

# Council

Meeting No 7

Monday 22 August 2022

Notice No 7/1644

Notice Date 18 August 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 5.02pm, those present were:

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

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

## **Remote Meeting**

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

In accordance with clause 4.15 of the Code of Meeting Practice, the Lord Mayor, in consultation with the Chief Executive Officer, determined that the meeting will be held by audio-visual link to ensure the health, safety and welfare of councillors and council staff due to the current number of cases of Covid and the flu.

## **Acknowledgement of Country and Prayer**

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

## **Webcasting Statement**

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

**Item 1      Confirmation of Minutes**

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

That the Minutes of the meeting of Council of Monday, 27 June 2022, and the extraordinary meeting of Council of Monday, 15 August 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 2 Statement of Ethical Obligations and Disclosures of Interest**

### **Statement of Ethical Obligations**

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

### **Disclosures of Interest**

Councillor (Waskam) Emelda Davis disclosed a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that she has accessed the services of the Redfern Legal Centre as part of her voluntary advocacy with community as well as personally, dating back some ten years approximately. This access has been on a case by case basis since 2010 and more recently for community members in 2021 to date. Councillor Davis stated that she has a great appreciation for their ongoing services.

Councillor Shauna Jarrett disclosed a less than significant, non-pecuniary interest in Item 3.4 on the agenda, in that her husband is a Director at Venues NSW.

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 12.2 on the agenda, in that she is the President of the Australian Local Government Association, of which Local Government NSW is a member. 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 it is an advocacy motion and, as a member of council, she is advocating as any other member would.

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 12.6 on the agenda, 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 advocated for and against aspects of relevant development proposals, including the rezoning proposal being discussed at Item 12.6. Councillor Ellsmore stated that she considers that this conflict does 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 this, or other items.

Councillor Ellsmore also disclosed that a member of her family owns a property in one of the streets near the precinct to be discussed at Item 12.6, and she is herself a resident of the suburb. She lives approximately five blocks from the proposed area being considered for rezoning. These properties are not included in the planning proposal area, but are nearby.

Councillor Ellsmore stated that she would remain in the meeting during this item, and 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 Council.

**Item 3 Minutes by the Lord Mayor****Item 3.1 Vale Ron Jennings****Minute by the Lord Mayor**

To Council:

I wish to inform Council of the passing of Ron Jennings, warmly known as the Mayor of Millers Point, on Wednesday 27 July 2022.

Born in Adelaide on 4 October 1929, when Ron was 21, he moved to Sydney around 1966. Suffering from a serious respiratory condition, his doctor told him he would do better in another climate.

He initially knew few people. Luckily, he ran into Bill Anderson, an old friend, shortly after he arrived while working around Circular Quay.

"He was such a huge man, you couldn't miss him," Ron told the Sydney Morning Herald in a 2010 interview.

Bill invited him to live in the old Sailor's Home next door to Cadman's Cottage in The Rocks, where he was caretaker. He developed a strong rapport with Bill, Bill's wife Tess, daughter Lavinia and son Barry, ultimately becoming part of the Anderson family.

Shortly after Bill passed away, the Sailor's Home closed and Ron and Tess moved into separate housing in Millers Point, with Ron continuing to help in raising Lavinia and Barry. Lavinia eventually had her own children, Shayne and Kirstie, who eventually attended Lance Kindergarten and then Fort Street Primary School in Miller's Point. Shayne recalls his grandmother and Ron picking them up after school every day. When Tess died, Ron took over the role of being Shayne's and Kirstie's sole grandparent. Shayne still remembers him as "pop".

As Kirstie and Shayne grew older, they started spending time after school at the King George V Recreation Centre (KGV). Ron already had a long involvement with the centre, beginning around the time Lavinia had turned 12.

He became increasingly active in the community, helping form the Resident Action Group and joining Fort Street Parents and Citizens Association. He also started fundraising and reaching out to organisations such as Rotary to provide Christmas presents, and sponsor yearly snow trips for the children attending KGV.

When Shayne and Kirstie started at Glebe High School, Ron expanded his activities, helping raise funds for upgrades to the indoor basketball court and starting a reading club, where he would volunteer twice a week to help those struggling with reading.

He soon became a well-loved community leader, working hard on behalf of local residents, giving much of his time and often using his own resources.

His active participation in his community included being a tenant's representative on the Millers Point Neighbourhood Advisory Board and taking part in regular meetings with Housing NSW and other government agencies to get action for residents.

He was actively involved in the King George V Recreation Centre, assisting KGV staff to promote programs and events to the local community, becoming their friend and supporter. He supported the KGV monthly community barbeque, KGV Community Christmas Party, and 'YouthFest' events for many years.

Other activities included chairing the Millers Point Community Festival, year-long fundraising for a wide range of charities and advocating on behalf of the community for youth services, community programs and events.

Many people remember him from his walks along Cumberland Street and around the local area carrying his shopping bag and wearing his loud Hawaiian shirts. These walks would regularly include visits to local businesses to obtain support for his charities and community events.

Such was his reputation that he was the first person who residents with a problem went to for help and advice. It was people like Ron who made communities work by bringing people together, listening to them, and helping them in practical, active ways.

In his notes which helped in the preparation of this Lord Mayoral Minute, Shayne wrote of Ron:

"For anyone that has ever had the privilege to meet Pop, let alone calling him a friend, knows the positive impact he has had, from the selfless acts to benefit his community, to his cheeky conversations to get a laugh out of you, the sponsorships for local community members and the way you'd just have to give him a phone call and let him know that you were going to run a raffle, to which by the next day he'd have nights for two at the Observatory Hotel, Bridge Climb passes, gift vouchers from the Glenmore and Australian Hotel's, dinners at Phillips Foote and other restaurants in the area and tickets to events, footy and basketball games, just to name a few."

Around 2000, Ron moved into the purpose-built Sirius building where he lived for the next 14 years. In March 2014, the O'Farrell Liberal Government announced it intended to sell the building, along with 214 Millers Point properties. He described the day he learned of the NSW Government's plans as the saddest day of his life. Despite this, he became active in the campaign to save Millers Point public housing.

Ron, along with other Millers Point residents, ultimately moved to Pyrmont where he became actively involved in the Pyrmont Community Centre.

On a personal level, I also acknowledge Ron's wonderful, tireless support, especially during my election campaigns. On election days, I always knew the booth at Millers Point would be well run and would yield a very positive result.

I am saddened by his passing and extend my sincere condolences to the family Ron found when he moved to Sydney: Shayne Waite, who called Ron "Pop", Shayne's mother Lavinia, his sister Kirstie, his partner Christie, their children Cephas, Louarna, Brittney, Rayden, nephew Mark and two grandchildren Eveanna and Alaric.



**Recommendation**

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate Ron Jennings and his significant contribution to the communities of Millers Point and The Rocks;
- (B) Council express its condolences to Shane Waite and family; and
- (C) the Lord Mayor be requested to convey Council's condolences to Shane's family.

**COUNCILLOR CLOVER MOORE**

Lord Mayor

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

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

Carried unanimously.

Note – All those present at the meeting, held remotely, observed a minute's silence as a mark of respect to Ron Jennings.

S051491

## Item 3.2 Progressing the Uluru Statement from the Heart

### Minute by the Lord Mayor

To Council:

On 27 June 2022, Council unanimously reaffirmed its support for the Uluru Statement from the Heart. A month later, Prime Minister Anthony Albanese confirmed that his Government would hold a referendum to enshrine an Aboriginal and Torres Strait Islander Voice in Australia's Constitution and released the draft question and amendment.

While I am optimistic that the referendum will succeed, I propose that the City shows its support by conducting a campaign to help ensure a high "yes" vote as we did in support of marriage equality during the 2017 same-sex marriage survey.

It is important that progress is made responding to the whole of the Uluru Statement from the Heart including a Makarrata Commission "to supervise a process of agreement-making between governments and First Nations and truth-telling about our history."

Historical Acceptance is one of the five dimensions of Reconciliation Australia's Five Dimensions of Reconciliation, with the goal of "widespread acceptance of our nation's history and agreement that the wrongs of the past will never be repeated— there is truth, justice, healing and historical acceptance."

The City recognises the importance of truth-telling, and we acknowledge that Aboriginal and Torres Strait Islander people have long called for this. In June 2011, Council amended the Aboriginal and Torres Strait Islander Statement in our Corporate Plan to acknowledge that the establishment of a convict outpost on the shores of Warrane (Sydney Harbour) "had far reaching and devastating impacts on the Eora Nation, including the occupation and appropriation of their traditional lands". We also acknowledged that Aboriginal culture endures despite the destructive impact of this invasion and is now globally recognised as one of the world's oldest living cultures.

While the importance of truth-telling is now embedded in the City's plans and policies, there is still more to be done. The First Peoples Dialogue Forum, held as part of our consultations for Sustainable Sydney 2030-2050, identified truth telling initiatives as a "first priority aspiration". Participants suggested this should include "decolonising the city by debunking the myths of Australia and telling the truth". The 2030-2050 Citizens Jury made a similar recommendation.

The City has made great progress in recognising and acknowledging the history, heritage and living culture of First Nations people through the Eora Journey and other actions. We must also be honest in acknowledging the truth of our history:

- through public education and the City's communications;
- in the public domain;
- through the City's symbols and emblems; and
- by promoting an honest conversation about Australia Day.

It is vital that we listen to Aboriginal and Torres Strait Islander people, centre their voices in these activities and follow up with action, as we have done in developing the Eora Journey Economic Development Strategy and Stretch Reconciliation Action Plan.

## **Public Education**

The City has produced excellent Aboriginal and Torres Strait Islander culture and history resources, notably the Barani Barrabugu booklet and walking tour and the Barani website. This work could be expanded to include truth-telling about our shared history using our library system, communications, online resources and talks program.

## **Public Domain**

Over the last 10 years, the City has increased the presence and recognition of First Nations culture and heritage in the public domain, addressing an imbalance which has long been skewed towards colonial perspectives. Four of the seven public art projects of the Eora Journey – Recognition in the Public Domain program are now complete, including the major artworks YININMADYEMI: Thou didst let fall in Hyde Park, and bara, unveiled earlier this year on the Tarpeian Way. Work is underway on Yananurala, the Harbour Walk, which identifies nine additional projects, currently scheduled to be completed by 2032. Council has committed a total of \$17.4 million to the Eora Journey Recognition in the Public Domain, with \$3 million spent on bara, Yininmadyemi, place projections and Redfern Terrace stage 1.

The remaining Eora Journey public art projects are the Redfern Terrace stage 2 (Living Museum) currently scheduled to be completed between 2022 and 2025, Redfern Tour + Avenue of Hope (2022-2026) and the Eora Journey Harbour to Redfern Walk, (2027-2032).

Many sites on Yananurala and the Eora Journey Harbour to Redfern Walk relate to our shared history while others exclusively reference our colonial past. The two walks provide opportunities for truth-telling and a further rebalancing towards the history, heritage and culture of Aboriginal and Torres Strait Island peoples.

For example, Yananurala includes a major public art project at Ta-ra (Dawes Point) that highlights the site where Patyegarang gifted the language of her people to William Dawes, recording it for future generations in his notebooks.

I propose that the City explore bringing forward elements of these projects to accelerate this rebalancing and enable truth-telling. This could also involve new strategic and imaginative approaches in the public domain which address our colonial history and its exclusion of Aboriginal and Torres Strait Islander perspectives.

## **The City's Symbols and Emblems**

The City's symbols and emblems are represented in the Coat of Arms, the Chains of Office and the City Flag each of which are, at the very least, problematic.

The former Coat of Arms include stereotyped depictions of an Aboriginal person and 18th Century Sailor and the motto: "I take but I surrender". The Chains of Office include the Lord Mayoral Chains and Collar and Deputy Lord Mayor collar, which have not been worn since 2019 as they feature the City's former Coat of Arms. The City Flag is based on the City's former Coat of Arms and contains no acknowledgement of First Nations people.

The City's current Coat of Arms, adopted in 1996, features a stylised Rainbow Serpent partially intertwined with a coiled cable representing Sydney's maritime heritage. While this Coat of Arms includes a First Nations acknowledgement, it is uncertain whether the Rainbow Serpent is the most appropriate way to represent the Gadigal people of the Eora Nation.

I propose reviewing the City's symbols and emblems, together with their use and representation, to ensure that they respect Aboriginal and Torres Strait Islander culture and heritage and meet the aspirations of the Uluru Statement of the Heart and the Principles of Reconciliation.

## **Australia Day**

I strongly support changing the date of Australia's national day to one that can be fully embraced and celebrated by all Australians, including Aboriginal and Torres Strait Islander peoples. Celebrating the current date is difficult and even traumatic for many people within our First Nations communities, as for them it represents Invasion Day and a day of mourning. The dispossession of the First Peoples formally began with the proclamation of British sovereignty over the eastern seaboard of Australia on 26 January 1788.

Not all Australians are ready to recognise this fundamental truth. In his 1968 Boyer Lectures, *After the Dreaming*, the anthropologist W.E.H Stanner referred to the "Great Australian Silence", effectively the near disappearance of Aboriginal and Torres Strait Islander perspectives from the Australian story. In the five decades since these lectures, historians, Royal Commissions and our cultural institutions have done much work to end this silence.

Yet there still remain those who complain about "a black armband" approach to history or want to minimise the elements of our shameful past as "mere blemishes".

This should not prevent us engaging in a national conversation about Australia Day. This conversation should be led by National Cabinet, which brings together the Commonwealth, State and Territory Governments.

Advocating for a change of date provides a platform for an ongoing honest if painful conversation, not only about 26 January 1788 but all that followed.

The Uluru Statement from the Heart has been described as a generous invitation to all Australians. This is our opportunity to respond to this invitation.

