

Council

Meeting No 8

Monday 19 September 2022

Notice No 8/1645

Notice Date 15 September 2022

minutes

Index to Minutes

| ITEM | PAGE NO |
|--|-----------|
| 1. Confirmation of Minutes | 5 |
| 2. Statement of Ethical Obligations and Disclosures of Interest | 6 |
| 3. Minutes by the Lord Mayor | 7 |
| 3.1 Vale Her Majesty Elizabeth II, Queen of Australia | 7 |
| 3.2 Vale Jack Charles | 10 |
| 3.3 Support for the People of Pakistan | 13 |
| 3.4 Support for WorldPride 2023 | 16 |
| 4. Memoranda by the Chief Executive Officer | 19 |
| 4.1 Election of Deputy Lord Mayor | 19 |
| 4.2 Council Committees - Functions, Membership, Election of Deputy Chairpersons | 22 |
| 4.3 Central Sydney Planning Committee - Election of Councillors | 36 |
| 4.4 Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures, Membership and Appointment of Chairperson and Alternate Chairperson..... | 39 |
| 5. Matters for Tabling | 44 |
| 5.1 Disclosures of Interest | 44 |
| 5.2 Petitions | 44 |
| 6. Report of the Corporate, Finance, Properties and Tenders Committee | 45 |
| 6.1 Confirmation of Minutes | 45 |
| 6.2 Statement of Ethical Obligations and Disclosures of Interest | 45 |
| 6.3 Investments Held as at 31 August 2022..... | 46 |
| 6.4 Proposed Land Classification - Part 174-186 George Street, Sydney | 46 |
| 6.5 Lease Variation - Suite 3.02, Level 3 and Level 5, Customs House, 31 Alfred Street, Sydney | 46 |
| 6.6 Tender - Natural Gas Large Market Accounts..... | 47 |
| 6.7 Tender - T-2021-655 - Reject and Negotiate - Doorstep Recycling Service | 49 |
| 6.8 Exemption from Tender - IT Licence, Subscription, Maintenance and Support Contracts | 50 |
| 6.9 Contract Variation - Wi-Fi in Community Centres and Venues for Hire | 51 |
| 6.10 Contract Variation - Head Contractor Stonework for the Sydney Town Hall Façade Conservation Project | 52 |
| 6.11 Contract Variation and Exemption from Tender - Colliers Property Management Agreement..... | 53 |

| | | |
|------------|---|-----------|
| 7. | Report of the Business and Economic Development Committee | 55 |
| 7.1 | Confirmation of Minutes..... | 55 |
| 7.2 | Statement of Ethical Obligations and Disclosures of Interest..... | 55 |
| 7.3 | Public Exhibition - Economic Strategy Discussion Paper..... | 56 |
| 7.4 | Post Exhibition - Markets Policy..... | 57 |
| 8. | Report of the Resilient Communities Committee..... | 58 |
| 8.1 | Confirmation of Minutes..... | 58 |
| 8.2 | Statement of Ethical Obligations and Disclosures of Interest..... | 58 |
| 8.3 | Adoption - Child Safety Policy | 59 |
| 9. | Report of the Transport, Heritage, Environment and Planning Committee..... | 60 |
| 9.1 | Confirmation of Minutes..... | 61 |
| 9.2 | Statement of Ethical Obligations and Disclosures of Interest..... | 61 |
| 9.3 | Project Scope - Rosebery Quietway | 61 |
| 9.4 | Revised Project Scope - North Rosebery Park and Green Link..... | 62 |
| 9.5 | Public Exhibition - Planning Proposal - Sydney Metro West Hunter Street Station Sites, Sydney - Sydney Local Environmental Plan 2012 Amendment..... | 63 |
| 9.6 | Public Exhibition - Planning Proposal - Heritage Floor Space Amendment - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment..... | 64 |
| 9.7 | Fire Safety Reports..... | 65 |
| 9.8 | Approved Variations to Development Standards Reported to the Department of Planning and Environment..... | 65 |
| 10. | Property Matter (Confidential) | 66 |
| 11. | Questions on Notice..... | 67 |
| 12. | Supplementary Answers to Previous Questions | 84 |
| 13. | Notices of Motion | 85 |
| 13.1 | Ageism Awareness..... | 85 |
| 13.2 | Housing for All Working Group | 88 |
| 13.3 | Upgrading Bakery Park, Waterloo | 90 |
| 13.4 | Success of the Jobs and Skills Summit 2022..... | 93 |
| 13.5 | Gender Audit of City Forms | 94 |
| 13.6 | Reducing the City of Sydney's Vehicle Emissions | 95 |
| 13.7 | Chief Executive Officer Performance Review | 97 |

Present

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

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

At the commencement of business at 3.00pm, those present were:

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

Opening Prayer and Acknowledgement of Country

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

Webcasting Statement

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

Item 1 Confirmation of Minutes

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

That the Minutes of the meeting of Council of Monday, 22 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 Linda Scott disclosed a less than significant, non-pecuniary interest in Item 9.7 on the agenda, in that she is a Councillor at the City of Sydney and works at Town Hall which is connected to Town Hall House at 456 Kent Street, which is the subject of a Fire Safety Order.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because it is a matter of safety which affects all councillors equally.

Councillor HY William Chan disclosed a significant, non-pecuniary interest in Item 3.3 on the agenda, in that he previously served, in an appointed voluntary capacity, as a Young Ambassador for UNICEF Australia (the Australian Committee for UNICEF Limited) from 2014 to 2015.

Currently, Councillor Chan holds the following engagements with UNICEF Australia: he is an alumnus of the Young Ambassador program, an official supporter of the charity, and provides contactor services.

Councillor Chan stated that he would not be voting on this matter.

Councillor HY William Chan also disclosed a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that he previously worked on Transport for NSW's Sydney Metro West urban design and master planning, including for Hunter Street station.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement was for the Metro stations only and he was not involved in the over station developments relevant to this item.

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

Item 3 Minutes by the Lord Mayor**Item 3.1 Vale Her Majesty Elizabeth II, Queen of Australia****Minute by the Lord Mayor**

To Council:

On Friday 9 September 2022, Australians woke to the sad news that Her Majesty Queen Elizabeth II had died at Balmoral castle.

Flags across the city including at Town Hall were lowered to half-mast and condolence books were established online. At midday the Town Hall clock, along with other tower clocks across the city, began striking 96 bells for each year of Elizabeth's life.

This response was appropriate given the late Queen's long association with Sydney and Australia.

In 1947, at the age of 21, Queen Elizabeth gave a radio broadcast in which she said, "I declare before you all that my whole life, whether it be long or short, shall be devoted to your service."

On 3 February 1954, the Queen and her husband Prince Phillip, Duke of Edinburgh, stepped ashore at Farm Cove, Sydney beginning a 58-day tour with visits to 57 towns and cities. It was the first time a reigning monarch had set foot on Australian soil. Their first five days were spent in Sydney, with the Queen opening the NSW Parliament, laying a wreath at the Cenotaph in Martin Place, attending the Lord Mayor's Ball at Sydney Town Hall and viewing an assembly of school children. On 5 February 1954, the Queen unlocked the memorial gates to Sandringham Gardens in Hyde Park North. The Gardens were initially developed to commemorate the planned visit by King George VI.

This royal tour was the first of 16 visits by Queen Elizabeth to Australia, 12 of which included Sydney and NSW. Two visits contributed to Australia's constitutional evolution. During her visit to Australia to open the Sydney Opera House in October 1973, the Queen gave her assent to the Royal Style and Titles Act. The Act set the Royal Style and Titles to be used in relation to the Commonwealth of Australia and its Territories as "Elizabeth the Second, by the grace of God, Queen of Australia and her other Realms and Territories, Head of the Commonwealth". With this Act, the Queen's Australian sovereignty became parallel with, rather than subservient, to her other sovereignties.

On 2 March 1986, during her ninth visit to Australia, the Queen signed a Proclamation stating that the Commonwealth's Australia Act would come into effect at 5am Greenwich Mean Time the next day. This Act stated Australia was a "sovereign, independent and federal nation", ending the inclusion into Australian law of British Acts of Parliament and appeals from Australian courts to the Privy Council in London. Each of the State Parliaments and the British Parliament passed complementary Acts with all eight becoming operative simultaneously.

The Queen's visits became shorter, more frequent and increasingly varied, with eight between 1970 and 1988. During her 1970 visit to Australia and New Zealand, Elizabeth instituted the "royal walkabout", leaving her car to meet the people who had turned out to see her. Her visits were not limited to grand occasions. During her second tour in 1963, she visited the Northcott public housing in Surry Hills and visited units in Matavai Building, Waterloo Twin Towers during her 1977 Silver Jubilee tour. Many visits included areas affected by flood or drought. In recent days, people who met her recalled her consoling affect.

In May 1992, the Queen travelled to Sydney to mark the sesquicentary of Sydney's incorporation as a city. She attended a civic reception and ceremonial Council meeting in Sydney Town Hall, presented the City with an illuminated excerpt from the Act declaring Sydney to be a City, unveiled a plaque in the Town Hall vestibule and unveiled a sculpture commemorating Sydney's founding in Sydney Square.

During her many visits, the Queen insisted on meeting Aboriginal elders. In October 1999, she gave an audience to delegation of First Nations leaders at Buckingham Palace, the first granted by a reigning British monarch since the British occupation of Australia in 1788.

Led by Patrick Dodson, the delegation included Lowitja O'Donoghue, Peter Yu, Marcia Langton and Gatjil Djerrkurra and also met British, Irish and European Union leaders. Without revealing the details of the meeting with the Queen, Dodson described it as "beneficial" and said she had been "sympathetic" to their claims, which included "changes to the Constitution and Reconciliation". He added that Elizabeth had accorded the delegation with more respect "than the way we are treated in our own country with our Prime Minister".

The Queen visited Australia four times this century, with Sydney included in her itinerary in 2000 and 2006. In a speech during her final Australian visit in 2011, the Queen said: "Ever since I first came here in 1954, I have watched Australia grow and develop at an extraordinary rate. This country has made dramatic progress economically in social, scientific and industrial endeavours and above all in self-confidence."

The avowed republican, Paul Keating, acknowledged this service in his tribute to the Queen.

"She was an exemplar of public leadership, married for a lifetime to political restraint, remaining always, the constitutional monarch.

"With her passing her example of public service remains with us as a lesson in dedication to a lifelong mission in what she saw as the value of what is both enduringly good and right."

An historic reign has concluded. She was stoic and responsible and devoted to public service to the end.

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life and service of Her Majesty Elizabeth II, Queen of Australia; and
- (B) the Lord Mayor be requested to convey Council's condolences to His Majesty King Charles III.

COUNCILLOR CLOVER MOORE

Lord Mayor

Moved by the Chair (the Lord Mayor) –

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

Carried unanimously.

Note – All Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to Her Majesty Queen Elizabeth II.

S051491

Item 3.2 Vale Jack Charles**Minute by the Lord Mayor**

To Council:

I wish to inform Council of the passing of Jack Charles, Aboriginal actor, author, artist and activist, on 13 September 2022.

Jack was a Boon Wurrung, Dja Dja Wurrung, Woiwurrung and Yorta Yorta man and much loved and respected elder. He was also a stolen child. Around four months after his birth on 5 September 1943, he was taken from his mother to Melbourne City Mission and placed in the Salvation Army Boys' Home in Box Hill, a Melbourne suburb, when he was two years old. He was the only Aboriginal boy. Apart from suffering oral cruelty about his skin colour, his family and race were "whitewashed", and along with other boys, he experienced sexual abuse.

At the age of 14, he was placed in a foster home and later gained an apprenticeship at a glass bevelling factory. It was a job and trade he really loved. Each payday he would take his pay packet home to his foster mother who would open it and dole out part of it to him.

A decision when he was almost 17 changed his life. Encouraged by others, he took a tram to Fitzroy hoping to find his mob. He later wrote in his memoir, *Born Again Blakfella*, "I jumped off the tram and set off in search of my culture, history and destiny.... Connecting to culture and kin would complete the wonderful stage I was finally at in my life, after the damage done in the home". Except he failed to tell his foster mother. He also opened his pay packet. Once in Fitzroy, someone recognised him as Blanche Charles boy and someone else told him she was still alive and where she lived.

He returned home overjoyed, but he did not expect the cold reaction from his foster mother when he told her his good news. She sent him to his room, then called the police who took him to a youth detention centre. He was released and returned to work at the factory. He also began looking for his family, a not always happy experience. He also connected with some mates from the boys' home, one of whom was engaged in petty crime. Jack, on his own admission, was easily led by him. His first attempt at burglary led to his being gaoled in Pentridge Prison.

Over the next three decades, he was gaoled another 21 times for crimes related to heroin addiction and burglary. He later described his burglaries as "collecting the rent" for stolen Aboriginal land. The drugs "dulled the memories and pain" of his past, he later said. Often his time in gaol was interspersed with sleeping rough.

He had also discovered theatre. In 1970, a person from Melbourne's New Theatre came to the hostel where he was living looking for people who might be interested in acting. Jack volunteered and was cast in *Blood Knot* by South African playwright Athol Fugard. Other roles followed.

In 1971, Jack and actor Bob Maza founded Australia's first modern Black theatre company, *Nindethana Theatre*, in Melbourne. Their first production was the *Cherry Pickers* by Aboriginal playwright Kevin Gilbert, followed by a sketch-based work, *Jack Charles Up and Fighting*, with Jack starring as himself.

It was the beginning of a stellar acting career. Initially Jack worked with several Melbourne companies, most notably the *Pram Factory*, where he was part of the original cast of its major hit, the Australian wedding play *Dimboola*. In 1975, he played *Bennelong* in Michael Boddy's *The Cradle of Hercules* at Sydney Opera House.

Television and film followed, with appearances in Chant of Jimmie Black Smith, Blackfellas, Pan, Wolf Creek and the TV series Ben Hall, Women of the Sun, Clever Man, Mystery Road, The Gods of Wheat Street and Preppers. He will soon be seen on screen again in the independent Australian film Life After Man.

Jack's acting career was interspersed with periods in prison, spending his 20th, 30th, 40th and 50th birthdays behind bars. In Born Again Blakfella he describes gaol as a "place of respite" where he completed his secondary education and could indulge his love of reading. He also discovered a talent for writing and used it to compose letters for other prisoners to send to their wives. They rewarded him with tobacco and chocolate. During one prison stay he discovered pottery, a practice he found "meditative" and was eventually allowed to run a pottery workshop for other prisoners. During his last prison stint, he overcame his heroin addiction through the Marumali program, an evidence based, trauma and culturally informed healing program which provides support for Stolen Generations, their families and communities.

Jack's work as a mentor, activist and truth-teller is perhaps even more significant than his theatre, film and television career. Together with musician Archie Roach, he became a mentor for Aboriginal youth in the prison system. He was unsuccessful in realising his dream of realising what he called Nindabaya Workshops, safe places for Aboriginal people coming out of prison, with workshops, meeting spaces and pottery studios. Openly gay, he was a role model for LGBTQIA+ Aboriginal youth, encouraging them to be true to themselves.

