minister, the Hon Anthony Albanese MP, congratulating the Federal Government on the outcome of the election;
- (B) Council reaffirm its support for the Uluru Statement from the Heart and commends the Federal Government for committing to implement it in full;
- (C) the Chief Executive Officer be requested to develop a resource kit for communities seeking to hold public forums to inform communities about the proposed referendum, and consider allowing City venues to be used for this purpose at reduced or no cost;
- (D) Council commend the Federal Government for its commitment to addressing accelerating global warming by reducing greenhouse gas emissions, investing in clean energy industries and modernising the energy grid;
- (E) Council note that the City is running a GreenPower campaign to encourage residents and businesses to move to renewable electricity and potentially pay less, and that the City is supporting 18 other metropolitan councils to run the campaign in their local government areas;
- (F) the Lord Mayor be requested to write to the Prime Minister to advocate for more ambitious social and affordable housing targets and to ask the Federal Government to:
 - (i) encourage State Governments to set minimum targets for new social housing stock;
 - (ii) establish a funding and investment model that substantially increase and improves the provision of affordable and social housing, including by directing funds towards the community housing sector; and
 - (iii) work with State Governments and Councils to identify shovel-ready projects; and
- (G) Council endorse the establishment of a National Anti-Corruption Commission.

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

S051491

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

To Council:

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

Recruitment for new Advisory Panel members through a call for nominations was open for two weeks from Thursday 17 March 2022 to Friday 1 April 2022 and advertised through print, online and social media channels and via City of Sydney e-newsletters.

Applications for membership to the newly established Advisory Panels were assessed by City staff.

Existing Advisory Panel memberships were also reviewed and considered in accordance with each Advisory Panel's requirements.

Council also endorsed Terms of Reference for these Advisory Panels on 21 March 2022. The Terms of Reference have been further reviewed, and where required, minor amendments to Terms of Reference have been made.

Aboriginal and Torres Strait Islander Advisory Panel

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

On 21 March 2022, Council endorsed expanding the membership of the Advisory Panel to include a representative from the Metropolitan Local Aboriginal Land Council and to incorporate Aboriginal or Torres Strait Islander representatives to the Panel with expertise in reconciliation action, Indigenous employment, Indigenous procurement, Aboriginal business development and public art.

It is recommended that the term of the current Panel members be extended to 31 December 2022. This will enable a robust Expression of Interest process to be conducted for a new Panel term from 2023, incorporating the proposed updated membership of the Panel.

This approach was endorsed by the Advisory Panel on 8 June 2022.

Business, Economic Development and Covid Recovery Advisory Panel

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

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

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

The recommended Business, Economic Development and Covid Recovery Advisory Panel comprises up to 16 members, plus four nominees, all with relevant experience and expertise inclusive of the Lord Mayor (or delegate) and Councillor Shauna Jarrett.

Minor amendments to the Terms of Reference are also proposed.

It is recommended that Council endorse the appointment of members of the Business, Economic Development and Covid Recovery Advisory Panel, delegate authority to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors to appoint additional members as required and endorse the revised Terms of Reference.

Cultural and Creative Sector Advisory Panel

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

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

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

The recommended Cultural and Creative Sector Advisory Panel comprises up to 20 members, all with relevant experience and expertise inclusive of the Lord Mayor (or delegate) and Councillor HY William Chan.

Minor amendments to the Terms of Reference are also proposed.

It is recommended that Council endorse the appointment of members of the Cultural and Creative Sector Advisory Panel, delegate authority to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors to appoint additional members as required and endorse the revised Terms of Reference.

Design Advisory Panel

The Design Advisory Panel was established by Council in 2007 to provide the City with high level independent expert advice and expertise on urban design, architecture, landscape architecture, art and sustainability. The advice is to inform the assessment by City officers of development applications with a view to promoting the delivery of world class urban design, architecture and sustainable and inclusive design in Sydney's buildings and public spaces. The advice is to inform the assessment process and advise on strategies and policies affecting the City's built environment and public domain. It is not the purpose of the Panel to have any role in the process of determination of development applications.

It is recommended that Council endorse the reappointment of the existing members of the Design Advisory Panel for a further two years, endorse the appointment of a new First Nations member, endorse the reappointment of the Chair and Deputy Chair for a further two years, delegate authority to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint one additional Design Advisory Panel member and appoint any new members of the Design Advisory Panel within the two year term should the need arise and endorse the revised Terms of Reference.

Design Advisory Panel Residential Sub-Committee

The Design Advisory Panel Residential Sub-Committee was established by Council in 2017 to provide high level independent expert advice and expertise on urban design, architecture, landscape architecture and sustainability for SEPP 65 and similar residential applications. This advice assists the City in its promotion and delivery of high-quality built environments and design excellence. The Sub-Committee supports and supplements the Design Advisory Panel, with the Panel Chair being a member of the Design Advisory Panel.

It is recommended that Council endorse the reappointment of the existing members of the Design Advisory Panel Residential Sub-Committee for a further two years, endorse the reappointment of the Chair for a further two years, delegate authority to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint two additional members to the Design Advisory Panel Residential Sub-Committee and endorse the revised Terms of Reference.

Housing for All Working Group

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

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

The recommended Housing for All Working Group comprises up to 13 members, all with relevant experience and expertise inclusive of the Lord Mayor (or delegate) and Councillor Sylvie Ellsmore.

Minor amendments to the Terms of Reference are also proposed.

It is recommended that Council endorse the appointment of members of the Housing for All Working Group, delegate authority to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors to appoint additional members as required and endorse the revised Terms of Reference.

Multicultural Advisory Panel

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

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

The recommended Multicultural Advisory Panel comprises up to 13 members, all with relevant experience and expertise inclusive of the Lord Mayor (or delegate) and Councillor Robert Kok.

Minor amendments to the Terms of Reference are also proposed.

It is recommended that Council endorse the appointment of members of the Multicultural Advisory Panel, delegate authority to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors to appoint additional members as required and endorse the revised Terms of Reference.

Public Art Advisory Panel

The Public Art Advisory Panel was established by Council in 2007 to provide the City of Sydney with independent expert advice on public art.

The Panel meets regularly and provides advice on the City's public art program (City Art), in particular the development and implementation of the Green Square Public Art Strategy, City Centre Public Art Plan, the Eora Journey: Recognition in the Public Domain program and oversight on management and conservation of the City's public art collection.

The Panel assists the City in offering advice on unsolicited public art proposals and the assessment of public art proposals in private developments, ensuring a high standard of public art in the public spaces of our City. The Panel has been integral to the implementation of the City Art Public Art Strategy 2011, a key action from Sustainable Sydney 2030 and has assisted in the development of the Sustainable Sydney 2030-2050 Continuing the Vision.

It is recommended that Council endorse the reappointment of seven existing members of the Public Art Advisory Panel for a further two years, endorse the reappointment of the Chair for a further two years, endorse the appointment of a Deputy Chair, approve the appointment of two new members (one nominated below replacing Leon Paroissien who has elected not to be reappointed) to ensure further cultural diversity, delegate authority to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint an additional member and any new members of the Public Art Advisory Panel within the two year term should the need arise and endorse the revised Terms of Reference.

Recommendation

It is resolved that:

- (A) Council endorse the extension of the following members of the Aboriginal and Torres Strait Islander Advisory Panel: Timothy Gray, Bronwyn Penrith, Matthew Doyle, Jinny-Jane Smith, Dallas Wellington, Ashlee Donohue, Medika Thorpe, Suzy Evans, Beau James, Daniel Coe, Ryan Donohue-Pitt and the Metropolitan Local Aboriginal Land Council representative to 31 December 2022;
- (B) Council endorse the appointment of the following members of the Business, Economic Development and Covid Recovery Advisory Panel: Creel Price, Michael Bromley, Ehssan Veiszadeh, Karl Schlothauer, Paul Nicolaou, Chris Low, Matt Jones, Belinda Clarke, Lauren Conceicao, Sharon Taylor,, Paul Zahra, Kirsten Andrews, Deb Zimmer, Annie Parker, Anita Mitchell and Deb Barwick for a three-year term to 30 June 2025;
- (C) Council endorse the revised Terms of Reference - Business, Economic Development and Covid Recovery Advisory Panel as shown at Attachment A to the subject memorandum;
- (D) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors, to appoint one additional member (Supply Nation representative) to the Business, Economic Development and Covid Recovery Advisory Panel for a three-year term to 30 June 2025;
- (E) Council endorse the appointment of the following members of the Cultural and Creative Sector Advisory Panel: Joshua Chapman, Emily Collins, Jess Cook, Christine Donnelly, Melissa Gilbert, Timothy Greer, David Hollingsworth, Ben Moore, Hellen Morgan-Harris, Ash Nicholson, Erika Pawley, JD Reforma, Michelle Tabet, Fiona Winning, James Winter and Toby Cedar for a three-year term to 30 June 2025;
- (F) Council endorse the revised Terms of Reference – Cultural and Creative Sector Advisory Panel as shown at Attachment B to the subject memorandum;

- (G) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors, to appoint one additional member (Bangarra Dance Theatre representative) to the Cultural and Creative Sector Advisory Panel for a three-year term to 30 June 2025;
- (H) Council endorse the reappointment of the following members of the Design Advisory Panel for a further two-year term: Professor Ken Maher (Chair), Peter Mould (Deputy Chair), Professor Kerry Clare, Professor Richard Johnson, Professor James Weirick, Rachel Neeson, Che Wall, and NSW Government Architect Abbie Galvin for a further two-year term to 30 June 2024;
- (I) Council endorse the reappointment of Professor Ken Maher as Chair of the Design Advisory Panel and Peter Mould as Deputy Chair of the Design Advisory Panel for a further two-year term to 30 June 2024;
- (J) Council endorse the appointment of Emily McDaniel as a new member of the Design Advisory Panel for a two-year term to 30 June 2024;
- (K) Council endorse the revised Terms of Reference - Design Advisory Panel as shown at Attachment C to the subject memorandum;
- (L) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint one additional member to the Design Advisory Panel for a two-year term to 30 June 2024 and any new members of the Design Advisory Panel within the two year term should the need arise;
- (M) Council endorse the reappointment of the following members of the Design Advisory Panel Residential Sub-Committee: Professor Kerry Clare (Chair), Dr Libby Gallagher, Matthew Pullinger, Dr Michael Zanardo, Paul Berkemeier, Alexander Koll and Tony Caro for a further two-year term to 30 June 2024;
- (N) Council endorse the reappointment of Professor Kerry Clare as Chair of the Design Advisory Panel Residential Sub-Committee for a further two-year term to 30 June 2024;
- (O) Council endorse the revised Terms of Reference - Design Advisory Panel Residential Sub-Committee as shown at Attachment D to the subject memorandum
- (P) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint two additional Design Advisory Panel members to the Design Advisory Panel Residential Sub-Committee;
- (Q) Council endorse the appointment of the following members of the Housing For All Working Group: Paul Coe, Mark Degotardi, David Jeffrey, Joanna McClennen, Monique Wiseman, Michael Zanardo, Luke Achterstraat and Stacey Miers for a three-year term to 30 June 2025;
- (R) Council endorse the revised Terms of Reference – Housing For All Working Group as shown at Attachment E to the subject memorandum;
- (S) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors, to appoint two additional members (Shelter NSW and Tenants Union representatives) to the Housing For All Working Group for a three-year term to 30 June 2025;
- (T) Council endorse the appointment of the following members of the Multicultural Advisory Panel: Afeeya Akhand, Kris Balakrishnan, Bill Yan, Mary Karras, Annette Kalczynska, Darren Kong, Bilquis Ghani, Limin Mao, Samantha Sukkarieh, Nickie Flambouras and Binette Diop for a three-year term to 30 June 2025;
- (U) Council endorse the revised Terms of Reference - Multicultural Advisory Panel as shown at Attachment F to the subject memorandum;

- (V) Council endorse the reappointment of the following members of the Public Art Advisory Panel: Felicity Fenner (Chair); Tony Albert; Judith Blackall; Lisa Havilah; Professor Richard Johnson; Janet Laurence and Anne Loxley for a further two-year term to 30 June 2024;
- (W) Council endorse the reappointment of Felicity Fenner as Chair and Anne Loxley as Deputy Chair of the Public Art Advisory Panel for a further term of two years to 30 June 2024;
- (X) Council endorse the appointment of Louise Zhang as a new member of the Public Art Advisory Panel for a two-year term to 30 June 2024;
- (Y) Council endorse the revised Terms of Reference - Public Art Advisory Panel, as shown at Attachment G to the subject memorandum; and
- (Z) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint an additional member and any new members of the Public Art Advisory Panel within the two year term should the need arise.

MONICA BARONE

Chief Executive Officer

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

It is resolved that:

- (A) Council endorse the extension of the following members of the Aboriginal and Torres Strait Islander Advisory Panel: Timothy Gray, Bronwyn Penrith, Matthew Doyle, Jinny-Jane Smith, Dallas Wellington, Ashlee Donohue, Medika Thorpe, Suzy Evans, Beau James, Daniel Coe, Ryan Donohue-Pitt and the Metropolitan Local Aboriginal Land Council representative to 31 December 2022;
- (B) Council endorse the appointment of the following members of the Business, Economic Development and Covid Recovery Advisory Panel: Creel Price, Michael Bromley, Ehssan Veiszadeh, Karl Schlothauer, Paul Nicolaou, Chris Low, Matt Jones, Belinda Clarke, Lauren Conceicao, Sharon Taylor,, Paul Zahra, Kirsten Andrews, Deb Zimmer, Annie Parker, Anita Mitchell and Deb Barwick for a three-year term to 30 June 2025;
- (C) Council endorse the revised Terms of Reference - Business, Economic Development and Covid Recovery Advisory Panel as shown at Attachment A to the subject memorandum;
- (D) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors, to appoint one additional member (Supply Nation representative) to the Business, Economic Development and Covid Recovery Advisory Panel for a three-year term to 30 June 2025;
- (E) Council endorse the appointment of the following members of the Cultural and Creative Sector Advisory Panel: Joshua Chapman, Emily Collins, Jess Cook, Christine Donnelly, Melissa Gilbert, Timothy Greer, David Hollingsworth, Ben Moore, Hellen Morgan-Harris, Ash Nicholson, Erika Pawley, JD Reforma, Michelle Tabet, Fiona Winning, James Winter and Toby Cedar for a three-year term to 30 June 2025;
- (F) Council endorse the revised Terms of Reference – Cultural and Creative Sector Advisory Panel as shown at Attachment B to the subject memorandum;

- (G) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors, to appoint one additional member (Bangarra Dance Theatre representative) to the Cultural and Creative Sector Advisory Panel for a three-year term to 30 June 2025;
- (H) Council endorse the reappointment of the following members of the Design Advisory Panel for a further two-year term: Professor Ken Maher (Chair), Peter Mould (Deputy Chair), Professor Kerry Clare, Professor Richard Johnson, Professor James Weirick, Rachel Neeson, Che Wall, and NSW Government Architect Abbie Galvin for a further two-year term to 30 June 2024;
- (I) Council endorse the reappointment of Professor Ken Maher as Chair of the Design Advisory Panel and Peter Mould as Deputy Chair of the Design Advisory Panel for a further two-year term to 30 June 2024;
- (J) Council endorse the appointment of Emily McDaniel as a new member of the Design Advisory Panel for a two-year term to 30 June 2024;
- (K) Council endorse the revised Terms of Reference - Design Advisory Panel as shown at Attachment C to the subject memorandum;
- (L) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint one additional member to the Design Advisory Panel for a two-year term to 30 June 2024 and any new members of the Design Advisory Panel within the two year term should the need arise;
- (M) Council endorse the reappointment of the following members of the Design Advisory Panel Residential Sub-Committee: Professor Kerry Clare (Chair), Dr Libby Gallagher, Matthew Pullinger, Dr Michael Zanardo, Paul Berkemeier, Alexander Koll and Tony Caro for a further two-year term to 30 June 2024;
- (N) Council endorse the reappointment of Professor Kerry Clare as Chair of the Design Advisory Panel Residential Sub-Committee for a further two-year term to 30 June 2024;
- (O) Council endorse the revised Terms of Reference - Design Advisory Panel Residential Sub-Committee as shown at Attachment D to the subject memorandum
- (P) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint two additional Design Advisory Panel members to the Design Advisory Panel Residential Sub-Committee;
- (Q) Council endorse the appointment of the following members of the Housing For All Working Group: Paul Coe, Mark Degotardi, David Jeffrey, Joanna McClennen, Monique Wiseman, Michael Zanardo, Luke Achterstraat and Stacey Miers for a three-year term to 30 June 2025;
- (R) Council endorse the revised Terms of Reference – Housing For All Working Group as shown at Attachment E to the subject memorandum;
- (S) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor and Councillors, to appoint two additional members (Shelter NSW and Tenants Union representatives) to the Housing For All Working Group for a three-year term to 30 June 2025;
- (T) Council endorse the appointment of the following members of the Multicultural Advisory Panel: Afeeya Akhand, Kris Balakrishnan, Bill Yan, Mary Karras, Annette Kalczynska, Darren Kong, Bilquis Ghani, Limin Mao, Samantha Sukkarieh, Nickie Flambouras and Binette Diop for a three-year term to 30 June 2025;
- (U) Council endorse the revised Terms of Reference - Multicultural Advisory Panel as shown at Attachment F to the subject memorandum;

- (V) Council endorse the reappointment of the following members of the Public Art Advisory Panel: Felicity Fenner (Chair); Tony Albert; Judith Blackall; Lisa Havilah; Professor Richard Johnson; Janet Laurence and Anne Loxley for a further two-year term to 30 June 2024;
- (W) Council endorse the reappointment of Felicity Fenner as Chair and Anne Loxley as Deputy Chair of the Public Art Advisory Panel for a further term of two years to 30 June 2024;
- (X) Council endorse the appointment of Louise Zhang as a new member of the Public Art Advisory Panel for a two-year term to 30 June 2024;
- (Y) Council endorse the revised Terms of Reference - Public Art Advisory Panel, as shown at Attachment G to the subject memorandum; and
- (Z) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint an additional member and any new members of the Public Art Advisory Panel within the two year term should the need arise.