## **Recommendation**

It is resolved that:

- (A) the Lord Mayor be requested to write to the Prime Minister:
  - (i) commending him on the announcement that his Government will hold a referendum to enshrine an Aboriginal and Torres Strait Islander Voice in Australia's Constitution during this term of Parliament; and
  - (ii) requesting that he place the matter of changing the date of Australia's national day to one that can be fully embraced and celebrated by all Australians on the agenda of National Cabinet; and

- (B) the Chief Executive Officer be requested to, in consultation with the Aboriginal and Torres Strait Islander Advisory Panel and wider community:
- (i) investigate options for the City to conduct a campaign in support of the “yes” vote in the proposed constitutional referendum;
  - (ii) investigate opportunities to use our library system, communications, talks programs and other means to advance the truth-telling aspirations of the Uluru Statement of the Heart and Reconciliation Australia;
  - (iii) investigate bringing forward public art projects in the Eora Journey which can further rebalance our public domain in relation to First Nations history, heritage and culture, together with opportunities for new strategic and imaginative approaches in the public domain to enable truth-telling; and
  - (iv) review the content, design and use of the City’s symbols and emblems to ensure that they respect Aboriginal and Torres Strait Islander culture and heritage.

### **COUNCILLOR CLOVER MOORE**

Lord Mayor

Note – at the meeting of Council, the content of the original Minute was varied by the Lord Mayor. Subsequently, it was –

Moved by the Lord Mayor –

It is resolved that:

- (A) the Lord Mayor be requested to write to the Prime Minister:
- (i) commending him on the announcement that his Government will hold a referendum to enshrine an Aboriginal and Torres Strait Islander Voice in Australia’s Constitution during this term of Parliament; and
  - (ii) requesting that he place the matter of changing the date of Australia’s national day to one that can be fully embraced and celebrated by all Australians on the agenda of National Cabinet; and
- (B) the Chief Executive Officer be requested to, in consultation with the Aboriginal and Torres Strait Islander Advisory Panel, the Metropolitan Local Aboriginal Land Council, Traditional Owners and the wider community:
- (i) investigate options for the City to conduct a campaign in support of the “yes” vote in the proposed constitutional referendum;
  - (ii) investigate opportunities to use our library system, communications, talks programs and other means to advance the truth-telling aspirations of the Uluru Statement of the Heart and Reconciliation Australia;
  - (iii) investigate bringing forward public art projects in the Eora Journey which can further rebalance our public domain in relation to First Nations history, heritage and culture, together with opportunities for new strategic and imaginative approaches in the public domain to enable truth-telling;

- (iv) note that Council has budgeted for a major public artwork by an Aboriginal artist at Tara (Dawes Point) commemorating the young Aboriginal woman Patyegarang and the gift of her language to William Dawes, as part of Yananurala, including developing a brief with the community, Metropolitan Local Aboriginal Land Council and the NSW Government; and
- (v) review the content, design and use of the City's symbols and emblems to ensure that they respect Aboriginal and Torres Strait Islander culture and heritage.

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

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

It is resolved that:

- (A) the Lord Mayor be requested to write to the Prime Minister:
  - (i) commending him on the announcement that his Government will hold a referendum to enshrine an Aboriginal and Torres Strait Islander Voice in Australia's Constitution during this term of Parliament; and
  - (ii) requesting that he place the matter of changing the date of Australia's national day to one that can be fully embraced and celebrated by all Australians on the agenda of National Cabinet; and
- (B) the Chief Executive Officer be requested to, in consultation with the Aboriginal and Torres Strait Islander Advisory Panel, the Metropolitan Local Aboriginal Land Council, Traditional Owners and the wider community:
  - (i) investigate options for the City to conduct a campaign in support of the "yes" vote in the proposed constitutional referendum;
  - (ii) investigate opportunities to use our library system, communications, talks programs and other means to advance the truth-telling aspirations of the Uluru Statement of the Heart and Reconciliation Australia;
  - (iii) commission an Aboriginal artist to design a monument to Patyegarang commemorating her role in preserving the language of Sydney's first people;
  - (iv) investigate bringing forward public art projects in the Eora Journey which can further rebalance our public domain in relation to First Nations history, heritage and culture, together with opportunities for new strategic and imaginative approaches in the public domain to enable truth-telling;
  - (v) note that Council has budgeted for a major public artwork by an Aboriginal artist at Tara (Dawes Point) commemorating the young Aboriginal woman Patyegarang and the gift of her language to William Dawes, as part of Yananurala, including developing a brief with the community, Metropolitan Local Aboriginal Land Council and the NSW Government; and
  - (vi) review the content, design and use of the City's symbols and emblems to ensure that they respect Aboriginal and Torres Strait Islander culture and heritage.

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.

Pursuant to clause 10.3 of the Code of Meeting Practice, the amendment was declared lost.

Amendment lost.

### **Procedural Motion**

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

That the motion be voted on in seriatum.

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

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

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

Pursuant to clause 10.3 of the Code of Meeting Practice, the procedural motion was declared lost.

Procedural motion lost.

The substantive Minute 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\*.

\*Note – Councillor Weldon abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Weldon is taken to have voted against the motion.

Substantive Minute carried.

S051491

**Item 3.3 Gibbons Street Social and Affordable Housing Project - Award for Excellence in Affordable Development**

**Minute by the Lord Mayor**

To Council:

I am very pleased to inform Council that the St George Community Housing development at 11 Gibbons Street, Redfern, has won an award for excellence in affordable development.

Judges for the 2022 Urban Development Institute of Australia NSW awards called this “outstanding project” a “clear winner in the Affordable Housing category”.

The City of Sydney made this development possible by selling land at a discounted rate to St George Community Housing in order to increase the number of affordable and social housing dwellings across the local government area, particularly in Redfern. To date, we have sold surplus City land for affordable housing with a total discount of \$19.2 million.

The well-designed social and affordable apartments on Gibbons Street replaced a former council depot. The development includes 27 fully adaptable homes for people with disabilities and 40 per cent of the apartments are home to Aboriginal and Torres Strait Islander people. These apartments also achieve an 8-star rating under the Nationwide House Energy Rating Scheme, which means they are more efficient and sustainable, and residents will spend less on their energy bills.

Designed by architects, DKO, the development contains a number of communal spaces and facilities for families and children, with a view to promoting social, cultural and physical activity on site.

In keeping with the important historical and cultural significance of the area, artworks by Aboriginal artist Joe Hurst have been integrated throughout the building. Though Joe recently passed away, his art will continue to bring joy to the residents of 11 Gibbons Street, as well as to those who knew him.



**Recommendation**

It is resolved that Council:

- (A) congratulate all those involved in the development of 11 Gibbons Street, Redfern, on winning the 2022 UDIA NSW Award for Excellence in Affordable Development; and
- (B) reaffirm our commitment to supporting the development of well-designed social and affordable housing across the City of Sydney.

**COUNCILLOR CLOVER MOORE**

Lord Mayor

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

That the minute be endorsed and adopted.

Carried unanimously.

S051491

### **Item 3.4 Integrated Ticketing at Moore Park**

#### **Minute by the Lord Mayor**

To Council:

It is crucial that public transport usage is established as the preferred mode of transport for patrons attending events at Moore Park before the opening of the new Allianz Stadium on 28 August 2022. Public transport is an attractive option now that Moore Park is serviced by the CBD and South East Light Rail.

The light rail has a dedicated stop at Moore Park for people attending events and games. Light rail provides an important opportunity to reset patron transport behaviour and encourage public transport use.

The City has advocated for integrated ticketing in Sydney since I was first elected Lord Mayor in 2004. In 2019, after the completion of the light rail, I wrote to the then Premier, Minister for Transport and Sydney Cricket and Sports Ground Trust, urging for the immediate introduction of integrated ticketing which includes free public transport in the event ticket fee for events at Moore Park given the availability of light rail to the area.

There is a long history of traffic gridlock associated with events held at Moore Park which impacts on movements of local residents, while event patrons sit in gridlocked traffic. With Covid-19 restrictions removed this year, many events at the Sydney Cricket Ground have already seen gridlock conditions return.

Now is the time to immediately remove all on-grass parking at Moore Park, given the provision of light rail with a dedicated Moore Park stop and the proposed construction of a 1,500-space carpark associated with the new stadium.

Integrated ticketing has proven effective in increasing public transport use at other stadia and during the Sydney Olympics. The Moore Park Master Plan 2040 noted the importance of seeking integrated ticketing to encourage public transport use.

The *Event Car Parking Management Plan* and the *Green Travel Plan*, which were developed under conditions of consent for the new stadium, identified work to introduce integrated ticketing for events at Moore Park. For events with integrated ticketing, ticket holders can travel for free to and from the precinct via bus, rail or light rail. Currently the only major sporting partners that have integrated ticketing arrangements for events at Allianz Stadium are the NSW Waratahs, Sydney FC and Rugby Australia (for international tests). Transport for NSW and Venues NSW are still working with stakeholders towards integrated ticketing for all events at Moore Park.

The technology and mechanisms needed to introduce integrated ticketing are clearly available and all that is needed is the will. The NSW Government must ensure that integrated ticketing is operating for all events when the new stadium opens.

It is also important that public transport and green transport options available for Moore Park are widely publicised for each event through education and promotional campaigns directed at patrons. This would encourage people to use public transport rather than driving to and from the venues at Moore Park, and reduce the demand on parking and traffic congestion in the surrounding areas.

## Recommendation

It is resolved that Council:

- (A) note the importance of integrated ticketing to encourage the use of public transport and reduce the reliance on private vehicle usage; and
- (B) Council note my joint letter with Alex Greenwich MP, as shown at Attachment A to the subject minute, sent to the Minister for Sport and Minister for Transport on 11 August 2022 noting the concerns about traffic congestion in the Moore Park area, and requesting that integrated ticketing is operating, and that public and green transport options are strongly promoted for all events held at Moore Park, before the new stadium opens.

## COUNCILLOR CLOVER MOORE

Lord Mayor

### Attachment

**Attachment A.** Letter to the Minister for Sport - Public Transport to Events at Moore Park

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

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

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

- (A) note the importance of integrated ticketing to encourage the use of free public transport and reduce the reliance on private vehicle usage.

The Minute, as varied by consent, 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\*.

\*Note – Councillor Jarrett abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Jarrett is taken to have voted against the motion.

Minute carried.

S051491

**Item 4 Memoranda by the Chief Executive Officer**

**Item 4.1 City of Sydney Advisory Panels and Working Groups – Updated Terms of Reference**

**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.

On 27 June 2022, Council endorsed the appointment of advisory panel and working group members, endorsed Terms of Reference for the advisory panels and working group and requested that amendments be made to all Terms of Reference to include that advocacy is to be in alignment with the City's policies, strategies and operational plans and that management of conflicts of interest be more explicitly and consistently referenced across all Terms of Reference.

In accordance with the Council resolution, the requested updates have been made to the Terms of Reference to include that advocacy is to be in alignment with the City's policies, strategies and operational plans and to make explicit Code of Conduct and conflict of interest requirements. Administrative updates have also been made for clarity and to promote consistency (where practicable) across the panels, noting that the Terms of Reference now all use the updated City template. Council is required to endorse these updates to the Terms of Reference.

Meetings of the new advisory panels and working group will commence in September 2022.

This memorandum seeks Council endorsement of the updated Terms of Reference and requests that authority be delegated to the Chief Executive Officer to make minor amendments to the above Terms of Reference, in consultation with the relevant advisory panel or working group.

## Recommendation

It is resolved that:

- (A) Council endorse the updated Terms of Reference - Business, Economic Development and Covid Recovery Advisory Panel as shown at Attachment A to the subject memorandum;
- (B) Council endorse the updated Terms of Reference – Cultural and Creative Sector Advisory Panel as shown at Attachment B to the subject memorandum;
- (C) Council endorse the updated Terms of Reference – Housing For All Working Group as shown at Attachment C to the subject memorandum;
- (D) Council endorse the updated Terms of Reference - Multicultural Advisory Panel as shown at Attachment D to the subject memorandum; and
- (E) authority be delegated to the Chief Executive Officer to make minor amendments to the above Terms of Reference, in consultation with the relevant panel of working group and to correct any drafting errors and finalise design, artwork and accessible formats for publication.

## MONICA BARONE

Chief Executive Officer

## Attachments

**Attachment B.** Updated Terms of Reference - Business, Economic Development and Covid Recovery Advisory Panel

**Attachment C.** Updated Terms of Reference – Cultural and Creative Sector Advisory Panel

**Attachment D.** Updated Terms of Reference – Housing For All Working Group

**Attachment E.** Updated Terms of Reference – Multicultural Advisory Panel

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

It is resolved that:

- (A) Council endorse the updated Terms of Reference - Business, Economic Development and Covid Recovery Advisory Panel as shown at Attachment A to the subject memorandum;
- (B) Council endorse the updated Terms of Reference – Cultural and Creative Sector Advisory Panel as shown at Attachment B to the subject memorandum;
- (C) Council endorse the updated Terms of Reference – Housing For All Working Group as shown at Attachment C to the subject memorandum;
- (D) Council endorse the updated Terms of Reference - Multicultural Advisory Panel as shown at Attachment D to the subject memorandum; and

- (E) authority be delegated to the Chief Executive Officer to make minor amendments to the above Terms of Reference, in consultation with the relevant panel of working group and to correct any drafting errors and finalise design, artwork and accessible formats for publication.

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

That the motion be amended by the addition of a new clause (E) –

- (E) the Terms of Reference for all Advisory Panels and Working Groups be updated to enable meetings to be made open to the public, subject to the agreement of the Advisory Panel or Working Group;

With remaining clauses to be renumbered accordingly.

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.

Pursuant to the provisions of clause 10.3 of the Code of Meeting Practice, the amendment was declared lost.

Amendment lost.

The substantive motion was carried unanimously.

X086747

### **Adjournment**

At this stage of the meeting, at 6.27pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 6.45pm.