His greatest impact was through his willingness to share his own story, through live performance, film and television, putting a human face to the impacts of the inhumane policies that created the stolen generations. His one-man show, Jack Charles v The Crown toured across Australia and internationally for eight years after first being staged at the Melbourne Festival in 2010. In 2019, he toured another one man show, A Night With Jack Charles, in which he talked about his life as a gay, Aboriginal man. Earlier this year, he was the first Indigenous Elder to address Victoria's Yoorrook Justice Commission at its truth-telling public hearings.

In Born Again Blakfella he wrote: "My story is about connections. Connections to my countrymen and global communities, connections to performance and the arts, connections with workers in the drug and alcohol support sector, needle syringe workers, country, kinship, culture and Aboriginality."

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Jack Charles and his significant contribution to the arts, activism, understanding and truth-telling;
- (B) Council express its condolences to Jack Charles' family; and
- (C) the Lord Mayor be requested to convey Council's condolences to Jack's family.

COUNCILLOR CLOVER MOORE

Lord Mayor

Moved by the Lord Mayor –

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

Carried unanimously.

Note – All Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to Jack Charles.

S051491

Item 3.3 Support for the People of Pakistan

Minute by the Lord Mayor

To Council:

The people of Pakistan are facing “a monsoon on steroids -- the relentless impact of epochal levels of rain and flooding”.

These are the words of Antonio Guterres, Secretary-General of the United Nations, in a video appeal on 30 August 2022, calling for the “world’s collective and prioritized attention”.

Since June this year, devastating monsoonal rains have inundated a third of Pakistan, causing floods and landslides that have severely affected over 33 million people, including approximately 16 million children. Rivers and lakes have breached their banks and dams have overflowed, wreaking major destruction. Critical infrastructure including roads, bridges, hospitals, water systems and public health facilities have been destroyed, along with farms and over 1.4 million homes. Many more have been severely damaged. Many displaced people are living without shelter, food or clean drinking water. Damage to roads and bridges, with whole villages being cut off, is hampering aid and rescue operations.

More than 1,200 people, including around 400 children, have lost their lives. Many more are at risk of diarrhoea, skin diseases, respiratory infections and water-borne diseases such as cholera.

The impact on children is heart-rendering. According to UNICEF, at least 18,000 schools have been damaged or destroyed across the country due to the floods. After two years of pandemic school closures in the last few years, children once again risk further disruption to their learning, in areas where one-third of girls and boys were already out-of-school before the crisis. Many of the hardest-hit areas are amongst the most vulnerable in Pakistan, where children already suffer from high rates of malnutrition, and poor access to water and sanitation.

To quote Mr Guterres, “Pakistan is awash in suffering”, with the “scale of needs... rising like the flood waters”.

In his message, Mr Guterres pointed out that South Asia is one of the world’s global climate crisis hotspots, with people living in these hotspots 15 times more likely to die from climate impacts.

This claim is supported by the Sixth Assessment Report of the United Nations Intergovernmental Panel on Climate Change. Its climate change projections for South Asia as a whole suggest that annual and summer monsoon rainfall will increase and heatwaves and humid heat stress will be more intense and frequent.

Pakistan is particularly vulnerable to climate change, despite contributing less than one per cent of global greenhouse gas emissions.

Southern Pakistan experienced record setting back-to-back heat waves in May and June 2022, creating a strong thermal low that brought heavier rains than usual and triggered glacial flooding. Higher than average monsoon rains were also recorded in India and Bangladesh. The rise in sea surface temperatures is believed to increase monsoon rainfall, with the Indian Ocean being one of the fastest warming oceans in the world.

I am recommending that Council responds to Mr Guterres’ call to support the people of Pakistan in their hour of need.

Australian charities are working to address these needs. Oxfam Australia is working with its partners to intervene as quickly as possible, in particular to ensure access to drinking water for those who have lost everything. Other support includes providing basic provisions including tarpaulins, water containers, soap and sanitary materials and food survival packs.

UNICEF is on the ground, helping to reach children and their families with life-saving medical equipment, essential medicine, water and sanitation supplies.

These donations comply with the City of Sydney Humanitarian Emergency Response Guidelines, the Support for Charities Guidelines, are in line with previous donations, and align with objective 7.3.2 (2) of the City's Operational Plan 2022/23, which states that the City will support communities beyond our local area and international communities experiencing emergency situations.

Both organisations are signatories to the Australian Council for International Development Code of Conduct. Accordingly, I am recommending donations totalling \$100,000 to these charities.

In recommending this action, I also recommend we heed Mr Guterres call to “stop sleepwalking towards the destruction of our planet by climate change”.

“Today, it’s Pakistan. Tomorrow, it could be your country”.

Recommendation

It is resolved that:

(A) Council donate:

- (i) \$50,000 from the 2022/23 General Contingency Fund to Oxfam Australia to be directed to efforts on the ground with local partners to deliver urgent actions in response to the crisis caused by the floods; and
- (ii) \$50,000 from the 2022/23 General Contingency Fund to UNICEF Australia to support emergency health and nutrition supplies, safe water and sanitation, education and child protection recovery; and

(B) the Chief Executive Officer be requested to arrange a program for staff donations to Oxfam and UNICEF and for Council to match dollar for dollar any contributions until the end of October 2022 from the 2022/23 General Contingency Fund.

COUNCILLOR CLOVER MOORE

Lord Mayor

Moved by the Lord Mayor, seconded by Councillor Scully –

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

The Minute was carried on the following show of hands –

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

Noes (1) Councillor Jarrett.

Minute carried.

S051491

Item 3.4 Support for WorldPride 2023**Minute by the Lord Mayor**

To Council:

On 24 June 2022, I joined with the LGBTIQ+ community and its friends and supporters at Sydney Opera House for the launch of the official program for WorldPride 2023. The date was significant – it was the 44th anniversary of the first Gay Mardi Gras (as it was then known) in 1978.

It was a fantastic event celebrated with the creation of a human progress pride flag on the Opera House steps. I am pleased that City staff were invited to be part of this ceremony.

WorldPride will be a time of celebration, a festival for the rainbow community and the wider Sydney community. It will be a time for Sydney to welcome visitors from regional NSW, interstate and overseas.

WorldPride's centrepiece will be the 45th Mardi Gras Parade, returning to its Oxford Street home after two years absence. With its 12,500 participants and over 200 floats, it will be the largest single Festival event. The WorldPride program includes their much-loved Mardi Gras events such as Fair Day and the post-Parade party, along with additional curated events. These include an opening Concert in the Sydney Domain, Rainbow Republic, a dance party to mark the end of WorldPride also in the Domain and a choir festival hosted by Sydney Gay and Lesbian Choir.

There is a strong First Nations focus, with a First Nations Gathering Space coming alive over six nights at Carriageworks and a Blak & Deadly Gala Concert in the Sydney Opera House Concert Hall. WorldPride will also bring a focus to our Asia-Pacific neighbours who do not enjoy the same level of equality and human rights as Australians.

The WorldPride program is more than these signature events. WorldPride Arts will feature over 60 individual experiences spanning contemporary art, dance, choirs, cabaret and literature. WorldPride Sports will be community sport on a rainbow scale, with over 20 different codes taking part. Pride Amplified is an open access program for LGBTIQ+ arts, culture, community, experiences and parties.

The Oxford Street neighbourhood will become the home of Pride Villages, with parts of Crown and Riley Street closed to allow for stalls, performances, dining and a place to connect with friends and family in between WorldPride events. On WorldPride's final weekend (4 to 5 March 2023), Oxford Street from College Street to Flinders Street will be closed for a once-in-a-lifetime street party.

WorldPride will spotlight the continued fight for equality – particularly for trans and gender diverse people. On Sunday 5 March 2023, 50,000 people are expected to join the Pride March across the Sydney Harbour Bridge, which will amplify the demand for equality not only in Australia, but for all LGBTIQ+ people around the world.

A three-day Human Rights Conference will shine a spotlight on global, regional and domestic human rights issues facing people based on their sexual orientation, gender identity and expression, and variations in sex characteristics.

As a pre-cursor to WorldPride, Council has an exciting opportunity to be the first capital city Council in Australia to affirm the Darlington Statement, a joint statement made in March 2017 by Australian and New Zealand intersex organisations. Affirming the Darlington Statement would support a pathway to genuine inclusion of this community, demonstrate the City's support for all of our diverse communities and demonstrate the City's continuing commitment to inclusion to all who participate in WorldPride.

On 14 September 2022, City staff and I were briefed by WorldPride on the extent of this program. Its scale and appeal will not only celebrate our LGBTIQ+ community. It will be an extraordinary opportunity to re-charge and kick-start our cultural life, our economy, particularly those sectors that were so hard hit by the Covid pandemic. Given this scale, I propose Council ask the Chief Executive Officer to investigate other ways the City can provide support for WorldPride 2023.

It is essential every step is taken to ensure that WorldPride is safe, particularly given the ongoing impact of Covid-19 and the emergence of the monkeypox virus. In July, the member for Sydney, Alex Greenwich MP, wrote to the Federal Minister for Health, Mark Butler MP, requesting that action be taken to approve and secure a supply of monkeypox vaccine. A limited supply was secured and set aside for those at highest risk.

While this is welcome, the Australian Federation of AIDS Organisations has emphasised the need to secure other vaccines. It is equally important to support the work of ACON Health in informing people at high risk about preventing the contraction and spread of monkeypox. Above all, it is crucial that the response to monkey pox be led by health experts and the affected communities.

The City has supported WorldPride since the proposal to bid for Sydney to host it, providing sponsorship totalling \$800,000 in cash and \$650,000 value in kind.

The City's support extends beyond this sponsorship. Our staff are working with WorldPride to support Pride Villages. We are encouraging retail businesses to activate and dress their shops. We will be flying WorldPride, Mardi Gras and Progress Pride banners across the City.

It is crucial that WorldPride has an impact beyond the 17 days of the Festival. Work to ensure this is already underway with the development of an LGBTIQ+ Place Strategy for Oxford Street. In May this year, Council unanimously approved a \$283,500 cash grant to Qtopia Sydney Limited to assist it to establish a permanent LGBTIQ+ museum, preferably at the site of the former Darlinghurst Police Station, preceded by an interim museum in the Oxford Street precinct during Sydney WorldPride.

I am pleased to inform Council that the City is seeking community feedback on a proposal to lease the Green Park bandstand to Qtopia for community, cultural, educational and social use. Subject to the outcome of this consultation, Qtopia should be able to open an interim museum before WorldPride begins.

Recommendation

It is resolved that:

- (A) Council commend Sydney World Pride Limited on the breadth, scale and diversity of its program for WorldPride 2023;
- (B) Council support all actions to ensure WorldPride is a safe event, particularly given the ongoing impact of Covid-19 and the emergence of the monkeypox virus, noting that these actions should be led by health experts and the affected communities;
- (C) Council affirm the Darlington Statement as shown at Attachment A to the subject Minute;
- (D) Council note the additional support the City is providing for WorldPride 2023 as set out in the subject Minute;
- (E) the Chief Executive Officer be requested to investigate other ways the City can provide support for WorldPride 2023 and report back to Council; and
- (F) Council note the proposal for Qtopia to establish an interim LGBTIQA+ museum in the Green Park bandstand, Darlinghurst.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

S051491

Item 4 Memoranda by the Chief Executive Officer

Item 4.1 Election of Deputy Lord Mayor

Memorandum by the Chief Executive Officer

To Council:

Sections 231(1) and (2) of the Local Government Act 1993 (the Act) provide:

- (1) the councillors may elect a person from among their number to be the deputy mayor; and
- (2) the person may be elected for the mayoral term or a shorter term.

At the extraordinary Council meeting of 23 December 2021, Councillor Jess Scully was elected Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately and ending on 30 September 2022.

Payment of Fees

Section 249(5) of the Act provides:

- (5) a council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.

On 5 June 2000, Council resolved to:

“Pay Councillors the maximum of the range (as determined annually by the Local Government Remuneration Tribunal) as a matter of standing policy.

Pay the Lord Mayor the maximum of the range (in addition to the fee as a Councillor) - as a matter of standing policy (less the Deputy Lord Mayor's fee).

Pay the Deputy Lord Mayor, in addition to the fee as a Councillor, an amount equal to 10 per cent of the mayoral fee actually paid to the Lord Mayor as a matter of standing policy.”

Call for Nominations

Nominations for the office of Deputy Lord Mayor are now invited. Nominations must be made in writing by two or more Councillors (one of whom may be the nominee). Nomination forms will be provided to Councillors.

Conduct of Election

Schedule 7 of the Local Government (General) Regulation 2021 provides the method of conducting an election for Deputy Lord Mayor (further details on election procedures will be provided to Councillors). The last time the Deputy Lord Mayor's position was contested the method of voting selected by the Council was open, exhaustive voting.

Recommendation

It is resolved that:

- (A) Council elect a Deputy Lord Mayor for a term commencing immediately following the election and ending on 30 September 2023;
- (B) the method of voting be by open, exhaustive voting; and
- (C) the Chief Executive Officer conduct the election forthwith.

MONICA BARONE

Chief Executive Officer

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

It is resolved that:

- (A) Council elect a Deputy Lord Mayor for a term commencing immediately following the election and ending on 30 September 2023;
- (B) the method of voting be by open, exhaustive voting; and
- (C) the Chief Executive Officer conduct the election forthwith.

Carried unanimously.

S062388

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Council Business Coordinator to assist with the conduct of the ballot.

The Council Business Coordinator announced that two duly completed, written nominations had been received, namely –

Councillor Sylvie Ellsmore (nominated by Councillor Ellsmore, seconded by the Chair (the Lord Mayor); and

Councillor Yvonne Weldon (nominated by Councillor Weldon, seconded by Councillor Jarrett).

The Council Business Coordinator invited other nominations from Councillors for the office of Deputy Lord Mayor.

No other nominations being received, the election for the office of Deputy Lord Mayor was conducted, in alphabetical order, and resulted as follows –

Councillor Sylvie Ellsmore received 7 votes; and

Councillor Yvonne Weldon received 3 votes.

The Council Business Coordinator then declared Councillor Sylvie Ellsmore duly elected to the office of Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately following the election and ending on 30 September 2023.

Note - the Chair (the Lord Mayor) congratulated Councillor Ellsmore on her election as Deputy Lord Mayor. The Chair invited the former Deputy Lord Mayor Councillor Jess Scully and the newly elected Deputy Lord Mayor Councillor Ellsmore to address Council.

Item 4.2 Council Committees - Functions, Membership, Election of Deputy Chairpersons

Memorandum by the Chief Executive Officer

To Council:

In accordance with the provisions of section 360 of the Local Government Act 1993, the Local Government (General) Regulation 2021 and clause 19.2 of the City of Sydney Code of Meeting Practice (the Code), the council may establish such committees as it considers necessary.

On 21 February 2022, Council resolved to adopt meeting times, functions, policies and procedures of the following Committees:

- Corporate, Finance, Properties and Tenders Committee, commencing at 2.00pm.
- Business and Economic Development Committee, commencing at the conclusion of the Corporate, Finance, Properties and Tenders Committee.
- Housing For All Committee, commencing at the conclusion of the Business and Economic Development Committee.
- Cultural and Creative Committee, commencing at the conclusion of the Housing For All Committee.
- Resilient Communities Committee, commencing at the conclusion of the Cultural and Creative Committee.
- Transport, Heritage, Environment and Planning Committee, commencing at the conclusion of the Resilient Communities Committee.