Variation. At the request of Councillor Scott, and by consent, the motion was varied by the addition of (AA) and (BB) as follows:

- (AA) where Advisory Panel or Working Group Terms of Reference mention advocacy, the Terms of Reference will be amended to add "in alignment with the City's policies, strategies and operational plans"; and
- (BB) where Advisory Panel or Working Group Terms of Reference and Membership allow for Advisory Panel or Working Group members to be engaged as City contractors or consultants, outside their work in the Advisory Panel or Working Group but for work that pertains to an item on that Advisory Panel or Working Group agenda, the individual shall not participate in any voting, decision making or discussion with respect to that item.

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

X086747

Item 4.2 Local Government NSW Annual Conference 2022 - Nomination of Delegates

Memorandum by the Chief Executive Officer

To Council:

This memorandum seeks Council's consideration of the nomination of Councillors as voting delegates to the Local Government New South Wales (LGNSW) Annual Conference, to be held from Sunday 23 October to Tuesday 25 October 2022 at the Crowne Plaza, Hunter Valley.

Consideration is also sought on appointing all Councillors as voting delegates for the 2022 election to fill the casual vacancy on the Local Government NSW Board.

The conference is the main policy-making event for the local government sector. Delegates will vote on motions which determine the policies and priorities for LGNSW and the sector.

The draft conference program is not yet available. Information will be updated and will be available in the coming months at: <https://www.lgnsw.org.au/Public/Public/Events/Annual-Conferences/2022/2022-annual-conference-tabs.aspx>.

Councillors will receive email notifications directly from Local Government NSW, but should direct questions or requests to Secretariat, who will coordinate all arrangements with Local Government NSW on behalf of Councillors, including conference registrations, voting registrations and accommodation bookings.

Registration to Attend the Conference

Conference attendees are invited to register from Monday 4 July 2022 to take advantage of early bird rates. Early bird rates are available until Wednesday 17 August 2022. Standard registrations open Thursday 18 August 2022 and close 5pm Monday 10 October 2022.

Voting delegates must be registered to attend the conference, and also be registered as a voting delegate on motions. Conference registrations will be managed by Secretariat.

Registration as a Voting Delegate

The City of Sydney is entitled to register up to 10 voting delegates for motions. It is proposed that Council nominates the Lord Mayor and all Councillors as voting delegates.

The deadline to provide LGNSW with the names of voting delegates is Monday 10 October 2022. Additional nominations received after the closing date cannot be accepted. However, the names of voting delegates may be substituted at any time, in line with Rule 34 of the LGNSW Rules.

Voting delegates may not appoint a proxy to attend or vote at formal business sessions on their behalf. Registrations for voting on motions will be managed by Secretariat.

Conference Program/Motions

The conference will include discussion and debate on a range of motions from councils relating to current and emerging policy issues facing local government in NSW.

All members can put forward motions to be considered at the conference, which should be strategic, affect members state-wide, and introduce new or emerging policy issues and actions.

Members submitting motions are encouraged to be familiar with the LGNSW Policy Platform, at: <https://www.lgnsw.org.au/policy/policy-platform>. The purpose of this Policy Platform is to consolidate the numerous policies and positions of LGNSW – as determined by members – into a single document for ease of reference for members and stakeholders.

Members are asked to submit motions by Monday 29 August 2022 for inclusion in the conference business paper. The latest date for submission of motions is Sunday 25 September 2022.

The full conference business paper is expected to be available one week prior to the conference.

Councillors' Expenses and Facilities Policy

Councillors Chan, Davis, Gannon, Ellsmore, Jarrett, Scott and Weldon were the City of Sydney delegates at the 2022 LGNSW Special Conference held in Sydney in February/March 2022. Expenditure incurred for the special conference totalled \$10,807.71.

The Councillors' Expenses and Facilities Policy 2017 provides for Councillors to attend the LGNSW Annual Conference at the City's expense. Funds are available in the draft 2022/23 operating budget to cover registration fees, travel and other reasonable expenses incurred by Councillors.

Travel

The conference venue, Crowne Plaza Hunter Valley, is a two-hour drive from Sydney via the M1. Alternative methods of travel will be detailed on the Local Government NSW website in the coming months.

Accommodation has been pre-booked for Councillors for the nights of 23 and 24 October at Harrigan's at the Hunter Valley, which is a six-minute drive to the Crowne Plaza. Details of delegate transfers from the local hotels to the conference venue will become available on the Local Government NSW website.

LGNSW Board Election – Casual Vacancy

LGNSW has a casual vacancy on the Board for the Office of Director (Metropolitan/Urban Council) which is required to be filled by secret postal ballot. Arrangements have been made with the Australian Electoral Commission (AEC) to conduct the election.

Only Councillors from Metropolitan/Urban members are eligible to nominate as a candidate and to vote in the election. Members are required to advise LGNSW of the names and postal addresses of their nominated voting delegates for the election by 7 July 2022.

Registrations for voting in the election will be managed by Secretariat.

Recommendation

It is resolved that:

- (A) Council appoint the Lord Mayor and all Councillors as its voting delegates at the Local Government NSW (LGNSW) Annual Conference to be held in the Hunter Valley from 23 to 25 October 2022;
- (B) Council note all registration fees, travel and other reasonable expenses associated with the attendance of Councillors at the LGNSW Annual Conference will be met by the City in accordance with the Councillors' Expenses and Facilities Policy 2017;
- (C) Council note that a spouse, partner or other person may accompany a Councillor at the conference, and the City will meet any associated ticket costs; and
- (D) Council appoint the Lord Mayor and all Councillors as its voting delegates for the 2022 election to fill the casual vacancy on the Local Government NSW Board, to be conducted via postal vote by the Australian Electoral Commission.

MONICA BARONE

Chief Executive Officer

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

It is resolved that:

- (A) Council appoint the Lord Mayor and all Councillors as its voting delegates at the Local Government NSW (LGNSW) Annual Conference to be held in the Hunter Valley from 23 to 25 October 2022;
- (B) Council note all registration fees, travel and other reasonable expenses associated with the attendance of Councillors at the LGNSW Annual Conference will be met by the City in accordance with the Councillors' Expenses and Facilities Policy 2017;
- (C) Council note that a spouse, partner or other person may accompany a Councillor at the conference, and the City will meet any associated ticket costs; and
- (D) Council appoint the Lord Mayor and all Councillors as its voting delegates for the 2022 election to fill the casual vacancy on the Local Government NSW Board, to be conducted via postal vote by the Australian Electoral Commission.

Carried unanimously.

X086652

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 Disclosures of Interest returns be received and noted.

Carried unanimously.

5.2 Petitions

(a) Reject the High-Rise Proposal for Rosehill Street and Cornwallis Street, Redfern

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

We, the undersigned, do hereby petition City Council of Sydney to reject the high-rise proposal for Rosehill Street and Cornwallis Street, Redfern.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

(b) Accommodate the Pyrmont Community Adequately

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

Pyrmont Community needs a place to continue its activities while the Pyrmont Community Centre is upgraded over the next 2 years. The venue must be properly accessible and adequately sized.

The cost of hiring an appropriate venue is a small amount compared with the overall budget spend of the City. You say Sydney is a city of villages, but Pyrmont and its large population, our village, needs more support than your Council is currently giving.

The community has found a venue, and is willing to make it ready for use for most activities. Pyrmont Cares has offered to move the furniture and equipment needed. Friends of the Pyrmont Community Centre can make the necessary applications and promote the space to the community. We estimate the cost at less than \$150,000 a year, much less than Council staff have suggested.

A packed community meeting asked Council to:

- lease a space in Pyrmont which can accommodate all the activities that will not fit into Maybanke, and
- retain the Pyrmont staff – both in the main centre and in the children's area - in this space.

Council rejected these requests, although half the elected Councillors supported the motion. Please reconsider these requests, to enable the Pyrmont community to continue to connect in a suitable venue, to reduce the loneliness and social isolation that many will otherwise experience.

Moved by Councillor Jarret, seconded by Councillor Scott –

It is resolved that the Petition be received and noted.

Carried unanimously.

(c) Support for a Pride Museum at Taylor Square

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

The time is now to establish a Pride Museum at Taylor Square.

Since 1980 there have been many attempts to establish a space for the LGBTIQ+ community. We are now presented with the perfect opportunity to create such a space that will be used to unite, celebrate, and educate the whole community.

QTOPIA, with its Patrons Michael Kirby and Ita Buttrose, is leading the way for the development of such a site.

The former Darlinghurst Police Station at Taylor Square is the perfect location for such a space.

Its history, location, and the fact that it is publicly owned makes it the most suitable site. It will also enable the long-term transformation of Taylor Square, which as we all know can be, and should be the beating heart of culture in our city.

As we head towards Sydney World Pride 2023, the 45th anniversary of Mardi Gras and the 40th anniversary of the AIDS pandemic in Australia, there is no better time than now to establish Sydney's own Pride Museum.

We, the undersigned, call on the NSW Government and the City of Sydney to support the establishment of a Pride Museum at the former Darlinghurst Police Station in time for World Pride 2023.

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

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 and Yvonne Weldon.

At the commencement of business at 2.04pm those present were -

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

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Corporate, Finance, Properties and Tenders Committee.

Councillor Scully left the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.08pm prior to discussion on Item 6.8, and returned at 3.12pm, after the vote on Item 6.8. Councillor Scully was not present at the meeting of the Corporate, Finance, Properties and Tenders Committee, which was held remotely, during discussion or voting on Item 6.8.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 3.26pm.

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 20 June 2022 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.4, 6.5, 6.7 and 6.9 to 6.11 inclusive being adopted in globo, and Items 6.2, 6.3, 6.6, 6.8, 6.12 and 6.13 being dealt with as shown immediately following those Items.

Carried unanimously.

Item 6.1

Disclosures of Interest

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 6.2, in that she is a member of her local residents' action group – Redfern Everleigh Darlington Waterloo Watch (or 'REDWatch'). Councillor Ellsmore is an elected member of the Coordinating Committee for REDWatch. REDWatch has endorsed and/or provided submissions to Council by the Coalition Caring 4 Community Centres ('the 4 Cs').

Councillor Ellsmore stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she role with REDWatch is as an unpaid volunteer; and while her participation in REDWatch helps inform her understanding of issues in the local community, it does not bind or pressure her to vote in a particular way on this, or other items. Councillor Ellsmore stated that she intended to remain in the meeting during this item and participate in the debate and any decisions.

Councillor Jess Scully disclosed a pecuniary interest in Item 6.8, in that in early 2022, she was invited to participate in the QVB's Never Stop Exploring campaign, encouraging Sydneysiders to return to the CBD and enjoy the retail and hospitality offerings of the city. Councillor Scully participated in a personal capacity and received a small payment for her time. Given there was income received, she will declare it in her pecuniary interest register for the year.

Councillor Scully stated that there is no direct likelihood of further income, and the connection to this lease is remote, but for an abundance of caution she would declare a pecuniary interest, would not vote on this item and would leave the meeting for the item.

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

Item 6.2

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

Note – the recommendation of the Corporate, Finance, Properties and Tenders Committee was not adopted. The following motion was adopted.

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

It is resolved that:

- (A) Council note the Engagement Report for Sustainable Sydney 2030-2050 Continuing the Vision and Community Strategic Plan, as shown at Attachment G to the subject report;
- (B) Council note the submissions received from the community, and staff responses, on the exhibited suite of the Integrated Planning and Reporting documents as shown at Attachment F to the subject report;
- (C) Council endorse Sustainable Sydney 2030-2050 Continuing the Vision, as shown at Attachment A to the subject report;
- (D) Council endorse the Community Strategic Plan Delivering Sustainable Sydney 2030- 2050, as shown at Attachment B to the subject report;
- (E) Council adopt the 2022-2026 Delivery Program, as shown at Attachment C to the subject report;

- (F) Council adopt the Operational Plan 2022/23, as shown at Attachment D to the subject report and incorporate an amendment to the Covid-19 fee waiver category in the Fees and Charges section (at page 106) to include the following paragraph:

Venue hire, and insurance fees will be waived upon application under this category for community hire of community spaces, where a group resides in or provides services largely to communities in the City of Sydney. This includes incorporated associations and unincorporated associations whose membership base and purpose is within the City of Sydney Local Government Area. Government agencies, political parties, and groups who do not reflect the Inclusion and Equity principles in the City of Sydney's Community Strategic Plan and other City of Sydney plans such as our Reconciliation Action Plan and Inclusion (Disability) Plan are ineligible for this fee waiver.

- (i) Demonstrate Council's commitment to proactively encourage increased use of its community venues by community groups (defined as incorporated associations and unincorporated associations whose membership base and purpose is within the City of Sydney Local Government Area) in 2022/23, including where possible through reducing hire paperwork, immediate booking over the phone or online, and expanded promotions targeting community groups; and
 - (ii) Update the Council's Community Recovery Plan to track fee-waived and discounted community hire in 2022/23 alongside other actions which are designed to support the community to recover from the pandemic as part of our quarterly Recovery Report;
- (G) Council adopt the Resourcing Strategy 2022, including the draft Operating and Capital Budgets and future years' forward estimates, as shown at Attachment E to the subject report;
- (H) Council note that the 2022/23 budgets include:
- (i) Operating income of \$651.1M, operating expenditure before depreciation of \$530.1M for an Operating Result of \$121.0M, and a Net Operating Surplus of \$77.1M after allowing for interest income, depreciation and capital contributions;
 - (ii) Capital Works expenditure of \$202.1M; including a capital 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;
- (I) Council adopt Rating Structure 1, as exhibited within the Operational Plan 2022/23, which is incorporated within the base case of our financial schedules, and aligns to the Independent Pricing and Regulatory Tribunal's final determination;
- (J) Council note the proposed changes to the fees and charges, as incorporated within the Operational Plan, and set out in Attachment H to the subject report;
- (K) Council approve additional funding for the Blackwattle Playground, Park on Lyons and Woolworths Façade Remediation capital works projects from the relevant asset renewal provisional capital budgets for 2022/23, as set out in the subject report; and
- (L) authority be delegated to the Chief Executive Officer to approve any minor editorial and document design corrections prior to publication.

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

That clause (A) be amended as follows –

- (A) Council note the Engagement Report for Sustainable Sydney 2030-2050 Continuing the Vision and Community Strategic Plan, as shown at Attachment G to the subject report, amended to reflect a target of net zero emissions by 2030 (rather than 2035);

The amendment was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

Amendment lost.

*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 amendment.

Variation. At the request of Councillor Ellsmore, and by consent, the motion was varied, to include a clause (M) as follows:

- (M) Council amend Appendix 3 of the Operational Plan 2022/23– that is the ‘City Leisure Services: Fees and Charges 2022/23’ - and other relevant documents, so that there is no requirement to demonstrate that children are listed on a Medicare Card in order to access ‘Family’ entry.

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

X084366

Speakers

Michael Mobbs, Elizabeth Elenius (Pyrmont Action), Lesley Bentley (Pyrmont Peninsula Public Transport Forum) and Mary Mortimer (Friends of Pyrmont Community Centre) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.2.

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

Item 6.3

Investments Held as at 31 May 2022

Moved by Councillor Scully, seconded by Councillor Chan –

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

Carried unanimously.

X020701

Item 6.4

Proposed Land Classification - 174-186 George Street, Sydney

It is resolved that:

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

Carried unanimously.

X004710

Item 6.5

Public Exhibition - Grants and Sponsorship Policy and Guidelines

It is resolved that:

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

Carried unanimously.

S117676

Speakers

Coral Lever and Nellie Pollard-Wharton (First Nations Response) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.5.

Item 6.6

Public Exhibition - Code of Meeting Practice

Note – the recommendation of the Corporate, Finance, Properties and Tenders Committee was not adopted. The following motion was adopted.

Moved by Councillor Scully, seconded by Councillor Jarrett –

It is resolved that Council:

- (A) approve the draft Code of Meeting Practice as shown at Attachment A to the subject report, for public exhibition for a period of 28 days and specifying a period of not less than 42 days during which submissions may be made subject to the following amendment:

Deletion of clause 15.10

~~(N) 15.10 Councillors are also to verbally declare any **non**-pecuniary interest at the commencement of each meeting when disclosures are sought from the Chair.~~

- (B) note that a further report will be submitted to Council following exhibition.

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

It is resolved that Council:

- (A) approve the draft Code of Meeting Practice as shown at Attachment A to the subject report, for public exhibition for a period of 28 days and specifying a period of not less than 42 days during which submissions may be made subject to the following amendment:

Deletion of clause 15.10

~~(O) 15.10 Councillors are also to verbally declare any **non**-pecuniary interest at the commencement of each meeting when disclosures are sought from the Chair.~~

- (B) seek feedback through the public exhibition period on potential changes to the draft Code of Meeting Practice, to enable residents to speak at Council meetings; and
- (C) note that a further report will be submitted to Council following exhibition. The report will note the feedback from the community about potential changes to the draft Code of Meeting Practice which would enable residents to speak at Council meetings.