## **Item 5 Matters for Tabling**

### **5.1 Disclosures of Interest**

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

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

Carried unanimously.

### **5.2 Petitions**

#### **(a) Widen the Footpath on Roslyn Street**

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

Roslyn Street is a busy pedestrian route and the footpath is dangerously narrow.

Can the City of Sydney please widen the footpath, without removing any of the resident permit parking spaces?

This would make it safer for everyone, especially the elderly, wheelchair users and prams.

(This petition relates to Roslyn Street, Rushcutters Bay, between Ward Avenue and Roslyn Gardens)

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

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, Shauna Jarrett, Robert Kok, Linda Scott and Yvonne Weldon.

At the commencement of business at 2.02pm those present were -

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

**Apologies**

Councillor Lyndon Gannon extended his apologies for his inability to attend the meeting of the Corporate, Finance, Properties and Tenders Committee.

**Adjournment**

At 3.37pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

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

Carried unanimously.

At the resumption of the meeting of the Corporate, Finance, Properties and Tenders Committee at 4.03pm, all Councillors were present.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 4.39pm.

**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 15 August 2022 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.3, 6.4, 6.6 and 6.8 to 6.17 inclusive being adopted in globo, and Items 6.2, 6.5 and 6.7 being dealt with as shown immediately following those items.

Carried unanimously.

**Item 6.1**

**Disclosures of Interest**

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



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

## **Item 6.2**

### **2021/22 Quarter 4 Review - Delivery Program 2017-2021**

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

It is resolved that Council:

- (A) note the interim financial performance of Council for the 2021/22 financial year ending 30 June 2022, including the Net Surplus of \$68.8M as outlined within the report and summarised at Attachment A to the subject report;
- (B) note the full year Capital Works expenditure of \$162.3M for 2021/22, approve the proposed revote of \$30.4M and adjustments to future years forward estimates, to increase the adopted 2022/23 budget to \$200.9M excluding contingency to progress the planned capital works, as detailed in the Attachment B to the subject report;
- (C) note the Technology and Digital Services capital expenditure of \$14.1M (net of disposals) for 2021/22, and approve the proposed revote of \$8.6M and other adjustments totalling \$3.5M (including transfer of \$2.9M of multi-year projects included in the operating budget), to increase the adopted 2022/23 TDS capital budget to \$19.0M as shown in Attachment B in the subject report;
- (D) note the full year Plant and Assets expenditure of \$7.9M for 2021/22 (net of disposals), and approve the proposed revote of \$5.9M and deferral of \$7.6M of fleet purchases to 2023/24 (reflecting supply chain constraints), to reduce the adopted 2022/23 net budget to \$11.3M as show in Attachment B in the subject report;
- (E) note the full year net Property Divestment proceeds of \$32.5M;
- (F) note the operational performance indicators and quarter and full year achievements against the Delivery Program 2017-2021 objectives, as detailed in Attachment C to the subject report;
- (G) note the supplementary reports, including contracts issued over \$50,000, major legal issues and the Quick Response, Banner Pole and Reduced Rate Grant Programs in Quarter 4, as detailed in Attachment D to the subject report; and
- (H) note the Community Recovery Plan report, as shown at Attachment E to the subject report.

Carried unanimously.

X039568

## **Item 6.3**

### **Investments Held as at 30 June 2022**

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

Carried unanimously.

X020701

## **Item 6.4**

### **Investments Held as at 31 July 2022**

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

Carried unanimously.

X020701

## **Item 6.5**

### **Public Exhibition - Naming Proposal - Two New Lanes at 180 George Street, Sydney**

Note – The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 22 August 2022.

At the meeting of Council, the following alternative recommendation was adopted (as contained in the Information Relevant To memorandum dated 19 August 2022 from the Director Strategic Development and Engagement, circulated prior to the meeting).

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

It is resolved that Council:

- (A) endorse the public exhibition of the proposal to name the east-west aligned lane 'Crane Place' for a minimum period of 28 days for the purposes of receiving community comment;
- (B) endorse the public exhibition of the proposal to name the southwest-northeast aligned lane 'Cabinetmaker Place' for a minimum period of 28 days for the purposes of receiving community comment;
- (C) note that a further report will be submitted to Council, detailing the results of the public consultation process;
- (D) note the stakeholder consultation process to be undertaken for the naming of the new public plaza; and
- (E) note that a further report be submitted to Council to seek in-principle support for the name of the plaza to go on public exhibition for 28-days.

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

It is resolved that Council:

- (A) undertake an open consultation with the community of no less than 28 days, on potential names for the new east-west aligned lane and the southwest-northwest aligned lane. The consultation will seek to identify names which reflect previously unrepresented, excluded or under-represented aspects of the history of the area. That includes Aboriginal history, the contribution of culturally diverse groups, and recent social history. It should not include British colonial or British colonial history, which is already strongly over-represented in the area;
- (B) ensure the consultation includes specific engagement with the Chinese community, business and heritage organisations about the potential naming of the southwest-northwest aligned lane to recognise the Chinese businesses historically located on lower George Street;

- (C) note that a further report will be submitted to Council, detailing the results of the public consultation process;
- (D) note the stakeholder consultation process to be undertaken for the naming of the new public plaza; and
- (E) note that a further report be submitted to Council to seek in-principle support for the name of the plaza to go on public exhibition for 28-days.

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.

Pursuant to the provisions of clause 10.3 of the Code of Meeting Practice, the amendment was declared lost.

Amendment lost.

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

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

Noes (3) Councillors Ellsmore\*, Jarrett and Weldon.

\*Note – Councillor Ellsmore abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Ellsmore is taken to have voted against the motion.

Substantive motion carried.

X086317

## **Item 6.6**

### **Public Exhibition - Councillors' Expenses and Facilities Policy**

It is resolved that Council:

- (A) approve the draft Councillors' Expenses and Facilities Policy 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; and
- (B) note that a further report will be submitted to Council following exhibition.

Carried unanimously.

S051923

**Item 6.7****Post Exhibition - Grants and Sponsorship Policy and Guidelines**

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 19 August 2022 from the Director City Life, circulated prior to the meeting).

Moved by Councillor Scully, seconded by Councillor Kok –

It is resolved that:

- (A) Council note the submissions received from the community on the exhibited draft grants and sponsorship policy guidelines, as shown at Attachment E to the subject report;
- (B) Council approve the grants and sponsorship policy as shown at Attachment A to the subject report;
- (C) Council approve the grants and sponsorship guidelines as shown at Attachment B to the subject report; subject to the following amendment:
  - (i) *amend page 20 of the grants and sponsorship guidelines under the heading Eligibility to read:*

These individuals and organisations can apply:

    - Not-for-profit organisations
    - ~~Social enterprises~~
    - Individuals or unincorporated community groups auspiced by a not-for-profit that is eligible to apply in its own right.
- (D) Council approve the Revised Operational Plan 2022/23 - Addendum as shown at Attachment C;
- (E) Council note the Chief Executive Officer has delegated authority to implement the Quick response grant, Creative live/work spaces grant, Short-term empty properties grant, Venue hire support grants and sponsorship and Street banner sponsorship in accordance with the grants and sponsorship policy criteria and monetary limits; and
- (F) authority be delegated to the Chief Executive Officer to approve any minor editorial corrections prior to publication and authorise the relevant staff to implement any such corrections.

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

That the motion be amended to include a new clause (C)(ii) as follows –

- (ii) unless inconsistent with the aims of the grant program, where a grant program is open to both for profit and not for profit organisations, a new criteria for assessment be included alongside the existing criteria for assessment, which specifies that not for profit organisations will be considered favourably or generally prioritised in the allocation of public funding;

The amendment was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

Amendment lost.

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

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

Noes (1) Councillor Weldon.

Substantive motion carried.

S117676

## **Item 6.8**

### **Delegations of Authority to the Lord Mayor and Chief Executive Officer**

It is resolved that Council:

- (A) approve the Delegations to the Lord Mayor, as shown at Attachment A to the subject report;
- (B) approve the Delegations to the Chief Executive Officer, as shown at Attachment B to the subject report;
- (C) revoke the existing Delegations to the Lord Mayor dated 29 June 2020 and to the Chief Executive Officer dated 16 May 2022;
- (D) confirm that all other delegations by Resolution of Council continue in force; and
- (E) note that the Delegations to the Lord Mayor and the Delegations to the Chief Executive Officer will be updated administratively to reflect any new delegations made by Council resolution.

Carried unanimously.

X085376.001 and X085376.001

## Item 6.9

### Adoption - Code of Conduct and Procedures for the Administration of the Code of Conduct

Note – the recommendation of the Corporate, Finance, Properties and Tenders Committee was not adopted. The following alternative recommendation was adopted as part of an in globo motion (as contained in the Information Relevant To memorandum dated 19 August 2022 from the Director Legal and Governance, circulated prior to the meeting).

It is resolved that Council:

- (A) adopt the City of Sydney Code of Conduct shown at Attachment A to the subject report; and
- (B) adopt the City of Sydney Procedures for the Administration of the Code of Conduct as shown at Attachment B to the subject report, subject to the following amendment:
  - (i) *amend clause 4.5 to read:*

4.5 A complaint made after 3 months may only be accepted if the Chief Executive Officer or their delegate, or, in the case of a complaint about the Chief Executive Officer, the Lord Mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the code of conduct. ***The CEO, Lord Mayor or their delegate has discretion to receive complaints beyond the 3 month period where the matter relates to an allegation of bullying and harassment.***

Carried unanimously.

S121629.017

## Item 6.10

### Adoption - Internal Reporting Policy - Corrupt Conduct and Serious Wrongdoing

It is resolved that Council:

- (A) adopt the Internal Reporting Policy - Corrupt Conduct and Serious Wrongdoing, as shown at Attachment A to the subject report; and
- (B) authorise the Chief Executive Officer to update the contact information in Appendix A of the Policy as and when required.

Carried unanimously.

S121629.035

**Item 6.11****Macleay Streetscape Improvements – Works on Private Land**

It is resolved that:

- (A) Council enters into Access Deeds with the owners of 77 and 81 Macleay Street, Potts Point, generally in accordance with Confidential Attachment B to the subject report, that allows the City to fund and undertake footway upgrade works to the privately owned sections of footway in Macleay Street currently burdened by an Easement for public right of way in favour of the City;
- (B) authority be delegated to the Chief Executive Officer to finalise and execute the Access Deeds; and
- (C) Council note the financial implications detailed in Confidential Attachment C to the subject report.

Carried unanimously.

S120379

**Item 6.12****Tender - T-2021-568 - Construction of Wimbo Park, Surry Hills**

It is resolved that:

- (A) Council accept the tender offer of Tenderer C for the construction of Wimbo Park, Surry Hills for the price and contingency as set out 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 that the additional funds sought are brought forward from the provision for Open Space Renewal works in 2025/26, as shown in the forward estimates, included in the City's current Long Term Financial Plan as outlined in Confidential Attachment A to the subject report.

Carried unanimously.

X009056

### **Item 6.13**

#### **Tender - Reject and Negotiate - T-2021-607 - Public Access IT Refresh**

It is resolved that:

- (A) Council decline to accept the tender offers for Public Access IT program 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 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.

X039997.001

### **Item 6.14**

#### **Tender - Reject and Negotiate - T-2021-565 - Waterloo Library Roof Remediation Works**

It is resolved that:

- (A) Council decline to accept the tender offers for the Waterloo Library Roof Remediation Works 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 contractor via the CEO Update.

Carried unanimously.

X011539.001



**Item 6.15****Cancellation of Part of Tender - T-2020-486 - Compact Footway Sweeping and Scrubber Machines - Footway Scrubber Machine**

It is resolved that Council:

- (A) decline to accept the tender offers for the Footway Scrubber Machines portion of Tender T-2021-486 and cancel the portion of the tender for the Footway Scrubber Machines, noting that the remaining parts of the tender will proceed; and
- (B) note that a revised request for tender will be issued at a later date.

Carried unanimously.

X082973.001

**Item 6.16****Exemption from Tender - Parking Machine Service and Maintenance**

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 noting that, because of the unavailability of competitive or reliable tenderers, a satisfactory result would not be achieved by inviting tenders to provide service and maintenance of the City's parking machines;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
  - (ii) going to tender would not deliver a competitive process due to the inability of any other tenderer to provide service inclusive of an integrated management and reporting system using the existing hardware within the machines; and
  - (iii) the service includes provision of compliant payment gateway processing, which can only be enabled by the same provider as that providing the management system;
- (C) Council note that the current parking machines do not need to be replaced and significant cost would be incurred if they were replaced;
- (D) Council approve entering into a contract with the existing service and maintenance contractor for a maximum five year term (three years plus two options of one year each, subject to satisfactory performance); and
- (E) authority be delegated to the Chief Executive Officer to negotiate and approve the terms of the contract of the services agreement with the contractor provided that the contract is consistent with this resolution.

Carried unanimously.

X006775.019

## **Item 6.17**

### **Contract Variation - 540 George Street Building Façade Remediation**

It is resolved that:

- (A) Council approve a contract variation for the 540 George Street Building Façade Remediation contract to undertake the additional remediation for the amounts set out in Confidential Attachment A to the subject report;
- (B) Council approve an increase to the contract contingency to address any latent conditions for the amounts set out Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate variations to the contract relating to 540 George Street Building Façade Remediation.

Carried unanimously.

X022286.004

**Item 7 Report of the Cultural and Creative Committee****PRESENT**

The Lord Mayor Councillor Clover Moore  
(Chair)

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

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

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

**Apologies**

Councillor Lyndon Gannon extended his apologies for his inability to attend the meeting of the Cultural and Creative Committee.

The meeting of the Cultural and Creative Committee concluded at 4.42pm.

**Report of the Cultural and Creative Committee**

Moved by Councillor Gannon, seconded by Councillor Scully –

That the report of the Cultural and Creative Committee of its meeting of 15 August 2022 be received, with Item 7.1 being noted, and the recommendations set out below for Items 7.2 and 7.3 being adopted in globo.