The administrative arrangements associated with Council's committees are detailed in Attachment A - Functions, Delegations, Policies and Procedures of Council Committees.

Election of Deputy Chairpersons

Council may elect a Deputy Chairperson of each Committee in accordance with clauses 19.15 and 19.16 of the Code of Meeting Practice.

Previously, the Council has chosen to hold a separate election for each of the Deputy Chairperson positions. Elections were conducted by open, exhaustive voting (that is, by a show of hands or similar means for candidates duly nominated).

At the Council meeting of 21 February 2022, Council elected Deputy Chairpersons for each of Council's Committees for a term commencing immediately and ending on 30 September 2022, with the Lord Mayor chairing all Committees.

Council will be required to elect a Deputy Chairperson for each of the following Committees for the new term of office commencing immediately and ending on 30 September 2023:

- (1) Corporate, Finance, Properties and Tenders Committee
- (2) Business and Economic Development Committee
- (3) Housing For All Committee
- (4) Cultural and Creative Committee
- (5) Resilient Communities Committee
- (6) Transport, Heritage, Environment and Planning Committee

Recommendation

It is resolved that:

- (A) the Functions, Delegations, Policies and Procedures of Council Committees, as shown at Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) Council elect the Deputy Chairpersons of the Corporate, Finance, Properties and Tenders Committee, Business and Economic Development Committee, Housing For All Committee, Cultural and Creative Committee, Resilient Communities Committee and Transport, Heritage, Environment and Planning Committee for a term commencing immediately following the election and ending on 30 September 2023;
- (C) the method of voting be open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

MONICA BARONE

Chief Executive Officer

Attachments

Attachment A. Functions, Delegations, Policies and Procedures of Council Committees

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

It is resolved that:

- (A) the Functions, Delegations, Policies and Procedures of Council Committees, as shown at Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) Council elect the Deputy Chairpersons of the Corporate, Finance, Properties and Tenders Committee, Business and Economic Development Committee, Housing For All Committee, Cultural and Creative Committee, Resilient Communities Committee and Transport, Heritage, Environment and Planning Committee for a term commencing immediately following the election and ending on 30 September 2023;
- (C) the method of voting be open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

Carried unanimously.

S062388

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Council Business Coordinator to assist with the conduct of the ballot.

The Council Business Coordinator invited nominations from Councillors for the positions of Deputy Chairs of Committees.

Nominations were made and accepted as follows.

Elections were then conducted, with the results as follows –

(1) Corporate, Finance, Properties and Tenders Committee

One nomination for the Deputy Chairperson was received, as follows -

Councillor Jess Scully (nominated by Councillor Kok, seconded by Councillor Chan).

Councillor Scully indicated acceptance of her nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Jess Scully duly elected to the position of Deputy Chairperson of the Corporate, Finance, Properties and Tenders Committee for a term commencing immediately and ending on 30 September 2023.

(2) Business and Economic Development Committee

One nomination for the Deputy Chairperson was received, as follows –

Councillor Robert Kok (nominated by Councillor Scully, seconded by Councillor Davis).

Councillor Kok indicated acceptance of his nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Robert Kok duly elected to the position of Deputy Chairperson of the Business and Economic Development Committee for a term commencing immediately and ending on 30 September 2023.

(3) Housing For All Committee

One nomination for the Deputy Chairperson was received, as follows –

Councillor Sylvie Ellsmore (nominated by Councillor Ellsmore, seconded by the Chair (the Lord Mayor).

Councillor Ellsmore indicated acceptance of her nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Sylvie Ellsmore duly elected to the position of Deputy Chairperson of the Housing For All Committee for a term commencing immediately and ending on 30 September 2023.

(4) Cultural and Creative Committee

One nomination for the Deputy Chairperson was received, as follows –

Councillor Lyndon Gannon (nominated by Councillor Scully, seconded by Councillor Chan).

Councillor Gannon indicated acceptance of his nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Lyndon Gannon duly elected to the position of Deputy Chairperson of the Cultural and Creative Committee for a term commencing immediately and ending on 30 September 2023.

(5) Resilient Communities Committee

One nomination for the Deputy Chairperson was received, as follows –

Councillor (Waskam) Emelda Davis (nominated by Councillor Chan, seconded by Councillor Kok).

Councillor Davis indicated acceptance of her nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor (Waskam) Emelda Davis duly elected to the position of Deputy Chairperson of the Resilient Communities Committee for a term commencing immediately and ending on 30 September 2023.

(6) Transport, Heritage, Environment and Planning Committee

One nomination for the Deputy Chairperson was received, as follows –

Councillor HY William Chan (nominated by Councillor Scully, seconded by Councillor Davis).

Councillor Chan indicated acceptance of his nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor HY William Chan duly elected to the position of Deputy Chairperson of the Transport, Heritage, Environment and Planning Committee for a term commencing immediately and ending on 30 September 2023.

Note – the Functions, Delegations, Policies and Procedures for Council's Committees are as follows:

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|--|
| <p style="text-align: center;">CORPORATE, FINANCE, PROPERTIES AND TENDERS COMMITTEE</p> |
|--|

- Meeting Time: Monday 2.00pm
- Venue: Council Chamber
- Chairperson: The Lord Mayor – Councillor Clover Moore
- Deputy Chairperson: Councillor Jess Scully
- Members: Councillor HY William Chan
Councillor (Waskam) Emelda Davis
Councillor Sylvie Ellsmore
Councillor Lyndon Gannon
Councillor Shauna Jarrett
Councillor Robert Kok
Councillor Linda Scott
Councillor Yvonne Weldon
- Quorum: A majority of the members of the Committee
- Functions: To deal with all matters relating to:
- (a) Finance
 - (b) Consideration of budgets and quarterly budget performance
 - (c) Information technology policy
 - (d) Asset management
 - (e) Internal and external audit
 - (f) Fees and charges
 - (g) Rating matters
 - (h) City vehicles and fleet management
 - (i) City operational and property investment facilities

- (j) Industrial relations
- (k) Organisational policy
- (l) City property management, including management, maintenance, leasing, licensing and sale of Council property (excluding footways but including the use, leasing and purchase of other non-Council property)
- (m) Tenders valued at over \$5 million

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

Meeting Time: At the conclusion of the meeting of the Corporate, Finance, Properties and Tenders Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore

Deputy Chairperson: Councillor Robert Kok

Members: Councillor HY William Chan
Councillor (Waskam) Emelda Davis
Councillor Sylvie Ellsmore
Councillor Lyndon Gannon
Councillor Shauna Jarrett
Councillor Linda Scott
Councillor Jess Scully
Councillor Yvonne Weldon

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Economic development and strategy
- (b) Global city relationships, trade and marketing
- (c) Innovation
- (d) Village economies
- (e) Small business
- (f) City retailing

- (g) Operational and promotional issues relating to restaurants and hotels
- (h) Tourism
- (i) Grants and sponsorships related to the above

HOUSING FOR ALL COMMITTEE

Meeting Time: At the conclusion of the meeting of the Business and Economic Development Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore

Deputy Chairperson: Councillor Sylvie Ellsmore

Members: Councillor HY William Chan
Councillor (Waskam) Emelda Davis
Councillor Lyndon Gannon
Councillor Shauna Jarrett
Councillor Robert Kok
Councillor Linda Scott
Councillor Jess Scully
Councillor Yvonne Weldon

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Affordable and diverse housing
- (b) Social housing
- (c) Community housing
- (d) Grants and sponsorships related to the above

| |
|--|
| CULTURAL AND CREATIVE COMMITTEE |
|--|

- Meeting Time: At the conclusion of the Housing For All Committee
- Venue: Council Chamber
- Chairperson: The Lord Mayor – Councillor Clover Moore
- Deputy Chairperson: Councillor Lyndon Gannon
- Members: Councillor HY William Chan
Councillor (Waskam) Emelda Davis
Councillor Sylvie Ellsmore
Councillor Shauna Jarrett
Councillor Robert Kok
Councillor Linda Scott
Councillor Jess Scully
Councillor Yvonne Weldon
- Quorum: A majority of the members of the Committee
- Functions: To deal with all matters relating to:
- (a) Arts, culture, creative industries and creative practice City events, programs and activities
 - (b) Cultural and social diversity
 - (c) Cultural, social and economic disadvantage
 - (d) Liquor licensing
 - (e) Cultural venue management
 - (f) Tourism
 - (g) the Film Industry
 - (h) Grants and sponsorships related to the above

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| RESILIENT COMMUNITIES COMMITTEE |
|--|

Meeting Time: At the conclusion of the Cultural and Creative Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore

Deputy Chairperson: Councillor (Waskam) Emelda Davis

Members: Councillor HY William Chan
Councillor Sylvie Ellsmore
Councillor Lyndon Gannon
Councillor Shauna Jarrett
Councillor Robert Kok
Councillor Linda Scott
Councillor Jess Scully
Councillor Yvonne Weldon

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Assistance to community and cultural organisations
- (b) Community services
- (c) Recreation services
- (d) Child care services
- (e) Library services
- (f) City Community facilities
- (g) City Playground facilities
- (h) Innovation
- (i) Grants and sponsorships related to the above

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|---|
| <p style="text-align: center;">TRANSPORT, HERITAGE, ENVIRONMENT AND PLANNING COMMITTEE</p> |
|---|

- Meeting Times: At the conclusion of the Resilient Communities Committee
- Venue: Council Chamber
- Chairperson: The Lord Mayor – Councillor Clover Moore
- Deputy Chairperson: Councillor HY William Chan
- Members: Councillor (Waskam) Emelda Davis
Councillor Sylvie Ellsmore
Councillor Lyndon Gannon
Councillor Shauna Jarrett
Councillor Robert Kok
Councillor Linda Scott
Councillor Jess Scully
Councillor Yvonne Weldon
- Quorum: A majority of the members of the Committee
- Functions: To deal with all matters relating to:
- (a) Planning instruments, ie, LEPs, DCPs, Policies
 - (b) Transport and access initiatives and issues
 - (c) Parking policy
 - (d) Traffic and the Local Pedestrian, Cycling and Traffic Calming Committee
 - (e) Referrals from other authorities for comment on any of the above matters
 - (f) All applications for footway usage approvals
 - (g) Environmental management and sustainability
 - (h) Parks and open spaces
 - (i) Street trees
 - (j) Green roofs
 - (k) Green lanes

- (l) Urban infrastructure, including roads, stormwater, drainage and footpaths
- (m) Swimming in the harbour
- (n) Street and footpath maintenance and cleaning
- (o) Graffiti removal
- (p) Waste and recycling
- (q) Street furniture
- (r) Street lighting
- (s) Grants and sponsorships related to the above

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| POLICIES AND PROCEDURES OF COMMITTEES |
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- (a) The structure and functions of Committees is standing policy of Council.
- (b) All correspondence from, or to, all Committees, shall be handled through normal Council processes.
- (c) All Committees shall be advisory to Council and have no independent role, except where specific authorities are delegated to them by Council.
- (d) Matters dealt with in Committees shall be submitted to Council without recommendation only when the chairperson so determines.
- (e) The chairperson of Committees shall have a casting vote in the event of an equality of voting.

Item 4.3 Central Sydney Planning Committee - Election of Councillors

Memorandum by the Chief Executive Officer

To Council:

The Central Sydney Planning Committee (CSPC) is constituted by the City of Sydney Act 1988 (the Act).

Section 34(1) of the Act provides that the Committee shall consist of seven members:

- (a) the Lord Mayor of Sydney;
- (b) two councillors of the City of Sydney elected by the City Council; and
- (c) four persons (two of whom are senior State government employees and two of whom are not State or local government employees) appointed by the Minister administering Part 4 of the Planning Act, each having expertise in at least one of architecture, building, civic design, construction, engineering, transport, tourism, the arts, planning or heritage.

The persons currently appointed by the Minister pursuant to clause (c) as members and alternate members are Abbie Galvin, Brett Whitworth, Dick Persson AM, Richard Horne, Olivia Hyde, David Gainsford, Julian Frecklington and Bruce James.

Previously, the Council has chosen to hold a separate election for each of the two Council-elected members; the elections were by open, exhaustive voting (that is, by a show of hands or similar means for candidates duly nominated).

At the Council meeting of 21 February 2022, Council elected Councillors Jess Scully and HY William Chan to the two positions on the Central Sydney Planning Committee, for a term commencing immediately and ending on 30 September 2022.

The Act provides that Council may appoint an alternate for each of the elected members. At the Council meeting of 21 February 2022, Council appointed Councillor Robert Kok as alternate to Councillor Scully and Councillor (Waskam) Emelda Davis as alternate to Councillor Chan until 30 September 2022.

Council will be required to elect the two Council-elected members (and two alternates) for a term commencing immediately and ending on 30 September 2023.

Recommendation

It is resolved that:

- (A) Council elect two Councillors to be members of the Central Sydney Planning Committee for a term commencing immediately following the election and ending on 30 September 2023;
- (B) the method of voting be open, exhaustive voting;
- (C) the Chief Executive Officer conduct the election forthwith; and
- (D) Council appoint alternates for each member elected.

MONICA BARONE

Chief Executive Officer

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

- (A) Council elect two Councillors to be members of the Central Sydney Planning Committee for a term commencing immediately following the election and ending on 30 September 2023;
- (B) the method of voting be open, exhaustive voting;
- (C) the Chief Executive Officer conduct the election forthwith; and
- (D) Council appoint alternates for each member elected.

Carried unanimously.

S062388

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Council Business Coordinator to assist with the conduct of the ballot.

The Council Business Coordinator invited nominations from Councillors for the first position on the Central Sydney Planning Committee.

One nomination for the first position on the Central Sydney Planning Committee was received, as follows –

Councillor Jess Scully (nominated by Councillor Chan, seconded by Councillor Davis), noting the alternate member is to be Councillor Robert Kok.

Councillor Scully indicated acceptance of her nomination.

The Council Business Coordinator then declared Councillor Jess Scully duly elected to the first position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2023.

The Council Business Coordinator invited nominations from Councillors for the second position on the Central Sydney Planning Committee.

One nomination for the second position on the Central Sydney Planning Committee was received, as follows –

Councillor HY William Chan (nominated by Councillor Scully, seconded by Councillor Kok), noting the alternate member is to be Councillor (Waskam) Emelda Davis.

Councillor Chan indicated acceptance of his nomination.

The Council Business Coordinator then declared Councillor HY William Chan duly elected to the second position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2023.

Item 4.4 Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures, Membership and Appointment of Chairperson and Alternate Chairperson

Memorandum by the Chief Executive Officer

To Council:

The Local Pedestrian, Cycling and Traffic Calming Committee is a statutory committee, established under the Roads Act 1993 and in accordance with administrative procedures required by Transport for NSW (formerly Roads and Maritime Services).

Councils have been delegated certain powers by Transport for NSW regarding the regulation of traffic on local roads. A condition of this delegation is that councils must take into account the advice of their Local Pedestrian, Cycling and Traffic Calming Committee before exercising these powers.

The Local Pedestrian, Cycling and Traffic Calming Committee has no decision-making powers. It is primarily a technical review body which is required to advise Council and City staff on traffic-related matters. Council and City staff are therefore not bound or required to implement a proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee. Any proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee must be approved by either the elected Council or authorised City staff (depending on the nature of the proposal) if it is to be implemented. This can only be done when the advice of the Committee is unanimous. Where the advice of the Committee is not unanimous, Council must separately notify and obtain the endorsement of Transport for NSW and NSW Police.