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.

S051923

Item 6.7

Lease Approval - Suites 1 and 2, Ground Floor - 46-52 Mountain Street, Ultimo

It is resolved that:

- (A) Council approve a five-year lease with a five-year option with Hamro Institute of Business Technology Pty Limited for the premises known as Suites 1 and 2, Ground Floor, Wilcox Mofflin, 46-52 Mountain Street, Ultimo, on the terms contained in Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, finalise and administer the lease.

Carried unanimously.

S099550

Item 6.8

Lease Assignment and Variation - Queen Victoria Building

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 27 June 2022 from the Chief Operating Officer circulated prior to the meeting).

It is resolved that:

- (A) Council approve the assignment of lease and variation of lease of:
 - (i) the QVB building lease (registered number V688504) and QVB tunnel sublease (registered number 5955842) from Ipoh Property Pty Ltd to a new lessee, QVB TC Pty Ltd, as Trustee, for the Link QVB Trust; and
 - (ii) the Galleries tunnel lease (registered number 3347128) from Ipoh Property Pty Ltd to a new lessee, Galleries TC Pty Ltd as trustee for the Link Galleries Trust;
- (B) Council note that the assignments are for the 50 per cent leasehold interest, currently owned by Ipoh Property Pty Ltd, in accordance with the essential terms and conditions contained within Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the assignment documents in accordance with the essential terms and conditions contained in Confidential Attachment A to the subject report.

Carried unanimously.

X028643.007

Item 6.9**Tender - T-2021-612 - Pymont Community Centre Upgrade**

It is resolved that:

- (A) Council accept the tender offer of Tenderer B for Pymont Community Centre Upgrade works for the price and contingency outlined in Confidential Attachment A to the subject report;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) Council approve the allocation of additional funds to the Pymont Community Centre Upgrade as outlined in Confidential Attachment A to the subject report.

Carried unanimously.

X038743

Item 6.10**Tender - T-2021-497 - General Security Services**

It is resolved that:

- (A) Council accept the tender offer of:
 - (i) Tenderer C for General Security Services in accordance with the schedule of rates provided, for a contract period of three years, with the option of two additional one-year extensions (total of five years), based on performance and the ongoing requirements of Council;
 - (ii) Tenderer O for Patrols and Alarm Response Security Services in accordance with the schedule of rates provided, for a contract period of three years, with the option of two additional one-year extensions (total of five years), based on performance and the ongoing requirements of Council; and
 - (iii) Tenderer C for Major Events and Festivals - Security Services in accordance with the schedule of rates provided, for a contract period of two years, with the option of three additional one-year extensions (total of five years), based on performance and the ongoing requirements of Council;
- (B) Council note that the total contract sum and contingency for Security Services is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in (A) if appropriate, and negotiate the price to extend those contracts accordingly.

Carried unanimously.

X0814549

Item 6.11

Tender - Reject and Negotiate - T-2021-613 - Enterprise Service Management Platform (Including IT Service Management)

It is resolved that:

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

Carried unanimously.

X086183

Item 6.12

Contract Variation - Management of Aquatic and Leisure Facilities - Belgravia Leisure

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

It is resolved that:

- (A) Council approve the variation in the cost of service for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools until the end of the contract term on 31 March 2024 as outlined in Confidential Attachment A to the subject report;
- (B) Council approve the additional funds in relation to the contract for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools until the end of the contract term on 31 March 2024 as outlined in Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate and enter into any contract documentation to give effect to the above clauses.

Carried unanimously.

S100640.027

Item 6.13**Contract Variation - RFT 1806 - ePlanning at City of Sydney**

Moved by Councillor Scully, seconded by Councillor Chan –

It is resolved that:

- (A) Council approve a variation of the TechnologyOne Limited contract to provide for an increase to the overall contract price to implement current and future enhancements in the City's ePlanning project;
- (B) Council note that the scope of services requested under this extension is of the same nature as the one in the original contract with TechnologyOne; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer any variations to the contract required to give effect to this approval.

Carried unanimously.

X004156

Adjournment

At this stage of the meeting, at 6.52pm, 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 7.12pm

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, and Yvonne Weldon.

At the commencement of business at 3.41pm those present were –

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

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Business and Economic Development Committee.

The meeting of the Business and Economic Development Committee concluded at 4.07pm.

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 20 June 2022 be received, with Item 7.1 being noted and the recommendations set out below for Items 7.2 to 7.3 inclusive being dealt with as shown immediately following those Items.

Carried unanimously.

Item 7.1

Disclosures of Interest

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in that she has an existing relationship with the Pyrmont Ultimo Chamber of Commerce President, as in the past, ASSIPJ, a not-for-profit organisation that she chairs, has engaged his services to the sum of \$450 in December 2020 for festival event mapping and design assistance.
- a less than significant, non-pecuniary interest in Item 7.2, in that she has attended the launch of the Pyrmont Food and Wine Festival as a Councillor accompanying the Lord Mayor, on 18 May 2022, followed by the opening of the festival on 28 May 2022.

Councillor Jarrett disclosed a less than significant, non-pecuniary interest in Item 7.2, in that she attended Pyrmont Food and Wine Festival where her brother and sister-in-law were exhibitors.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she was attending the Pyrmont Food and Wine Festival in her capacity as a local resident of the City of Sydney.

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in that he has been involved in the Social Enterprise Council of the NSW and ACT community as a sector leader in a voluntary capacity. The Social Enterprise Council is a sector-led peak body that represents the interests of social entrepreneurs and social enterprises across NSW and ACT.

The Social Enterprise Council of NSW and ACT (SECNA) Ltd has been recommended for two economic grants:

- Project 1 – Social Enterprise Myths and Legends – Live Storytelling Events (\$20,000)
- Project 2 – Connect – Networking Events and eNewsletters (\$26,666)

Councillor Chan stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances, as he engages with SECNA is a voluntary capacity. He has no prior knowledge of these grant applications and has not been involved with these grant applications at any stage.

Councillor Lyndon Gannon made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.2, in that he is friends with Rafael Bonachela, Artistic Director of the Sydney Dance Company, which applied for a grant, but was not recommended.
- a less than significant, non-pecuniary interest in Item 7.2, in that he met with the Art Gallery of NSW to discuss arts policy, and at the meeting there was no mention or discussion of their grants application.

Councillor Gannon stated that he considers these non-pecuniary conflicts of interest are not significant and so not require further action in the circumstances because he was not aware these organisations had applied for a grant, and in any case, neither of them received funding.

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in relation to one of the proposed grant recipients considered for funding – the Sydney Improv Theatre Inc. Councillor Ellsmore's recent former flatmate is a regular performer with the Sydney Improv Theatre.

Councillor Ellsmore stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she does not have any relationship with the Sydney Improv Theatre; and she was not aware of the grant recommendation until the Committee papers were published, has not liaised with the Sydney Improv Theatre, or been lobbied by anyone associated with the Sydney Improv Theatre about their grant application. Councillor Ellsmore declared her intention to remain in the meeting during this item and to participate in the debate and decision.

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

The Business and Economic Development Committee recommended the following:

Item 7.2

Grants and Sponsorship - Economic Grants

Moved by Councillor Kok, seconded by Councillor Scully –

It is resolved that:

- (A) Council approve the cash recommendations for the Business Support - Live Music and Performance Grant Program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Live Music and Performance Grant Program as shown at Attachment B to the subject report;
- (C) Council approve the cash recommendations for the Business Support - Night Time Diversification Grant Program as shown at Attachment C to the subject report;
- (D) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Night Time Diversification Grant Program as shown at Attachment D to the subject report;
- (E) Council approve the cash and value-in-kind recommendations for the Business Support - Place and Industry Grant Program as shown at Attachment E to the subject report noting that all applications are recommended;
- (F) Council note that all grants amounts are exclusive of GST;
- (G) 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
- (H) 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.

Carried unanimously.

S117676

Item 7.3**Public Exhibition - Markets Policy**

Moved by Councillor Kok, seconded by Councillor Scully –

It is resolved that:

- (A) Council approve the draft Markets Policy, as shown at Attachment A to the subject report, for public exhibition;
- (B) Council note the draft Guidelines to Setting Up a Market on Council Land, as shown at Attachment B to the subject report, which will be exhibited together with the draft Markets Policy; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial corrections prior to the exhibition of the draft Markets Policy and Guidelines.

Carried unanimously.

X084995

Item 8 Report of the Housing For All Committee

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor Sylvie Ellsmore
(Deputy Chair)

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

At the commencement of business at 4.08pm those present were -

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

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Housing For All Committee.

The meeting of the Housing For All Committee concluded at 4.28pm.

Report of the Housing For All Committee

Moved by Councillor Ellsmore, seconded by Councillor Scully –

That the report of the Housing For All Committee of its meeting of 20 June 2022 be received, with Item 8.1 being noted and the recommendations set out below for Item 8.2 being dealt with as shown immediately following that Item.

Carried unanimously.

Item 8.1

Disclosures of Interest

Councillor Lyndon Gannon disclosed a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that Diana D'Ambra, Chair of the City West Housing Board, is married to his godfather.

Councillor Gannon stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because they have not discussed this agenda item.

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

Item 8.2

Public Exhibition - Planning Proposal - Affordable Housing Program Update - Sydney Local Environmental Plan 2012, Sydney Local Environmental Plan (Green Square Town Centre) 2013, Sydney Local Environmental Plan (Green Square Town Centre - Stage 2) 2013, Draft City of Sydney Affordable Housing Program 2022 and Draft Affordable Housing Contributions Distribution Plan

Note - The Housing For All Committee decided that consideration of this matter shall be deferred to the meeting of Council on 27 June 2022.

At the meeting of Council, the following alternative recommendation was adopted (as contained in the Information Relevant To Memorandum dated 24 June 2022 from the Director City Planning, Development and Transport, circulated prior to the meeting).

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

It is resolved that:

- (A) Council approve Planning Proposal - City of Sydney Affordable Housing Program Update, shown at Attachment A to the subject Information Relevant To Memorandum, for submission to the Department of Planning and Environment with a request for a Gateway Determination, subject to the planning proposal being updated in accordance with (D) below;
- (B) Council approve Planning Proposal - City of Sydney Affordable Housing Program, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council approve the draft City of Sydney Affordable Housing Program Amendment 2022, shown at Attachment B to the subject Information Relevant To Memorandum, for public exhibition for a period of no less than 28 days, concurrently with the planning proposal;
- (D) Council approve the draft City of Sydney Interim Affordable Housing Contributions Distribution Plan, shown at Attachment C to the subject Information Relevant To Memorandum, for public exhibition for a period of no less than 28 days, concurrently with the planning proposal, subject to the draft City of Sydney Interim Affordable Housing Contributions Distribution Plan being amended to distribute all affordable housing contribution funds equally amongst City West Housing, St George Community Housing and Bridge Housing;
- (E) Council seek authority from the Department of Planning and Environment to exercise its delegation under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the amending Local Environmental Plan;
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - City of Sydney Affordable Housing Program Update, the draft City of Sydney Affordable Housing Program Amendment 2022 and the draft City of Sydney Interim Affordable Housing Contributions Distribution Plan, to correct any drafting errors or inconsistencies, or to ensure consistency with any condition of the Gateway Determination; and
- (G) Council note further consultation will be undertaken with the Housing for All Working Group and the community housing sector to inform the final distribution plan which will be reported to Council for consideration.

The motion was carried on the following show of hands:

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

Noes (1) Councillor Jarrett.

Motion carried.

X084801

Speakers

Rebecca Pinkstone (CEO, Bridge Housing), Diana D'Ambra (Chair, City West Housing Board) and Leonie King (CEO, City West Housing) addressed the meeting of the Housing For All Committee on Item 8.2.

Item 9 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 and Yvonne Weldon.

At the commencement of business at 4.29pm those present were -

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

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Cultural and Creative Committee.

The meeting of the Cultural and Creative Committee concluded at 4.38pm.

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 20 June 2022 be received, with Item 9.1 being noted and Item 9.2 being dealt with as shown immediately following that Item.

Carried unanimously.

Item 9.1**Disclosures of Interest**

Councillor Shauna Jarrett made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she was a volunteer Non-Executive Director of the Arts Law Centre of Australia between 2002-2007. The Arts Law Centre of Australia's Protecting and Respecting: Law and Indigenous Cultural and IP Workshops project has been recommended for a grant of \$20,000 from the City of Sydney's Cultural and Creative Grants and Sponsorship program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not been a Non-Executive Director of the Arts Law Centre of Australia since 2007 and is no longer affiliated or connected with them.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she attended the Milk Crate Theatre production of 'A Retrospective: Celebrating 23 Magnificent Years' on Tuesday 17 May 2022. Milk Crate Theatre's Urban Fables project has been recommended for a grant of \$25,000 under the City of Sydney's Cultural and Creative Grants and Sponsorship program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is not affiliated with the Milk Crate Theatre in any way.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she completed a BA (Hons) and graduated from the University of Sydney in 1985. Councillor Jarrett was the University of Sydney's Assistant Group Secretary between 2008 and 2015. The University of Sydney's Walking Sydney: Writers in a Changing City project has been recommended for a grant of \$5000 under the City of Sydney's Cultural and Creative Grants and Sponsorship program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is no longer the Assistant Group Secretary and is not affiliated with the University of Sydney anymore.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she completed an LLB and graduated from the University of Technology Sydney in 1992. Councillor Jarrett also worked with the University of Technology Sydney and provided legal advice and consulting as a contractor to the Advancement Office. The University of Technology Sydney's Green Square Atlas of Water Stories project has been recommended for a grant of \$15,000 under the City of Sydney's Cultural and Creative Grants and Sponsorship program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is no longer affiliated with the University of Technology Sydney.

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she is currently housed by Uniting Care Housing (1998 to date).
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she has an existing relationship with various faculties at the University of Sydney in hosting social justice symposiums over the years, such as the Macleay Museum / Faculty of Law (2010, 2013, 2014, 2016); presenting, hosting and participating in ASSI / Pacific forums; in 2018 ASSIPJ were hired to participate and cater for the Business School Justice Through Treaty Workshop; and more recently as a guest as Councillor to the 2022 30th Anniversary of Mabo Decision.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she completed her Masters by Research with the Faculty of Social Sciences at the University of Technology, as well as received the Networking Tranby Scholarship for completing her thesis, Children of the Sugar Slaves; Black and Resilient.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that as Chair of ASSIPJ, they received funds in 2020 through the Centre for Social Justice and Inclusion towards their Sugar Fest event hosted annually at Pirrama Park. The donation received was \$1,000.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she worked closely with the executive of Documentary Australia in seeking production funding for the film, Black is Inclusive, the Carole Johnson Story.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she is a member of Gadigal Information Service and chaired a member's meeting in 2019. For many years, Gadigal Information Service have broadcast ASSIPJ events and have had discussions with Councillor Davis, as she has an existing and long-term relationship with them as broadcasters.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she sits on the Indigenous Advisory with the CEO of Mudjin-gal Aboriginal Corp and has attended the premises over the years with elders of the community for women, for domestic violence workshops, as well as meet and greets with visiting indigenous women from the United Nations.

Councillor HY William Chan made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he is currently employed by the University of Sydney as an academic at the Sydney School of Architecture, Design and Planning. The University of Sydney has been recommended for a grant as part of the Grants and Sponsorship Cultural Grants: Walking Sydney: Writers in a Changing City (\$5,000).

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the recipient of the grant is not related to his teaching position at the Sydney School of Architecture, Design and Planning. He has had no prior knowledge of these grant applications and has not been involved with these grant applications at any stage.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he is currently engaged by the University of Technology Sydney in an academic guest lecturer capacity with UTS BUILD which is a global leadership program. UTS has been recommended for one grant as part of the Grants and Sponsorship Cultural Grants: The Green Square Atlas of Water Stories (\$15,000).

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the recipient of the grant is not related to his role as an academic guest lecturer. He has had no prior knowledge of these grant applications and has not been involved with these grant applications at any stage.

Councillor Sylvie Ellsmore made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that her recent former flatmate is a regular performer with the Sydney Improv Theatre.

Councillor Ellsmore stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she does not have any relationship with the Sydney Improv Theatre, and she was not aware of the grant recommendation until the Committee papers were published, has not liaised with the Sydney Improv Theatre, or been lobbied by anyone associated with the Sydney Improv Theatre about their grant application.

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she is employed by the University of Sydney, which is another one of the applicants for a grant. Councillor Ellsmore works part-time for the University of Sydney Policy Lab. She was not aware that the university was applying for a grant; it's not related to an area that she works in, and she has not liaised with anyone or been lobbied by anyone about the grant.

Councillor Ellsmore stated her intention to remain in the meeting during the item, and participate in the debate and decision.

Councillor Lyndon Gannon made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he met with the Darlinghurst Theatre Company to discuss arts policy, however, their grant application was not discussed or mentioned.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he is friends with Luke Hawthorn, who is on the board of Shaun Parker Co, however, Councillor Gannon was not aware he was on the board until his staff informed him, and at no point have they discussed this grant application.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he is friends with Raphael Bonachela, who is the artistic director of Sydney Dance Company. At no point have they discussed this grant application.

