

19 September 2022

At 3.00 pm

Council

Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Minutes by the Lord Mayor**
 - 3.1 Vale Her Majesty Elizabeth II, Queen of Australia
 - 3.2 Vale Jack Charles
 - 3.3 Support for the People of Pakistan
 - 3.4 Support for WorldPride 2023
- 4. Memoranda by the Chief Executive Officer**
 - 4.1 Election of Deputy Lord Mayor
 - 4.2 Council Committees - Functions, Membership, Election of Deputy Chairpersons
 - 4.3 Central Sydney Planning Committee - Election of Councillors
 - 4.4 Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures, Membership and Appointment of Chairperson and Alternate Chairperson
- 5. Matters for Tabling**
- 6. Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Confirmation of Minutes
 - 6.2 Statement of Ethical Obligations and Disclosures of Interest
 - 6.3 Investments Held as at 31 August 2022
 - 6.4 Proposed Land Classification - Part 174-186 George Street, Sydney
 - 6.5 Lease Variation - Suite 3.02, Level 3 and Level 5, Customs House, 31 Alfred Street, Sydney

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- 6.6 Tender - Natural Gas Large Market Accounts
 - 6.7 Tender - T-2021-655 - Reject and Negotiate - Doorstep Recycling Service
 - 6.8 Exemption from Tender - IT Licence, Subscription, Maintenance and Support Contracts
 - 6.9 Contract Variation - Wi-Fi in Community Centres and Venues for Hire
 - 6.10 Contract Variation – Head Contractor Stonework for the Sydney Town Hall Facade Conservation Project
 - 6.11 Contract Variation and Exemption from Tender - Colliers Property Management Agreement
- 7. Report of the Business and Economic Development Committee**
- 7.1 Confirmation of Minutes
 - 7.2 Statement of Ethical Obligations and Disclosures of Interest
 - 7.3 Public Exhibition - Economic Strategy Discussion Paper
 - 7.4 Post Exhibition - Markets Policy
- 8. Report of the Resilient Communities Committee**
- 8.1 Confirmation of Minutes
 - 8.2 Statement of Ethical Obligations and Disclosures of Interest
 - 8.3 Adoption - Child Safety Policy
- 9. Report of the Transport, Heritage, Environment and Planning Committee**
- 9.1 Confirmation of Minutes
 - 9.2 Statement of Ethical Obligations and Disclosures of Interest
 - 9.3 Project Scope – Rosebery Quietway

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- 9.4 Revised Project Scope - North Rosebery Park and Green Link
- 9.5 Public Exhibition - Planning Proposal - Sydney Metro West Hunter Street Station Sites, Sydney - Sydney Local Environmental Plan 2012 Amendment
- 9.6 Public Exhibition - Planning Proposal - Heritage Floor Space Amendment - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment
- 9.7 Fire Safety Reports
- 9.8 Approved Variations to Development Standards Reported to the Department of Planning and Environment
- 10. Property Matter (Confidential)**
- 11. Questions on Notice**
- 12. Supplementary Answers to Previous Questions**
- 13. Notices of Motion**
 - 13.1 Ageism Awareness
 - 13.2 Housing for All Working Group
 - 13.3 Upgrading Bakery Park, Waterloo
 - 13.4 Success of the Jobs and Skills Summit 2022
 - 13.5 Gender Audit of City Forms
 - 13.6 Reducing the City of Sydney's Vehicle Emissions
 - 13.7 Chief Executive Officer Performance Review

Item 1

Confirmation of Minutes

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

Meeting of 22 August 2022.

Item 2

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

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

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

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

Item 3.1

Vale Her Majesty Elizabeth II, Queen of Australia

File No: S051491

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 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

Item 3.2

Vale Jack Charles

File No: S051491

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 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 has 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 the 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 Blackfella 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 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 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 Blackfella 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

Item 3.3

Support for the People of Pakistan

File No: S051491

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 is 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 are 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 tarpaulin, 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

Item 3.4

Support for WorldPride 2023

Minute by the Lord Mayor

Document to Follow

Item 4.1**Election of Deputy Lord Mayor****File No: S062388****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

Item 4.2

Council Committees - Functions, Membership, Election of Deputy Chairpersons

File No: S062388

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

Attachment A

**Functions, Delegations, Policies and
Procedures of Council Committees**

CORPORATE, FINANCE, PROPERTIES AND TENDERS COMMITTEE

- 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
- 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
- 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
- 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

RESILIENT COMMUNITIES COMMITTEE

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

Venue: Council Chamber

Chairperson: The Lord Mayor

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

TRANSPORT, HERITAGE, ENVIRONMENT AND PLANNING COMMITTEE

- Meeting Times: At the conclusion of the Resilient Communities Committee
- Venue: Council Chamber
- Chairperson: The Lord Mayor
- 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

POLICIES AND PROCEDURES OF COMMITTEES

- (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****File No: S062388****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

Item 4.4

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

File No: S062388

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

Attachment A

**Policies and Procedures of the Local
Pedestrian, Cycling and Traffic Calming
Committee**

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

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

Recommendation

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

5.2 Petitions

(a) Pyrmont Peninsula Public Transport Forum

Councillor Scott gives notice that, at the meeting of Council on 19 September 2022, she will table and speak to a petition (with 740 signatures) with the following terms:

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 12am-5am.