The Local Pedestrian, Cycling and Traffic Calming Committee is made up of four formal (voting) members as follows:

- one representative of Council (Chairperson or alternate Chairperson);
- one representative of NSW Police;
- one representative of Transport for NSW;
- the local State Member of Parliament (MP) or their nominee;
- one representative of a relevant NSW Government agency (where applicable)*.

Representatives of NSW Police and State MPs can only vote on matters in their respective command or electorate.

*The NSW Government agencies are formal (voting) members for matters relating to roads over which they have jurisdiction only (for example, Property NSW / Place Management NSW / Infrastructure NSW). The City of Sydney Council is not a formal (voting) member for these matters.

The Chairperson and alternate Chairperson are to be determined by Council, and Council's representative may be any Councillor or City staff. Council (in consultation with the formal members of the Local Pedestrian, Cycling and Traffic Calming Committee) may also decide to have additional informal (non-voting) representatives who can provide non-binding input on matters under consideration. Informal (non-voting) members of the Local Pedestrian, Cycling and Traffic Calming Committee are as follows:

- Transit Systems representative;
- Transport Workers Union representative;
- Cycling Representative appointed by the Lord Mayor;
- Pedestrian Representative appointed by Council; and
- Local Health District Representative appointed by Council.

City staff convene meetings and provide administrative support for the Committee, including the preparation of agendas, reports and minutes, and formally represent Council when both the Chairperson and the alternate Chairperson are absent.

The Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee are set out in Attachment A.

At the Council meeting of 21 February 2022 Councillor HY William Chan and Councillor (Waskam) Emelda Davis were appointed Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee respectively for a term commencing immediately and ending on 30 September 2022.

Council is now required to appoint a Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on 30 September 2023.

Recommendation

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council appoint Councillor as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on 30 September 2023; and
- (D) Council appoint Councillor as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on 30 September 2023.

MONICA BARONE

Chief Executive Officer

Attachment A. Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee

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

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council appoint Councillor HY William Chan as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on 30 September 2023; and
- (D) Council appoint Councillor (Waskam) Emelda Davis as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on 30 September 2023.

Carried unanimously.

S062388

Note – the Policies and Procedures for the Local Pedestrian, Cycling and Traffic Calming Committee are as follows:

LOCAL PEDESTRIAN, CYCLING AND TRAFFIC CALMING COMMITTEE

The Local Pedestrian, Cycling and Traffic Calming Committee is a statutory committee, established under the Roads Act 1993 and in accordance with administrative procedures established by Transport for NSW (formerly Roads and Maritime Services).

Chairperson: Councillor HY William Chan

Alternate Chairperson: Councillor (Waskam) Emelda Davis

Members:

There are four formal members of the Traffic Committee:

- (a) Four formal (voting) representatives, one from each of the following:
- City of Sydney Council (Chairperson)
 - NSW Police Service
 - Transport for NSW
 - Local State Members of Parliament or their nominee.
 - NSW Government Agencies**

Note: representatives of the NSW Police Service and representatives of State MPs can only vote on issues in their command or electorate respectively.

**The NSW Government agencies are formal (voting) members for matters relating to roads over which they have jurisdiction only (for example, Property NSW / Place Management NSW / Infrastructure NSW). The City of Sydney Council is not a formal (voting) member for these matters.

- (b) Informal (non-voting) representatives, where relevant, from each of the following:
- Transit Systems representative
 - Transport Workers Union representative
 - Cycling representative
 - Pedestrian representative
 - Local Health District representative

The Chairperson and their alternate shall be determined by Council. The views of informal members are considered but not binding.

Administration:

City staff convene meetings and provide administrative support for the Committee, including the preparation of agendas, reports and minutes, and formally represent Council when both the Chairperson and the alternate are absent.

Function:

Council has been delegated certain powers from Transport for NSW with regard to traffic matters on local roads. A condition of this delegation is that Council must take into account the advice of the Local Pedestrian, Cycling and Traffic Calming Committee. The Local Pedestrian, Cycling and Traffic Calming Committee has no decision-making powers. It is primarily a technical review body which is required to advise Council on traffic related matters. All proposals recommended by the Local Pedestrian, Cycling and Traffic Calming Committee must still be formally approved by either the elected Council or authorised City staff (depending on the nature of the proposal). This can only be done when the advice of the Committee is unanimous. Where the advice of the Committee is not unanimous, Council must separately notify and obtain endorsement from Transport for NSW and the NSW Police Service.

Meetings/Attendance:

The Local Pedestrian, Cycling and Traffic Calming Committee generally meets every third Thursday of the month at 10.00am in the Council Chamber, Level 1, Sydney Town Hall, George Street, Sydney (or as advised). Members of the public are welcome to attend and speak to an item on the Local Pedestrian, Cycling and Traffic Calming Committee agenda. Addresses to the Committee are limited to 3 minutes, but this can be extended at the discretion of the Chairperson. If a member of the public wishes to attend, it is requested that they inform the Committee Secretary in advance on 9265 9648.

Item 5 Matters for Tabling

5.1 Disclosures of Interest

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

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

Carried unanimously.

5.2 Petitions

(a) Pyrmont Peninsula Public Transport Forum

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

Public transport reliability in Pyrmont has declined over several years, with no material improvements planned until Metro Station completion in 2028.

We have the support of the Lord Mayor, several Councillors, and our Local Member, and are waiting to hear from the Minister for Transport.

Phase 1 Requests – Short term quick fixes that Pyrmont residents have asked the Minister for Transport to make on our behalf.

- Improved reliability of the 389-bus service with:
 - Bus stops in York Street (near the former King Street stop)
 - Bus stop in Murray Street (closer to the ferry and at the Light Rail Stop)
- Return of the F10 ferry stop to Pirrama Park

Phase 2 Requests – A review of public transport, availability and connectivity within Pyrmont, surrounding suburbs and CBD, with a proposed:

- New bus service to link in with Broadway shopping centre, Missenden Road (RPA) and the new Sydney Fish Market
- Resumption of all-night hourly Light Rail services to support shift workers – there are currently no public transport options from 12 am-5am.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250

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

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Deputy Lord Mayor Councillor Jess Scully

(Deputy Chair)

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

At the commencement of business at 2.01pm those present were -

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

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.53pm.

Report of the Corporate, Finance, Properties and Tenders Committee

Moved by Councillor Scully, seconded by Councillor Chan –

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 12 September 2022 be received, with Items 6.1 and 6.2 being noted, the recommendations set out below for Items 6.3 to 6.5 inclusive, 6.8 and 6.10 being adopted in globo, and Items 6.6, 6.7, 6.9 and 6.11 being dealt with as shown immediately following those items.

Carried unanimously.

Item 6.1**Confirmation of Minutes**

Moved by Councillor Scully, seconded by Councillor Ellsmore –

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday, 15 August 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 6.2**Statement of Ethical Obligations and 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 6.3

Investments Held as at 31 August 2022

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

Carried unanimously.

X020701

Item 6.4

Proposed Land Classification - Part 174-186 George Street, Sydney

It is resolved that Council classify three lots of land to be transferred to Council for future public purposes as a plaza, public cycle facility and community building, being proposed Lots 103, 105 and 106 in the land currently comprising:

- (a) Lots 181 & 182 in Deposited Plan 606865;
- (b) Lot 7 in Deposited Plan 629694;
- (c) Lots 1 & 2 in Deposited Plan 880891; and
- (d) Lots 2 & 3 in Deposited Plan 1213767;

as operational land in accordance with section 31 of the Local Government Act 1993.

Carried unanimously.

X004710

Item 6.5**Lease Variation - Suite 3.02, Level 3 and Level 5, Customs House, 31 Alfred Street, Sydney**

It is resolved that:

- (A) Council approve the variation of the current lease to Customs House Café Pty Limited for Suite 3.02, Level 3, Customs House, 31 Alfred Street, Sydney, by extending the term of the lease by an additional five years. The lease termination date will be extended from 23 November 2029 to 23 November 2034;
- (B) Council approve the variation of the current lease to Customs House Café Pty Limited for Level 5, Customs House, 31 Alfred Street, Sydney, by extending the term of the lease by an additional five years. The lease termination date will be extended from 23 November 2029 to 23 November 2034; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the variation of each lease in accordance with Confidential Attachment A to the subject report.

Carried unanimously.

S099079

Item 6.6**Tender - Natural Gas Large Market Accounts**

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

It is resolved that:

- (A) Council note that a tender will be issued by May 2023 for a new Large Market Natural Gas Supply Contract, noting the financial implications and natural gas market forecast as outlined in Confidential Attachments A and B to the subject report;
- (B) Council note that the timing of tender release will be based on a staff assessment of optimal market conditions to achieve the best outcome for Council;
- (C) authority be delegated to the Chief Executive Officer to:
 - (i) approve the acceptance of the tender for Large Market Natural Gas Supply with the prior consultation of the Chief Financial Officer, following a tender process in accordance with the Local Government Act 1993 and relevant regulations; and
 - (ii) negotiate, execute and administer the Large Market Natural Gas Supply Contract; and
- (D) Council note that it will be provided with a CEO Update following the award of the Large Market Natural Gas Supply Contract.

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

It is resolved that:

- (A) Council note that a tender will be issued by May 2023 for a new Large Market Natural Gas Supply Contract, noting the financial implications and natural gas market forecast as outlined in Confidential Attachments A and B to the subject report;
- (B) Council note that in the tender, information will be sought as to the source of the gas to be used and the implications of it;
- (C) Council note that the timing of tender release will be based on a staff assessment of optimal market conditions to achieve the best outcome for Council;
- (D) Council note that an effort will be made to consider gas alternatives in order to transition away from fossil fuels faster than the 10-year target;
- (E) authority be delegated to the Chief Executive Officer to:
 - (i) approve the acceptance of the tender for Large Market Natural Gas Supply with the prior consultation of the Chief Financial Officer, following a tender process in accordance with the Local Government Act 1993 and relevant regulations;
 - (ii) negotiate, execute and administer the Large Market Natural Gas Supply Contract; and
 - (iii) place protections against exposure to spot pricing within the contract, if possible; and
- (F) Council note that it will be provided with a CEO Update following the award of the Large Market Natural Gas Supply Contract.

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

It is resolved that:

- (A) Council note that a tender will be issued by May 2023 for a new Large Market Natural Gas Supply Contract, noting the financial implications and natural gas market forecast as outlined in Confidential Attachments A and B to the subject report;
- (B) Council note that in the tender, information will be sought as to the source of the gas to be used and the implications of it;
- (C) Council note that the timing of tender release will be based on a staff assessment of optimal market conditions to achieve the best outcome for Council;
- (D) Council note that an effort will be made to consider gas alternatives in order to transition away from fossil fuels faster than the 10-year target; and
- (E) authority be delegated to the Chief Executive Officer to:
 - (i) negotiate the tender for Large Market Natural Gas Supply with the prior consultation of the Chief Financial Officer, following a tender process in accordance with the Local Government Act 1993 and relevant regulations, to be brought back to Council for approval; and
 - (ii) place protections against exposure to spot pricing within the contract, if possible.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Gannon, Jarrett and Weldon

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

Amendment lost.

The substantive motion, as varied by consent, 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.

S084740

Item 6.7

Tender - T-2021-655 - Reject and Negotiate - Doorstep Recycling Service

Moved by Councillor Scully, seconded by Councillor Chan –

It is resolved that:

- (A) Council decline to accept the tender offers for the Doorstep Recycling Service 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 for the Doorstop Recycling Service 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.

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

That clause (C) be amended such that it read as follows –

- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract for the Doorstop Recycling Service on terms that are appropriate in relation to the subject matter of the tender, provided that any contract so awarded shall not be on more favourable conditions and terms than were required under the original tender;

The amendment was lost on the following show of hands –

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

Noes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, 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*.

*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 motion carried.

X084834

Adjournment

At this stage of the meeting, at 4.32pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 4.53pm.

Item 6.8

Exemption from Tender - IT Licence, Subscription, Maintenance and Support Contracts

It is resolved that:

- (A) Council approve an exemption from tender for the provision of the maintenance, support, subscription and licencing of the software applications, platforms and hardware appliances upon the expiry of the current agreements, for the respective extension period along with the optional extension, if appropriate, as listed in Confidential Attachment A to the subject report, noting that because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders;
- (B) Council note the reasons why a satisfactory outcome would not be achieved by inviting tenders differ for each application, platform or appliance and include:
 - (i) a lack of availability of alternative suppliers;
 - (ii) high costs and/or extensive business disruption associated with a transition to a new provider; and
 - (iii) upgrades or changes to service requirements are planned to be implemented within the next five years;

- (C) Council note that the detailed reasons as to why a satisfactory result will not be achieved by inviting tenders are outlined further in Confidential Attachment A;
- (D) Council enter into the subscription, licencing, maintenance and support agreements with the suppliers upon the expiry of the current agreements for the respective extension period along with the optional extension, if appropriate, as listed in Confidential Attachment A to the subject report; and
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer (including exercising options, if appropriate) the subscription, licencing, maintenance and support agreements with the relevant suppliers as listed in Confidential Attachment A to the subject report.

Carried unanimously.

S064539

Item 6.9

Contract Variation - Wi-Fi in Community Centres and Venues for Hire

Moved by Councillor Scully, seconded by Councillor Kok –

It is resolved that:

- (A) Council approve the contract variation to extend the term of the existing contract for the provision of Wi-Fi services to the City of Sydney community centres and venues for hire by 18 months;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute, and administer the variation to the contract with Easyweb Digital Pty Ltd for an 18-month term;
- (C) Council note the total contract sum is detailed in Confidential Attachment A to the subject report; and
- (D) the Chief Executive Officer be requested to provide an update on public Wi-Fi, inclusive of the context, history, cost implications, work done to date, limitations and what is currently available, via the CEO Update.

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

It is resolved that:

- (A) Council approve the contract variation to extend the term of the existing contract for the provision of Wi-Fi services to the City of Sydney community centres and venues for hire by 18 months;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute, and administer the variation to the contract with Easyweb Digital Pty Ltd for an 18-month term;
- (C) Council note the total contract sum is detailed in Confidential Attachment A to the subject report;
- (D) Council note that Sydney is the only Australian capital city without public Wi-Fi;
 - (i) Melbourne and Canberra's public Wi-Fi is provided solely by the State Government; and
 - (ii) all other capital city councils provide a free public Wi-Fi service; and

(E) the Chief Executive Officer be requested to:

- (i) provide an update on public Wi-Fi, inclusive of the context, history, cost implications, work done to date, limitations and what is currently available, via the CEO Update; and
- (ii) bring a proposal to Council progressing the public Wi-Fi strategy within the City of Sydney.

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

Noes (1) Councillor Weldon.

Substantive motion carried.

X039997

Item 6.10

Contract Variation – Head Contractor Stonework for the Sydney Town Hall Façade Conservation Project

It is resolved that Council:

- (A) approve an increased contingency value for the existing Head Contractor contract for the Sydney Town Hall Façade Conservation Stage 3 works to cover additional services as described in Confidential Attachment B to the subject report; and
- (B) note the financial implications detailed in Confidential Attachment B to the subject report.