Councillor Gannon stated that he considers that these non-pecuniary conflicts of interest are not significant and do not require further action in the circumstances because in all cases, he has not been aware of their grant applications.

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 recommended the following:

Item 9.2

Grants and Sponsorship - Cultural Grants

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

It is resolved that:

- (A) Council approve the cash and value in kind recommendations for the Cultural and Creative Grants and Sponsorship Program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant or value in kind for the Cultural and Creative Grants and Sponsorship Program as shown at Attachment B to the subject report;
- (C) Council approve the cash and value in kind recommendations for the Festivals and Events Sponsorship (Artform) Program as shown at Attachment C to the subject report;
- (D) Council note the applicants who were not successful in obtaining a cash grant or value in kind for the Festivals and Events Sponsorship (Artform) Program as shown at Attachment D to the subject report;
- (E) Council note that all grant amounts are exclusive of GST;
- (F) 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
- (G) 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.

Carried unanimously.

S117676

Item 10 Report of the Resilient Communities Committee

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor (Waskam) Emelda Davis
(Deputy Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors HY William Chan, Sylvie Ellsmore, Lyndon Gannon, Shauna Jarrett, Robert Kok and Yvonne Weldon.

At the commencement of business at 4.39pm those present were –

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

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Resilient Communities Committee.

The meeting of the Resilient Communities Committee concluded at 5.02pm.

Report of the Resilient Communities Committee

Moved by Councillor Davis, seconded by Councillor Chan –

That the report of the Resilient Communities Committee of its meeting of 20 June 2022 be received, with Item 10.1 being noted, the recommendations set out below for Items 10.3 and 10.4 being adopted in globo, and Items 10.2 and 10.5 being dealt with as shown immediately following those items.

Carried unanimously.

Item 10.1

Disclosures of Interest

Councillor Shauna Jarrett made the following disclosures:

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that she completed a BA (Hons) and graduated from the University of Sydney in 1985. She was the University of Sydney's Assistant Group Secretary between 2008 and 2015. The University of Sydney's Reconnecting after COVID project has been recommended for a venue hire fee waiver of \$2,961 under the City of Sydney's Community Services Grant program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not been the Assistant Group Secretary since 2015 and is no longer affiliated with the University of Sydney.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that she completed a BA (Hons) and graduated from the University of Sydney in 1985. She was the University of Sydney's Assistant Group Secretary between 2008 and 2015. The University of Sydney's Refugee Language Program: Anthology of Stories and Poems project has not been recommended for a grant of \$12,500 under the City of Sydney's Community Services Grant program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not been the Assistant Group Secretary since 2015 and is no longer affiliated with the University of Sydney.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that she was a volunteer Non-Executive Board Member from 2001 and Chair from 2006-2009 of the Public Interest Advocacy Centre Ltd. The Public Interest Advocacy Centre's Speak Out Street Care project has not been recommended for a grant of \$28,568 under the City of Sydney's Community Services Grant program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not been a Non-Executive Board Member of the Public Interest Advocacy Centre since 2015 and is no longer affiliated with them.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that she completed a BA (Hons) and graduated from the University of Sydney in 1985. She was the University of Sydney's Assistant Group Secretary between 2008 and 2015. The University of Sydney's University Settlement Edward Street Fair program has been recommended for a grant of \$19,200 under the City of Sydney's Festivals and Events Sponsorship.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is no longer the Assistant Group Secretary and is not affiliated with the University of Sydney anymore.

- a less than significant, non-pecuniary disclosure in Item 10.2 on the agenda, in that she completed a BA (Hons) and graduated from the University of Sydney in 1985. I was the University of Sydney's Assistant Group Secretary between 2008 and 2015. The University of Sydney's University Settlement as auspice for Mr Warren Roberts' Eora Inner City NAIDOC Event program has been recommended for a grant of \$30,000, \$25,000 and \$20,000 for the next 3 years respectively under the City of Sydney's Festivals and Events Sponsorship.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is no longer the Assistant Group Secretary and is not affiliated with the University of Sydney anymore.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that she completed an LLB and graduated from the University of Technology Sydney in 1992. She also worked with the University of Technology Sydney and provided legal and governance advice as a consultant to the Advancement Office from 2017 - 2019. The University of Technology Sydney's Digital Fashion Environmental and Economic Benefits Calculator project has not been recommended for a grant of \$40,000 under the City of Sydney's Knowledge Exchange Sponsorship program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is no longer affiliated with the University of Technology Sydney.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that she completed an LLB and graduated from the University of Technology Sydney in 1992. She also worked with the University of Technology Sydney and provided legal and governance advice as a consultant to the Advancement Office from 2017 - 2019. The University of Technology Sydney's Crowd Funding for Creatives – Alternative Paths to Artistic Sustainability project has not been recommended for a grant of \$9000 under the City of Sydney's Knowledge Exchange Sponsorship program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is no longer affiliated with the University of Technology Sydney.

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that she completed an LLB and graduated from the University of Technology Sydney in 1992. She also worked with the University of Technology Sydney and provided legal and governance advice as a consultant to the Advancement Office from 2017 - 2019. The University of Technology Sydney's Zero-acreage Farming: Growing Food Resilience in High-Density Cities project has not been recommended for a grant of \$40,000 under the City of Sydney's Knowledge Exchange Sponsorship program.

Councillor Jarrett stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is no longer affiliated with the University of Technology Sydney.

Councillor Lyndon Gannon disclosed a less than significant, non-pecuniary in Item 10.2 on the agenda, in that he is friends with the President of the Potts Point Partnership.

Councillor Gannon stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because they are not recommended for a grant, although he did have discussions with him about the grant recently.

Councillor HY William Chan made the following disclosures:

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that he is currently employed by the University of Sydney as an academic at the Sydney School of Architecture, Design and Planning. The University of Sydney has been recommended for a grant as part of the Grants and Sponsorship Community Services Grant Program: Reconnecting after Covid (Nil funding, venue hire waiver to the value of \$2,961).

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the recipient of the grant is not related to his teaching position at the Sydney School of Architecture, Design and Planning. He has had no prior knowledge of these applications and has not been involved with these grant applications at any stage.

- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that he has been involved in Vibelab's Global Cities After Dark Sydney program as a key actor and industry leader in transport, health and safety in a voluntary capacity. Vibelab Asia Pacific Pty Ltd has been recommended for a grant as part of the Grants and Sponsorship Knowledge Exchange Sponsorship Program: Global Cities After Dark 2023 – World Pride Edition (\$40,000 and venue hire fee waiver to the value of \$16,500).

Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has been involved with the grant recipient in a voluntary capacity. He has had no prior knowledge of these applications and has not been involved with the grant applications at any stage.

Councillor Sylvie Ellsmore made the following disclosures:

- a less than significant, non-pecuniary interest in Items 10.2 and 10.4 on the agenda, in that she is employed part-time at the University of Sydney. The University of Sydney is an applicant for the Social Grants program and a recipient of an Accommodation Grant.
- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that she is a member of Shelter NSW. Shelter NSW is an applicant for the Knowledge Exchange Sponsorship Grants program.
- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that she is a member and former board member of the Inner Sydney Regional Council for Social Development, also known as Inner Sydney Voice, which is the recipient of an accommodation grant.

Councillor Ellsmore stated that she considers that these non-pecuniary conflicts of interest are not significant and do not require further action in the circumstances because in all cases she was not aware of the grant applications until receiving the committee papers, have not discussed the applications from any of these items, or been lobbied by anyone associated with these organisations about their grant applications.

Councillor Ellsmore stated her intention to remain in the meeting during these items, and participate in the debate and decisions.

Councillor Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 10.2 on the agenda, in that she is currently housed by Uniting Church In Australia Property Trust (NSW) - Uniting Care Housing (1998 to date).
- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that she is currently housed by Uniting Church in Australia Property Trust (NSW) - United Care Housing (1998 to date).
- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that she completed her Masters by Research with the Faculty of Social Sciences at the University of Technology, as well as received the Networking Tranby Scholarship for completing her thesis, Children of the Sugar Slaves, Black and Resilient. Councillor Davis's office space was based at Tranby College and she was a student at Jumbanna Institute.
- a less than significant, non-pecuniary interest in Item 10.3, in that the ASSIPJ, which Councillor Davis chairs, received funds in 2020 through the Centre for Social Justice and Inclusion towards for its Sugar Fest event, hosted annually at Pirrama Park. The donation received was \$1,000.

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

The Resilient Communities Committee recommended the following:

Item 10.2

Grants and Sponsorship - Social Grants

Moved by Councillor Davis, seconded by Councillor Chan –

It is resolved that:

- (A) Council approve the cash and value in kind recommendations for the Community Services Grant Program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant or value in kind for the Community Services Grant Program as shown at Attachment B to the subject report;
- (C) Council approve the cash and value in kind recommendations for the Festivals and Events Sponsorship (Village and Community) Program as shown at Attachment C to the subject report;
- (D) Council note the applicants who were not successful in obtaining a cash grant or value in kind for the Festivals and Events Sponsorship (Village and Community) Program as shown at Attachment D to the subject report;
- (E) Council approve the cash and value in kind recommendations for the Matching Grant Program as shown at Attachment E to the subject report, noting that all applications are recommended;
- (F) Council note the applicants who were not successful in obtaining a cash grant or value in kind for the Matching Grant Program as shown at Attachment F to the subject report;
- (G) Council note that all grants amounts are exclusive of GST;
- (H) 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
- (I) 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.

Carried unanimously.

S117676

Item 10.3**Grants and Sponsorship - Knowledge Exchange Sponsorship Program**

It is resolved that:

- (A) Council approve the cash and value in kind recommendations for the Knowledge Exchange Sponsorship Program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant or value in kind for the Knowledge Exchange Sponsorship Program as shown at Attachment B to the subject report;
- (C) Council note that all grants amounts are exclusive of GST;
- (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.

Carried unanimously.

S117676

Item 10.4**Grants and Sponsorship - Accommodation Grant Program – Annual Performance Review and Lease Renewals 2022**

It is resolved that:

- (A) Council note the continuation of the current Accommodation Grant leases and licences for the 68 lease holders that have satisfactorily completed their annual performance review for the 2021 calendar year and are continuing in the Program;
- (B) Council note the Museum of Chinese in Australia Ltd at 744 George Street was not required to complete an annual performance review and are continuing in the Program;
- (C) Council note the City has not provided an annual rating for The Roman Catholic Church for The Archdiocese of Sydney (Catholic Care) for the property at 1b Cathedral Street, Woolloomooloo as the lease is currently on monthly holdover;
- (D) Council approve the new subsidy and grant level for the Australian Design Centre at 101-111 and 113-115 William Street, Darlinghurst for their previously approved five year lease for the period 1 July 2022 to 22 March 2026 on the following rental subsidy:

	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Pro rata Year 2 01/07/22 – 22/03/23 (265 days)	\$215,668	100%	\$215,668	\$0
Year 3 23/03/23 – 22/03/24	\$305,964	95%	\$290,666	\$15,298
Year 4 23/03/24 – 22/03/25	\$315,142	93%	\$293,082	\$22,060
Year 5 23/03/25 – 22/03/26	\$324,597	90%	\$292,137	\$32,460

- (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; and
- (F) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the agreement with the Australian Design Centre at 101-111 and 113-115 William Street, Darlinghurst on terms consistent with this resolution and in accordance with the Grants and Sponsorship Policy.

Carried unanimously.

S117676

Item 10.5**Grants and Sponsorship - Ad Hoc Festivals and Events Sponsorship - Rabbitohs Grand Final Live Site and Fan Days**

Moved by Councillor Davis, seconded by Councillor Chan –

It is resolved that:

- (A) Council approve cash sponsorship of \$60,000 (excluding GST) per year for three years and community venue hire value in kind of \$1,000 per year for three years to Souths Cares PBI Ltd for Grand Final qualification and celebratory activities in 2022, 2023 and 2024, subject to the Rabbitohs qualifying for the Grand Final in the relevant year;
- (B) in line with the City's adopted Revenue Policy, allowing for the waiving of fees in accordance with a decision by Council to grant financial assistance, that Council approve the design and manufacture of 60 Rabbitohs themed banners to the value of \$6,000, and waive street banner hire fee to the value of \$8,000 per annum to Souths Cares PBI Ltd, for the installation and dismantling of street banners subject to the Rabbitohs qualifying for the Grand Final in the relevant year;
- (C) Council note that the 2022/23 funds, if required, will be drawn from the General Contingency Fund, and should funds be required for future financial years, they will be drawn from the General Contingency Fund in the relevant year; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, enter into and administer a grant agreement with Souths Cares PBI Ltd to give effect to this resolution.

The motion was carried on the following show of hands –

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

Noes (1) Councillor Jarrett.

Motion carried.

X084995

Item 11 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 and Yvonne Weldon.

At the commencement of business at 5.14pm those present were -

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

Councillor Ellsmore left the meeting of the Transport, Heritage, Environment and Planning Committee at 7.33pm, prior to the vote on Item 11.5, and returned at 7.36pm, after the vote on Item 11.8. Councillor Ellsmore was not present at the meeting during voting on Items 11.5 to 11.8.

Apologies

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

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 7.49pm.

Report of the Transport, Heritage, Environment and Planning Committee

Moved by Councillor Chan, seconded by Councillor Gannon –

That the report of the Transport, Heritage, Environment and Planning Committee of its meeting of 20 June 2022 be received, with Item 11.1 being noted, the recommendations set out below for Items 11.2, 11.4 and 11.6 to 11.12 inclusive being adopted in globo, and Items 11.3 and 11.5 being dealt with as shown immediately following those items.

Carried unanimously.

Item 11.1

Disclosures of Interest

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 11.2 on the agenda, in that she has an existing relationship with various faculties at the University of Sydney, hosting social justice symposiums over the years, such as the Macleay Museum / Faculty of Law (2010, 2013, 2014, 2016), presenting, hosting and participating in ASSI/Pacific forums; in 2018 ASSIPJ were hired to participate and cater for the Business School Justice Through Treaty Workshop, and more recently, as a guest Councillor to the 2022 30th Anniversary of Mabo Decision.
- a less than significant, non-pecuniary interest in Item 11.2 on the agenda, in that as Chair of ASSIPJ, they are currently a Partner Investigator on an Australian Research Council Grant with the University of NSW School of Humanities and Languages. The grant is yet to be received in 2023/24.

Councillor Davis stated that she considers that these non-pecuniary conflicts of interest are not significant and do not require further action in the circumstances because they are of a relationship and historical basis, and they do not impede the objectiveness of her decision-making and do not render personal beneficiary benefits.

Councillor Sylvie Ellsmore made the following disclosures:

- a less than significant, non-pecuniary interest in Item 11.5 on the agenda, in that she is a member of her local residents action group Redfern Eveleigh Darlington and Waterloo, or REDWatch, where she is an elected member. REDWatch has previously provided submissions to Council and been consulted by Council on this item.
- a less than significant, non-pecuniary interest in Item 11.5 on the agenda, in that she was formerly employed by Indigenous consultancy Cox Inall Ridgeway to undertake a cultural heritage study for the Botany Road precinct, which was independent advice provided to the Council a couple of years ago.

Councillor Ellsmore stated that she considers that both of these non-pecuniary conflicts of interest are not significant and do not require her to absent herself from the discussion. She is no longer employed by Cox Inall Ridgeway, and with REDWatch she is an unpaid volunteer, and she considers that her former roles and current roles inform her understanding of this item but do not bind her in any particular way in relation to decision-making.

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

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

Item 11.2

Grants and Sponsorship - Environmental Grants

It is resolved that:

- (A) Council approve the cash recommendations for the Environmental Performance - Innovation Grant Program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant for the Environmental Performance - Innovation Grant Program as shown at Attachment B to the subject report;
- (C) Council approve the cash recommendations for the Environmental Performance - Ratings and Assessment Grant Program as shown at Attachment C to the subject report;
- (D) Council note the applicants who were not successful in obtaining a cash grant for the Environmental Performance - Ratings and Assessment Grant Program as shown at Attachment D to the subject report;
- (E) Council note that all grants amounts are exclusive of GST;
- (F) 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
- (G) 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.

Carried unanimously.

S117676

Item 11.3**Project Scope - Castlereagh Street Cycleway**

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

It is resolved that Council:

- (A) approve the concept design for the Castlereagh Street cycleway and footpath widening as shown in Attachment B to the subject report for finalising detailed documentation and construction tender; and
- (B) note the estimated project costs as detailed in Confidential Attachment D to the subject report.

The motion was carried on the following show of hands –

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

Noes (2) Councillors Jarrett and Weldon.

Motion carried.

X026113

Speakers

Paul Brasch (Castlereagh Boutique Hotel and NSW Masonic Club), Jed Finnane, Mark Rossiter (Five at Heart), Nick Bonich (Bike Sydney) and Francis O'Neill (Bicycle NSW) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 11.3.

Item 11.4**Project Scope - Loftus Street, Reiby Place and Customs House Lane Upgrade**

It is resolved that Council:

- (A) endorse the scope of works for the Loftus Street, Reiby Place and Customs House Lane Upgrade as described in the subject report for progression to detailed design, documentation and construction of works; and
- (B) note that the required traffic changes and permanent closure of the road to vehicular traffic (service and loading provided) will be consulted with the community and approvals obtained in accordance with the Roads Act 1993.

Carried unanimously.