Carried unanimously.

**Item 7.1****Disclosures of Interest**

No 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 7.2

### Grants and Sponsorship – Accommodation Grants Program - Cultural and Creative Sector - Grant Recommendations and Lease Renewals 2022

It is resolved that:

- (A) Council approve the provision of an Accommodation Grant to WE ARE WARRIORS PTY LTD for Suite 2, Ground Floor, Ultimo Community Centre, 40 William Henry Street, Ultimo to lease the property for a five-year period from September 2022 to October 2027, with the option to renew, on the following rental subsidy:

	Market Rental Value	Rental Subsidy	Rental Subsidy Value	Rent Payable
Year 1 2022-23	\$147,000	100%	\$147,000	\$0
Year 2 2023-24	\$151,410	100%	\$151,410	\$0
Year 3 2024-25	\$155,952	100%	\$155,952	\$0
Year 4 2025-26	\$160,630	100%	\$160,630	\$0
Year 5 2026-27	\$165,449	100%	\$165,449	\$0

- (B) Council approve the provision of an Accommodation Grant to Darlinghurst Theatre Limited for Suite 3.02 and Suite 3.03, Level 3, 101 – 115 William Street Darlinghurst to lease the property for a five-year period from September 2022 to October 2027 on the following rental subsidy:

	Market Rental Value	Rental Subsidy	Rental Subsidy Value	Rent payable
Year 1 2022-23	\$108,000	94%	\$101,520	\$6,480
Year 2 2023-24	\$111,240	90%	\$100,116	\$11,124
Year 3 2024-25	\$114,577	85%	\$97,390	\$17,187
Year 4 2025-26	\$118,014	80%	\$94,411	\$23,603

	Market Rental Value	Rental Subsidy	Rental Subsidy Value	Rent payable
Year 5 2026-27	\$121,554	75%	\$91,166	\$30,389

- (C) Council approve the provision of an Accommodation Grant to Digital Storytellers Limited for Suite 3.01, Level 3, 101 – 115 William Street Darlinghurst to lease the property for a five-year period from September 2022 to October 2027 on the following rental subsidy:

	Market Rental Value	Rental Subsidy	Rental Subsidy Value	Rent payable
Year 1 2022-23	\$95,000	94%	\$89,300	\$5,700
Year 2 2023-24	\$97,850	90%	\$88,065	\$9,785
Year 3 2024-25	\$100,786	85%	\$85,668	\$15,118
Year 4 2025-26	\$103,810	80%	\$83,048	\$20,762
Year 5 2026-27	\$106,193	75%	\$80,193	\$26,731

- (D) Council approve the renewal of the Accommodation Grant lease for tenant Antenna Documentary Institute Limited at Benledi House, 186-194 Glebe Point Road, Glebe who holds a lease expiring on 6 August 2022 and who has met the Key Performance Criteria of their Accommodation Grant, for a period of up to five years, to 6 August 2027 on the following rental subsidy:

	Market Rental Value	Grant Subsidy	Grant Amount	Rent payable
Year 1 2022-23	\$16,000	100%	\$16,000	\$0
Year 2 2023-24	\$16,480	100%	\$16,480	\$0
Year 3 2024-25	\$16,974	90%	\$15,276	\$1,698
Year 4 2025-26\	\$17,483	90%	\$15,735	\$1,748

	Market Rental Value	Grant Subsidy	Grant Amount	Rent payable
Year 5 2026-27	\$18,008	85%	\$15,307	\$2,701

- (E) Council approve the renewal of the Accommodation Grant licence for tenant Brand X Productions Incorporated at the East Sydney Community Arts Centre, 225-245 Palmer Street, Darlinghurst who is currently on a holdover provision following licence expiration on 26 July 2022, and who has met the Key Performance Criteria of their Accommodation Grant, for a period of five years ending 5 September 2027 on the following rental subsidy:

	Market Rental Value	Grant Subsidy	Grant Amount	Rent payable
Year 1 2022-23	\$87,000	88%	\$76,567	\$10,433
Year 2 2023-24	\$89,610	88%	\$78,864	\$10,746
Year 3 2024-25	\$92,298	84%	\$77,530	\$14,758
Year 4 2025-26	\$95,067	80%	\$76,065	\$19,002
Year 5 2026-27	\$97,919	76%	\$74,433	\$23,486

- (F) 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
- (G) authority be delegated to the Chief Executive Officer to negotiate, execute and administer relevant agreements on terms consistent with this resolution and in accordance with the Grants and Sponsorship Policy.

Carried unanimously.

X079173.001

**Item 7.3****Public Exhibition - Busking and Aboriginal and Torres Strait Islander Cultural Practice Local Approvals Policy**

It is resolved that:

- (A) Council approve for public exhibition the draft Busking and Aboriginal and Torres Strait Islander Cultural Practice Policy (the Policy), as shown at Attachment A to the subject report;
- (B) Council note the Sydney Busking Code, as shown at Attachment B to the subject report, to be published as a guidance document to accompany the Policy;
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial corrections prior to the exhibition of the draft Busking and Aboriginal and Torres Strait Islander Cultural Practice Policy.

Carried unanimously.

X085068.004

## **Item 8 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, Shauna Jarrett, Robert Kok, Linda Scott and Yvonne Weldon.

At the commencement of business at 4.42pm those present were -

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

### **Apologies**

Councillor Lyndon Gannon extended his apologies for his inability to attend the meeting of the Resilient Communities Committee.

The meeting of the Resilient Communities Committee concluded at 5.25pm.

### **Report of the Resilient Communities Committee**

Moved by Councillor Davis, seconded by Councillor Scully –

That the report of the Resilient Communities Committee of its meeting of 15 August 2022 be received, with Item 8.1 being noted, and the recommendations set out below for Items 8.2 and 8.3 being adopted as follows.

Carried unanimously.

### **Item 8.1**

#### **Disclosures of Interest**

Councillor (Waskam) Emelda Davis disclosed a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that she has accessed the services of the Redfern Legal Centre as part of her voluntary advocacy work with her local community as well as personally, dating back some ten years approximately. Councillor Davis stated that this access has been on a case-by-case basis since 2010 and more recently for community members from 2021 to date.

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 8.2**

### **Adoption - Inclusive and Accessible Public Domain Policy**

Moved by Councillor Davis, seconded by Councillor Scott –

It is resolved that:

- (A) Council adopt the Inclusive and Accessible Public Domain Policy shown at Attachment A to the subject report;
- (B) Council note that the Inclusive and Accessible Public Domain Guidelines and Inclusive Event Guidelines as shown at Attachments B and C to the subject report are scheduled to be reviewed in 2022/23 with Council to be advised of the review and updated Guidelines by way of CEO Update; and
- (C) authority be delegated to the Chief Executive Officer to make and approve minor housekeeping and editorial amendments to the adopted Inclusive and Accessible Public Domain Policy, as may be required, including when relevant Australian Standards are amended, or new standards developed, with Council to be advised of any such changes by way of CEO Update.

Carried unanimously.

X023841.010

## **Item 8.3**

### **Grants and Sponsorship - Ad Hoc Grant Redfern Legal Centre**

Moved by Councillor Davis, seconded by Councillor Scully –

It is resolved that:

- (A) Council approve an ad-hoc cash grant up to \$50,000 (excluding GST) for Redfern Legal Centre Ltd to provide social housing residents impacted by current and future redevelopments in Glebe and across the local government area with tenancy support, advocacy and legal services for up to 12 months from the date of entering into the grant agreement; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, enter into and administer a grant agreement with Redfern Legal Centre 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, Jarrett, Kok, Scott and Scully

Noes (1)      Councillor Weldon\*.

Motion carried.

\*Note – Councillor Weldon abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Weldon is taken to have voted against the motion.

S117676

**Speaker**

Katherine McKernan (Redfern Legal Centre) addressed the meeting of the Resilient Communities Committee on Item 8.3.

**Item 9 Report of the Transport, Heritage, Environment and Planning Committee****PRESENT**

The Lord Mayor Councillor Clover Moore  
(Chair)

Councillor HY William Chan  
(Deputy Chair)

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

At the commencement of business at 5.25pm those present were -

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

**Apologies**

Councillor Lyndon Gannon extended his apologies for his inability to attend the meeting of the Transport, Heritage, Environment and Planning Committee.

**Adjournment**

At 5.45pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scott –

That the meeting of the Transport, Heritage, Environment and Planning Committee be adjourned for 10 minutes.

Carried unanimously.

At the resumption of the meeting of the Transport, Heritage, Environment and Planning Committee at 5.58pm, those present were –

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

**Order of Business**

The Transport, Heritage, Environment and Planning Committee agreed, for the convenience of the public present, that the Order of Business be altered such that Item 9.7 be brought forward and dealt with before Item 9.5.

The meeting of the Transport, Heritage, Environment and Planning Committee concluded at 6.22pm.

**Report of the Transport, Heritage, Environment and Planning Committee**

Moved by Councillor Chan, seconded by Councillor Kok –

That the report of the Transport, Heritage, Environment and Planning Committee of its meeting of 15 August 2022 be received, with Item 9.1 being noted, the recommendations set out below for Items 9.2, 9.3, 9.5, 9.7 and 9.8 being adopted in globo and Items 9.4 and 9.6 being dealt with as shown immediately following those items.

Carried unanimously.

## **Item 9.1**

### **Disclosures of Interest**

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

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

## **Item 9.2**

### **Traffic Treatment - Alexandria Local Area Traffic Management - Proposed Permanent Road Closures**

It is resolved that Council approve the regulation of traffic to effect permanent road closures at the following locations:

- (A) Loveridge Street closure at Power Avenue, noting that it will be open at McEvoy Street; and
- (B) Brennan Street closure at McEvoy Street.

Carried unanimously.

X010878

## **Item 9.3**

### **Project Scope - Sydney Park Brick Kilns Heritage Renewal Works**

It is resolved that Council:

- (A) endorse the works described in the subject report for the purposes of proceeding with design development and lodgement of the development application, documentation and tender for construction works; and
- (B) note the estimated project forecast as outlined in Confidential Attachment C to the subject report.

Carried unanimously.

X082505.008

## Item 9.4

### Public Exhibition - Graffiti Management Policy

Note – The Transport, Heritage, Environment and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 22 August 2022.

At the meeting of Council, the following alternative recommendation was adopted (as contained in the Information Relevant To memorandum dated 19 August 2022 from the Director City Services, circulated prior to the meeting).

Moved by Councillor Chan, seconded by Councillor Scott –

It is resolved that Council:

- (A) approve the draft Graffiti Management Policy as shown at Attachment A to the subject report, for public exhibition for a period of 28 days, subject to the following amendments:

- (i) *the following paragraph in the 'Public Art and Street Art' section be amended to read:*

Murals and street art applied without relevant consent are considered to be unlawful graffiti. If a property owner confirms that ~~no approval~~ **owners consent** has **not** been given to unlawful graffiti on their property, arrangements will be made for its removal.

- (ii) *insert the following paragraph at the end of the 'Public Art and Street Art' section*

***Where new street art is identified, the location is cross referenced with the City's street art register. If the location is not on the register the Director City Services and CEO are notified. The CEO will make a determination regarding removal if required, and the item is either added to the street art register or removed as unlawful graffiti. A copy of the approval to remove process flowchart is included as an appendix to this Policy.***

- (iii) *insert the 'Approval to Remove Process Flowchart' as an appendix to the Graffiti Management Policy as shown at Attachment A to subject Information Relevant To memorandum; and*

- (B) note that the draft Graffiti Management Policy, including any recommended changes, will be reported to Council for consideration following the exhibition period.

Variation. At the request of Councillor Scott, and by consent, the motion was varied such that (A)(ii) read as follows –

- (ii) *insert the following paragraph at the end of the 'Public Art and Street Art' section*

***Where new street art is identified, the location is cross referenced with the City's street art register. If the location is not on the register the Director City Services and CEO are notified. The CEO, in consultation with the Lord Mayor, will make a determination regarding removal if required, and the item is either added to the street art register or removed as unlawful graffiti. A copy of the approval to remove process flowchart is included as an appendix to this Policy.***

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

That the motion be amended by the insertion of a new clause (B), to read as follows –

- (B) include in the consultation a proposal for community feedback, whereby a proportion of Council's annual current graffiti removal budget is re-directed to the creation of new street art. Similar to successful schemes implemented in neighbouring inner west councils and other cities, this would involve the Council focusing less resources on removing street tags, and instead focusing on investing in creating new street art as an anti-graffiti measure.

With remaining clauses to be renumbered accordingly.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

Amendment lost.

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

X090053

## **Item 9.5**

### **Public Exhibition - Local Approvals Policy for Hoardings and Scaffolding**

It is resolved that Council:

- (A) approve the draft Local Approvals Policy for Hoardings and Scaffolding 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) approve the supporting Guidelines for Hoardings and Scaffolding shown at Attachment B to the subject report for public exhibition;
- (C) Council note that the draft Local Approvals Policy for Hoardings and Scaffolding, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (D) authority be delegated to the Chief Executive Officer to undertake minor editorial corrections prior to the exhibition of the draft Local Approvals Policy for Hoardings and Scaffolding.

Carried unanimously.

X086769

**Item 9.6****Post Exhibition - Planning Proposal - Performance Standards for Net Zero Energy Buildings - Local Environmental Plans and Development Control Plan Amendments**

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

It is resolved that:

- (A) Council note matters raised in response to the public exhibition of Planning Proposal and draft Development Control Plan - Performance Standards for Net Zero Energy Buildings as detailed in this report and shown in Attachment A to the subject report;
- (B) Council approve Planning Proposal - Performance Standards for Net Zero Energy Buildings, with amendments in response to submissions, as shown at Attachment B to the subject report, to be sent to the Department of Planning and Environment to be made as a local environmental plan;
- (C) Council approve the draft Development Control Plan - Performance Standards for Net Zero Energy Buildings, with amendments in response to submissions, as shown at Attachment C to the subject report to be commenced upon the making of the local environmental plan; and
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal and draft DCP - Performance Standards for Net Zero Energy Buildings to correct any minor errors, omissions or inconsistencies prior to finalisation.