Carried unanimously.

X034234.011

Item 6.11**Contract Variation and Exemption from Tender - Colliers Property Management Agreement**

Moved by Councillor Scully, seconded by Councillor Kok –

It is resolved that:

- (A) Council approve an increase in the Property Management Agreement contract value with Colliers International (NSW) Pty Ltd as detailed in Confidential Attachment B to the subject report;
- (B) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 noting that, because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders to provide additional services enabling the City to comply with the National Cabinet Mandatory Code of Conduct in response to the Covid-19 pandemic;
- (C) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) it is ancillary to the work already undertaken by Colliers International (NSW) Pty Ltd to manage the City's tenants; and
 - (ii) Colliers International (NSW) Pty Ltd has provided rates for the work that are in line with the rates for other work under the contract, and were assessed as value for money as part of the decision to award the contract;
- (D) Council approve the variation to the Property Management Agreement contract with Colliers International (NSW) Pty Ltd for additional assessment work to comply with the National Cabinet Mandatory Code of Conduct established in response to the Covid-19 pandemic as detailed Confidential Attachment B to the subject report;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the variation to the existing agreement with Colliers International (NSW) Pty Ltd to give effect to (A), (B) and (D) above; and
- (F) Council note that no additional funds are required are required in current or future operational budgets due to this contract variation as these funds were anticipated and forecast during the preparation of the 2022/23 budget.

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

That the motion be amended by the addition of a clause (G) as follows –

- (G) the Chief Executive Officer be requested to provide via the quarterly report, a property report with key metrics and a summary of performance broken down by City and contractor responsibility.

The amendment was lost on the following show of hands –

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

Noes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, 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.

X020009

Misrepresentation

During discussion of Item 6.11, Councillor Scott stated that she had been misrepresented in respect to comments made by the Chair (the Lord Mayor) and clarified her position accordingly.

Item 7 Report of the Business and Economic Development Committee

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Robert Kok

(Deputy Chair)

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

At the commencement of business at 2.54pm those present were -

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

The meeting of the Business and Economic Development Committee concluded at 3.11pm.

Report of the Business and Economic Development Committee

Moved by Councillor Kok, seconded by Councillor Scully –

That the report of the Business and Economic Development Committee of its meeting of 12 September 2022 be received, with Items 7.1 and 7.2 being noted, and Items 7.3 and 7.4 being dealt with as shown immediately following those items.

Carried unanimously.

Item 7.1**Confirmation of Minutes**

There was no Business and Economic Development Committee meeting on 15 August 2022.

Item 7.2**Statement of Ethical Obligations and Disclosures of Interest**

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

The Business and Economic Development Committee recommended the following:

Item 7.3

Public Exhibition - Economic Strategy Discussion Paper

Moved by Councillor Kok, seconded by Councillor Scully –

It is resolved that:

- (A) Council approve the draft economic strategy discussion paper, as shown at Attachment A to the subject report, and relevant case studies at Attachment B to the subject report, for public exhibition for a period of six weeks;
- (B) Council note the City's role as a major employer means they have a responsibility to skill the future workforce;
- (C) the Chief Executive Officer be requested to engage with working people and their representatives such as unions and small businesses as part of the consultation on the draft economic strategy discussion paper; and
- (D) authority be delegated to the Chief Executive Officer to make minor amendments to the draft economic strategy discussion paper for clarity or correction of drafting errors prior to public exhibition.

Carried unanimously.

X039976.009

Point of Order

During discussion of Item 7.3, Councillor Scott raised a point of order requesting that Councillor Kok withdraw his comments.

Councillor Kok withdrew his comments.

Item 7.4**Post Exhibition - Markets Policy**

Moved by Councillor Kok, seconded by Councillor Gannon –

It is resolved that:

- (A) Council adopt the Markets Policy, as shown at Attachment A to the subject report;
- (B) Council note the Guide to Setting Up a Market on Council Land, as shown at Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to the Markets Policy and Guide to Setting Up a Market on Council Land to correct any drafting errors and finalise design, artwork and accessible formats for publication.

Carried unanimously.

X084995

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

At the commencement of business at 3.12pm those present were -

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

The meeting of the Resilient Communities Committee concluded at 3.16pm.

Report of the Resilient Communities Committee

Moved by Councillor Davis, seconded by Councillor Gannon –

That the report of the Resilient Communities Committee of its meeting of 12 September 2022 be received, with Items 8.1 and 8.2 being noted, and Item 8.3 being dealt with as shown immediately following that item.

Carried unanimously.

Item 8.1

Confirmation of Minutes

Moved by Councillor Davis, seconded by Councillor Gannon –

That the Minutes of the meeting of the Resilient Communities Committee of Monday 15 August, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 8.2

Statement of Ethical Obligations and Disclosures of Interest

No 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 8.3

Adoption - Child Safety Policy

Moved by Councillor Davis, seconded by Councillor Gannon –

It is resolved that:

- (A) Council adopt the Draft Child Safety Policy as shown at Attachment A to the subject report;
and
- (B) authority be delegated to the Chief Executive Officer to make minor amendments to the Child Safety Policy to correct any drafting errors and finalise design, artwork and accessible formats for publication.

Carried unanimously.

X039015

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

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor HY William Chan
(Deputy Chair)

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

At the commencement of business at 3.17pm those present were -

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

Adjournment

At 3.51pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Chan –

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 4.03pm, all Councillors were present.

The meeting of the Transport, Heritage, Environment and Planning Committee concluded at 5.16pm.

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 12 September 2022 be received, with Items 9.1 and 9.2 being noted, the recommendations set out below for Items 9.4 to 9.8 inclusive being adopted in globo, and Item 9.3 being dealt with as shown immediately following that Item.

Carried unanimously.

Item 9.1**Confirmation of Minutes**

Moved by Councillor Chan, seconded by Councillor Scully –

That the minutes of the meeting of the Transport, Heritage, Environment and Planning Committee of Monday 15 August 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 9.2**Statement of Ethical Obligations and Disclosures of Interest**

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 9.5 on the agenda in that he previously worked on Transport for NSW's Sydney Metro West urban design and master planning, including for Hunter Street station. Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement was for the Metro stations only and he was not involved in the over station developments relevant to this item.

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

Item 9.3**Project Scope – Rosebery Quietway**

The Transport, Heritage, Environment and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 19 September 2022.

At the meeting of Council, it was moved by Councillor Chan, seconded by Councillor Kok -

It is resolved that Council:

- (A) approve the concept design for the Rosebery Quietway as shown in Attachment B to the subject report for proceeding to detailed documentation and construction tender;
- (B) note the estimated project costs as detailed in Confidential Attachment D to the subject report; and
- (C) acknowledge the concerns of some members of the community about the proposed Quietway and note that City staff will continue to engage with the community during design development.

Variation. At the request of Councillor Scott, and by consent, the motion was varied by the addition of clause (D) as follows –

- (D) the Chief Executive Officer be requested to make arrangements to examine the safety of existing traffic arrangements at Mentmore Avenue and Morley Avenue.

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

X034672.001

Speakers

Sophia Galanos, Anthony Gothard, Maria Frietas, James Lidis (Design Collaborative), Francis O'Neill (Bicycle NSW) and David Errington addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 9.3.

Item 9.4

Revised Project Scope - North Rosebery Park and Green Link

The Transport, Heritage, Environment and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 19 September 2022.

At the meeting of Council, the following alternative recommendation was adopted as part of an in globo motion (as contained in the Information Relevant To memorandum dated 16 September 2022 from the Chief Operating Officer, circulated prior to the meeting).

It is resolved that Council:

- (A) endorse the revised scope of work for upgrades to the North Rosebery Park and Green Link, as described in the subject report and shown in Attachment C to the subject report, with the inclusion of a stand of trees in the passive open space that is sited to ensure sightlines and surveillance, for progression of tendering and construction;
- (B) note that the total project forecast for the upgrades to the North Rosebery Park and Green Link given the additional scope and recent increase in market prices as provided in Confidential Attachment E to the subject report; and
- (C) approve additional funds for this project budget, to be sourced from the budget allocation for future year's New and Enhanced Parks Capital Program as outlined in Confidential Attachment E to the subject report.

Carried unanimously.

X022419.003

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

Item 9.5

Public Exhibition - Planning Proposal - Sydney Metro West Hunter Street Station Sites, Sydney - Sydney Local Environmental Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal - Sydney Metro West Hunter Street Station sites, Sydney as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Homes with a request for Gateway Determination;
- (B) Council approve Planning Proposal - Sydney Metro West Hunter Street Station sites, Sydney as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Minister for Planning and Homes to exercise delegation of all the functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect Planning Proposal - Sydney metro West Hunter Street Station sites, Sydney;
- (D) Council approve and endorse the draft Design Guidelines - Sydney Metro West Hunter Street Station sites, Sydney, shown at Attachment B to the subject report, in their capacity as the relevant planning authority;
- (E) Council approve the draft Design Guidelines - Sydney Metro West Hunter Street Station sites, Sydney, shown at Attachment B to the subject report, for public exhibition for a period of 28 days;
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - Sydney Metro West Hunter Street Station sites, Sydney and draft Design Guidelines - Sydney Metro West Hunter Street station sites, Sydney to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (G) authority be delegated to the Chief Executive Officer to prepare a draft planning agreement in accordance with the letter of offer dated 12 July 2022 at Attachment C to the subject report and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal.

Carried unanimously.

X089148

Item 9.6

Public Exhibition - Planning Proposal - Heritage Floor Space Amendment - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve the Planning Proposal - Heritage Floor Space Amendment, shown at Attachment A to the subject report, for submission to the Minister for Planning and Public Spaces with a request for a Gateway Determination;
- (B) Council approve the Planning Proposal - Heritage Floor Space Amendment for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek confirmation from the Minister for Planning and Public Spaces that it has the authority to exercise the plan-making functions of the Minister under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (D) Council approve the Draft Sydney Development Control Plan 2012 – Heritage Floor Space Amendment, shown at Attachment C to the subject report for public authority consultation and public exhibition;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Heritage Floor Space Amendment and Draft Sydney Development Control Plan 2012 following receipt of the Gateway Determination; and
- (F) Council approve the draft amendments to the Alternative Heritage Floor Space Allocation Scheme, shown at Attachment B to the subject report, for public exhibition to be undertaken currently with the Planning Proposal - Heritage Floor Space amendment.

Carried unanimously.

X091559

Speaker

David Lewis (The Great Synagogue) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 9.6.

Item 9.7**Fire Safety Reports**

It is resolved that Council note:

- (A) the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) the inspection reports by Fire and Rescue NSW, as shown at Attachments B to H of the subject report;
- (C) the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 111 Fitzroy Street, Surry Hills;
- (D) the contents of Attachment C and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 1 and 5-9 Rothschild Avenue, Rosebery;
- (E) the contents of Attachment D and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 387 George Street, Sydney;
- (F) the contents of Attachment E and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2-38 Barr Street, Camperdown;
- (G) the contents of Attachment F and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 100-102 Clarence Street, Sydney;
- (H) the contents of Attachment G and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 456 Kent Street, Sydney;
- (I) the contents of Attachment H and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 420-426 Pitt Street, Haymarket.

Carried unanimously.

S105001.002

Item 9.8**Approved Variations to Development Standards Reported to the Department of Planning and Environment**

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

Carried unanimously.

S040864

Item 10 Property Matter (Confidential)

This item was withdrawn from the agenda.

Item 11 Questions on Notice

1. Potholes in the City of Sydney

By Councillor Jarrett

Question

Following the La Nina flooding events in the City of Sydney throughout 2022, many roads have been damaged, and potholes have appeared. With further La Nina rainfall predicted for summer 2022-2023, it is likely that further potholes will occur on City of Sydney roads.

1. Are annual and/or quarterly audits of potholes in the City of Sydney carried out?
2. If an audit of potholes has been carried out for 2021, will Council be presented with this data and information?
3. Will an audit of potholes in the City of Sydney occur by the end of 2022?
4. If an audit of potholes will be occurring between now and the end of 2022, will the data and information collected be presented to the Council?
5. Can a report be prepared to include what work needs to be carried out and the timetable for the work?

X086666

Answer by the Chief Executive Officer

City staff continuously inspect and repair potholes as they are identified. Regular, area-based inspections of the City's roads and footways are undertaken across the Local Government Area. Identified issues, including potholes, are logged with the City's Infrastructure Maintenance team for repair.

Potholes identified through routine inspection of City assets are reported directly to the City's Infrastructure Maintenance team for repair.

The City's road network is managed in accordance with the City's Resourcing Strategy. The strategy can be found on the City's website at: <https://www.cityofsydney.nsw.gov.au/strategies-action-plans/resourcing-strategy>

During the peak period of wet weather in March/April 2022, a targeted program of roadway inspections, and associated maintenance, was undertaken by City staff.

Issues identified from routine inspections are logged with the City's Infrastructure Maintenance team for repair as they are identified.

Maintenance works are prioritised by condition (e.g., safety risk). Potholes are typically made-safe on the same day the hazard is identified in high-traffic/high-risk locations and for significant damage that presents a safety risk.

Locations are monitored and may be made-safe more than once (if required) before permanent repairs can be scheduled. The timing of permanent repairs is dependant on weather conditions and the location of the potholes.

2. Domain Cultural Precinct

By Councillor Jarrett

Question

On Wednesday 7 September 2022, the Sydney Morning Herald outlined an arts precinct proposal for the Domain. This article was seen by the City of Sydney Council.

1. Was the matter of an arts precinct for the Domain proposed to the City of Sydney Council?
2. If the matter of an arts precinct for the Domain was proposed to the City of Sydney Council, when did this occur, who attended the presentation, and what was the outcome of the presentation?
3. If the matter of an arts precinct for the Domain was not proposed to the City of Sydney Council, who within the City of Sydney received the briefing that led the City of Sydney Council to be included in the Sydney Morning Herald article from 7 September 2022?

X086666

Answer by the Chief Executive Officer

There were three meetings held with City staff regarding rezoning in Riley Street Darlinghurst, at a fourth meeting, Grimshaw promoted the idea of the Domain as an entertainment/performance venue. It was unfunded. Grimshaw said it could be partly funded by developer contributions through the expanded idea of rezoning Woolloomooloo and part of Darlinghurst to medium and high-rise development.

Grimshaw's Domain proposal had been shown to the Committee of Sydney at which City staff were not invited. Grimshaw later showed the presentation to three city staff – the City Architect / Executive Manager City Design and Public Art, the Manager Cultural Strategy and the Director City Planning, Development and Transport on 3 November 2021. No copy was provided. Although different aspects of the proposal were presented, a formal briefing on a Domain arts/entertainment precinct was never provided to Council.

Proponents often request to meet with the Director City Planning, Development and Transport and relevant City staff to discuss and develop proposals before they are formally submitted.

The following meetings occurred prior to the Domain proposal noted above:

- 19 February 2018

Initial meeting with Cahill Property Group to discuss a planning proposal for Wilson car park site in Riley Street, Darlinghurst.

- 30 June 2020

A further meeting with Cahill Property Group to specifically discuss a rezoning proposal by Grimshaw for 8 sites at 70 and 91-107 Riley Street Darlinghurst.

- 4 May 2021

A further meeting with Cahill Property Group to specifically discuss a rezoning proposal by Grimshaw for three towers including twin 50 storey towers in the Riley Street Precinct, Darlinghurst.