X084582

Item 11.5**Post Exhibition - Planning Proposal – Botany Road Precinct – Sydney Local Environmental Plan 2012 and 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 contained in the Information Relevant To Memorandum dated 24 June 2022 from the Director City Planning, Development and Transport, circulated prior to the meeting).

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

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal: Botany Road Precinct and Draft Sydney Development Control Plan 2012 - Botany Road Precinct as shown in Attachment A to the subject report;
- (B) Council approve Planning Proposal: Botany Road Corridor, as shown at Attachment B to the subject report and amended in response to submissions, to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve the Draft Sydney Development Control Plan 2012 - Botany Road Precinct, as shown in Attachment C to the subject report, as amended in response to submissions, noting that the approved development control plan will come into effect on the date of publication of the subject local environmental plan subject to the following amendment;
 - (i) amendment of the 'Height in storeys map' in the draft Sydney Development Control Plan 2012 Amendment - Botany Road Precinct to replace the 2 storey maximum height in storeys with a 13 storey maximum height in storeys at the rear of 74 and 84-88 Botany Road, Alexandria; and
- (D) authority be delegated to the Chief Executive Officer to make minor variations to Planning Proposal: Botany Road Precinct and Draft Sydney Development Control.

Amendment. Moved by Councillor Jarrett, seconded by Councillor Weldon –

That the matter be deferred to a future meeting of Council.

The amendment was lost on the following show of hands –

Ayes (2) Councillors Jarrett and Weldon

Noes (8) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Gannon, Kok, Scott and Scully.

Amendment lost.

Variation. At the request of Councillor Chan, and by consent, clause (B) was amended as follows:

- (B) Council approve Planning Proposal: Botany Road Corridor, as shown at Attachment B to the subject report and amended in response to submissions, to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979; subject to inserting "...for development under this clause" at the end of (i) on page 28 and the end of (9) on page 93.

The substantive motion was carried on the following show of hands –

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

Noes (2) Councillors Jarrett and Weldon.

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

X031159

Speakers

Geoffrey Long, Diarmuid Maguire, Robert Court, Lisa Sorrentino (City West Housing), Simon Steggels, Karen Parouchais, Adrian Kotzen, Polina Oussova, Jean-Baptiste Aubrun, Deborah Friedman, Dickon Boyles, Craig Ware, Andrew Balint, Rich Long, Sue Kang, Minette Shuen, Bernard Shuen, Constance Zhang, Rosie Baker, Ashleigh Ryan (Urbis), Daniel Howard (Ethos Urban), Michael Rowe (Ethos Urban), Nick Smith (Kippax Property), Stephen Gouge (Ethos Urban), Stephen Jamison (Kann Finch), Daniel Sekers (Bluestone), and Lucas Comino addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 11.5.

Item 11.6

Public Exhibition - Managing Waste in Public Places Local Approvals Policy

It is resolved that:

- (A) Council approve the draft Managing Waste in Public Places Local Approvals Policy as shown at Attachment A to the subject report for public exhibition for a period of 42 days in accordance with the requirements of the Local Government Act 1993;
- (B) Council note that the draft Managing Waste in Public Places Local Approvals Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial corrections prior to the exhibition of the draft Managing Waste in Public Places Local Approvals Policy.

Carried unanimously.

X006529.004

Item 11.7

Public Exhibition - Mobile Food Vending Vehicles Local Approvals Policy

It is resolved that:

- (A) Council approve the draft Mobile Food Vending Vehicle Local Approvals Policy, as shown at Attachment A to the subject report, for public exhibition; and
- (B) authority be delegated to the Chief Executive Officer to undertake minor editorial corrections prior to the exhibition of the draft Mobile Food Vending Vehicle Local Approvals Policy.

Carried unanimously.

X087518

Item 11.8

Public Exhibition - Contaminated Land Policy

It is resolved that:

- (A) Council approve the draft Contaminated Land Policy, as shown at Attachment A to the subject report, for public exhibition; and
- (B) authority be delegated to the Chief Executive Officer to undertake minor editorial corrections prior to the exhibition of the draft Contaminated Land Policy.

Carried unanimously.

S111706

Item 11.9**Public Exhibition - Outdoor Dining Policy, Outdoor Dining Guidelines, and Display of Goods on the Footway Local Approvals Policy**

It is resolved that:

- (A) Council approve for public exhibition:
 - (i) the draft Outdoor Dining Policy shown at Attachment A to the subject report;
 - (ii) the draft Outdoor Dining Guidelines shown at Attachment B to the subject report; and
 - (iii) the draft Display of Goods on the Footway Local Approvals Policy shown at Attachment C to the subject report;
- (B) Council approve the draft Display of Goods on the Footway Local Approvals Policy shown at Attachment C for submission to the Office of Local Government with a request for the consent of the Departmental Chief Executive for the adoption of the Policy in accordance with section 162 of the Local Government Act 1993;
- (C) authority be delegated to the Chief Executive Officer to amend the Outdoor Dining Guidelines to remove Appendix 1 'Road area reallocated to outdoor dining' at such time as applications for on-street outdoor dining are no longer accepted;
- (D) the Chief Executive Officer be requested to write to Liquor and Gaming NSW to request that barriers not be included in the license conditions of premises in alcohol free zones on George Street and Martin Place; and
- (E) authority continue to be delegated to the Chief Executive Officer to, by notice on the City's website, approve the use of roads, footways and public open spaces for outdoor dining, extension of foyer space, performance space and other permitted uses under Part 12 of the Liquor Act 2007 in accordance with the requirements of that Act, with the delegation to apply until 11 December 2023.

Carried unanimously.

S060627-02

Item 11.10

Public Exhibition - Planning Proposal - Pitt and Hunter Streets, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal – 15-25 Hunter Street and 105-107 Pitt Street, Sydney, as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for Gateway Determination;
- (B) Council approve Planning Proposal – 15-25 Hunter Street and 105-107 Pitt Street, as shown at Attachment A to the subject report to 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 to put into effect Planning Proposal – 15-25 Hunter Street and 105-107 Pitt Street, Sydney;
- (D) Council approve the Draft Sydney Development Control Plan 2012 – 15-25 Hunter Street and 105-107 Pitt Street, Sydney Amendment, 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 variations to Planning Proposal – 15-25 Hunter Street and 105-107 Pitt Street, Sydney, following receipt of the Gateway Determination;
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 – 15-25 Hunter Street and 105-107 Pitt Street, Sydney Amendment to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (G) authority be delegated to the Chief Executive Officer to prepare and exhibit a draft planning agreement in accordance with the letter of offer dated 1 April 2022 at Attachment C to the subject report and the requirements of the Environmental Planning and Assessment Act 1979.

Carried unanimously.

X038757

Speakers

James Milligan (Milligan Group) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 11.10.

Item 11.11**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 11.12**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 not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 81-81A Foveaux Street, Surry Hills; and
- (D) note the contents of Attachment C and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 33 Ultimo Road, Haymarket.

Carried unanimously.

S105001.002

Item 12 Property Matter (Confidential)

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

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

Carried unanimously.

X086236

Item 13 Questions on Notice**1. Pedestrian Safety on Bulwara Road, Ultimo**

By Councillor Jarrett

Question

Residents in Ultimo and the Ultimo Community Centre have raised issues about pedestrian safety at the cobblestone crossing on Bulwara Road and Quarry Street in Ultimo near the Lord Wolseley Hotel.

1. What are the City of Sydney's plans for safety improvements and traffic regulation at the Bulwara Road and Quarry Street intersection?
2. Has the City of Sydney explored the option of installing a pedestrian crossing on Bulwara Road to account for foot traffic from Quarry Street to Ultimo Public School?
3. Has the City of Sydney investigated the use of speed cameras on Bulwara Road?
4. Has the City of Sydney investigated the effectiveness of current road and speed signage on Bulwara Road?
5. Can the City of Sydney provide any statistics or information in relation to the amount of traffic incidents and complaints relating to pedestrian safety on Bulwara Road?

X086666

Answer by the Chief Executive Officer

1. In December 2021, the City installed four speed cushions to calm traffic along Bulwara Road between William Henry and Fig Streets. City staff are currently working with Transport for NSW (TfNSW) to monitor and evaluate their impact on traffic speed and safety for a two-year period.
2. No. Bulwara Road at its intersection with Quarry Street is a Shared Zone. A Shared Zone has a 10km/h speed limit and vehicles must give way to pedestrians. Pedestrians have priority throughout the Shared Zone. Pedestrian crossings are not recommended
3. No. Only Transport for NSW is authorised to install speed cameras in NSW. Speed cameras are normally installed on major roads where there are significant safety issues with speeding and not generally suitable for local streets like Bulwara Road.
4. Yes. The current road and speed signage are considered adequate to inform motorists of the traffic conditions in Bulwara Road.
5. Traffic counts collected in 2019 showed a maximum of 49 vehicles per hour using Bulwara Road. The most recent Transport for NSW crash data from 2015 to 2020, showed one incident which involved a pedestrian injury in 2018. The incident occurred in Bulwara Road near Quarry Street.

The City receives various public enquiries about traffic and pedestrian safety in Bulwara Road. City staff will collate the information and provide to Councillors via the CEO Update.

2. Indigenous Voice Signage at Fig Lane Park, Ultimo

By Councillor Jarrett

Question

Residents in Ultimo have raised concerns about the lack of Indigenous representation and an Indigenous voice at Fig Lane Park.

1. Does the City of Sydney have any plans to install signage recognising an Indigenous Voice at the site of Fig Lane Park in Ultimo?
2. Will there be signage recognising the Indigenous Voice for that respective area at all current and future parks that are maintained by the City of Sydney?

X086666

Answer by the Chief Executive Officer

1. There is already signage at this site. The current park signage entry signs (x3 at Fig Lane) include an Indigenous Welcome to Country: 'bujari gamarruwa... You are on Gadigal Country'.
2. Yes. All future parks must include an Indigenous Welcome to Country. To meet the City's Stretch Reconciliation Action Plan commitment, all existing park signage that doesn't already include a Welcome to Country will have it by November 2023.

3. Staffing: Office of the Lord Mayor

By Councillor Weldon

Question

1. In respect of the Office of the Lord Mayor, which person or body determines:
 - (a) The number of staff to be employed?
 - (b) The remuneration and terms and condition of each staff employed?
 - (c) The process by which each member of staff will be selected?
 - (d) The criteria for appointment?
2. What (if any) guidelines, procedures manuals or rulings are published in respect of the matters referred to in Question 1 above.
3. What process (if any) is there to review staffing numbers, remunerations, terms and conditions and selection process for the staff in the Office of the Lord Mayor?
4. If there is a process of review in Question 3
 - (a) When do such reviews take place?
 - (b) What procedures are available for submission by Councillors and the community?

X086670

Answer by the Chief Executive Officer

The Councillors' Expenses and Facilities Policy approved by Council outlines the support provided to all Councillors, including the Lord Mayor and Deputy Lord Mayor. 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.”

The Councillors' Expenses and Facilities Policy outlines the allocation for the Office of the Lord Mayor and under Council's adopted delegations the Lord Mayor has Council 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).

Each term, Council must adopt a new policy on the payment of expenses and the provision of facilities to the Lord Mayor and Councillors within 12 months of the election. The policy is required to be publicly exhibited, where members of the public can review and make comments for consideration prior to adoption.

The remuneration, terms of conditions and recruitment/appointment of staff are all undertaken in line with all appropriate City Policies.

4. Tree Mismanagement in Erskineville

By Councillor Weldon

Question

Residents in in Macdonald Street and Flora Street in Erskineville have raised concerns about the aggressive lopping of trees in their street in April this year:

1. Was the tree lopping in these streets consistent with the City's established tree management policies and established processes?
2. Was the tree lopping in these streets undertaken by City staff or by contracted workers?
3. What processes are in place to ensure tree lopping is consistent with the City's tree management policies and established processes?
4. Is there a process for review of incidents when community members raise concerns regarding tree mismanagement? If so, what is the process?

X086670

Answer by the Chief Executive Officer

1. Not applicable as the City did not prune the trees.
2. The pruning was not undertaken by the City. It was undertaken by Ausgrid contractors who pruned the trees for powerline clearance.
3. Ausgrid have legislated powers to undertake this pruning work. The City liaises with Ausgrid to try and improve the quality whilst minimising the extent of pruning to the street trees.

4. The City's arborists and service providers review and respond to customer concerns on a regular basis. The City escalates these issues to Ausgrid where required.

5. Woolloomooloo Toilet Installation

By Councillor Scott

Question

Can City staff provide a time and date that the new Automatic Public Toilet at Sydney Place, Woolloomooloo will be installed?

X086668

Answer by the Chief Executive Officer

The development application for the proposed Automatic Public Toilet in Sydney Place, Woolloomooloo was lodged on 17 May 2022. The public exhibition period closed on 21 June 2022. The development application is now under assessment. An installation program will be developed following determination of the development application.

6. Maureen Oliver Park, Erskineville

By Councillor Scott

Question

1. What progress has been made on upgrading the Maureen Oliver Park in Erskineville in particular the small park playground which was endorsed by Council on 14 December 2020?
2. How many times have City staff attended this Park and found drug paraphernalia since 2020?
3. What steps have been taken by City staff to enhance safety within this park in light of concerns around anti-social behaviour being raised in the decision made in 2020 about this?

X086668

Answer by the Chief Executive Officer

1. The City has a project underway to upgrade Maureen Oliver Reserve. Initial site investigations (survey and tree assessment) have been completed and the City is currently preparing a draft concept design for the park. Community consultation is planned for August/September 2022. Construction is programmed to commence in early 2023, with the project expected to be delivered within eight to 10 weeks.
2. City parks staff have reported approximately four to five syringes being found on the site since December 2020.
3. City parks staff have increased servicing of Maureen Oliver Reserve from twice per week to five times per week to ensure any sharps and litter are regularly removed. The rear secluded area of the park has been planted and low hoop fencing installed to discourage anti-social behaviour in this section of the park.

7. Erskineville Town Hall

By Councillor Scott

Question

1. How often is the Erskineville Town Hall currently being used on a weekly basis and for what purposes is it being used for?
2. How many local community events have been held at the Erskineville Town Hall in the last 12 months?
3. When was the last time Erskineville Town Hall was used for music performances, arts and crafts or dance performances?

X086668

Answer by the Chief Executive Officer

1. Erskineville Town Hall has daily bookings for activities including cultural activities for older people, physical activity, martial arts, dance, self-help group meetings and Toastmasters.
2. Erskineville Town Hall was closed from 21 June to 11 October 2021 due to Covid-19. Since this time there have been 233 bookings held in the Erskineville Town Hall. These bookings were for activities which members of the community are able to participate in.
3. Regular weekly bookings include music performances, singing and dance.

8. Surry Hills

By Councillor Scott

Question

1. How many complaints have Council received about rodent infestations in the last three months within the City?
2. How regularly does the City undertake baiting for rodents in the area of Surry Hills?

X086668

Answer by the Chief Executive Officer

1. The City has received 70 reports of rodent activity from residents in the last three months.
2. The City has 147 traditional bait stations and five electronic multi-catch units within Surry Hills. The frequency of servicing (inspection and bait replenishment as needed) of all bait stations is based on rodent activity; high activity bait stations serviced fortnightly and low activity bait stations serviced monthly. In Surry Hills, there are 27 bait stations with high activity and 120 bait stations with low activity.

9. Prince Alfred Park

By Councillor Scott

Question

When did Council last repair the chairs in Prince Alfred Park?

X086668

Answer by the Chief Executive Officer

Seats are inspected and cleaned on a daily basis, including graffiti removal. Painted timber seats are currently being replaced with oiled slats for durability, maintenance efficiency and aesthetics. This renewal program will conclude in Prince Alfred Park by the end of the year.

The City has previously identified the deterioration of the metal seating next to the basketball courts. Following an investigation, it has been determined that the seats are not able to be repaired. It is necessary to remove the damaged seating and it will be replaced with an aesthetically similar seat, durable enough for mixed use by personal trainers and park users. The new seats are due to be installed by the end of the year pending design approval.

10. Chinatown

By Councillor Scott

Question

1. How are the congestion issues in Chinatown during the Friday night markets being addressed by the City of Sydney?
2. When has the City met with residents of Chinatown to discuss how to manage the night markets for businesses?

X086668

Answer by the Chief Executive Officer

1. The market operator is contractually required to submit a number of documents including Emergency Management Plans as well as Risk Assessments and general operational requirements as set out in the license. The operator is required to take appropriate action to ensure as much public space is maintained for thoroughfares. Staff periodically monitor the operations of the markets and have not witnessed any public space being inaccessible or deemed a safety risk for crowding. If congestion becomes a problem the operator's emergency management plan protocols would be enacted to mitigate this on site.
2. Consultation was conducted throughout Chinatown including door knocking of businesses and the setup of a stand at the Chinatown Night Markets to speak with community members. The feedback was generally very supportive of the markets continuing in Chinatown.

Public notices were also issued across three local publications, on Sydney Your Say and on a dedicated markets webpage on the City's website providing details on how to provide public submissions and feedback on a new market licence for Chinatown. These notices were live for feedback and submissions for 28 days between 8 April and 6 May 2022. No submissions or feedback were received during this period.

11. Brocks Lane

By Councillor Scott

Question

1. For how many weeks has there been a raw sewerage issue at Brocks Lane in Newtown?
2. What are the direct actions the City is taking to resolve this issue?