Carried unanimously.

X081213

**Item 9.7****Post Exhibition - Planning Proposal - 2 Chifley Square, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal - 2 Chifley Square, Sydney, the draft Sydney Development Control Plan 2012 - 2 Chifley Square, Sydney amendment, and draft Voluntary Planning Agreement, as shown in Attachments A and A1 to the subject report;
- (B) Council approve Planning Proposal - 2 Chifley Square, Sydney, as amended in response to submissions following public exhibition and shown at Attachment B to the subject report, and request the relevant local plan making authority make 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 - 2 Chifley Square, Sydney amendment, as amended in response to submissions following public exhibition and shown at Attachment C to the subject report, noting the approved Development Control Plan will come into effect on the date of publication of the subject Local Environmental Plan;
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal - 2 Chifley Square, Sydney and draft Sydney Development Control Plan - 2 Chifley Square, Sydney amendment to correct any minor errors, omissions or inconsistencies prior to finalisation; and

- (E) Council note the draft Voluntary Planning Agreement, as shown at Attachment D to the subject report will be executed under delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.

Carried unanimously.

X038910

**Speaker**

Mark Stante (Charter Hall) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 9.7.

**Item 9.8**

**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 to F to the subject report;
- (C) note the contents of Attachment B to the subject report and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 1 and 3 Dunning Avenue, Rosebery;
- (D) note the contents of Attachment C to the subject report and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 29-37 Epsom Road, Rosebery;
- (E) note the contents of Attachment D to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 80 George Street, The Rocks;
- (F) note the contents of Attachment E to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 20 Pymont Bridge Road, Camperdown; and
- (G) note the contents of Attachment F to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 200-218 Goulburn Street, Surry Hills.

Carried unanimously.

S105001.002



## Item 10 Questions on Notice

### 1. Potential Savings Forecast

By Councillor Jarrett

#### Question

In the Quarter 4 Review, the City of Sydney has a proposed forecast of \$10 million in potential savings in the budget forecast of the City of Sydney.

1. What is the breakdown of the proposed forecast of \$10 million as to each project and where have these potential savings occurred, and what is the amount forecast to be saved on each project?
2. What is each project's respective scope where there is a potential saving?
3. What are the reasons for each potential saving within the breakdown of \$10 million in potential savings?

X086666

#### Answer by the Chief Executive Officer

The table below represents the top 10 projects which amounts to \$7.0M of the \$10.0M potential savings. The remaining \$3.0M is across a further 33 projects.

Project Name	Potential Saving (\$'M)	Reason for potential saving
Joynton Avenue Stormwater Drainage Upgrade	2.1	Additional flood modelling has shown that the scope can be significantly reduced and still meet the flood mitigation objectives. Revised scope being documented.
King St Cycleway - Stage 2	1.1	Construction contract pricing was less than estimated. Project now complete
Drying Green Park	1.0	Project savings from not all of the contingency being required.
City of Sydney Creative Studios	0.9	Actual pricing of various fit out contracts was less than estimated. Project now complete
Pitt Street Cycleway	0.4	Construction contract pricing was less than estimated. Project now complete
Urban Skate Park - Sydney Park	0.4	Project savings from not all of the contingency being required.
Crowded Place Protection	0.3	George Street South Pedestrianisation project uses street furniture to meet crowded place protection requirements. Savings from dual purpose design.

Project Name	Potential Saving (\$'M)	Reason for potential saving
Perry Park - Stage 2 Basketball Court	0.3	Project savings from not all of the contingency being required.
Wilson and Burren St cycleway	0.2	Project savings from not all of the contingency being required.
Chalmers Cycleway Link	0.2	Construction contract pricing was less than estimated. Project now complete

*\*The top 10 projects have been provided which detail 70 per cent of the overall variances in this category, noting that the explanations for the remainder of the savings/adjustments for projects of lesser value, would follow a very similar pattern.*

## 2. Minor Adjustments Forecast Breakdown

By Councillor Jarrett

### Question

In the Quarter 4 Review, the City of Sydney has a proposed forecast of \$35 million in minor adjustments in the budget forecast including 197 individual projects.

1. What is the breakdown of each minor adjustment for each of the 197 individual projects respectively?
2. What is each project's respective scope where there is a potential saving?
3. What are the reasons for the minor adjustment for each individual project within the breakdown of \$35 million in individual adjustments.

X086666

### Answer by the Chief Executive Officer

The table below represents 16 of the 197 projects at a value \$15.0M.

Note that the total variance for minor adjustments (\$35M) includes the \$3.0M balance of unspent capital works contingency.

Project Name	Variance \$'M (minor adjustment)	Reason for the variance
Future Capital Projects - Open Space Renewal - Provisional	1.5	Provisional amount was not required for FY22
Street Trees Planting Program	0.9	Extensive wet weather limited site access, particularly park tree planting. Stock supply was also impacted by flooding in northern NSW, delayed the palm tree planting program.

<b>Project Name</b>	<b>Variance \$'M (minor adjustment)</b>	<b>Reason for the variance</b>
Wilcox Mofflin - Heating and Cooling Upgrades	0.9	Delay to completing RFT documentation as needed to re-do BMS specification. QS estimate of previous BMS specification was in excess of \$1M for the BMS scope alone. The team needed to engage a specialist BMS design consultant.
Renewable Energy Fund - Solar Panels and Batteries Projects	0.8	Variance relates to savings associated to phase one solar roll-out. These funds will be used in future years to explore how these solar assets can integrate with battery technology.
343 George Street - Facade Remediation	0.8	Underspend due to program delays with Covid, extended tender period & timeframes for planning approvals and laneway access deed agreement with adjacent building owner
Alexandra Canal Depot Workspace Relocation	0.7	Underspend as contractor construction works were delayed with Covid and other factors.
Zetland Avenue (West) - Paul Street to Portman Street	0.7	Underspend is due to works being delayed to meet developer access requirements as part of VPA conditions
City Recital Hall Base Building Works	0.7	Underspend due to delays in consultant design development impacting construction spend.
Synthetic Sports Field - Crescent Park	0.7	Underspend and program delay due to prolonged DA planning assessment and Transport for NSW approvals.
Parks General - Minogue Crescent Reserve	0.7	Variance is from delays due to reject and negotiate of tender.
CBD Recycled Water Project	0.6	Funds pushed to future years based on market feedback. Market affected by Covid.
343 George Street, Fitout of Vacant Suites	0.6	Design completed in FY22, with construction in FY23.
COVID Clean Air Measures	0.6	Air cleansing units rolled out. Underspend due to delays in consultant design development.
Pittsway Arcade Food Court Refurbishment and Upgrade	0.6	Underspend due to contractor's program with long lead time items, due to Covid impacted supply lines.

<b>Project Name</b>	<b>Variance \$'M (minor adjustment)</b>	<b>Reason for the variance</b>
Bay St Depot - Renewal and Upgrade	0.6	Most preliminary investigation works undertaken inhouse. Project renamed Bay Street East Depot Redevelopment and EOI is currently out for Design Services.
Automated Public Toilet - Sydney Place (Woolloomooloo)	0.6	Development application under assessment. Design and Prototype already approved.

*\*The top 16 projects, and information on unspent capital works contingency have been provided which detail over 40 per cent of the overall variances in this category, noting that the explanations for the remainder of the savings/adjustments for projects of lesser value, would follow a very similar pattern.*

### **3. Council and Public Spaces – Free Storage Space for Non-Profit Organisations and Community Organisations**

By Councillor Ellsmore

#### **Question**

1. Does the City of Sydney currently have any venues which would be suitable for the use by community or not for profit organisations to store items that have been donated to them? If yes, please provide details.
2. Does the City of Sydney have any programs or grants to enable community organisations or non-profit organisations to access and use under-utilised City of Sydney venues for the storage for items that have been donated to them? If yes, please provide details.

X086664

#### **Answer by the Chief Executive Officer**

1. The City does not have any venues that are considered suitable solely for this purpose.
2. Organisations can apply through the City's Accommodation Grants Program (AGP) to use our spaces. This competitive grants program includes a diverse range of buildings and spaces that vary in size, location and function. The grants support community groups, organisations and services that encourage community development and enhance social, cultural and environmental programs, support services and address community opportunities and needs. It provides opportunities for these organisations to operate in facilities they could not otherwise afford to meet their organisational goals and maximise community benefits through use of space. Organisations could apply through this program for storage purposes, noting however, applications would be compared to other applicants and their proposed use of the space. Organisations could also apply for grant funding to cover the costs of storage, however as noted above, all applications would be compared to other applicants and their proposed use of funds.

#### 4. Leave Accrual Error

By Councillor Weldon

##### Question

1. Has Council been briefed by the Chief Executive Officer or staff in regards to a leave accrual error that, as I understand, was identified in 2021 and dates back to a 2018 system upgrade after which leave continued to accrue at the standard rate for employees on leave with half pay?
2. If the answer to 1 is yes, on what date(s) and in what form(s) was an initial briefing and any subsequent updates provided?
3. If the answer to 1 is no, why have Council not been informed?
4. How many staff were impacted by this leave accrual error and to what extent were these staff impacted?
5. What consultation was undertaken with employees who were impacted?
6. What steps have been taken to resolve the incorrect accrual of leave?
7. At any point since the onset of the leave accrual error, were any impacted staff required or instructed to take leave as a result of having excess annual leave?
8. Have any concessions been made to staff who, as a factor of the leave accrual error, were required or instructed to take leave that they would not otherwise have been required or instructed to take?
9. Are there any ongoing disputes with current or former staff who were impacted?
10. Has the City engaged with the relevant union(s) for those employees who were impacted by this error?
11. Has the City been made aware of any complaints to the Industrial Relations Commission of NSW?

X086670

##### Answer by the Chief Executive Officer

The City experienced a technical issue when its Human Resources system (Chris 21) was upgraded. As a result of the upgrade, the system incorrectly calculated leave accruals for employees who took half pay leave. This led to some employees accruing more leave than they were entitled to.

All impacted employees were personally contacted to let them know what had occurred and that their leave balances would be corrected in the system. The relevant unions were also advised.

A few employees requested the option of having the adjustments made over a 12-month period as they had leave planned and these requests were accommodated.

The system has been re-configured to prevent any further over accruals.

The City's external Auditors conducting the Payroll and Chris 21 Audit were advised of the error, and this was included in the 2022 audit review.

Councillors were not advised as IT systems and payroll matters are administrative and fall under the functions of the Chief Executive Officer to conduct the management of the council.

## 5. Temporary Cycleways in City of Sydney

By Councillor Weldon

### Question

1. On 29 May 2020 did then Minister for Planning the Hon Rob Stokes sign the Environmental Planning and Assessment (COVID-19 Development Temporary Cycleways) Order 2020 as part of the NSW Government's emergency response to Covid-19 under section 10.17 of the Environmental Planning and Assessment Act 1979?
2. Were cycleways erected during 2020 as temporary cycleways under the Environmental Planning and Assessment (Covid-19 Development Temporary Cycleways) Order 2020 in Moore Park Road, Dunning Avenue, Pitt Street, Bridge Road, Fitzroy Street, and Sydney Road?
3. Was a condition specified for the development for the purposes of a temporary cycleway (including construction, installation and work for those purposes) that the development must not remain in place for more than two months after the expiration of the "prescribed period"?
4. Was the "prescribed period" defined in Section 10.17 as ending six months after the commencement of the section or on a later day not more than 12 months after the commencement as specified by the Regulations?
5. Was the "prescribed period" later amended to be 31 March 2022.
6. Was this amendment to Section 10.17 made by the COVID 19 Recovery Act 2021 No 5, assented to on 25 March 2021?
7. As of 1 June 2022, which temporary cycleways have been removed in City of Sydney in compliance with the condition specified for their development?
8. As of 1 June 2022, are any temporary cycleways in City of Sydney being maintained in contravention of a condition which had been specified for their development?
9. If the answer to 6 is yes, please advise the locations of temporary cycleways being maintained in contravention of the condition they must not remain in place for more than two months after the expiration of the prescribed period.
10. If the answer to 6 is yes, by what authority are these temporary cycleways being maintained?
11. If the answer to 6 is yes, is it the intention of Council to remove these temporary cycleways?

X086670

### Answer by the Chief Executive Officer

Transport for NSW and the City of Sydney delivered seven pop up cycleways in the City of Sydney under the Environmental Planning and Assessment (COVID-19 Development-Temporary Cycleways) Order 2020 ("Order"). The original Order required that pop-up cycleways be removed within two months of the expiry of the prescribed period unless they are approved through the usual planning processes under Part 5 of the Environmental Planning and Assessment Act 1979. On 25 March 2021, the NSW Government extended the prescribed period for temporary planning measures until 31 March 2022.

On 17 May 2021, Council approved the process to retain all the pop-up cycleways on council-controlled roads under Part 5 of the Environmental Planning and Assessment Act 1979, as follows:

- **Dunning Avenue pop-up cycleway** - The [report](#) to council in May 2021 detailed the planning process to keep the Dunning Avenue pop-up cycleway in place for another two years. The report summarised the community consultation as follows

“The City received a total of 164 submissions including 145 survey responses and 19 email submissions. Of the total submissions 14 are in support of the proposal, 14 opposing and 136 with qualified responses and suggestions. Many of the suggestions reflected matters identified through earlier consultation processes and have been addressed in the Review of Environmental Factors following earlier engagement.”

The full engagement report is available on council’s [website](#).