City attendees at these three meetings were the Director City Planning Development and Transport and the Executive Manager Strategic Planning and Urban Design.

3. Implementing Gender Equity and Development

By Councillor Ellsmore

Question

1. What are the main or key Council policies, procedures and rules currently in place, which outline Council's commitment to promoting gender equity, ending discrimination on the basis of gender, and promoting women's rights?
2. What Council policies, procedures and rules are currently to promote safe, inclusive and discrimination-free streets, public spaces, businesses and venues in the City?
3. What are the key planning processes and instruments currently in place, which guide what kinds of venues can be opened or operated in the City?
4. What planning processes, instruments or other rules protect against venues being operated in the City which discriminate against people on the basis of gender?
5. What planning processes, instruments or other rules determine whether exclusive, men's only clubs – also known as 'Gentlemen's Clubs' - can be opened or operated in the City?

X086664

Answer by the Chief Executive Officer

1. A City for All, the City's Social Sustainability Policy and Action Plan outlines a number of key principles and the City's strategic commitment to gender equality, ending discrimination and promoting women's rights.

In 2022, in partnership with ACON, the City delivered six Silver Sessions for LGBTIQ+ women over 55. The sessions provided information and raised awareness around healthy relationships and healthy ageing.

The City provides compassion training for workers and community to respond to disclosures or incidents of harassment and assault, while bystander training is delivered to residents to improve reporting of domestic and family violence and appropriate and safe bystander responses. The City also provides "Your Body Your Choice" factsheets in 11 community languages to students to help them understand consent and provide support for those who have experienced sexual assault.

We provide ethical bystander training to volunteers who work at festivals, events and in the night-time economy to prevent violence against women and assist with compassionate responses to disclosures of sexual assault. We work with peer-based sex worker organisations to improve the safety of women working in the adult entertainment industry, and with advocates such as She's A Crowd to ensure women's experiences of the built environment and transport can inform projects and design.

The City is a signatory to the Greater Sydney Commission's Women's Safety Charter, which aims to bring together businesses, government agencies, peak groups and not-for-profit organisations to take collective action that improves the safety of women and girls in Greater Sydney. We also host a quarterly interagency on domestic and family violence and sexual assault with specialist services, community organisations, legal services, health services and NSW Police. A CEO Update on the forum hosted on 6 September 2022 will be provided soon.

The City offered a range of programs and events to support the recent United Nations 16 days of activism against gender-based violence, along with programming and events for

Domestic and Family Violence Prevention month to build community capacity to respond and prevent domestic and family violence.

On 20 July 2022 the City supported Domestic Violence NSW and Wirringa Baiya Aboriginal Women's Legal Service to deliver a forum at Customs House on coercive control and NSW Legislation. This event provided domestic violence specialists, legal professionals and policy makers with an opportunity to discuss the nuances and complexities of the proposed legislation and offer solutions to make the victim-survivors of domestic and family violence safer.

Relevant corporate Policies and Plans are:

- Equal Employment Opportunity and Anti-Discrimination Policy
- Harassment and Bullying Policy
- Recruitment and Selection Policy
- Domestic and Family Violence Policy
- EEO, Diversity and Inclusion Action Plan.

2. The City conducts safety audits using crime prevention through environmental design principles to respond to safety issues identified in public spaces. We are working with Surry Hills Police Command and community to develop an Oxford Street Precinct Safety Plan, and with the Office of the 24-hour Economy Commissioner on implementing the Purple Flag accreditation scheme which rewards excellence in night-time economy management and aims to create safe and thriving locations at night for all users.

The City marks Transgender Day of Remembrance, Transgender Day of Visibility and Wear It Purple Day each year with a suite of programs, events and other initiatives including marketing campaigns and supports ACON's LGBTIQ Welcome Here Project. The City's community centres and aquatic leisure centres are part of this project and welcome all members of the community every day. The Welcome Here Project supports businesses and services throughout Australia to create and promote environments that are visibly welcoming and inclusive of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) communities.

People of diverse sexualities and genders are welcome at all City facilities. Two LGBTIQA+ volleyball clubs use the Perry Park Recreation Centre, while the King George V Recreation Centre in The Rocks is working with Pride in Sport to promote the centre's Wednesday night women's competition as an inclusive competition for anyone who identifies as female. Tennis Sydney, one of Australia's largest LGBTIQA+ tennis clubs, use the City community tennis facilities for their events.

City staff are developing a position on inclusive changerooms, toilets and facilities to ensure that they are safe, inclusive and can be accessed by the community with dignity.

Further information will be provided to Council via CEO Updates as these projects are realised.

3. The Sydney Local Environmental Plan 2012 (LEP) includes land use zones which describe the uses that can be carried out with consent or are prohibited. The LEP has standard definitions set by the NSW Government. The planning system generally does not prescribe who may run a business or occupy a building.

4. None. Discriminatory activities are regulated in NSW under the Anti-Discrimination Act 1977 and nationally under the Age Discrimination Act 2004, Australian Human Rights Commission Act 1986, Disability Discrimination Act 1992, Racial Discrimination Act 1975, and the Sex Discrimination Act 1984.
5. None. The LEP permits 'registered clubs' with consent in certain zones. The standard definition of a registered club does not differentiate between types of clubs or their operation. Registered Clubs are separately regulated under the Registered Clubs Act 1976, and it is generally unlawful for a registered club to treat a person in a discriminatory manner. The Anti-Discrimination Act 1997 (NSW) allows registered clubs to restrict membership in some circumstances.

4. Macleay Street Upgrade

By Councillor Gannon

Question

The Macleay Street Upgrade has been a long ongoing capital works project.

1. When did works commence?
2. What was its original completion date?
3. When is it predicted to be completed?
4. How many days, weeks and months is it overdue?
5. What was its original budget?
6. Is it over budget?
7. If so, by how much is it over budget?
8. How many complaints have been received?
9. Has there been a review of the community communication strategy?

X086665

Answer by the Chief Executive Officer

1. Works commenced on 5 October 2020, with a Council endorsed completion date of October 2022 following approval of additional scope in March 2021.
2. The original completion date was April 2022 (18 months from commencement). Based on community requests, Council endorsed additional scope from Challis Avenue to Macdonald Street on 29 March 2021. This extended the completion date to October 2022.
3. The project is on track for completion in October 2022.
4. The project is on track for completion in October 2022, despite Covid-19 related lockdowns, severe weather impacts in early 2022 and other breaks introduced to accommodate community needs and events such as Shop Late Potts Point coordinated by the Potts Point Partnership.
5. The original project budget was \$11M. The additional scope endorsed by Council on 29 March 2021 increased the overall budget to \$12.3M.

6. No.
7. Not applicable as the project is not over budget.
8. The City's contractor received 42 complaints and 65 were made directly to the City. The project has also received 41 compliments.
9. The current communication strategy involves City and contractor websites to provide up to date information; inclusion of a dedicated community liaison officer; weekly community stakeholder updates and notification letters provided to stakeholders throughout construction.

There have been over 4000 communications interactions via email, phone and face-to-face (when possible). Three business surveys were undertaken to better inform the program and accommodate business needs.

5. Street Furniture Upgrade

By Councillor Gannon

Question

The Street Furniture Upgrade has been a long ongoing capital works project.

1. When was it due for completion?
2. When will it be completed?
3. How many days, weeks and months is it overdue?
4. How many complaints has the City received?
5. How much has it cost the City?
6. Has its delay resulted in additional costs for the City?

X086665

Answer by the Chief Executive Officer

1. Initial completion date was end August 2022.
2. All assets, excluding public toilets, have an estimated completion date of January 2023. The replacement of public toilets is estimated for completion by June 2023.
3. 14 days overdue from the original completion date (as at 14 September 2022).
4. There have been approximately 250 enquiries since September 2021.
5. The Street Furniture contract will deliver a new suite of seats, bins, kiosks, communication panels and automated public toilets at no cost to the City.

Bus shelters previously owned by JCDecaux are removed and replaced at no cost to the City. There are 50 City owned bus shelters removed at the City's cost, with 50 new shelters to be installed by the new contractor at no cost to the City. There has been \$200,000 spent to date on the removal of these shelters.

As a result of the QMS rollout delays \$185,000 of additional cleaning costs to ensure appropriate service delivery during transition has been incurred.

6. The delay resulted in an additional cost of \$185,000, for the cleaning cost of the furniture to maintain service levels during the transition.

6. Actioning the Success of the Jobs and Skill Summit

By Councillor Scott

Question

1. Broken down by year since 2006, how many apprentices has the City hired per year?
2. Broken down by year since 2006, what has been our annual expenditure on apprentice wages?
3. Broken down by year since 2006, how many trainees has the City hired per year?
4. Broken down by year since 2006, what has been our annual expenditure on trainee wages?
5. Broken down by year since 2006, how many graduates has the City hired per year?
6. Broken down by year since 2006, what has been our annual expenditure on graduate wages?

X086668

Answer by the Chief Executive Officer

Since 2006, the City has hired or hosted 31 apprentices, 97 trainees, and 33 graduates in designated roles.

1. Apprentices hired per financial year 2006-07 to 2021-22

| Financial Year | New Hires |
|----------------|-----------|
| 2006/07 | 1 |
| 2007/08 | 2 |
| 2008/09 | 1 |
| 2009/10 | 1 |
| 2010/11 | 4 |
| 2011/12 | 3 |
| 2012/13 | 1 |
| 2013/14 | 2 |
| 2014/15 | 5 |
| 2015/16 | 2 |
| 2016/17 | 0 |
| 2017/18 | 3 |
| 2018/19 | 0 |
| 2019/20 | 3 |
| 2020/21 | 0 |
| 2021/22 | 3 |
| TOTAL | 31 |

2. Wages paid to Apprentices per financial year 2006-07 to 2021-22

| Financial Year | Total Wages |
|-----------------------|--------------------|
| 2006/07 | \$58,163 |
| 2007/08 | \$79,471 |
| 2008/09 | \$81,603 |
| 2009/10 | \$82,834 |
| 2010/11 | \$114,784 |
| 2011/12 | \$207,810 |
| 2012/13 | \$196,148 |
| 2013/14 | \$252,097 |
| 2014/15 | \$217,390 |
| 2015/16 | \$253,261 |
| 2016/17 | \$284,613 |
| 2017/18 | \$222,06 |
| 2018/19 | \$230,677 |
| 2019/20 | \$118,621 |
| 2020/21 | \$78,349 |
| 2021/22 | \$109,114 |
| TOTAL | \$2,586,998 |

3. Trainees hired per financial year 2006-07 to 2021-22

Note "Trainees" also includes Cadets, Interns and Undergraduates

| Financial Year | New Hires |
|-----------------------|------------------|
| 2006/07 | 1 |
| 2007/08 | 3 |
| 2008/09 | 1 |
| 2009/10 | 3 |
| 2010/11 | 9 |
| 2011/12 | 2 |
| 2012/13 | 5 |
| 2013/14 | 8 |
| 2014/15 | 8 |
| 2015/16 | 8 |
| 2016/17 | 5 |
| 2017/18 | 8 |
| 2018/19 | 11 |

| Financial Year | New Hires |
|----------------|-----------|
| 2019/20 | 5 |
| 2020/21 | 2 |
| 2021/22 | 5 |
| TOTAL | 84 |

4. Wages paid to Trainees per financial year 2006-07 to 2021-22

| Financial Year | Total Wages |
|----------------|--------------------|
| 2006/07 | \$138,756 |
| 2007/08 | \$100,424 |
| 2008/09 | \$58,765 |
| 2009/10 | \$90,992 |
| 2010/11 | \$174,542 |
| 2011/12 | \$156,420 |
| 2012/13 | \$173,993 |
| 2013/14 | \$214,458 |
| 2014/15 | \$283,534 |
| 2015/16 | \$517,390 |
| 2016/17 | \$427,565 |
| 2017/18 | \$315,063 |
| 2018/19 | \$495,357 |
| 2019/20 | \$491,674 |
| 2020/21 | \$416,573 |
| 2021/22 | \$267,004 |
| TOTAL | \$4,322,509 |

5. Graduates hired per financial year 2006-07 to 2021-22

Note: Refers to graduates in designated Graduate roles

| Financial Year | New Hires |
|----------------|-----------|
| 2006/07 | 0 |
| 2007/08 | 2 |
| 2008/09 | 2 |
| 2009/10 | 0 |
| 2010/11 | 1 |
| 2011/12 | 2 |
| 2012/13 | 2 |

| Financial Year | New Hires |
|-----------------------|------------------|
| 2013/14 | 2 |
| 2014/15 | 2 |
| 2015/16 | 2 |
| 2016/17 | 3 |
| 2017/18 | 5 |
| 2018/19 | 5 |
| 2019/20 | 2 |
| 2020/21 | 0 |
| 2021/22 | 3 |
| TOTAL | 33 |

6. Wages paid to Graduates per financial year 2006-07 to 2021-22

| Financial Year | Total Wages |
|-----------------------|--------------------|
| 2006/07 | \$167,930 |
| 2007/08 | \$117,403 |
| 2008/09 | \$148,007 |
| 2009/10 | \$187,030 |
| 2010/11 | \$189,068 |
| 2011/12 | \$168,120 |
| 2012/13 | \$277,129 |
| 2013/14 | \$331,224 |
| 2014/15 | \$257,040 |
| 2015/16 | \$309,300 |
| 2016/17 | \$342,347 |
| 2017/18 | \$275,824 |
| 2018/19 | \$385,400 |
| 2019/20 | \$622,436 |
| 2020/21 | \$388,398 |
| 2021/22 | \$431,504 |
| TOTAL | \$4,598,161 |

In addition, further trainees were hired by third party training providers and hosted by the City:

- 6 ArtsReady Trainees started in 2017/18
- 4 (3 ArtsReady, 1 AFL SportsReady) Trainees started in 2018-19
- 3 ArtsReady Trainees started in 2021/22.

7. Council Vehicles

By Councillor Scott

Question

1. Broken down by year since 2006, and ownership type, what is the petrol bill for the outsourced, leased and council owned vehicles?
2. Broken down by year since 2006, what are the total accumulated emissions by outsourced, leased and council owned vehicles?