X086668

Answer by the Chief Executive Officer

1. City staff from the Health and Building Unit have investigated this matter since 17 May 2022, City staff have tested nine connecting sewer lines from 16 properties along Brocks Lane and no defective sewer system has been identified. The water was tested on 15 June 2022 and there was no ammonia in the water indicating it was not sewage.
2. In addition to testing the sewer line from adjoining properties, City staff have commenced auditing properties to hopefully identify any illegal greywater connections that may be causing the water leak.

12. Dumping

By Councillor Scott

Question

1. What is the response time on illegal dumping reports made through the online portal? How quickly from when the request is made does a City staff representative attend the site to investigate?
2. On average, how many requests are being made regarding the same dumping at each site by community members?
3. How is the City of Sydney collaborating with local community members to try and find solutions to current waste management issues within the City of Sydney?
4. How many missed collections of bulk waste have there been within the last month?
5. How frequently is the "dumping hotspot list" updated with Council to ensure dumping sites are regularly used and cleaned more frequently?

X086668

Answer by the Chief Executive Officer

1. From 1 January 2020 to 31 May 2022, the average completion time for reported illegal dumping requests was 2.97 days. Surges in Covid-19 cases in 2021 and 2022 coupled with shortages in the Australian labour market have significantly impacted service delivery. City contractors have worked according to their approved business continuity plans during these times and the average completion time is expected to reduce over the remainder of 2022.

City staff only investigate illegal dumping where there is information that identifies the source of the illegal dumping or where the illegal dump consists of hazardous materials.
2. Residents can report illegal dumping in different ways. As a result, it is not possible to provide this data in a standard report.

3. The City's Cleansing and Waste teams work with residents and building management to resolve reported waste issues and proactively work with residents and local community members to roll out education programs focused on waste related issues such as diverting waste from landfill and helping to solve waste storage issues.

4.

Reported Missed Waste Stream Type in May 2022	No. of Reports
Missed Mattress / Ensemble Bed	137
Missed Metal / Whitegoods	334
Missed General Bulky Household	665

5. The dumping hotspot list is updated, as required, when areas of concern are identified through daily street cleansing operations and notifications from the community.

13. Wimbo Park

By Councillor Scott

Question

1. What Aboriginal and Torres Strait Islander consultation has been made or is planned for the upgrade of Wimbo Park?
2. Is there a plan to implement Aboriginal naming and recognition on the signage that will be used at this park?
3. Is there plans to install temporary seating in Wimbo Park until the upgrades are installed?
4. When will the park be completed?

X086668

Answer by the Chief Executive Officer

1. The City's consultation process is inclusive and invited local Aboriginal community members to participate in consultation. Specific consultation with Aboriginal and Torres Straight Island community was not undertaken. The design of Wimbo Park has also responded to functional requirements and specific concerns of direct neighbours.
2. Signage will feature an Acknowledgement of Gadigal Country and the words bujari gamarruwa as is standard with all park signage. There is no plan to implement Aboriginal naming of Wimbo Park. The name Wimbo Park will be explained in two interpretive signs within the park. The name Wimbo Park comes from former Wimbo Paddock and former, nearby Wimbledon Hall.
3. Major upgrade works will commence later this year. There are no plans for temporary seating prior to then.

Wimbo Park will be completed late 2023.

14. Permeable Pavement

By Councillor Scott

Question

1. How many parks within the City of Sydney have permeable pavement installed?
2. How many rain gardens are currently used throughout the City of Sydney?
3. How many rain gardens are budgeted for in this year's budget and how many permeable pavement installations are budgeted for?

X086668

Answer by the Chief Executive Officer

1. The City generally does not use permeable pavements in its parks as we aim to divert stormwater onto permeable turf surfaces or garden areas. In areas where high volumes of water are expected we design rain gardens or detention basins to hold, absorb and dissipate stormwater. The City does use permeable pavements around street trees in high wear areas or areas where erosion might occur e.g. footpaths with steep slopes.
2. 249.
3. There is an ongoing program of renewal of existing raingardens to ensure their continued performance and there are four new sites to be built in 2022/23.

15. Tramsheds

By Councillor Scott

Question

1. How frequently is the Harold Park Community Hall at the Glebe Tramsheds being used to host community events?
2. What events are currently being held there that benefit the community?
3. There is currently an absence in Glebe for a staffed community centre, has the City corresponded and collaborated with local residents on how to accommodate this need using this space potentially in the future?
4. What percentage of the Harold Park Community Centre is being used for community activities in comparison to how often it is rented for private services?

X086668

Answer by the Chief Executive Officer

1. There are currently 40 bookings covering every day in June 2022 for a range of community events and programs.
2. Current activities include Yoga/Pilates classes, Sydney Gay and Lesbian Choir, dance classes, Annual Glebe Art Show, theatre performance and training, book launch and family celebrations for local residents.

3. Following a Lord Mayoral Minute endorsed by Council in March 2022, staff were requested to add more resources to the 2022/23 budget, as well as to conduct more consultation with the community on their needs. Subject to budget endorsement and following consultation with the community to understand their needs and how they would like space utilised, Council will be advised.
4. 93 per cent of current bookings are for community activities. Three out of the 43 bookings (seven per cent) are for private services. These bookings are for not-for-profit educational providers.

16. Buses

By Councillor Scott

Question

1. What consultation was sought when making the decision to amend routes and stops concerning buses from Pyrmont?
2. When did the 389 bus stop near King Street get removed and what consultation occurred with Pyrmont residents concerning this removal?
3. When did Transport NSW request that the City remove the bus stop and how was this approved and when?
4. Does the City have a plan to implement a stop on York Street to help with accessibility for residents to compensate for the loss of the King street stop?
5. Does the City have a plan for the 389 bus stop in Murray Street, Pyrmont to provide a usable connection to existing Light Rail and Ferry stops?
6. Have the City of Sydney had contact with Transport for NSW about Pyrmont residents' loss of the Pirrama Park Ferry stop?

X086668

Answer by the Chief Executive Officer

1. Transport for NSW made changes to the 389 operations in the city centre as part of the South East Bus Plan in 2021. It consulted with the community, and the City made a submission. The 389 was included because it continues to Bondi Junction.
2. The bus stop servicing bus 389 on King Street was removed by Transport for NSW on 5 December 2021 following changes undertaken to the South East Sydney Bus network.
3. The works to remove the bus stop were undertaken by Transport for NSW in December 2021 following changes to the South East Sydney Bus network. The changes were not referred to the Local Pedestrian Cycling and Traffic Calming Committee (LPCTCC) for endorsement.
4. The City does not plan bus stops. It is working with Transport for NSW to have a replacement bus stop installed in the area.
5. The City does not plan bus stops. It is working with Transport for NSW on transport solutions in response to the Pyrmont Peninsula Place Strategy, and will include this suggestion in that work.
6. The City is working with Transport for NSW on transport solutions in response to the Pyrmont Peninsula Place Strategy, and will include this issue in that work.

17. Bike Paths

By Councillor Scott

Question

1. Which temporary bike paths are being removed and when, and who made these decisions?
2. The temporary bike paths in the City of Sydney currently are Pyrmont Bridge Road, Pitt Street, Moore Park Road, and Fitzroy Street, Ashmore to South Eveleigh, Sydney Park Road and Dunning Avenue. Please explain which will be retained and which will be removed?

X086668

Answer by the Chief Executive Officer

1. Council made decisions on all the pop-up cycleways on council controlled roads at its meeting on 17 May 2021 (at <https://meetings.cityofsydney.nsw.gov.au/ieListDocuments.aspx?CId=133&MId=3847&Ver=4> - Items 7.3 (Bridge Street, Railway Parade and Henderson Road), 7.4 (Moore Park Road and Fitzroy Street), 7.5 (Dunning Avenue) and 7.7 (Pitt Street).
2. Transport for NSW announced that it would keep Bridge Road cycleway on 1 March 2022: <https://roads-waterways.transport.nsw.gov.au/projects/01documents/popup-covid-19-infrastructure/bridge-road-cycleway-community-notification-03-2022.pdf>. The permanent version of the Sydney Park Road cycleway is part of the Sydney Park Junction project by Transport for NSW.

18. Grant Programs

By Councillor Scott

Question

1. How much does the City receive from the Federal Assistance Grants from the Local Roads and Community Infrastructure Fund and Roads to Recovery?
2. Please detail how these funds are allocated in the City of Sydney budget?

X086668

Answer by the Chief Executive Officer

Local Roads and Community Infrastructure Fund:

The City has been awarded funding in three phases under Local Roads and Community Infrastructure Program. The funding has been allocated as follows:

- Phase 1 – Completed 2020/21 Financial Year
 - Sussex Street, Haymarket – Granite paving and lighting - \$865,560
- Phase 2 – 2021/22 Financial Year
 - George Street South Pedestrianisation - \$7,052,618
- Phase 3 – To be delivered in the 2022/23 Financial Year
 - Whitehorse Street, Newtown – Shared Zone improvements - \$250,000
 - St Johns Road, Glebe – Pedestrian safety improvements - \$1,417,120
 - Regent Street, Paddington – Footpath renewal - \$64,000

Roads to Recovery:

The City has not budgeted for a Roads to Recovery Grant in 2022/23 as the City has already received its full allotment for funding over the five year program. The City's allotment was \$4.3M over the five years and was allocated as detailed below.

<u>Work Location</u>	<u>Work Description</u>	RTR Funding	Fin. Year
Burton Street Viaduct, Darlinghurst - West Street to Liverpool Street	Rehabilitation of the footbridge	\$2,311,221	2019-20
Dunning Avenue, Rosebury, Various sections	Road Renewal	\$163,738	2019-20
Intersection of Sussex Street and Goulburn Street	Road Renewal	\$75,646	2019-20
Merton Street, Zetland - Intersection works	Road Renewal	\$93,946	2019-20
Murray Street, Pyrmont - Pirrama Road to Union Street	Road Renewal	\$97,736	2019-20
Avenue Road, Glebe - Victoria Road to Toxteth Road	Road Renewal	\$64,292	2019-20
Bennett Street, Newtown - west of Queen Street	Road Renewal	\$43,405	2019-20
Chalmers Street, Surry Hills - Cleveland Street to Devonshire Street (bus lanes)	Road Renewal	\$43,987	2019-20
Raglan Street, Waterloo - Cope Street to Cooper Street	Road Renewal	\$35,705	2019-20
<u>Work Location</u>	<u>Work Description</u>	RTR Funding	Fin. Year
Crown Street, Glebe - Cowper Street to Bay Street	Road Renewal	\$35,358	2019-20
King Street, Sydney - intersection with Clarence Street	Road Renewal	\$30,860	2019-20
York Lane, Sydney - Clarence Street to Erskine Street	Road Renewal	\$27,674	2019-20
Herbert Street, Sydney - south of Linthorpe Street	Road Renewal	\$30,272	2019-20
Lander Street, Darlington - Raglan Street to Shepherd Street	Road Renewal	\$25,954	2019-20

<u>Work Location</u>	<u>Work Description</u>	RTR Funding	Fin. Year
Fitzroy Street, Surry Hills - Bourke Street to Nichols Street (bus lanes)	Road Renewal	\$23,377	2019-20
Church Place, Paddington	Road Renewal	\$22,631	2019-20
Park Lane, Newtown - Brock Lane to Georgina Street	Road Renewal	\$21,710	2019-20
Boronia Street, Redfern - Baptist Street to Bourke Street	Road Renewal	\$27,607	2019-20
Womerah Lane, Darlinghurst - Womerah Street to Oswald Lane	Road Renewal	\$78,591	2019-20
Maddox Street, Alexandria - Bourke Road to Euston Road	Road Renewal	\$800,000	2020-21
Pirrama Road, Pyrmont, Edward Street to Bayview Street	Light pole and electrical renewal works	\$191,800	2021-22
Eglinton Road, Glebe, Northcote Road to Glebe Point Road	Road Renewal	\$82,292	2021-22
	Total	\$4,327,802	

Item 14 Supplementary Answers to Previous Questions

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

Item 15 Notices of Motion

Item 15.1 Reforming the Non-Rateable Heritage Floor Space (HFS) Scheme

Moved by Councillor Jarrett, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) the Heritage Floor Space (HFS) scheme is currently governed by the Sydney Local Environment Plan 2012 (LEP) and the Sydney Development Control Plan 2012 (DCP);
- (ii) both the LEP and the DCP were constructed to achieve the objects of the *Environmental Planning and Assessment Act 1979* which include:
 - (a) promoting the orderly and economic use and development of land;
 - (b) promoting the sustainable management of built and cultural heritage; and
 - (c) promoting the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants;
- (iii) the objective of the HFS scheme governed by clause 6.10 of the Sydney LEP is ‘to provide an incentive for the conservation and on-going maintenance of heritage buildings within Central Sydney’;
- (iv) within the LEP, there is no distinction drawn regarding the formula and amount of HFS to be awarded to rateable and non-rateable buildings;
- (v) clause 5.1.6.3 of the DCP provides the current working formula for HFS whereby the maximum HFS awarded to rateable and non-rateable buildings is governed by two separate and distinct formulas;
- (vi) the formulas for HFS set out in the DCP are discriminatory towards the private owners of non-rateable buildings conferred to the owners of rateable buildings;
- (vii) the intention of clause 5.1.6.3 of the DCP is to prevent an advantage to landowners who do not have to pay Council rates over landowners who do, which is not a relevant planning objective within the *Environmental Planning and Assessment Act 1979* and does not give effect to, and is inconsistent with, the aims of the HFS provisions of the LEP;
- (viii) the majority of landowners of non-rateable buildings are charitable and not-for-profit organisations such as synagogues and churches whose financial resources are already strained;
- (ix) the current DCP formulas provide a disincentive for these not-for-profit organisations from seeking an award under the HFS scheme, however it is these not-for-profits that need the most assistance with the upkeep of their buildings which are often highly significant and more costly to maintain because of their unique construction and rarity; and

- (x) due to the lack of applications for HFS awards over the past 25 years made by non-rateable buildings, it is clear that the HFS formula is discriminatory against non-rateable buildings, which demonstrates that the current regime does not give effect to the central objective of the HFS scheme under the LEP as provided above;
- (B) the Chief Executive Officer be requested to:
 - (i) explain to Council why the current HFS system, as administered, significantly penalises non-rateable heritage buildings by applying two different formulas to calculate the HFS award, with non-rateable heritage buildings only being able to receive a portion of the allowable HFS that rateable buildings are entitled to, and how this outcome can be consistent with the objects of the *Environmental Planning and Assessment Act 1979*; and
 - (ii) on the basis of the above, provide options for reform to the Council regarding the HFS formula for non-rateable buildings in the DCP as a part of the review of the LEP and DCP including how the formula for HFS available to non-rateable properties can be amended to provide equal entitlement to that under the formula for HFS of rateable buildings under clause 5.1.6.3 of the DCP.

Amendment. Moved by Councillor Chan, seconded by Councillor Scully –

That the motion be amended such that it read as follows –

It is resolved that:

- (A) Council note:
 - (i) the Heritage Floor Space (HFS) scheme is currently governed by the Sydney Local Environment Plan 2012 (LEP) and the Sydney Development Control Plan 2012 (DCP);
 - (ii) both the LEP and the DCP were constructed to achieve the objects of the *Environmental Planning and Assessment Act 1979* which include:
 - (a) promoting the orderly and economic use and development of land;
 - (b) promoting the sustainable management of built and cultural heritage; and
 - (c) promoting the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants;
 - (iii) the objective of the HFS scheme governed by clause 6.10 of the Sydney LEP is ‘to provide an incentive for the conservation and on-going maintenance of heritage buildings within Central Sydney’;
 - (iv) within the LEP, there is no distinction drawn regarding the formula and amount of HFS to be awarded to rateable and non-rateable buildings;
 - (v) clause 5.1.6.3 of the DCP provides the current working formula for HFS whereby the maximum HFS awarded to rateable and non-rateable buildings is governed by two separate and distinct formulas;
 - (vi) many landowners of non-rateable buildings are charitable and not-for-profit organisations such as synagogues and churches who are heavily reliant on funding conservation works from their membership fees and donations;
 - (vii) the current DCP formulas could provide a disincentive for not-for-profit organisations from seeking an award under the HFS scheme, however their buildings are often highly significant and more costly to maintain because of their unique construction and rarity;

- (viii) while there has been a lack of applications for HFS awards over the past 25 years made by non-rateable buildings, in 2015, Council amended the scheme to allow rateable and non-rateable landowners to apply for a HFS award again after 25 years following a previous HFS award;
 - (ix) City staff have met with representatives of religious organisations who own buildings within our Local Government Area about concerns relating to the HFS formula for non-rateable buildings; and
 - (x) City staff are reviewing the HFS formulae as part of the LEP and DCP review and will report back to Council; and
- (B) the Chief Executive Officer be requested to:
- (i) provide an explanation for the different formulae applied to calculate the HFS award for rateable and non-rateable buildings via a CEO Update; and
 - (ii) provide an update on the City's review of the HFS formula for non-rateable buildings in the DCP as a part of the review of the LEP and DCP via a CEO Update or report back to Council, as appropriate.

The amendment was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok and Scully

Noes (4) Councillors Gannon, Jarrett, Scott and Weldon.

Amendment carried.

The amended motion was carried unanimously.

X086657

Adjournment

At this stage of the meeting, at 8.40pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 10 minutes.

The motion was carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.53pm.