- **Pitt Street pop-up cycleway** - The [report](#) to council in May 2021 was for approval to proceed with the permanent design for the cycleway on Pitt Street, to replace the pop-up cycleway. The report summarised the community consultation as follows:

“The City received a total of 89 submissions comprising 75 survey responses and 14 email submissions. 47 responses were supportive, 7 responses were in opposition and 35 were qualified responses with suggestions.”

The full engagement report is available on council’s [website](#):

- **Ashmore to Eveleigh pop-up cycleway** - The [report](#) to council in May 2021 was for approval to proceed with the permanent design for the cycleway on Henderson Road, Railway Parade and Bridge Street, to replace the pop-up cycleway. The report summarised the community consultation as follows:

“There were 453 submissions specifically in response to the Henderson Road, Railway

Parade and Bridge Street proposal with 347 objecting to the proposal, 65 comments with mixed support and design suggestions, and 41 supporting the proposal.

Submissions supporting the proposal believed that the changes would improve safety and cycle access through the area and reduce vehicle speeds. Some of the concerns raised related to the narrowing of the adjacent traffic lanes and loss of parking.

A large number of submissions opposed the Railway Parade one-way closure as it has resulted in increased traffic in Park Street. In response the City has developed a proposal for traffic calming measures in Park Street, with input from Park Street residents, and has sought community feedback on this proposal from 24 February 2021 to 3 March 2021. Engagement activities have included letterbox drops, drop-in sessions at Solander Park and email correspondence. Residents supported the changes and temporary work is now complete. Permanent work will commence in May 2021.

In response to concerns about increased traffic on Park Street, the project for the permanent cycleway will also redesign Railway Parade back to two-way traffic but with additional traffic calming measures.”

The full engagement report is available on council’s [website](#):

- **Moore Park Road and Fitzroy Street pop-up cycleways** - The [report](#) to council in May 2021 detailed the planning process to keep the Moore Park Road and Fitzroy Street pop-up cycleways in place for another two years while Transport for NSW build a replacement cycleway on Oxford Street between Centennial Park and Taylor Square. The report summarised the community consultation as follows:

“For Moore Park Road, the City received a total of 123 submissions, including 102 survey responses and 21 email submissions, with 41 responses in support of the proposal, 37 opposing and 45 with qualified responses and suggestions.

For Fitzroy Street, the City received a total of 49 submissions, including 42 survey responses and 7 email submissions, with 14 responses in support of the proposal, 6 opposing and 29 with qualified responses and suggestions.”

The full engagement reports are available on council’s website for [Moore Park Road](#) and [Fitzroy Street](#).

This information can be found on the City’s website, under the agenda for the [Environment Committee on 10 May 2021](#) and has also been previously provided to Councillors via a CEO Update on 11 March 2022 (in response to a Notice of Motion considered by Council on 21 February 2022).

Any questions about the Transport for NSW pop-up cycleways, on Bridge Road or Sydney Park Road, can be directed to Transport for NSW for the latest information. A CEO Update circulated on 14 February 2022 reported that Transport for NSW has announced it will make the cycleway on Bridge Road permanent. Sydney Park Road works are part of the Transport for NSW Sydney Park Gateway Project.



## Item 11      **Supplementary Answers to Previous Questions**

Supplementary Answers to Questions on Notice are as follows:

### **Question on Notice – Council 27 June 2022**

#### **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.

### Supplementary Answer

At the June 2022 Council meeting, a Question on Notice was tabled relating to pedestrian safety on Bulwara Road, Ultimo.

Part 5 of the Question on Notice requested the City to provide any statistics or information in relation to the amount of traffic incidents and complaints relating to pedestrian safety on Bulwara Road. City staff have collated and provided the information in this CEO Update.

Between January 2017 and present, the City has received 21 enquiries relating to traffic and pedestrian safety in Bulwara Road between William Henry and Fig Streets as outlined below.

Number of Traffic and Pedestrian Safety Related Enquiries in Bulwara Road, Ultimo between William Henry and Fig Streets.							
Issue	2017	2018	2019	2020	2021	2022	Total
Pedestrian Safety	-	5	5	-	-	-	10
Speeding	-	1	2	-	-	-	3
Traffic calming	-	2	1	2	2	1	8
<b>Total</b>	<b>0</b>	<b>8</b>	<b>8</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>21</b>

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.

## Item 12 Notices of Motion

### Item 12.1 Fossil Fuel Advertising in the City

By Councillor Scully

It is resolved that:

(A) Council note that:

- (i) in 1992, Australia passed national laws that banned advertising of tobacco products because smoking was harmful to the health of people. Advertising these products was linked to an increase in tobacco use. Because of this, Council restricts the advertising of tobacco and other harmful products on Council controlled land and events;
- (ii) coal, oil and gas are affecting our health, environment and climate. Air pollution from burning fossil fuels takes 8.7 million lives prematurely each year – more than tobacco. An estimated 150,000 people are dying due to climate change impacts every year;
- (iii) fossil fuels are the primary cause of global warming, which is impacting our City and Greater Sydney in the form of more intense and frequent heatwaves, storms, bushfires, floods and droughts;
- (iv) we are facing a climate emergency and we are aiming to reach net zero by 2035. The City of Sydney endorsed a declaration of climate emergency in June 2019, firmly stating that the people of Sydney are at risk of climate change. Advertising fossil fuels on Council property or facilities is inconsistent with this adopted Council position;
- (v) restrictions on fossil fuel advertising are in place in France, and at least seven local government areas in the UK and the Netherlands. Similar laws are being debated in the European Union, Germany, Sweden and Canada;
- (vi) the Federal Government has a responsibility to implement restrictions on fossil fuel advertising through national laws, like what was done for tobacco advertising which saw a proven reduction in tobacco consumption per capita, therefore reducing the health burden of tobacco use. A result highly favoured by the Federal Government;
- (vii) Victoria's Yarra and Moreland (Merri-bek) councils have voted for a staff report on how to restrict fossil fuel promotions on council-managed land; and
- (viii) the City of Sydney should also investigate ways to restrict fossil fuel advertising and Council should not accept sponsorships from companies whose main business is the extraction or sale of coal, oil and gas;

(B) the Lord Mayor be requested to:

- (i) write to the Federal Minister for Communications, The Hon Michelle Rowland MP, to ask the Federal Government to pass national laws that restrict fossil fuel advertising; and
- (i) write to Minister for Digital Government and Minister for Customer Service, Victor Dominello MP requesting the NSW Government impose restrictions on fossil fuel advertising; and

(C) the Chief Executive Officer be requested to:

- (i) investigate implementing restrictions on advertising for fossil fuels for any Council controlled signage or property, as well as a ban on accepting sponsorships from companies whose main business is the extraction or sale of coal, oil or gas;
- (i) work with other councils, Local Government NSW and the Australian Local Government Association to encourage a consistent approach across local government to fossil fuel advertising; and
- (ii) ask City staff to undertake a review of City policies or strategies that may allow for the promotion of fossil fuels.

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

Moved by Councillor Scully, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note that:

- (i) in 1992, Australia passed national laws that banned advertising of tobacco products because smoking was harmful to the health of people. Advertising these products was linked to an increase in tobacco use. Because of this, Council restricts the advertising of tobacco and other harmful products on Council controlled land and events;
- (ii) coal, oil and gas are affecting our health, environment and climate. Air pollution from burning fossil fuels takes 8.7 million lives prematurely each year – more than tobacco. An estimated 150,000 people are dying due to climate change impacts every year;
- (iii) the launch of the 'Fossil Ad Ban' community campaign, calls for a tobacco-style bans on advertisements and sponsorships for fossil fuels including coal, oil and gas;
- (iv) fossil fuels are the primary cause of global warming, which is impacting our City and Greater Sydney in the form of more intense and frequent heatwaves, storms, bushfires, floods and droughts;
- (v) we are facing a climate emergency and we are aiming to reach net zero by 2035. The City of Sydney endorsed a declaration of climate emergency in June 2019, firmly stating that the people of Sydney are at risk of climate change. Advertising fossil fuels on Council property or facilities is inconsistent with this adopted Council position;
- (vi) restrictions on fossil fuel advertising are in place in France, and at least seven local government areas in the UK and the Netherlands. Similar laws are being debated in the European Union, Germany, Sweden and Canada;
- (vii) an open letter from health professionals and organisations across Australia are calling on councils and other Australian lawmakers to end promotions for coal, oil and gas, on the basis that these fossil fuels are damaging for our health, environment and the climate;
- (viii) the Federal Government has a responsibility to implement restrictions on fossil fuel advertising through national laws, like what was done for tobacco advertising which saw a proven reduction in tobacco consumption per capita, therefore reducing the health burden of tobacco use. A result highly favoured by the Federal Government;

- (ix) Victoria's Yarra and Moreland (Merri-bek) councils have voted for a staff report on how to restrict fossil fuel promotions on council-managed land; and
  - (x) the City of Sydney commits to work to support the community campaign for a ban on advertising by companies involved in the production or supply of fossil fuels, including at Council sponsored events and on council-managed property;
- (B) the Lord Mayor be requested to:
- (i) write to the Federal Minister for Communications, The Hon Michelle Rowland MP, to ask the Federal Government to pass national laws that restrict fossil fuel advertising; and
  - (ii) write to the Minister for Digital Government and Minister for Customer Service, Victor Dominello requesting the NSW Government impose restrictions on fossil fuel advertising; and
- (C) the Chief Executive Officer be requested to:
- (i) investigate implementing restrictions on advertising for fossil fuels for any Council controlled signage or property, as well as a ban on accepting sponsorships from companies whose main business is the extraction or sale of coal, oil or gas;
  - (ii) work with other councils, Local Government NSW and the Australian Local Government Association to encourage a consistent approach across local government to fossil fuel advertising; and
  - (iii) ask City staff to undertake a review of City policies or strategies that may allow for the promotion of fossil fuels.

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

That clauses (B) and (C) be amended to read as follows:

- (B) the Lord Mayor be requested to:
- (i) write to the Federal Minister for Communications, The Hon Michelle Rowland MP, to ask the Federal Government to pass national laws that restrict fossil fuel advertising;
  - (ii) write to the Minister for Digital Government and Minister for Customer Service, Victor Dominello requesting the NSW Government impose restrictions on fossil fuel advertising; and
  - (iii) ensure the City of Sydney fast tracks our City's emission reduction actions, by supporting changing the City's net zero emissions target to 2030, from the current target of 2035; and
- (C) the Chief Executive Officer be requested to:
- (i) amend the City of Sydney's Strategic Plan to fast track the City's net zero target to be achieved by 2030;
  - (ii) investigate implementing restrictions on advertising for fossil fuels for any Council controlled signage or property, as well as a ban on accepting sponsorships from companies whose main business is the extraction or sale of coal, oil or gas;
  - (iii) work with other councils, Local Government NSW and Australian Local Government Association to encourage a consistent approach across local government to fossil fuel advertising; and

- (iv) ask City staff to undertake a review of City policies or strategies that may allow for the promotion of fossil fuels.

### **Adjournment**

At this stage of the meeting, at 8.24pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.43pm.

The amendment was lost on the following show of hands:

Ayes (4) Councillors Ellsmore, Gannon, Scott and Weldon

Noes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok, Jarrett\* and Scully.

\*Note - Councillor Jarrett abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Jarrett is taken to have voted against the amendment.

Amendment lost.

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

That clause (C) be amended to read as follows:

(C) the Chief Executive Officer be requested to:

- (i) investigate bringing forward the City's net zero target in the City of Sydney's Strategic Plan in light of the change of Federal Government;
- (ii) investigate implementing restrictions on advertising for fossil fuels for any Council controlled signage or property, as well as a ban on accepting sponsorships from companies whose main business is the extraction or sale of coal, oil or gas;
- (iii) work with other councils, Local Government NSW and Australian Local Government Association to encourage a consistent approach across local government to fossil fuel advertising; and
- (iv) ask City staff to undertake a review of City policies or strategies that may allow for the promotion of fossil fuels.

The amendment 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\*

\*Note - Councillor Jarrett abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Jarrett is taken to have voted against the amendment.

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.

\*Note – Councillor Gannon abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Gannon is taken to have voted against the motion.

Amended motion carried.

X086654

### **Points of Order**

During discussion of Item 12.1, Councillor Scully raised a point of order, stating that, pursuant to clause 5.10 of the Code of Meeting Practice, Councillor Weldon is required to speak through the Chair.

Councillor Chan raised a further point of order, stating that, pursuant to clause 5.9 of the Code of Meeting Practice, any Councillor speaking must cease speaking when the Chair speaks.

The Chair (the Lord Mayor) upheld the points of order, and further directed Councillor Weldon to clause 8.18 of the Code of Meeting Practice.