X086668

Answer by the Chief Executive Officer

1. Fuel costs for City of Sydney (leased/owned) vehicles

| Financial Year | City of Sydney (leased/owned) |
|-----------------------|----------------------------------|
| 2005/06 (baseline) | \$1,276,033 |
| 2006/07 | \$1,228,007 |
| 2007/08 | \$1,287,938 |
| 2008/09 | \$1,385,356 |
| 2009/10 | \$1,147,630 |
| 2010/11 | \$1,320,265 |
| 2011/12 | \$1,325,476 |
| 2012/13 | \$1,508,340 |
| 2013/14 | \$1,448,735 |
| 2014/15 | \$1,285,063 |
| 2015/16 | \$1,071,613 |
| 2016/17 | \$1,002,435 |
| 2017/18 | \$853,148 |
| 2018/19 | \$954,771 |
| 2019/20 | \$773,230 |
| 2020/21 | \$589,232 |
| 2021/22 | \$703,338 |

*Note no data available for contractors (outsourced) fuel costs

2. Vehicle emissions (tCO₂e)

| Financial Year | City of Sydney (leased/owned) | Contractors (outsourced) | Total |
|-----------------------|--|-------------------------------------|--------------|
| 2005/06 (baseline) | 2,669 | 1,150 | 3,819 |
| 2006/07 | 3,022 | 1,315 | 4,336 |
| 2007/08 | 2,954 | 1,407 | 4,361 |
| 2008/09 | 3,212 | 1,548 | 4,760 |
| 2009/10 | 3,225 | 1,378 | 4,603 |
| 2010/11 | 3,175 | 1,253 | 4,429 |
| 2011/12 | 2,710 | 1,241 | 3,952 |
| 2012/13 | 2,373 | 995 | 3,367 |
| 2013/14 | 2,417 | 1,097 | 3,514 |
| 2014/15 | 2,293 | 1,261 | 3,554 |
| 2015/16 | 2,244 | 1,265 | 3,509 |
| 2016/17 | 2,156 | 1,256 | 3,412 |
| 2017/18 | 2,245 | 1,261 | 3,506 |
| 2018/19 | 2,081 | 1,269 | 3,350 |
| 2019/20 | 1,614 | 1,819 | 3,433 |
| 2020/21 | 1,591 | 2,055 | 3,646 |

*Emissions figures verified each year as part of our carbon neutral program.

*Note emissions data provided up to 2020/21, the most recent verified emissions year.

8. Proposal to Allow Two-Way Bike Traffic on Some One-Way Streets

By Councillor Weldon

Question

1. What is the public consultation period for the proposal to allow two-way bike traffic on some one way streets?
2. Which groups have Council identified as being impacted by this proposal?
3. What are the processes by which these groups can provide their feedback on this proposal?
4. What was the process for deciding which residents, business organisations and others potentially impacted received a flyer notifying them of the proposal to allow two-way bike traffic on some one-way streets?

5. What dates were flyers delivered across the Local Government Area informing residents of the proposal to allow two-way bike traffic on some one-way streets?
6. How many flyers were delivered?
7. Was the URL link on the flyer to provide feedback via the Council website correct?
8. If the answer to 7 is no, is it proposed to reissue the flyer?
9. Has Council informed or consulted with the Minister for Roads and the Minister for Metropolitan Roads prior to developing the proposed changes to allow two-way bike traffic on some one-way streets?
10. Has Council informed or consulted with the Minister for Police or the Police Commissioner on the proposal to allow two-way bike traffic on one-way streets?
11. Have road safety investigations been conducted on each of the laneways and streets where it is proposed to allow two-way bike traffic on one-way streets.
12. If the answer to 11 is yes:
 - (a) What are the names of safety experts/organisations who have conducted safety investigations on the laneways and streets where it is proposed to allow two-way bike traffic on one-way streets?
 - (b) When were these investigations conducted?
 - (c) What are the names of the streets/laneways in the Local Government Area which have had safety investigations conducted?
 - (d) Will the Chief Executive Officer provide the reports conducted by safety experts/organisations available to Councillors via the CEO Update?
 - (e) Will the Chief Executive Officer arrange for the public to be informed of the reports conducted by safety experts/organisations to assist their consideration of the impact of the proposed changes to allow two-way bike traffic on one way streets.

X086670

Answer by the Chief Executive Officer

1. From 24 August 2022 to 29 September 2022 (36 days).
2. Properties in surrounding streets were notified.

Impacts are negligible as there are no changes to parking, motor vehicle access or trees, just some line marking and signage.
3. By email, a survey on Sydney Your Say, by post or by phone.
4. Properties in surrounding streets were sent a flyer.
5. Flyers were printed and lodged for posting on 30 August 2022. Delivery into mailboxes would have occurred from 2 September 2022.
6. 22,653.
7. Yes, the QR code and URL are correct (however the URL was broken for a short period).

The QR code has had 187 scans and the website has had 1454 page views as of 13 September 2022.

8. Answer to part 7 is yes, so not applicable.
9. The City consulted with Transport for NSW.
10. NSW Police have a representative on the Local Pedestrian, Cycling and Traffic Calming Committee, to which the proposal will be referred after community consultation.
11. Each of the streets proposed has been reviewed from a safety perspective by four City staff plus Transport for NSW staff, over the period March 2020 to March 2022.

The names of the streets are listed on the City's website

<https://www.cityofsydney.nsw.gov.au/proposed-works-maintenance/proposal-two-way-bike-traffic-one-way-streets> and in the CEO Update circulated on 12 August 2022.

The proposal arose from the recommendation in the Transport for NSW Technical Direction 2014/002 that councils assess their existing one-way streets for suitability for contra-flow bicycle facilities. This Technical Direction was developed by Transport for NSW after they commissioned a study into the safety of contra-flow facilities on one-way streets.

The Austroads Guide to Traffic Management Part 8 (7.5.3) suggests one-way streets can increase opportunities for dedicated facilities for bicycle riders and may improve bicycle safety. It recommends the use of contra-flow bicycle lanes, which permit two-way bicycle movements on roads that are one-way for other vehicles.

12. Answer provided in part 11.

9. Temporary Cycleways in City of Sydney – Legal Advice

By Councillor Weldon

Question

I refer to my question on 22 August 2022 "Temporary Cycleways in City of Sydney" and to the response 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. 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."

1. What provision of the Order allowed pop up cycleways to remain if they were approved under Part 5 of the Environmental Planning and Assessment Act 1979?
2. In providing the answer to my Question on Notice did the Chief Executive Officer have the benefit of legal advice?
3. If so, who provided this legal advice?
4. If the Chief Executive Officer did not have the benefit of legal advice will the Chief Executive Officer obtain legal advice?

5. If the legal advice is that her previous answer was incorrect, will she correct her previous answer?

X086670

Answer by the Chief Executive Officer

A confidential CEO Update was provided to Councillors on 16 September 2022 in response to this Question on Notice as it involved the provision of legal advice.

10. QMS Advertising

By Councillor Scott

Question

1. What are the dimensions of the new QMS advertising signs in comparison to the old ones? (width, height and depth)
2. What has been the revenue garnered by the signs by each respective year since 2015?
3. Has the City applied Environmental, Social, and Governance (ESG) considerations to the signs? Will the advertisement of smoking, coal mining or gambling be permitted?

X086668

Answer by the Chief Executive Officer

1. Communications Pylons:
 - JCDecaux - 2770 height x 1400 width x 260mm depth
 - QMS – 2800 height x 1420 width x 254mm depth

Bus Shelter Advertising Panels:

- JCDecaux – 1915 height x 1320 width x 195mm depth
- QMS - 2400 height x 1423 width x 254mm depth

2.

| Year | Revenue |
|---------|---------|
| 2014/15 | \$4.9M |
| 2015/16 | \$5.2M |
| 2016/17 | \$6.0M |
| 2017/18 | \$9.5M |
| 2018/19 | \$10.4M |
| 2019/20 | \$6.0M |
| 2020/21 | \$5.2M |
| 2021/22 | \$2.5M |

3. QMS is powering the advertising signs with 100 per cent green electricity.

Advertising standards are dealt with in clause 70.3 of the QMS contract:

QMS must ensure that all its advertising:

- Complies with all law
- Complies with industry codes, standards and other regulatory requirements applicable to the advertising industry or the products or services being advertised. This includes telecommunications products and services, motor vehicles or therapeutic goods; and
- Does not contain material that is prohibited, which is listed to be content that:
 - Infringes intellectual property rights or moral rights
 - Resembles or is capable of confusion with directional or informational signs
 - Adversely comments on, mocks or denigrates the City or its activities
 - Poses a risk to public safety
 - Is inconsistent with law enforcement operations, safety and security signage or public safety or security arrangements applicable to a location
 - Breaches any other reasonable requirement notified by the City to QMS.

The City has notified QMS that it will not permit wagering or gambling advertising (other than lotto advertising). Advertising related to alcohol and tobacco is dealt with through industry codes and regulatory requirements.

The City has the right to direct QMS to remove any advertising that breaches the above, and QMS must remove it within 24 hours of the City directing QMS.

City staff are working through the request arising from the Notice of Motion on Fossil Fuel Advertising in the City, endorsed by Council on 22 August 2022.

In addition, QMS has advised that:

- They have not had to date any fossil fuel advertisements on their Out of Home sites; and
- If they were to receive an application for fossil fuel advertisements in the future, QMS would contact the City before any consideration of commissioning.

11. Use of Glyphosate within the City of Sydney

By Councillor Scott

Question

1. Where do we use products containing glyphosate and for what purpose?
2. How much money do we spend a year on those products containing glyphosate?
3. Has the City investigated the possibilities of using alternative products?

X086668

Answer by the Chief Executive Officer

1. The City has an integrated weed management program which uses a range of products and techniques including hand pulling. Herbicides containing glyphosate are used only in specific instances where alternative techniques or products are unsuitable.

Glyphosate is used for:

- biosecurity management in bush restoration areas, through cut and paint method.
- managing weeds smaller than 50mm x 50mm in hardstand and selective garden beds across parks and the public domain, through targeted spot spray and/or wick applicators.

Herbicides containing glyphosate are not used for weed management in and around playgrounds, early childhood education centres, turf and sports fields, community gardens, water ways, water sensitive urban design features, City Hotspot Register sites and EPA designated "Sensitive Sites".

2. The City spent approximately \$1,200 on herbicides containing glyphosate in 2021/22.
3. The City has been conducting a review of weed management over the last three years, investigating available products and technologies with the objective of replacing glyphosate.

The review encompassed international research and has involved consultation with councils, universities, industry groups, and the NSW and Australian Governments. There is currently no available form of weed control of lower toxicity that meets the City's service levels, operational needs, legislative requirements, and community expectations. The review will continue to investigate the market annually until glyphosate can be replaced safely and effectively.

The City is aware of the risks of using herbicides and is committed to ensuring that herbicide use is safe, responsible, justified, and minimised. This is reflected in the City's active reduction of glyphosate use by 93 per cent since 2016.

Item 12 Supplementary Answers to Previous Questions

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

Item 13 Notices of Motion

Item 13.1 Ageism Awareness

By Councillor Ellsmore

It is resolved that:

(A) Council note that:

- (i) ageism, or discrimination based on age including prejudice against older people, has a profound impact on our communities. Ageism negatively affects the job prospects, confidence, physical and mental health, quality of life and control over life decisions of older members of the community;
- (ii) in 2021, the World Health Organisation found that "Ageism has been shown to cause cardiovascular stress, lowered levels of self-efficacy and decreased productivity";
- (iii) another major area where age discrimination impacts older Australians is employment. The employment participation rate of Australians aged 55-64 years old is 67.2 per cent, and lags behind comparable countries such as New Zealand (78.4 per cent), Germany (74.4 per cent) and Japan (77.9 per cent). Almost 223,000 Australians aged 55-64 years are on Newstart payments - actively looking for work but unable to get a job. This is the largest of any other age group;
- (iv) Deloitte Access Economics, undertaking modelling on behalf of the Australian Human Rights Commission, has estimated that if five per cent more people aged 55 or older were employed, there would be a positive impact of \$48 billion on the national economy annually;
- (v) addressing ageism is good for both the community and our local economies. The drivers and causes of ageism can be addressed by shifting negative attitudes and addressing discrimination in employment, healthcare, aged care, housing, digital inclusion and economic security; and
- (vi) EveryAGE Counts is an advocacy campaign aimed at tackling ageism against older Australians. The EveryAGE Counts campaign has written to the City of Sydney Councillors and the Council, asking for Council to support action against ageism;

(B) Council agree to:

- (i) support the EveryAGE Counts campaign to end ageism, joining with others in our communities to create a society where every person is valued, connected and respected regardless of age; and
- (ii) promote awareness of upcoming Ageism Awareness Day, which will be held on 7 October 2022; and

(C) the Chief Executive Officer be requested to:

- (i) investigate other opportunities for the Council to support the campaign and address ageism in our communities, including Council signing the campaign pledge to stand for a world without ageism, training and information for Council staff about ageism, education and awareness raising about ageism in the wider community, and advocacy to State and Federal Parliamentarians; and
- (ii) report back to Council about these, and other potential actions, that Council could take to support the campaign and address ageism.

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 Scully –

It is resolved that:

(A) Council note that:

- (i) ageism, or discrimination based on age including prejudice against older people, has a profound impact on our communities. Ageism negatively affects the job prospects, confidence, physical and mental health, quality of life and control over life decisions of older members of the community;
- (ii) in 2021, the World Health Organisation found that "Ageism has been shown to cause cardiovascular stress, lowered levels of self-efficacy and decreased productivity";
- (iii) another major area where age discrimination impacts older Australians is employment. The employment participation rate of Australians aged 55-64 years old is 67.2 per cent, and lags behind comparable countries such as New Zealand (78.4 per cent), Germany (74.4 per cent) and Japan (77.9 per cent). Almost 223,000 Australians aged 55-64 years are on Newstart payments - actively looking for work but unable to get a job. This is the largest of any other age group;
- (iv) Deloitte Access Economics, undertaking modelling on behalf of the Australian Human Rights Commission, has estimated that if five per cent more people aged 55 or older were employed, there would be a positive impact of \$48 billion on the national economy annually;
- (v) addressing ageism is good for both the community and our local economies. The drivers and causes of ageism can be addressed by shifting negative attitudes and addressing discrimination in employment, healthcare, aged care, housing, digital inclusion and economic security;
- (vi) in relation to addressing ageism in housing and accommodation for older people, the Housing for the Aged Action Group has advocated for a funded specialist service to engage with older people before they experience a housing crisis, support them moving into aged care, lower the priority age for social housing eligibility and allocate 20 per cent of social and affordable housing to older people;
- (vii) in October 2021, the Ensuring Age Appropriate Housing and Priority Housing for Older People Notice of Motion was passed unanimously requesting the Lord Mayor to write to Minister for Water, Property and Housing and the Premier of NSW to request that they meet with the Housing for the Aged Action Group;

- (viii) in November 2021, the Lord Mayor wrote to the Premier, Minister for Families, Communities and Disability Services and Minister for Water, Property and Housing requesting the NSW Government meets with the Housing for the Aged Action Group to discuss their priorities;
 - (ix) the NSW Upper House Committee on Social Issues is due to report on the findings of its inquiry into homelessness amongst older people by 30 September 2022. The inquiry examined the rate of homelessness and factors affecting the incidence of homelessness among older people, as well as impacts on health and wellbeing, challenges in navigating services and opportunities for change;
 - (x) on 16 September 2022, the Lord Mayor wrote to the NSW Treasurer requesting he meet with the Housing for the Aged Action Group to discuss their priorities before the Upper House Committee report their findings;
 - (xi) the City's community centres offer a range of programs, activities and services to support healthy and active ageing, including fitness classes, computer skills and social groups; and
 - (xii) EveryAGE Counts is an advocacy campaign aimed at tackling ageism against older Australians. The EveryAGE Counts campaign has written to the City of Sydney Councillors and the Council, asking for Council to support action against ageism;
- (B) Council agree to support the EveryAGE Counts campaign to end ageism, joining with others in our communities to create a society where every person is valued, connected and respected regardless of age; and
- (C) the Chief Executive Officer be requested to:
- (i) promote awareness of upcoming Ageism Awareness Day, which will be held on 7 October 2022;
 - (ii) investigate other opportunities for the Council to support the campaign and address ageism in our communities, including Council signing the campaign pledge to stand for a world without ageism, training and information for Council staff about ageism, education and awareness raising about ageism in the wider community, and advocacy to State and Federal Parliamentarians; and
 - (iii) report back to Council about these, and other potential actions, that Council could take to support the campaign and address ageism.