Item 15.2 NSW E-Scooter Trial

Moved by Councillor Jarrett, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) the NSW Government has announced a trial set to begin in July, for councils to trial electric scooters (e-scooters) as an alternative means of active, affordable, and sustainable transport to increase the liveability of our City;
- (ii) the NSW Government has sent out an expression of interest (EOI) to all councils in New South Wales inviting them to participate in the trial;
- (iii) to date, the City of Sydney has not responded formally to the expression of interest indicating its intention whether to participate in the trial or not; and
- (iv) the City of Sydney formally adopted the position on 9 September 2019 that “if a trial framework was introduced by the NSW Government for a shared e-scooter scheme, the City would support participating in a trial if the City’s requirements were accommodated within the operating conditions”; and

(B) the Chief Executive Officer be requested to:

- (i) respond to the NSW Government’s expression of interest indicating an intention for the City of Sydney to participate in the e-scooter trial scheduled to begin in July 2022;
- (ii) provide any assistance needed to help conduct the trial of e-scooters in the City of Sydney Local Government Area (LGA);
- (iii) provide Council with the details of the City’s requirements which would need to be accommodated in the operating conditions of the e-scooter trial if the City was to participate;
- (iv) work with the NSW Government to ensure the City’s operating conditions of the trial are accommodated, whilst ensuring the trial can be practically run and implemented; and
- (v) regularly report back to Councillors, via CEO Update, on the action taken by the City of Sydney to participate in the NSW Government’s e-scooter trial set to begin in July.

Amendment. Moved by Councillor Chan, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) the NSW Government has announced a trial set to begin in July, for councils to trial electric scooters (e-scooters) as an alternative means of active, affordable, and sustainable transport to increase the liveability of our City;
- (ii) the NSW Government has sent out an expression of interest (EOI) to all councils in New South Wales inviting them to participate in the trial;
- (iii) to date, the City of Sydney has not responded formally to the expression of interest indicating its intention whether to participate in the trial or not; and

- (iv) the City of Sydney formally adopted the position on 9 September 2019 that “if a trial framework was introduced by the NSW Government for a shared e-scooter scheme, the City would support participating in a trial if the City’s requirements were accommodated within the operating conditions”;
- (v) at that time, the City’s position on a trial also stated that there are likely to be significant safety issues in the City compared to other locations, which still remains a concern when considering whether to take part in a trial due to start in July 2022;
- (vi) as our cycleway network is more fully delivered, the options for a safer trial on bike-paths become greater, but at the moment, most trips would not qualify due to fragmentation of the cycleway network; and
- (vii) that the NSW Government is not providing any funding to assist councils develop and manage trials; and

(B) the Chief Executive Officer be requested to:

- (i) monitor progress of the e-scooter trials in other locations over the next 12-18 months and report back to Councillors via the CEO Update on observations and any suggested changes to Council’s position to participate in the trial as a result; and
- (ii) advocate to Transport for New South Wales to provide financial assistance to councils to encourage them to develop and manage the e-scooter trial and ensure its long-term success.

The amendment was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok and Scully

Noes (4) Councillors Gannon, Jarrett, Scott and Weldon.

Amendment carried.

The amended motion was carried on the following show of hands –

Ayes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok, Scott and Scully

Noes (3) Councillors Gannon, Jarrett and Weldon.

Amended motion carried.

X086657

Item 15.3 Waste Collection in the City of Sydney

Moved by Councillor Weldon, seconded by Councillor Jarrett –

It is resolved that:

(A) Council note:

- (i) on 11 April 2022 Councillor Gannon moved a Notice of Motion:
 - (a) that something urgently must be done to improve waste collection services in Potts Point and the Kings Cross locality; and
 - (b) the Chief Executive Officer be requested to report to Council via the CEO Update of immediate options for consideration to alleviate the current waste situation in the Potts Point area;
- (ii) on 26 May 2022 an article by Michael Koziol “Out of Control Big Stink as Bins Overflow in Central Sydney”, published in the Sydney Morning Herald reported that:
 - (a) Council is under growing pressure to fix an “out of control” waste problem in Central Sydney;
 - (b) community Facebook pages were overflowing with irate residents demanding urgent action;
 - (c) Deputy Lord Mayor Scully stated that an investigation was underway by Council staff and urged people to be patient;
 - (d) Councillor Scott received complaints people about unsatisfactory waste collection services from across the City of Sydney and Councillor Gannon stated that he “constantly” received complaints from residents and “the situation is definitely not getting better”; and
 - (e) a community member Dominic Cudmore suggested “a delegation of residents should visit Local Government Minister Wendy Tuckerman and seek an intervention”;
- (iii) many businesses and residents are concerned about delays and “no shows” by waste collection services. A number of Councillors, including myself, have received representations from those concerned and photographs showing overflowing rubbish bins and piles of waste rotting in the streets across the City of Sydney Local Government Area;
- (iv) the poor performance by Council on waste management is the most immediate and primary issue of concern in the City;
- (v) that waste collection services have become worse during 2022; and
- (vi) the risk of a public health emergency due to unsanitary conditions is real;

(B) the Chief Executive Officer be requested to:

- (i) report back to Council via the CEO Update on the progress and expected dates of completion of the proposed actions to manage waste in Potts Point, Elizabeth Bay and Rushcutters Bay as listed in the 31 May 2022 CEO Update;

- (ii) meet with the City's waste collection contractors to identify and implement immediate steps to improve waste management across the City of Sydney, with the meeting to take place prior to the next Council meeting and agreed steps be reported to Council via the CEO Update; and
- (iii) report to Council via the CEO Update on the incidence and location of vermin infestations in the City of Sydney and other serious risks to public health resulting from the current garbage collection crisis.

Amendment. Moved by Councillor Chan, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) on 11 April 2022 Councillor Gannon moved a Notice of Motion:
 - (a) that something urgently must be done to improve waste collection services in Potts Point and the Kings Cross locality; and
 - (b) the Chief Executive Officer be requested to report to Council via the CEO Update of immediate options for consideration to alleviate the current waste situation in the Potts Point area;
- (ii) on 26 May 2022, an article by Michael Koziol "Out of Control Big Stink as Bins Overflow in Central Sydney", published in the Sydney Morning Herald reported that:
 - (a) Council is under growing pressure to fix an "out of control" waste problem in Central Sydney;
 - (b) community Facebook pages were overflowing with irate residents demanding urgent action;
 - (c) Deputy Lord Mayor Scully stated that an investigation was underway by Council staff and urged people to be patient;
 - (d) Councillor Scott received complaints people about unsatisfactory waste collection services from across the City of Sydney and Councillor Gannon stated that he "constantly" received complaints from residents and "the situation is definitely not getting better"; and
 - (e) a community member Dominic Cudmore suggested "a delegation of residents should visit Local Government Minister Wendy Tuckerman and seek an intervention";
- (iii) many businesses and residents are concerned about delays and "no shows" by waste collection services. A number of Councillors, including myself, have received representations from those concerned and photographs showing overflowing rubbish bins and piles of waste rotting in the streets across the City of Sydney Local Government Area;
- (iv) the CEO Update provided on 31 May 2022 in response to Councillor Gannon's Notice of Motion advised that:
 - (a) Covid was accompanied by an increase in domestic waste and dumped rubbish across the city;

- (b) the dissipation of Covid coincided with a relatively high turnover in the local population, requiring the education of new residents about the City's waste requirements and services;
 - (c) the City's cleansing team and rangers conduct daily street cleansing inspections of Potts Point, Elizabeth Bay and Rushcutters Bay; and
 - (d) the City has adopted a number of actions to immediately address concerns in Potts Point, Elizabeth Bay and Rushcutters Bay, and across the Local Government Area; and
- (iv) the City of Sydney is committed to addressing the serious concerns of the community about waste issues in our Local Government Area; and
- (B) the Chief Executive Officer be requested to:
- (i) report back to Council via the CEO Update on the progress and expected dates of completion of the proposed actions to manage waste in Potts Point, Elizabeth Bay and Rushcutters Bay as listed in the 31 May 2022 CEO Update;
 - (ii) meet with the City's waste collection contractors to identify and implement immediate steps to improve waste management across the City of Sydney, with the meeting to take place prior to the next Council meeting and agreed steps be reported to Council via the CEO Update; and
 - (iii) report to Council via the CEO Update on the incidence and location of vermin infestations in the City of Sydney and other serious risks to public health resulting from the current garbage collection crisis.

The amendment was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok and Scully.

Noes (4) Councillors Gannon, Jarrett, Scott and Weldon.

Amendment carried.

The amended motion was carried unanimously.

X086653

Misrepresentation

During discussion of Item 15.3, Councillor Scully stated that she had been misrepresented in respect to comments made by Councillor Weldon and clarified her position accordingly.

Item 15.4 Vale Peter Woods OAM

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

It is resolved:

(A) Council note:

- (i) Peter Woods was born in New Zealand before migrating to Australia in 1967 and continuing his academic studies. He had dual citizenship. With degrees in Sociology and Education, he was an elected Councillor for over 26 years, 10 years of which he was Mayor of Concord Council. He also presided over the Local Government Association that preceded the formation of Local Government NSW (LGNSW) between 1991-2002;
- (ii) those who knew Peter will always remember not only his commitment to the local government sector, but for his ability to think creatively and provide new and unexplored ideas to the benefit of local councils everywhere;
- (iii) during his time, Peter served as President of the Local Government Association of New South Wales for 12 years and President and Board Member for over 14 years of the Australian Local Government Association. Peter was also a Board Member of the Commonwealth Local Government Forum for 10 years;
- (iv) Peter was also actively involved as the Executive Vice President and President of the International Union of Local Authorities (Asia Pacific) and World Vice President of the International Union of Local Authorities;
- (v) Peter was appointed Secretary-General of United Cities and Local Governments (Asia Pacific) following his political retirement in 2004 and served until December 2010 when he was appointed as Ambassador for United Cities of Local Government Asia-Pacific;
- (vi) Peter also spent nine years as chairman of the Local Government Superannuation Scheme as well as holding the position of chairman of FuturePlus;
- (vii) Peter was the person who instigated the creation of a superannuation scheme for local government, was the originator of the special insurer of councils known as StateCover as well as being instrumental in the purchase of the LGNSW building at 28 Margaret Street, Sydney;
- (viii) that to remember his extraordinary contributions and excellent level of service to the local government sector, he was awarded the Order of Australia Medal, the Outstanding Service Medal and the title of Emeritus Mayor;
- (ix) Peter lived a wonderful life and made many powerful contributions in his time and we appreciate and remember him for his zest for life, local government and for the great impact he made on our sector;

(B) the Lord Mayor be requested to write to Peter Woods' family to extend the City of Sydney's condolences for his passing; and

- (C) all persons attending this meeting of Council observe one minute of silence to commemorate the life of Peter Woods OAM and his significant contribution to the Local Government sector within Australia.

Carried unanimously.

X086655

Note – all those present at the meeting, held remotely, observed a minute's silence as a mark of respect to Peter Woods OAM.

Item 15.5 City of Sydney Congratulates Labor and Anthony Albanese on the 2022 Federal Election Win

Procedural Motion

Moved by Councillor Scott, seconded by Councillor Scully –

That the motion be withdrawn as the matter had been dealt with at Item 3.1.

Carried unanimously.

Item 15.6 City of Sydney Council Opposes NSW Government Land Sell Offs through the Transport Asset Holding Entity

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved:

(A) Council note:

- (i) the Coalition set up the Transport Asset Holding Entity (TAHE) in 2015 to hide the costs of the state's railways by shifting billions of dollars of expenses off the state budget and into the new entity. It got away with it for years, making its budget look better than it really was;
- (ii) during this time NSW Treasury presented late, unsophisticated, and inaccurate forecasts to the Audit Office, all of which sought to support the desired outcome of higher projected returns regarding the issue of the TAHE;
- (iii) the TAHE currently controls billions of dollars' worth of the state's rail assets including trains, stations and rail tracks. The 10-year business plan, which was completed in February, proposes that TAHE diversifies and becomes a property developer and owner of assets including hotels and food courts;
- (iv) the NSW Government has sold off an eye-watering \$774 million worth of public land across the state in the last financial year, following the sale of more than 1700 government-owned properties;
- (v) the latest sales statistics, released by the government following requests from Upper House MLC Daniel Mookhey, means there has been more than \$93 billion worth of public land sold since the government came to power in 2011;
- (vi) NSW Planning sold off a further 85 publicly-owned properties for \$3.710 million, Landcom sold 65 properties for \$123.245 million, while Department of Communities and Justice saw 33 properties sold for \$11.315 million;
- (vii) the total number of NSW Government-owned properties sold in the financial year of 2020/21 was 1,733. These types of sell-offs are not benefiting community members, as it is compromising public space and lining the pockets of developers. The total sale revenue derived from the sale of NSW Government-owned properties in financial year 2020/21 was \$774,717,361;
- (viii) the most current figures suggest that we now have \$93.6 billion in assets that the government has sold off. This is unacceptable;
- (ix) as of 30 June 2021, the NSW Government owned an estimated \$175.2 billion in property assets which may be further compromised in these sell offs. These sell offs continue to occur despite the NSW government promising at the last election that there would be no more privatisation. This privatisation is at the expense of all taxpayers;
- (x) this government regularly recycles assets to fund its significant infrastructure program including investment in schools, hospitals, roads, rail, and support frontline service delivery;

- (xi) Dominic Perrottet is currently planning to sell off \$40 billion in Sydney Trains rail assets. Additionally, he is also working to build a hotel, apartments, and student accommodation in the Central Station precinct. This forms a part of the secret plan by the state's scandal-ridden rail corporation. This would include new hotels and the rezoning of more than 50 sites near train stations in Sydney suburbs for high-density developments;
- (xii) under this plan, land at Redfern, North Eveleigh and Newtown are currently on a hit-list of sites the Transport Asset Holding Entity (TAHE) plans to sell to raise funds for future development;
- (xiii) within the City of Sydney area there will be an acceleration on the work of an \$11.6 billion development of 24 hectares of government-owned land. This will be located in and around Central Station, in addition to 10 hectares at Redfern and North Eveleigh. These areas are outlined as NSW Government strategic priorities over the next three years;
- (xiv) the plans for Central currently include 100,000 square metres of hotels, apartments or student accommodation, and more than 40,000 square metres of shops, restaurants, cafés and bars; and
- (xv) if approved, the NSW Government in conjunction with TAHE will become a mega-property developer by stealth. Once public land has been sold, it is irreversible and will be at the expense of generations to come; and

(B) the Lord Mayor be requested to:

- (i) write to the NSW Premier Dominic Perrottet to denounce the sell offs of public land within the City of Sydney area;
- (ii) continue to advocate to save the public land being sold off and continue to oppose this on behalf of residents; and
- (iii) write to and engage with Local Members Alex Greenwich, Ron Hoenig, Jaime Parker and Jenny Leong to advocate that they should also continue to advocate to save public land and protect assets from being sold off to developers.

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

It is resolved:

(A) Council note:

- (i) the Coalition set up the Transport Asset Holding Entity (TAHE) in 2015 to hide the costs of the state's railways by shifting billions of dollars of expenses off the state budget and into the new entity. It got away with it for years, making its budget look better than it really was;
- (ii) during this time NSW Treasury presented late, unsophisticated, and inaccurate forecasts to the Audit Office, all of which sought to support the desired outcome of higher projected returns regarding the issue of the TAHE;
- (iii) the TAHE currently controls billions of dollars' worth of the state's rail assets including trains, stations and rail tracks. The 10-year business plan, which was completed in February, proposes that TAHE diversifies and becomes a property developer and owner of assets including hotels and food courts;

- (iv) the NSW Government has sold off an eye-watering \$774 million worth of public land across the state in the last financial year, following the sale of more than 1700 government-owned properties;
- (v) the latest sales statistics, released by the government following requests from Upper House MLC Daniel Mookhey, means there has been more than \$93 billion worth of public land sold since the government came to power in 2011;
- (vi) NSW Planning sold off a further 85 publicly-owned properties for \$3.710 million, Landcom sold 65 properties for \$123.245 million, while Department of Communities and Justice saw 33 properties sold for \$11.315 million;
- (vii) the total number of NSW Government-owned properties sold in the financial year of 2020/21 was 1,733. These types of sell-offs are not benefiting community members, as it is compromising public space and lining the pockets of developers. The total sale revenue derived from the sale of NSW Government-owned properties in financial year 2020/21 was \$774,717,361;
- (viii) the most current figures suggest that we now have \$93.6 billion in assets that the government has sold off. This is unacceptable;
- (ix) as of 30 June 2021, the NSW Government owned an estimated \$175.2 billion in property assets which may be further compromised in these sell offs. These sell offs continue to occur despite the NSW government promising at the last election that there would be no more privatisation. This privatisation is at the expense of all taxpayers;
- (x) this government regularly recycles assets to fund its significant infrastructure program including investment in schools, hospitals, roads, rail, and support frontline service delivery;
- (xi) on 15 June 2022, The Sydney Morning Herald reported that the State Government is currently planning to sell off \$40 billion in Sydney Trains rail assets. Additionally, they are also working to build a hotel, apartments, and student accommodation in the Central Station precinct. The Sydney Morning Herald's article states, this forms a part of the "secret plan by the state's scandal-ridden rail corporation". This would include new hotels and the rezoning of more than 50 sites near train stations in Sydney suburbs for high-density developments;
- (xii) under this plan, land at Redfern, North Eveleigh and Newtown are currently on a hit-list of sites the Transport Asset Holding Entity (TAHE) plans to sell to raise funds for future development;
- (xiii) within the City of Sydney area there will be an acceleration on the work of an \$11.6 billion development of 24 hectares of government-owned land. This will be located in and around Central Station, in addition to 10 hectares at Redfern and North Eveleigh. These areas are outlined as NSW Government strategic priorities over the next three years;
- (xiv) the plans for Central currently include 100,000 square metres of hotels, apartments or student accommodation, and more than 40,000 square metres of shops, restaurants, cafés and bars;
- (xv) if approved, the NSW Government in conjunction with TAHE will become a mega-property developer by stealth. Once public land has been sold, it is irreversible and will be at the expense of generations to come; and

- (xvi) on 24 June 2022, the Lord Mayor wrote to David Elliott, Minister for Transport, expressing concern about the reports to rezone and sell land within the City the Sydney and requesting TAHE urgently brief Councillors on its plans to sell, rezone and redevelop public land within the City of Sydney; and

(B) the Lord Mayor be requested to:

- (i) write to the NSW Premier Dominic Perrottet to denounce the sell offs of public land within the City of Sydney area;
- (ii) continue to advocate to save the public land being sold off and continue to oppose this on behalf of residents; and
- (iii) write to and engage with Local Members Alex Greenwich, Ron Hoenig, Jaime Parker and Jenny Leong to advocate that they should also continue to advocate to save public land and protect assets from being sold off to developers.