## Item 12.2 Co-Funding for Aerial Bundled Cables (ABCs) with Councils

By Councillor Scully

It is resolved that Council submit the following motion for consideration at the next Local Government NSW Annual Conference:

It is resolved that:

(A) Local Government NSW note:

- (i) the NSW Government is aiming to plant five million trees across Greater Sydney by 2030 to help achieve its goal of increasing canopy cover to 40 per cent;
- (ii) increasing the tree canopy in our local parks, streets and neighbourhoods will provide much needed shade and shelter from heat, improve our air and water quality, improve health and wellbeing and build our resilience to climate change;
- (iii) street trees provide the most urban cooling benefit, as they shade hard surfaces like buildings and asphalt;
- (iv) electricity distributors only consider small trees suitable for planting under powerlines. Pruning to ensure safe clearances by electricity distributors can often significantly reduce the urban canopy;
- (v) when overhead low voltage bare wire cables are upgraded to insulated cable known as aerial bundled cable (ABC), trees can grow closer to the wires and can be directionally pruned around the wires, allowing for larger trees and greater canopy cover;
- (vi) local residents regularly express concern regarding the heavy pruning of street trees by contractors as overhead bare wire cables cannot come within close proximity of tree canopy;
- (vii) currently if a council wants to upgrade the network from bare wire to an aerial bundled cable, it would need to hire an Accredited Service Provider and would bear the full cost of the upgrade;
- (viii) in preparing for its Draft Plan 2024-29, Ausgrid consulted with Councils through various working groups. At the vegetation management and resilience groups, several councils asked for more aerial bundled cabling;
- (ix) Ausgrid is proposing working with Councils to co-fund upgrades to ABC, as part of a broader climate resilience program;
- (x) the proposal includes a priority funding program for councils with low urban canopy cover and low proportions of ABC in their overhead network. Priority councils would receive a 70 per cent funding contribution from Ausgrid. It also includes a non-priority program which provides 50 per cent co-funding contribution;



- (xi) Ausgrid is seeking a letter of 'in-principle' support from councils for the program in their Draft Plan 2024-29, in support of a budget allocation for fund which would see Ausgrid allocating \$12.2 million to work with local governments to deliver more aerial bundled cable;
  - (xii) local governments and residents across NSW would benefit if both Essential Energy and Endeavour Energy, the network operators for Greater Sydney and parts of regional NSW, were to implement similar co-funding programs for councils; and
  - (xiii) many councils may still find the costs of these upgrades prohibitive, and the NSW Government could support councils with funding for their contributions, which would enable the NSW Government to achieve their canopy cover goal of 40 per cent; and
- (B) Local Government NSW:
- (i) ask NSW councils to support the co-funding proposal;
  - (ii) write to Essential Energy and Endeavour Energy to encourage implementation of similar programs across Greater Sydney; and
  - (iii) write to the NSW Department of Planning and Environment for funding to support councils with their contribution towards the program.

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

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney is aiming to increase its tree canopy to 27 per cent cover by the year 2050. It has earmarked \$377 million to invest in parks, green roofs and walls, streetscape gardening and improved urban forests across the whole Local Government Area, including the planting of at least 700 trees a year;
- (ii) the NSW Government is aiming to plant five million trees across Greater Sydney by 2030 to help achieve its goal of increasing canopy cover to 40 per cent;
- (iii) increasing the tree canopy in our local parks, streets and neighbourhoods will provide much needed shade and shelter from heat, improve our air and water quality, improve health and wellbeing and build our resilience to climate change;
- (iv) street trees provide the most urban cooling benefit, as they shade hard surfaces like buildings and asphalt;
- (v) electricity distributors only consider small trees suitable for planting under powerlines. Pruning to ensure safe clearances by electricity distributors can often significantly reduce the urban canopy;
- (vi) when overhead low voltage bare wire cables are upgraded to insulated cable known as aerial bundled cable (ABC), trees can grow closer to the wires and can be directionally pruned around the wires, allowing for larger trees and greater canopy cover;

- (vii) local residents regularly express concern regarding the heavy pruning of street trees by Ausgrid contractors as overhead bare wire cables cannot come within close proximity of tree canopy;
  - (viii) currently if a council wants to upgrade the network from bare wire to ABC, it would need to hire an Accredited Service Provider and would bear the full cost of the upgrade;
  - (ix) in preparing for its Draft Plan 2024-29, Ausgrid consulted with Councils through various working groups. At the vegetation management and resilience groups, several Councils asked for more aerial bundled cabling;
  - (x) Ausgrid is working with Councils to co-fund upgrades to ABC, as part of a broader climate resilience program;
  - (xi) the City of Sydney was previously involved in a similar co-funding program with Ausgrid that ended roughly 10 years ago. Since the end of this program, city staff have continued to advocate for ABC and undergrounding of cables;
  - (xii) the proposal includes a priority funding program for councils with low urban canopy cover and low proportions of ABC in their overhead network. Priority councils would receive a 70 per cent funding contribution from Ausgrid. It also includes a non-priority program which provides 50 per cent co-funding contribution;
  - (xiii) under the terms of the draft program, the City of Sydney may be eligible for roughly \$277,000 in non-priority program funding to upgrade 63 spans over 2024-2029;
  - (xiv) Ausgrid is seeking a letter of 'in-principle' support from councils for the program when they release their Draft Plan 2024-29 for consultation on 31 August 2022;
  - (xv) councils should consider the benefit if both Essential Energy and Endeavour Energy, the network operators for the Greater Sydney area and regional NSW, were to implement similar co-funding programs for Councils;
  - (xvi) this would facilitate the City of Sydney's Greening Strategy to increase canopy cover of the Local Government Area by 50 per cent by 2030 and enable the NSW Government to achieve their canopy cover goal of 40 per cent;
- (B) the Chief Executive Officer be requested to write an in-principle letter of support to Ausgrid for the ABC co-funding program; and
- (C) Council submit a motion for consideration at the next Local Government NSW Annual Conference which:
- (i) explains the opportunity and asks NSW councils to consider supporting the co-funding proposal;
  - (ii) asks LGNSW to write to Essential Energy and Endeavour Energy to encourage implementation of similar programs across NSW; and
  - (iii) asks LGNSW to write to the NSW Department of Planning and Environment for funding to support Councils with their contribution towards the program.

Carried unanimously.

X086654

**Item 12.3 Roslyn Street Potts Point - Safety and Accessibility**

By Councillor Gannon

It is resolved that:

(A) Council note:

- (i) constituents in Potts Point have expressed concern about pedestrian access and safety along Roslyn Street between Ward Avenue and Roslyn Gardens, Potts Point;
- (ii) the work of Potts Point resident, Sean Adamson for his advocacy on this issue;
- (iii) Roslyn Street is a busy pedestrian route offering the shortest path between:
  - (a) Kings Cross and Roslyn Gardens;
  - (b) Kings Cross and Rushcutters Bay Park; and
  - (c) Kings Cross and Darlinghurst/Paddington via the William Street Footbridge;
- (iv) Potts Point and Elizabeth Bay are two of the nation's densest suburbs, are highly pedestrianised and are home to a diverse population with varying accessibility needs; and
- (v) pedestrian safety and accessibility have always been a priority of this Council; and

(B) the Chief Executive Officer be requested to:

- (i) investigate pedestrian accessibility, access and safety along Roslyn Street between Ward Avenue and Roslyn Gardens, Potts Point and that the investigation considers:
  - (a) widening of the footpath along Roslyn Street, Potts Point;
  - (b) reducing the speed limit;
  - (c) altering of the intersection at Roslyn Gardens from a Give Way to a Stop sign;
  - (d) installation of chicanes, or other traffic calming devices;
  - (e) narrowing the street and intersections on both ends of Roslyn Street; and
  - (f) increasing the tree canopy along the street;
- (ii) regularly report to Council via the CEO Update on the progress and timelines of the investigation; and
- (iii) provide a report to Council with the findings and recommendations of the investigation.

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

Moved by Councillor Gannon, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) constituents in Potts Point have expressed concern about pedestrian access and safety along Roslyn Street between Ward Avenue and Roslyn Gardens, Potts Point;
- (ii) the work of Potts Point resident, Sean Adamson for his advocacy on this issue;
- (iii) Roslyn Street is a busy pedestrian route offering the shortest path between:
  - (a) Kings Cross and Roslyn Gardens;
  - (b) Kings Cross and Rushcutters Bay Park; and
  - (c) Kings Cross and Darlinghurst/Paddington via the William Street Footbridge;
- (iv) Potts Point and Elizabeth Bay are two of the nation's densest suburbs, are highly pedestrianised and are home to a diverse population with varying accessibility needs;
- (v) pedestrian safety and accessibility have always been a priority of this Council;
- (vi) last year, Transport for NSW reduced the speed limit in Roslyn Street – and in all other streets in Potts Point, Kings Cross, Elizabeth Bay and Rushcutters Bay, except for William Street – to 40km/h after successful advocacy from the City; and
- (vii) two raised pedestrian crossings are scheduled to be installed at the intersection of Roslyn Street and Roslyn Gardens in 2023-24 as part of City's Capital Works Program; and

(B) the Chief Executive Officer be requested to:

- (i) investigate pedestrian accessibility, access and safety along Roslyn Street between Ward Avenue and Roslyn Gardens, Potts Point and that the investigation considers:
  - (a) widening of the footpath along Roslyn Street, Potts Point;
  - (b) reducing the speed limit;
  - (c) altering of the intersection at Roslyn Gardens from a Give Way to a Stop sign;
  - (d) installation of chicanes, or other traffic calming devices;
  - (e) narrowing the street and intersections on both ends of Roslyn Street; and
  - (f) increasing the tree canopy along the street;
- (ii) regularly report to Council via the CEO Update on the progress and timelines of the investigation; and
- (iii) provide a report to Council with the findings and recommendations of the investigation.

Carried unanimously.

X086658

**Item 12.4 Ban Fossil Fuel Advertising on Council Property****Procedural Motion**

Moved by Councillor Ellsmore, seconded by Councillor Scully –

That the motion be withdrawn as the matter had been dealt with at Item 12.1.

Carried unanimously.

## **Item 12.5 Support for Equity Ticketing through City of Sydney Programs and Venues**

By Councillor Ellsmore

It is resolved that:

- (A) Council notes that:
- (i) the City of Sydney is committed to ensuring equitable participation in the cultural life of the city by all members of the community;
  - (ii) a range of community members face social or financial barriers to attending cultural events, including those who identify as Aboriginal and/or Torres Strait Islander, people from underrepresented culturally and linguistically diverse communities (including people from migrant and refugee backgrounds and/or people of colour); trans and/or gender diverse people; and/or those living with disability;
  - (iii) the City of Sydney provides support for cultural activities through a range of Grants and Sponsorship Programs, and through access to City-owned properties, including iconic venues such as the Sydney Town Hall; and
  - (iv) 'equity ticket' programs support participation in the cultural life of the city by setting aside free or low-cost tickets to cultural performances for members of the community who might otherwise be unable to attend; and
- (B) the Chief Executive Officer be requested to:
- (i) provide advice to Council regarding the establishment of an 'equity ticket' program for cultural performances supported or enabled by the City of Sydney; and
  - (ii) include in the advice to Council:
    - (a) opportunities to facilitate equity ticketing through Council's Grants and Sponsorship Program;
    - (b) opportunities to facilitate equity ticketing at cultural performances held at Council-owned venues; and
    - (c) estimated costs that would be associated with establishing a City of Sydney equity ticket program.

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

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that:

(A) Council notes that:

- (i) the City of Sydney is committed to ensuring equitable participation in the cultural life of the city by all members of the community;
- (ii) a range of community members face social or financial barriers to attending cultural events, including those who identify as Aboriginal and/or Torres Strait Islander, people from underrepresented culturally and linguistically diverse communities (including people from migrant and refugee backgrounds and/or people of colour); trans and/or gender diverse people; and/or those living with disability;
- (iii) the City of Sydney provides support for cultural activities through a range of Grants and Sponsorship Programs, and through access to City-owned properties, including iconic venues such as the Sydney Town Hall; and
- (iv) the City's Creative City Cultural Policy includes "Improving Access, Creating Markets" as a Strategic Priority Area, with several actions aimed at providing access to cultural events for families, children, young people, people with disabilities and people on low incomes;
- (v) grant applicants are encouraged to deliver events that are free or at low cost to the City's community;
- (vi) the City provided seed funding to Shopfront Arts to establish Playwave, which provides low cost tickets to secondary school students;
- (vii) cultural and creative grant funding agreements encourage grant recipients to work with Playwave to offer tickets to their events;
- (viii) the City uses its sponsorship agreements to leverage tickets for distribution to targeted community groups from cultural organisations with the capacity to provide them;
- (ix) several theatres operating the City of Sydney provide access to heavily discounted tickets, set aside free tickets for people who couldn't otherwise afford them, or promote 'pay it forward' schemes;
- (x) 'equity ticket' programs support participation in the cultural life of the city by setting aside free or low-cost tickets to cultural performances for members of the community who might otherwise be unable to attend; and
- (xi) not all cultural organisations have the capacity to offer 'equity tickets' as many operate on tight budgets and deliver little or no financial returns to the people involved;

(B) Council acknowledge that not all cultural organisations have the capacity to offer 'equity tickets' as many operate on tight budgets and deliver little or no financial returns to the people involved, and that this notice of motion is intended to explore opportunities for the City to reduce barriers to access to cultural activities, rather than increase cost or burden on cultural organisations; and

- (C) the Chief Executive Officer be requested to provide advice to Council on other actions the City can take to increase or facilitate access to cultural activities and events, including:
- (i) on its own initiative, for example by offering an increased discount for hire of iconic City venues such as Sydney Town Hall, in return for offering an equity tickets to cultural performances;
  - (ii) in partnership with others;
  - (iii) through liaison and advocacy; and
  - (iv) by encouraging other appropriate organisations to establish an 'equity ticket' or 'pay it forward' program.

Carried unanimously.

X086659



## Item 12.6 Redfern North Eveleigh Rezoning Proposal

By Councillor Ellsmore

It is resolved that:

- (A) Council note that Transport for NSW has announced a rezoning proposal for the 'Redfern North Eveleigh Precinct Renewal', for public land adjoining Redfern Train Station and Carriageworks on Wilson Street in Darlington;
- (B) Council note that the plans for the site include: public space; new buildings ranging from three to 28 storeys; shops and retail; significant development of industrial heritage including the 'Paint Shop'; commercial buildings; and 15 per cent affordable housing (estimated 67 of a proposed new 450 homes);
- (C) Council note that more than 100 local residents attended a public meeting organised by residents' action group Redfern Everleigh Darlington Waterloo Watch (REDWatch), at the Redfern Community Centre on Saturday 13 August 2022, about the proposal;
- (D) Council note the high level of community concern about the proposal, including but not limited to:
  - (i) the short time frame for public comment on the proposal (submissions close 25 August 2022);
  - (ii) the lack of community input into development of the plans for the site, and lack of community input to the vision for the precinct generally;
  - (iii) loss or sell off of inner-city public land;
  - (iv) lack of protection for the unique industrial heritage in and around Redfern Station;
  - (v) insufficient affordable and public housing; and
  - (vi) lack of commitment for a connecting bridge across the railway tracks; and
- (E) Council commit to:
  - (i) facilitate the articulation of a better vision for the precinct – one which reflects the priorities and needs of current and future communities; and
  - (ii) support residents in their efforts to advocate for more time and significant changes to the plans for the site.