Carried unanimously.

X086659

Item 13.2 Housing for All Working Group

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) the first meeting of the Housing for All Working Group was held on Tuesday 6 September 2022, in the Council Chamber;
- (ii) the meeting included presentations and discussion about Council's work to protect and expand different types of affordable housing in the City, including through developer contributions, through Council's Affordable and Diverse Housing Fund, through the Southern Sydney Regional Organisation of Councils (SSROC) and through the Council's "Alternative Housing Ideas Challenge";
- (iii) the meeting also raised issues and opportunities for future discussions to expand access to safe, secure and affordable housing in the City of Sydney and beyond. This included but was not limited to:
 - (a) education and advocacy;
 - (b) support for innovative housing models such as Community Land Trusts;
 - (c) reforms to the planning system including developer contributions;
 - (d) protection of existing public housing, and support for public housing tenants at risk of relocation through the redevelopment of housing estates;
 - (e) the growing number of people who identify as homeless or at risk of homelessness;
 - (f) better use of spaces that are vacant or empty in the City;
 - (g) lack of access to appropriate housing, including disability accessible housing, low income housing for families, and housing for Aboriginal and/ or Torres Strait Islander people;
 - (h) increasing cost of energy contributing to unaffordability of housing;
 - (i) inadequate maintenance or standards in rental housing, including public housing and private rental;
 - (j) ensuring the projected development and expansion of the City includes sufficient affordable housing, including for key workers; and
 - (k) improved data collection; and
- (iv) the Housing for All Working Group will finalise its priorities and work program in coming months.

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 Scully –

It is resolved that:

(A) Council note:

- (i) the first meeting of the Housing for All Working Group was held on Tuesday 6 September 2022, in the Council Chamber;
- (ii) the meeting included presentations and discussion about Council’s work to protect and expand different types of affordable housing in the City, including through developer contributions, through Council’s Affordable and Diverse Housing Fund, through the Southern Sydney Regional Organisation of Councils (SSROC) and through the Council’s “Alternative Housing Ideas Challenge”;
- (iii) the meeting also raised issues and opportunities for future discussions to expand access to safe, secure and affordable housing in the City of Sydney and beyond. This included but was not limited to:
 - (a) education and advocacy;
 - (b) support for innovative housing models such as Community Land Trusts;
 - (c) reforms to the planning system including developer contributions;
 - (d) protection of existing public housing, and support for public housing tenants at risk of relocation through the redevelopment of housing estates;
 - (e) the growing number of people who identify as homeless or at risk of homelessness;
 - (f) the need for better controls and protections for boarding houses;
 - (g) the need for more age-appropriate and aged care housing;
 - (h) better use of spaces that are vacant or empty in the City;
 - (i) lack of access to appropriate housing, including disability accessible housing, low income housing for families, and housing for Aboriginal and/ or Torres Strait Islander people;
 - (j) increasing cost of energy contributing to unaffordability of housing;
 - (k) inadequate maintenance or standards in rental housing, including public housing and private rental;
 - (l) ensuring the projected development and expansion of the City includes sufficient affordable housing, including for key workers; and
 - (m) improved data collection; and
- (iv) the Housing for All Working Group will finalise its priorities and work program in coming months.

Carried unanimously.

X086659

Item 13.3 Upgrading Bakery Park, Waterloo

Moved by Councillor Scott, seconded by Councillor Jarrett –

It is resolved that:

(A) Council note:

- (i) the 286 small pocket parks and nearly 100 playgrounds across the local government area;
- (ii) the existing small parks renewal program which is a rolling annual asset renewal program aimed at renewal of parks to ensure they are safe, in good condition, are well presented and meet the needs of the community;
- (iii) parks are prioritised for renewal based on:
 - (a) asset condition;
 - (b) remaining useful life;
 - (c) wear;
 - (d) defects; and
 - (e) risk;
- (iv) budgets for small park upgrades are developed based on benchmark rates with small park renewals usually delivered over a two to three-year period covering design, consultation and construction;
- (v) Bakery Park is located at 62B Raglan St, Waterloo in an area characterised by public housing;
- (vi) constituents have been raising concerns since November 2020 about the increasingly problematic situation which poses a threat to resident's safety and enjoyment of the park;
- (vii) the park has been subject to an increase in anti-social behaviour, drug paraphernalia including used needles, vandalism to the environment including the destruction of the natural environment and illegal dumping; and
- (viii) the residents request that Bakery Park be upgraded into a useable play space for young children and residents;

(B) Council also note:

- (i) the City's lighting team has investigated the existing lighting in Bakery Park and confirms all lights within the park are operational as at 31 August 2022;
- (ii) recent asset condition inspections confirm that the lights are approaching end of life. The City met with the NSW Land and Housing Corporation in August 2022 to review the current lighting arrangements and infrastructure in the park. The City has programmed renewal of the park lighting in 2023/24;
- (iii) City staff service Bakery Park twice a week. This service includes removing any illegally dumped rubbish, collection of syringes within the park and general park maintenance; and

- (iv) City staff encourage residents to call the Customer Service Centre on 02 9265 9333 to report any issues. This is recorded in our corporate system and sent to staff to action. It also assists with the accuracy of data collection; and
- (C) the Chief Executive Officer be requested to:
- (i) place Bakery Park onto the small parks upgrade list for work to commence in the 2022/23 financial year, in conjunction with community consultation and communication with the NSW Minister for Homes on the design of the space;
 - (ii) appeal to the NSW Land and Housing Corporation to have the private lane access to the park through Wellington Lane opened to avoid the illegal dumping; and
 - (iii) appeal to Housing NSW to remove the iron gate that blocks access to both sides of Cains Place to Pitt Street stemming from the housing commission.

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

It is resolved that:

- (A) Council note:
- (i) the 286 small pocket parks and nearly 100 playgrounds across the local government area;
 - (ii) Bakery Park is located at 62B Raglan St, Waterloo in an area characterised by public housing;
 - (iii) constituents have been raising concerns since November 2020 about the increasingly problematic situation which poses a threat to resident's safety and enjoyment of the park;
 - (iv) the park has been subject to an increase in anti-social behaviour, drug paraphernalia including used needles, vandalism to the environment including the destruction of the natural environment and illegal dumping; and
 - (v) the residents request that Bakery Park be upgraded into a useable play space for young children and residents;
- (B) Council also note:
- (i) in 2021, the City undertook turf and planting work near the Cains Place entry to Bakery Park;
 - (ii) City staff are currently installing additional planting with Dianella, Dichondra, native violets and birds nest ferns;
 - (iii) Cains Place leading to Wellington Lane is in poor condition and will be placed on the parks renewal program for 2023/24;
 - (iv) the City's lighting team has investigated the existing lighting in Bakery Park and confirms all lights within the park are operational as at 31 August 2022;
 - (v) recent asset condition inspections confirm that the lights are approaching end of life. The City met with the NSW Land and Housing Corporation in August 2022 to review the current lighting arrangements and infrastructure in the park. The City has programmed renewal of the park lighting in 2023/24;

- (vi) City staff service Bakery Park twice a week. This service includes removing any illegally dumped rubbish, collection of syringes within the park and general park maintenance; and
 - (vii) City staff encourage residents to call the Customer Service Centre on 02 9265 9333 to report any issues. This is recorded in our corporate system and sent to staff to action. It also assists with the accuracy of data collection; and
- (C) the Chief Executive Officer be requested to:
- (i) investigate whether the City's planned maintenance in and around Bakery Park could be brought forward;
 - (ii) consider what other action could be taken to upgrade Bakery Park;
 - (iii) appeal to the NSW Land and Housing Corporation to have the private lane access to the park through Wellington Lane opened to avoid the illegal dumping;
 - (iv) appeal to Housing NSW to remove the iron gate that blocks access to both sides of Cains Place to Pitt Street stemming from the housing commission; and
 - (v) report back to Council via a CEO Update.

The amendment was carried on the following show of hands:

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

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

Amendment carried.

The amended motion was carried unanimously.

X086655

Item 13.4 Success of the Jobs and Skills Summit 2022

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

- (A) Council note:
- (i) the Jobs and Skills Summit was held on 7 September 2022, at Parliament House in Canberra;
 - (ii) the summit aimed to address shared economic challenges such as unemployment, skill shortages, job security, expansion of job opportunities and gender equality in pay and opportunities; and
 - (iii) the summit resulted in a number of successful initiatives such as:
 - (a) a \$1 billion one-year National Skills Agreement that will provide additional funding for fee-free TAFE in 2023, while a longer-term agreement that drives sector reform and supports women's workforce participation is negotiated;
 - (b) a one-off income credit so that age pensioners who want to work can earn an additional \$4,000 over this financial year without losing any of their pension;
 - (c) amending the Fair Work Act to strengthen access to flexible working arrangements, make unpaid parental leave more flexible and strengthen protection for workers against discrimination and harassment; and
 - (d) improving access to jobs and training pathways for women, First Nations people, regional Australians and culturally and linguistically diverse people, including equity targets for training places, 1,000 digital apprenticeships in the Australian Public Service, and other measures to reduce barriers to employment; and
 - (iv) the City has a Council adopted Workforce Strategy, with statistics reported via annual workforce profiles, noting they do not currently include the number of graduates and apprentices;
- (B) the Lord Mayor be requested to write a letter to the Prime Minister, Anthony Albanese and the Treasurer, Jim Chalmers to congratulate their efforts and success;
- (C) Council support and follow the aims of local government to employ more apprentices and trainees and maximise their opportunities within the City of Sydney; and
- (D) the Chief Executive Officer be requested to report biannually on the progress the City has made in this endeavour.

Carried unanimously.

X086655

Item 13.5 Gender Audit of City Forms

Moved by Councillor Scott, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) some services provided by the City of Sydney, or our service providers, require personal information forms to be filled out;
- (ii) whilst most forms have been updated to reflect the gender diversity of our community, a small minority have not;
- (iii) bureaucratic obstacles such as this work against fostering an inclusive, supportive and safe environment for our LGBTIQ+ community; and
- (iv) there remain alarming and saddening statistics around the welfare of people who identify as gender diverse:
 - (a) 48.1 per cent of transgender and gender diverse people aged 14 to 25 reported that they had attempted suicide in their lifetime; and
 - (b) compared to the general population of which 3.2 per cent of people aged 16 and over reported that they had attempted suicide in their lifetime;
- (v) the City is implementing a project to redesign and automate our community-facing forms using a new digital forms platform; and
- (vi) the City has identified 448 forms for review and redesign to ensure they meet the needs of our community and are easy to use. In instances where we are collecting personal data, the forms will have a consistent approach that is culturally appropriate and reflects the gender diversities in our community; and

(B) the Chief Executive Officer be requested to:

- (i) update all standardised forms to represent and reflect the gender diversities in our community. commencing with the most commonly used forms; and
- (ii) report back via the CEO Update on progress.

Carried unanimously.

X086655

Item 13.6 Reducing the City of Sydney's Vehicle Emissions

Moved by Councillor Scott, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) transport emissions have been rising every year in Australia since 1990;
- (ii) transport was responsible for 18 per cent of Australia's greenhouse gas emissions in 2020;
- (iii) of these emissions, cars and light commercial vehicles contributed to 64 per cent while trucks and buses contributed 21 per cent;
- (iv) electric vehicles are three to five times more efficient than petrol cars, and can be powered by renewable electricity;
- (v) in a report on the electrical vehicle market and infrastructure across 14 countries, Australia ranked last; and
- (vi) the City of Sydney is currently crafting an electrical vehicle strategy which is set to be released in October; and

(B) the Chief Executive Officer be requested to:

- (i) insert criterion into the procurement process which bestows more value to contractors who utilise electrical vehicles;
- (ii) require all Council vehicles that are directly leased and owned to be low emission by 2025; and
- (iii) require City of Sydney service cars and light commercial vehicles to be 25 per cent low emission by 2025 and 100 per cent by 2030.

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

It is resolved that:

(A) Council note:

- (i) transport emissions have been rising every year in Australia since 1990;
- (ii) transport was responsible for 18 per cent of Australia's greenhouse gas emissions in 2020;
- (iii) of these emissions, cars and light commercial vehicles contributed to 64 per cent while trucks and buses contributed 21 per cent;
- (iv) electric vehicles are three to five times more efficient than petrol cars, and can be powered by renewable electricity;
- (v) in a report on the electrical vehicle market and infrastructure across 14 countries, Australia ranked last;

- (vi) the City was one of the first organisations to start converting its fleet of vehicles to hybrid and electric vehicles, and the City now owns one of Australia's largest fleets of hybrid and electric vehicles;
- (vii) the City of Sydney's procurement policy currently preferences electric vehicles where possible and where doing so would achieve value for money, and
- (viii) the City of Sydney is preparing an electrical vehicle strategy for Council consideration in October; which will set out the principles and goals underpinning the City's procurement of vehicles.

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 unanimously.

X086655

Points of Order

During discussion of Item 13.6, Councillor Scully raised a point of order, stating that in accordance with clause 8.14 of the Code of Meeting Practice, Councillor Weldon's question was not related to the notice of motion.

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.

Councillor Weldon raised a point of order, stating that she was unable to attend Code of Meeting Practice training and her request to record the training was denied.

Call to Order

During discussion of Item 13.6 the Chair (the Lord Mayor) called Councillor Weldon to order in accordance with clause 14.11 of the Code of Meeting Practice.

Item 13.7 Chief Executive Officer Performance Review

Moved by Councillor Weldon, seconded by Councillor Jarrett –

It is resolved that:

(A) Council note:

- (i) the position of general manager (or Chief Executive Officer, as at the City of Sydney) is pivotal in a council. It is the interface between the governing body comprised of elected councillors, which sets the strategy and monitors the performance of the council, and the administrative body of the council, headed by the general manager, which implements the decisions of the governing body;
- (ii) performance of the Chief Executive Officer should be regularly reviewed and the process should be rigorous, fair, transparent, and inclusive of a diversity of councillors;
- (iii) the NSW Office of Local Government's Guidelines for the Appointment and Oversight of General Managers set out best practice for the recruitment, appointment and performance oversight of general managers. These guidelines, issued under section 23A of the Local Government Act 1993, predicate that:
 - (a) the performance of the general manager must be reviewed at least annually against the agreed performance criteria for the position; and
 - (b) the council's governing body establish a performance review panel (comprising the mayor, up to three councillors and/or an independent external person) to undertake performance management of the general manager; and
- (iv) current practice at the City of Sydney is for the Lord Mayor to conduct an individual performance conversation with the Chief Executive Officer. The Lord Mayor seeks input from Councillors to inform this conversation; and

(B) prior to the next annual Chief Executive Officer performance review and for all subsequent years, Council establish a performance review panel and process that is consistent with that which is outlined in the NSW Office of Local Government's Guidelines for the Appointment and Oversight of General Managers for the purpose of performance management of the City of Sydney Chief Executive Officer.

Carried unanimously.

X086653

At 6.44 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 31 October 2022 at which
meeting the signature herein was subscribed.