The motion was carried on the following show of hands –

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

Noes (2) Councillors Gannon* and Jarrett*.

*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, as varied by consent, was carried.

X086655

Procedural Motion

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

That Notices of Motion 15.7 (varied by Councillor Scott), 15.8, 15.9 (varied by consent at the request of Councillor Ellsmore) and 15.10 (varied by consent at the request of Councillor Kok) be adopted in globo.

Carried unanimously.

Item 15.7 Electric Vehicles within the City of Sydney

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) currently, within the City of Sydney, there are 20 electric vehicle charging ports available to electric vehicle users;
- (ii) many City of Sydney residents have identified that despite the positive impacts that transitioning to electric cars would have on the environment within the City of Sydney, available public charging ports to support this transition are lacking;
- (iii) the Federal Government recently announced the 'Driving the Nation' policy designed to reduce transportation emissions by making electric vehicles (EVs) more affordable and easier to charge with Federal Government investment in establishing more EV charging stations;
- (iv) the NSW Government has also announced the investment in ultrafast EV charging station infrastructure. However, the investment in infrastructure relies upon site owners hosting public EV fast-charging facilities;
- (v) currently, Surry Hills, Darlinghurst, Paddington, Redfern, Newtown, Potts Point and Elizabeth Bay do not have any electric charging station facilities. These areas need sites for the installation of the appropriate infrastructure to support the transition to EVs in alignment with the movements of the Federal and State Governments to commit to action on climate change;
- (vi) Mirvac introduced free charging ports, with many others being privately rented and commercially operated. The rest remain privatised and largely inaccessible to the public; and
- (vii) the City of Sydney should allow the usage of select sites for installation and operation of publicly-accessible EV fast-charging stations to align with the NSW Government's EV strategy. The latter aims to drive EV sales to more than 50 per cent of new car sales by 2030-2031, preparing the NSW road network for a low-emissions future; and

(B) the Chief Executive Officer be requested to:

- (i) help the growing need and demand for publicly-accessible electric vehicle (EV) fast-charging stations throughout the City of Sydney by facilitating their installation in critical destination hotspots on Council-owned land, including dedicated on-street and off-street charging spaces for EV cars and vans;
- (ii) implement more EV charging stations that are publicly available to ensure it adheres to the City of Sydney's commitment to climate change and net zero emissions by 2035;
- (iii) implement EV charging stations on a needs basis, targeting areas outside of the current selection of CBD charging stations to ensure all City of Sydney Local Government Area residents have equitable access to such charging stations; and
- (iv) immediately begin identifying City of Sydney-owned sites appropriate for installing EV charging ports by the end of the current term of Council.

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 Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) currently, within the City of Sydney, there are over 100 publicly available electric vehicle (EV) charging plugs;
- (ii) many City of Sydney residents have identified that despite the positive impacts that transitioning to EVs would have on the environment within the City of Sydney, available public charging stations to support this transition are lacking;
- (iii) the new Federal Government has announced the 'Driving the Nation' policy designed to reduce transportation emissions by making EVs more affordable and easier to charge, signalling new Federal Government investment to establish more EV charging stations;
- (iv) the NSW Government has also announced the investment in ultrafast EV charging station infrastructure. However, the investment in infrastructure relies upon site owners hosting public EV fast-charging facilities;
- (v) currently, for example, Surry Hills, Darlinghurst, Paddington, Newtown, Potts Point and Elizabeth Bay do not have any electric charging station facilities. Areas without charging sites may be targeted for the installation of the appropriate infrastructure to support the transition to EVs in alignment with the intentions of the Federal and State Governments to commit to action on climate change;
- (vi) the City of Sydney was one of the first organisations to convert its fleet of vehicles to hybrid and electric;
- (vii) the City of Sydney is developing an EV strategy that will identify actions the City can take to support the provision of publicly available EV charging stations;
- (viii) though publicly available EV charging stations play an important role in encouraging people to switch from conventional to electric cars, the greatest reduction in transport emissions comes from encouraging a shift from cars to walking, cycling and public transport, particularly in cities where demand for public space is highest; and

(B) while developing the City's EV strategy, the Chief Executive Officer be requested to consider:

- (i) identifying City of Sydney-owned sites appropriate for installing EV charging stations by the end of the current term of Council;
- (ii) identifying City of Sydney-owned sites for EV charging stations on a needs basis, targeting areas outside of the current selection of charging stations to ensure all City of Sydney Local Government Area residents and businesses have equitable access to such charging stations; and
- (iii) the City of Sydney's commitment to climate change and net zero emissions by 2035.

Carried unanimously, as part of an in globo motion.

X086655

Item 15.8 Improving the City of Sydney Electoral Voting System

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) that Council endorsed the Non-Residential Register Methodology and Plan 2017-2020 at its meeting on 18 September 2017;
- (ii) the City of Sydney Act 1988 requires the Chief Executive Officer of the City of Sydney to: keep and maintain an accurate register of all persons with possible entitlement to vote at City local government elections as non-residents as well as use the register to produce up-to-date electoral rolls of entitled non-residents for verification by the NSW Electoral Commissioner;
- (iii) these obligations are continuous, and the Chief Executive Officer must maintain and regularly revise the register to ensure it is accurate;
- (iv) the City reviewed the establishment of the non-residential register and delivery of the non-residential rolls for the local government election on 10 September 2016. The purpose of the review was to identify good practice and potential improvements to determine a strategy to maintain an accurate register as required by the legislation;
- (v) as of November 2021, the NSW Electoral Commission requested a meeting with the City and the Office of Local Government post-election to review current issues with the legislation;
- (vi) key issues identified to premise this discussion were around observed practice where multi-corporation groups with limited eligible company officers have added new directors and company secretaries prior to the election, possibly to maximise their voting rights. The Australian Securities and Investments Commission (ASIC), the Office of Local Government and the NSW Electoral Commission have been all been notified of this practice;
- (vii) in 2020 it was deemed that the production of non-resident electoral rolls as at 4 September 2020 was a new requirement following changes to the Electoral Funding Act 2018;
- (viii) feedback from the Office of Local Government and the NSW Electoral Commission suggests the legislation will remain ongoing, it is unlikely to be introduced elsewhere and there may be an opportunity to negotiate changes to the legislation which will reduce the risk of challenge to future elections;
- (ix) under this legislation the City can issue penalty notices to persons who do not respond to requests for information. Currently, the position of entitled non-residents who live outside NSW remains unresolved;
- (x) based on data provided in November 2020, the NSW Electoral Commission verified non-residents who are enrolled outside NSW; have increased the non-resident rolls by 8.5 per cent. As of November 2020 non-residential electors now represent over 27 per cent of the total roll;

- (xi) in May 2021, the NSW Electoral Commission confirmed that some services they provided to residents would not be offered to the City's non-residents, despite both groups having the same compulsory voting requirements. Similarly, election reminder services would not include non-resident details. Feedback received during the 2016 election suggested that non-residents were surprised and frustrated by this different level of service;
- (xii) as of May 2021, the issue remained that the first time some non-residents who were enrolled outside NSW would learn of their obligation to vote when they received an Apparent Failure to Vote notice;
- (xiii) key issues and limitations of the current electoral voting system include:
 - (a) difficulty in keeping register accurate at all times as required by legislation;
 - (b) it is impossible for the City to meet legislated requirements for by-elections;
 - (c) corporation entitlement is unclear;
 - (d) the City cannot penalise persons who it believes are occupiers or ratepaying lessees if they do not respond to requests for information because, under the existing legislation, the City cannot know whether persons meet the criteria to be ratepaying lessees or occupiers until they have responded;
 - (e) nominees (deemed or otherwise) may not know that they are required to vote;
 - (f) the NSW Electoral Commission will not give the City the age of entitled persons as it only knows their date of birth;
 - (g) voting is not compulsory for all other NSW Councils' non-residents;
 - (h) the opportunity for vote stacking where corporations and natural persons jointly own/occupy/lease rateable properties;
 - (i) the City is not provided with explicit protection from breaches of privacy legislation;
 - (j) lack of a workable appeal process for inclusion or omission from the rolls;
 - (k) there is a lack of clarity regarding who should receive an enrolment letter;
 - (l) the maintenance of the register is complex and challenging. The legislation is impractical for the City to comply with in places; and
 - (m) the City must rely on Australian Securities and Investments Commission (ASIC) data for company officer mailing addresses, which is often incorrect; and
- (B) the Chief Executive Officer be requested to make a submission to the Inquiry into the Conduct of Elections in New South Wales on behalf of the City of Sydney reiterating the City's concerns about the City of Sydney Business and Non-Residential Roll.

Carried unanimously, as part of an in globo motion.

X086655

Item 15.9 Solidarity with Cowper Street, Glebe Social Housing Residents

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) all residents within the City of Sydney deserve to live safely and comfortably, including those living in social housing;
- (ii) the City values all of its diverse residents and appreciates the diversity that the people within the City of Sydney bring to our city and its distinctive demographic;
- (iii) the current amount of social housing and projected future amount within the City of Sydney is inadequate to provide enough support for the local residents experiencing socio-economic difficulty within the City of Sydney;
- (iv) the Covid-19 pandemic has caused an exponential growth in socio-economic pressures and difficulties for City of Sydney residents, creating a heavily increased pressure on the need for more social housing within the City of Sydney;
- (v) the City of Sydney Council has committed to and implemented successfully the Housing For All Committee which is a wonderful step in the right direction;
- (vi) the Council congratulates Glebe residents on their successful fight to get the redevelopment of the building to commit to 100 per cent social homes;
- (vii) that Land and Housing Corporation (LAHC) announced construction has started on Cowper Street which will provide 75 new apartments for local residents, despite there still being a long way to go in other parts of the City;
- (viii) that Land and Housing Corporation has said they are focused on building more social housing for people in need, with developments that complement and enhance local character, and which are close to jobs, transport links, and vital community services for residents; and
- (ix) that Council should continue to advocate for all residents of Cowper Street to be rehoused back into Glebe; and

(B) the Chief Executive Officer be requested to:

- (i) investigate the provision of a financial contribution to the Redfern Legal Centre over the next 12 months. The financial contribution would be to provide tenant support, advocacy and legal advice to public housing tenants, and to advocate for and assist public housing tenants with the Land and Housing Corporation during the transition; and
- (ii) report back to Council with a recommendation on a proposed contribution to the Redfern Legal Centre.

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

It is resolved that:

(A) Council note:

- (i) all residents within the City of Sydney deserve to live safely and comfortably, including those living in social housing;
- (ii) the City values all of its diverse residents and appreciates the diversity that the people within the City of Sydney bring to our city and its distinctive demographic;
- (iii) the current amount of social housing and projected future amount within the City of Sydney is inadequate to provide enough support for the local residents experiencing socio-economic difficulty within the City of Sydney;
- (iv) the Covid-19 pandemic has caused an exponential growth in socio-economic pressures and difficulties for City of Sydney residents, creating a heavily increased pressure on the need for more social housing within the City of Sydney;
- (v) the City of Sydney Council has committed to and implemented successfully the Housing For All Committee which is a wonderful step in the right direction;
- (vi) the Council congratulates Glebe residents on their successful fight to get the redevelopment of the building to commit to 100 per cent social homes;
- (vii) that Land and Housing Corporation (LAHC) announced construction has started on Cowper Street which will provide 75 new apartments for local residents, despite there still being a long way to go in other parts of the City;
- (viii) other residents of public housing in Glebe have been advised that their homes will be subject to redevelopment, including those living in the Franklyn Street Estate;
- (ix) that Land and Housing Corporation has said they are focused on building more social housing for people in need, with developments that complement and enhance local character, and which are close to jobs, transport links, and vital community services for residents; and
- (x) that Council should continue to advocate for all residents of Cowper Street to be rehoused back into Glebe;

(B) Council continue to advocate for the protection of public housing in Glebe; and

(C) the Chief Executive Officer be requested to:

- (i) investigate the provision of a financial contribution to the Redfern Legal Centre over the next 12 months. The financial contribution would be to provide tenant support, advocacy and legal advice to public housing tenants, and to advocate for and assist public housing tenants with the Land and Housing Corporation during the transition; and
- (ii) report back to Council with a recommendation on a proposed contribution to the Redfern Legal Centre.

The motion, as varied by consent, was carried unanimously as part of an in globo motion.

X086655

Item 15.10 Support for City of Sydney Residents Slashing their Emissions and Making a Rapid Transition to Green Power

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) currently global energy prices are going up resulting in increased economic strains for members of the global community;
- (ii) in July 2022, the Australian Energy Regulator approved price increases of up to 18 per cent in NSW resulting in residents facing even more economic strain post Covid-19;
- (iii) a switch to GreenPower within the City of Sydney could dramatically cut residents emissions and save them financially;
- (iv) choosing an accredited 100 per cent GreenPower electricity plan lets people support the growth of Australia's renewable sector contributing positively to the City of Sydney's efforts to address the impacts of climate change within the City;
- (v) addressing climate change extends beyond the parameters of simply installing solar panels on the roofs of homes, but can be achieved in other ways such as switching to 100 per cent GreenPower;
- (vi) GreenPower is a government-managed scheme that allows households to purchase certified renewable energy through their electricity retailers. This ensures the retailer is purchasing electricity sourced from renewable energy projects;
- (vii) the City of Sydney switched to 100 per cent renewable electricity in 2020 and has been carbon neutral since 2011. Now the responsibility also lays with the residents and businesses within the Local Government Area to help contribute positively to climate change;
- (viii) recently, the results of the GreenPower survey within the City of Sydney articulated that concerningly 33 per cent of residents did not know what the electricity plan was;
- (ix) the results of this survey also identify that 57 per cent, over half of residents would switch if they knew it was the best thing they could do for the environment; and

- (B) the Chief Executive Officer be requested to investigate further ways of supporting the City of Sydney community to transition more rapidly to GreenPower to positively contribute to our action on climate change and lessen the financial burden facing City of Sydney residents.

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

It is resolved that:

(A) Council note:

- (i) currently global energy prices are going up resulting in increased economic strains for members of the global community;
- (ii) in July 2022, the Australian Energy Regulator approved price increases of up to 18 per cent in NSW resulting in residents facing even more economic strain post Covid-19;

- (iii) a switch to GreenPower within the City of Sydney could dramatically cut residents emissions and save them financially;
 - (iv) choosing an accredited 100 per cent GreenPower electricity plan lets people support the growth of Australia's renewable sector contributing positively to the City of Sydney's efforts to address the impacts of climate change within the City;
 - (v) addressing climate change extends beyond the parameters of simply installing solar panels on the roofs of homes, but can be achieved in other ways such as switching to 100 per cent GreenPower;
 - (vi) GreenPower is a government-managed scheme that allows households to purchase certified renewable energy through their electricity retailers. This ensures the retailer is purchasing electricity sourced from renewable energy projects;
 - (vii) the City of Sydney switched to 100 per cent renewable electricity in 2020 and has been carbon neutral since 2011. Now the responsibility also lays with the residents and businesses within the Local Government Area to help contribute positively to climate change;
 - (viii) recently, the results of the GreenPower survey within the City of Sydney articulated that concerningly 33 per cent of residents did not know what the electricity plan was;
 - (ix) the results of this survey also identify that 57 per cent, over half of residents would switch if they knew it was the best thing they could do for the environment;
 - (x) the City's GreenPower campaign was launched on 30 May 2022, in response to a Lord Mayoral Minute in August 2021. The campaign, which will run until November 2022, encourages residents and businesses to shop around using the Energy Made Easy government comparison site to find the best deal; and
 - (xi) on 11 May 2022, the Lord Mayor wrote to councils across Sydney encouraging them to join the City's campaign and offering to share our communication material. To date, 18 councils have asked us to support them to run their own campaign; and
- (B) the Chief Executive Officer be requested to continue with the City's GreenPower campaign including by:
- (i) engaging local community organisations;
 - (ii) monitoring social media sentiment; and
 - (iii) looking for opportunities to support vulnerable community members to compare energy prices including GreenPower options.

The motion, as varied by consent was carried unanimously as part of an in globo motion.

X086655

At 9.40 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 22 August 2022 at which
meeting the signature herein was subscribed.