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

Moved by Councillor Ellsmore, seconded by Councillor Jarrett –

It is resolved that:

- (A) Council note that Transport for NSW (TfNSW) has announced a rezoning proposal for the 'Redfern North Eveleigh Precinct Renewal', for public land adjoining Redfern Train Station and Carriageworks on Wilson Street in Darlington;
- (B) Council note that the plans for the site include: public space; new buildings ranging from three to 28 storeys; shops and retail; significant development of industrial heritage including the 'Paint Shop'; commercial buildings; and 15 per cent affordable housing (estimated 67 of a proposed new 450 homes);
- (C) Council note that more than 100 local residents attended a public meeting organised by residents' action group Redfern Everleigh Darlington Waterloo Watch (REDWatch), at the Redfern Community Centre on Saturday 13 August 2022, about the proposal;
- (D) Council note the high level of community concern about the proposal, including but not limited to:
  - (i) the short time frame for public comment on the proposal (submissions close 25 August 2022);
  - (ii) the lack of community input into development of the plans for the site, and lack of community input to the vision for the precinct generally;
  - (iii) loss or sell off of inner-city public land;
  - (iv) lack of protection for the unique industrial heritage in and around Redfern Station;
  - (v) insufficient affordable and public housing;
  - (vi) traffic impacts and pedestrian safety;
  - (vii) lack of commitment for a connecting bridge across the railway tracks; and
  - (viii) the quality and location of public open space;
- (E) Council note that the City's draft submission objects to the proposal on the following grounds:
  - (i) planning decisions on the site should be made through local Council mechanisms, rather than determined by the NSW Minister or NSW Government as a 'State Significant' site;
  - (ii) the significant increase in residential and overall Gross Floor Area (GFA) is inappropriate;
  - (iii) the local infrastructure schedule is inadequate and doesn't consider impacts on assets owned, or proposed to be owned, by the City of Sydney, both inside and outside the precinct boundaries;
  - (iv) the proposal doesn't respect the heritage significance of the site and its individual components. The submission recommends that buildings and spaces of high heritage value be free from development;

- (v) the proposed location of residential towers adjacent to the railway corridor, which is a source of noise and vibration, will affect the amenity of future residents;
  - (vi) the proposed inclusion of 18 to 28 storey, high grade commercial towers will not deliver the affordable employment space previously identified as needed in the 'innovation precinct';
  - (vii) the affordable housing proposed is inadequate. The proposal doesn't meet the City's existing target for a minimum of 25 per cent affordable rental housing, which should apply in addition to any commitments to 'diverse housing';
  - (viii) the proposal doesn't include a commitment to provide for a minimum of 10 per cent of the total residential Gross Floor Area for culturally appropriate Aboriginal and Torres Strait Islander affordable housing to prevent their displacement from the area;
  - (ix) the proposal doesn't prioritise connections to Carriageworks; and
  - (x) the proposal doesn't include a commitment to provide an active transport bridge over the Redfern tracks to connect North and South Eveleigh;
- (F) Council note that the City's draft submission:
- (i) requests a four-week extension to the exhibition period;
  - (ii) asks Transport for NSW to support an alternative development approach which has been developed by the City;
  - (iii) asks Transport for NSW to amend the proposal in line with the City's alternative vision, and resubmit it for public exhibition; and
  - (iv) this further consultation should occur after the Department of Planning and Environment and City have publicly consulted on an infrastructure contributions framework and sub-precinct master planning for the whole of the Paint Shop precinct;
- (G) Council note that the City's alternative development approach as outlined in the draft submission includes:
- (i) 80,500 square metres of commercial floor space located close to the rail corridor;
  - (ii) 32,000 square metres of residential floor space located away from the rail corridor, with better amenity and in lower buildings (maximum nine storeys), with 25 per cent for affordable and social housing; and
  - (iii) balancing heritage significance, high quality public domain and residential amenity, with a significant contribution towards commercial, in a range of more suitable spaces, and residential floor space in the innovation precinct;
- (H) the Chief Executive Officer be requested to update the City's draft submission to:
- (i) note that the current Transport for NSW proposal was developed without appropriate community input, and does not represent a vision for the site developed or endorsed by the community;
  - (ii) re-enforce that the NSW Government, Transport for NSW and the Transport Asset Holding Entity (TAHE) should not move forward with any proposals without further and genuine community engagement, to ensure that the future development of the precinct represents current and future community needs;

- (iii) highlight that, due to the short time frame, the City's alternative development proposal has also not been consulted on by the community;
  - (iv) remove reference to any preference that the area become a late-night trading area (i.e. 24 hours precinct or similar) until there has been an opportunity for consultation with the community about whether this change would be appropriate or workable for Darlington; and
  - (v) re-enforce the importance of existing public land in the precinct remaining in public hands, for future generations;
- (I) Council commit to:
- (i) facilitate the articulation of a better vision for the precinct – one which reflects the priorities and needs of current and future communities; and
  - (ii) support residents in their efforts to advocate for more time and significant changes to the plans for the site; and
- (J) the Chief Executive Officer be requested to provide an update to Councillors on additional steps the Council could take to support the community to articulate its concerns, needs and an alternative vision for development of the Redfern North Eveleigh Precinct.

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

It is resolved that:

- (A) Council note that Transport for NSW (TfNSW) has announced a rezoning proposal for the 'Redfern North Eveleigh Precinct Renewal', for public land adjoining Redfern Train Station and Carriageworks on Wilson Street in Darlington;
- (B) Council note that the plans for the site include: public space; new buildings ranging from three to 28 storeys; shops and retail; significant development of industrial heritage including the 'Paint Shop'; commercial buildings; and 15 per cent affordable housing (estimated 67 of a proposed new 450 homes);
- (C) Council note that more than 100 local residents attended a public meeting organised by residents' action group Redfern Everleigh Darlington Waterloo Watch (REDWatch), at the Redfern Community Centre on Saturday 13 August 2022, about the proposal;
- (D) Council note that due to the short time frame for making submissions, the Lord Mayor wrote to the community detailing the City's concerns to assist them to make their own submission;
- (E) Council note the high level of community concern about the proposal, including but not limited to:
  - (i) the short time frame for public comment on the proposal (submissions close 25 August 2022);
  - (ii) the lack of community input into development of the plans for the site, and lack of community input to the vision for the precinct generally;
  - (iii) loss or sell off of inner-city public land;
  - (iv) lack of protection for the unique industrial heritage in and around Redfern Station;
  - (v) insufficient affordable and public housing;
  - (vi) traffic impacts and pedestrian safety;

- (vii) lack of commitment for a connecting bridge across the railway tracks; and
  - (viii) the quality and location of public open space;
- (F) Council note that the City's draft submission objects to the proposal on the following grounds:
- (i) planning decisions on the site should be made through local Council mechanisms, rather than determined by the NSW Minister or NSW Government as a 'State Significant' site;
  - (ii) the significant increase in residential and overall Gross Floor Area (GFA) is inappropriate;
  - (iii) the local infrastructure schedule is inadequate and doesn't consider impacts on assets owned, or proposed to be owned, by the City of Sydney, both inside and outside the precinct boundaries;
  - (iv) the proposal doesn't respect the heritage significance of the site and its individual components. The submission recommends that buildings and spaces of high heritage value be free from development;
  - (v) the proposed location of residential towers adjacent to the railway corridor, which is a source of noise and vibration, will affect the amenity of future residents;
  - (vi) the proposed inclusion of 18 to 28 storey, high grade commercial towers will not deliver the affordable employment space previously identified as needed in the 'innovation precinct';
  - (vii) the affordable housing proposed is inadequate. The proposal doesn't meet the City's existing target for a minimum of 25 per cent affordable rental housing, which should apply in addition to any commitments to 'diverse housing';
  - (viii) the proposal doesn't include a commitment to provide for a minimum of 10 per cent of the total residential Gross Floor Area for culturally appropriate Aboriginal and Torres Strait Islander affordable housing to prevent their displacement from the area;
  - (ix) the proposal doesn't prioritise connections to Carriageworks; and
  - (x) the proposal doesn't include a commitment to provide an active transport bridge over the Redfern tracks to connect North and South Eveleigh;
- (G) Council note that the City's draft submission:
- (i) requests a four-week extension to the exhibition period;
  - (ii) asks Transport for NSW to support an alternative development approach which has been developed by the City; and
  - (iii) asks Transport for NSW to use the City's alternative development approach to review and amend the proposal;
- (H) Council note that the City's alternative development approach as outlined in the draft submission includes:
- (i) commercial buildings located close to the rail corridor;
  - (ii) residential buildings located away from the rail corridor, with better amenity and in lower buildings (maximum nine storeys), with 25 per cent for affordable and social housing; and

- (iii) balancing heritage significance, high quality public domain and residential amenity, with a significant contribution towards commercial, in a range of more suitable spaces, and residential floor space in the innovation precinct;
- (I) the Chief Executive Officer be requested to update the City's draft submission to:
  - (i) include a request that the extension to public exhibition is used to receive further submissions and facilitate Transport for NSW-led community workshops; and
  - (ii) re-enforce the importance of existing public land in the precinct remaining in public hands, for future generations; and
- (J) Council commit to:
  - (i) advocating to Transport for NSW to work with the City in improving their proposal to align with the City's alternative development approach, which reflects the priorities and needs of current and future communities; and
  - (ii) supporting residents in their efforts to advocate for more time and significant changes to the plans for the site.

### **Procedural Motions**

At this point in the meeting, it was moved by the Chair (the Lord Mayor), seconded by Councillor Chan –

That in accordance with clause 17.2 of the Code of Meeting Practice the meeting be extended beyond 10.00pm until Item 12.6 had been dealt with.

The procedural motion was carried on the following show of hands:

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

Noes (1)        Councillor Scott.

Procedural motion carried.

Moved by Councillor Scott, seconded by Councillor Weldon –

That in accordance with clause 17.2 of the Code of Meeting Practice the meeting be extended beyond 10.00pm until Item 12.7 had been dealt with.

A show of hands on the procedural motion resulted in an equality of voting as follows:

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

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

Pursuant to clause 10.3 of the Code of Meeting Practice, the procedural motion was declared lost.

Procedural motion lost.

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

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

Noes (5) Councillors Ellsmore, Gannon, Jarrett, Scott and Weldon.

The Chair (the Lord Mayor) exercised her casting vote in favour of the amendment.

Amendment carried.

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

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

Noes (4) Councillors Ellsmore\*, Gannon\*, Jarrett\* and Weldon.

\*Note – Councillors Ellsmore, Gannon and Jarrett abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillors Ellsmore, Gannon and Jarrett are taken to have voted against the motion.

Amended motion carried.

X086659

### **Procedural Motion**

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

That in accordance with clause 17.2 of the Code of Meeting Practice the meeting be extended beyond 10.00pm until Item 12.7 had been dealt with.

Carried unanimously.

**Item 12.7 Addressing Domestic Violence using the Our Watch Toolkit**

Moved by Councillor Scott, seconded by Councillor Scully -

It is resolved that:

(A) Council note:

- (i) all women deserve the liberty to live a life free of violence;
- (ii) however, one in six Australian women have been subjected, since the age of 15, to physical and/or sexual violence by a cohabiting partner;
- (iii) violence against women has profound impacts upon communities, employment, housing, mental health and their children;
- (iv) multiple forms of discrimination intersect so that inequality exists between women, such that:
  - (a) women with disabilities are two times more likely to experience domestic violence; and
  - (b) Aboriginal and Torres Strait Islander women had 29 times the rate of hospitalisation for family violence;
- (v) local governments are uniquely situated to influence and drive social change to reduce violence against women through existing partnerships, networks and structures;
- (vi) the City was one of the first Australian organisations to receive the White Ribbon workplace accreditation;
- (vii) the City provides 10 days' paid family and domestic violence leave per annum to staff who experience domestic or family violence and supplies information for staff experiencing domestic violence and education for bystanders;
- (viii) learning and development modules are available, but not mandatory, to raise staff awareness including modules on Understanding Domestic Violence, Impacts on the Workplace, and Responding to Domestic Violence in the Workplace;
- (ix) the City's Community Safety Action Plan 2018-2023 outlines priorities in ending domestic and family violence and sexual assault;
- (x) this includes the quarterly Inner City Domestic and Family Violence Forum, supporting Wurringa Baiya Aboriginal Women's Legal Centre to deliver a forum, publishing information resources on its website and supporting the NSW Domestic Violence Collective's 'Let's end domestic violence' vigil;
- (xi) the City of Sydney should continue to increase its efforts to interact with a diverse range of voices and existing programs and community groups to materialize and measure the elimination of domestic violence;
- (xii) the City of Sydney should further develop actions and activities that align with the recommendations outlined in the Our Watch Toolkit for preventing domestic violence at a local government level;



- (xiii) Our Watch highlights that education, community, workplace, sporting, arts, library and media setting are effective places of engagement and education services; and
  - (xiv) the City of Sydney could implement criteria into its procurement chains to hold suppliers to a standard that promotes the elimination of violence within their institution; and
- (B) the Chief Executive Officer be requested to:
- (i) consider the integration of Our Watch Local Government Toolkit into City policies and training;
  - (ii) continue to work in partnership with domestic and family violence services, prevention agencies, specialist community organisations and other community services; and
  - (iii) report back to Council via the CEO Update on additions to City policies and/or training.

Carried unanimously.

X086655

At 10.12 pm the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 19 September 2022 at which  
meeting the signature herein was subscribed.