Recommendation

It is resolved that the Petition be received and noted.

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 12 September 2022

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 recommends 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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Kok, and carried unanimously.)

X020701

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Kok, and carried unanimously.)

X004710

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Kok, and carried unanimously.)

S099079

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

Item 6.6

Tender - Natural Gas Large Market Accounts

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S084740

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

Item 6.7

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Kok, and carried unanimously.)

X084834

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S064539

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

Item 6.9

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

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; and
- (C) Council note the total contract sum is detailed in Confidential Attachment A to the subject report.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Chan, and carried unanimously.)

X039997

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

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X034234.011

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

Item 6.11

Contract Variation and Exemption from Tender - Colliers Property Management Agreement

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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Kok, and carried unanimously.)

X020009

Item 7

Report of the Business and Economic Development Committee - 12 September 2022

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 recommends the following:

Item 7.3

Public Exhibition - Economic Strategy Discussion Paper

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; and
- (B) 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.

(Note – at the meeting of the Business and Economic Development Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Scully, and carried unanimously.)

X039976.009

The Business and Economic Development Committee recommends the following:

Item 7.4

Post Exhibition - Markets Policy

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.

(Note – at the meeting of the Business and Economic Development Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X084995

Item 8

Report of the Resilient Communities Committee - 12 September 2022

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 2022, 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 recommends the following:

Item 8.3

Adoption - Child Safety Policy

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.

(Note – at the meeting of the Resilient Communities Committee, this recommendation was moved by Councillor Davis, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X039015

Item 9

Report of the Transport, Heritage, Environment and Planning Committee - 12 September 2022

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.

Officer's Recommendation

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; and
- (B) note the estimated project costs as detailed in Confidential Attachment D to the subject report.

Officer's Report

The officer's report on this matter can be found at Item 3 on the agenda of the meeting of the Transport, Heritage, Environment and Planning Committee on 12 September 2022.

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.

Officer's Recommendation

The officer's recommendation to the Transport, Heritage, Environment and Planning Committee was as follows -

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, 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.

Officer's Report

The officer's report on this matter can be found at Item 4 on the agenda of the meeting of the Transport, Heritage, Environment and Planning Committee on 12 September 2022.

X022419.003

The Transport, Heritage, Environment and Planning Committee recommends 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.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by Councillor Scully, and carried unanimously.)

X089148

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

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.

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

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

Noes (1) Councillor Ellsmore.)

X091559

Speaker

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

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

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.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S105001.002

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

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.

S040864

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by Councillor Scully, and carried unanimously.)

Item 10**Property Matter (Confidential)**

File No: X091187

Summary

This report relates to a confidential property transaction.

Attachments A and B contain confidential commercial information which, if disclosed, would prejudice the commercial position of the person who supplied it.

Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would prejudice the commercial position of the party involved.

Recommendation

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

Attachments

Attachment A. Property Matter (Confidential)

Attachment B. Property Matter (Confidential)

Relevant Legislation

1. Local Government Act 1993 - Section 10A(2)(d)(i) provides that a Council may close to the public so much of its meeting as comprises the discussion that would, if disclosed, prejudice the commercial position of the person who supplied the confidential information.
2. Attachments A and B contain confidential commercial information which, if disclosed, would prejudice the commercial position of the person who supplied it.
3. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would prejudice the commercial position of the party involved.

MONICA BARONE

Chief Executive Officer

Hannah Reid, Principal Lawyer

CONFIDENTIAL

By virtue of the Local Government Act 1993 Section 10A Paragraph 2

Document is Restricted

CONFIDENTIAL

By virtue of the Local Government Act 1993 Section 10A Paragraph 2

Document is Restricted

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

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 proposal 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 presented 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

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

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

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

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

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

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

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

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

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

Item 12

Supplementary Answers to Previous Questions

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

Item 13.1

Notices of Motion

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.

X086659

Item 13.2

Notices of Motion

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.

X086659

Item 13.3

Notices of Motion

Upgrading Bakery Park, Waterloo

By Councillor Scott

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.

(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.

X086655

Item 13.4**Notices of Motion****Success of the Jobs and Skills Summit 2022**

By Councillor Scott

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.

X086655

Item 13.5

Notices of Motion

Gender Audit of City Forms

By Councillor Scott

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.

X086655

Item 13.6**Notices of Motion****Reducing the City of Sydney's Vehicle Emissions**

By Councillor Scott

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.

X086655

Item 13.7

Notices of Motion

Chief Executive Officer Performance Review

By Councillor Weldon

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.

X086653