

Council

Meeting No 2

Monday 13 March 2023

Notice No 2/1650

Notice Date 9 March 2023

minutes

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Present

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

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

At the commencement of business at 5.02pm, those present were:-

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

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

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillor Scully was attending the meeting of Council remotely, via audio visual link pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

Opening Prayer and Acknowledgement of Country

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

Webcasting Statement

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

Councillor Ellsmore left the meeting of Council at 6.51pm at the adjournment, and returned at 7.11pm, after the vote on Item 11.4. Councillor Ellsmore was not present at, or in sight of, the meeting of Council during discussion or voting on Item 11.4.

Councillor Chan left the meeting of Council at 7.37pm, prior to discussion of Item 11.8, and returned at 7.47pm, after the vote on Item 11.8. Councillor Chan was not present at, or in sight of, the meeting of Council during discussion or voting on Item 11.8.

Item 1 Confirmation of Minutes

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

That the Minutes of the meeting of Council of Monday, 20 February 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2 Statement of Ethical Obligations and Disclosures of Interest

Statement of Ethical Obligations

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

Disclosures of Interest

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 11.4 on the agenda, in that the item relates to her membership with the United Services Union.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she does not receive and has not sought to receive a pecuniary benefit from her membership with the union, and Councillor Ellsmore's membership as an ordinary member of the union is not so significant as to influence her decision making in relation to this item. However, out of an abundance of caution, she will leave the room and not vote in this particular item.

Councillor HY William Chan disclosed a pecuniary interest in Item 11.8 on the agenda, in that he is employed by the University of Sydney and is also a guest lecturer for the University of Technology Sydney.

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

Councillor (Waskam) Emelda Davis disclosed a less than significant, non-pecuniary interest in Item 3.2 on the agenda, in that she is the founding member and Chair for Australian South Sea Islander – Port Jackson (ASSIPJ), a not-for-profit voluntary organisation based in Sydney. She and the board have worked closely with the Vanuatu Government and community members since 2011. All collaborations have been on a voluntary basis.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because both the Vanuatu High Commissioner to Australia and Ministers in country are considered non-pecuniary relationships.

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 11.5 on the agenda, in that she is the Australian Local Government Association President, who runs the conference that the motion will be considered at.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the City of Sydney is just one of the 537 councils that are a part of the ALGA and have motions considered.

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

Item 3 Minutes by the Lord Mayor**Item 3.1 Vale Brian Michael Sherman AM****Minute by the Lord Mayor**

To Council:

In September last year, Brian Sherman AM, the philanthropist, animals advocate and entrepreneur, passed away peacefully after a long battle with Parkinson's disease.

I first came to know Brian, his widow Gene and daughter Ondine, through the animal protection organisation Voiceless, which Brian and Ondine founded in 2004. I soon discovered that Brian's advocacy for animals who had no voice was one of his many passions, which I shared.

Brian Michael Sherman was born into a tight-knit Jewish community in Brakman, a small South African mining town. While at university, he met his future wife, Gene. At the time, Brian was the beau of one of Gene's cousins. A relationship was forged that was to continue until Brian's death.

Apartheid was well-established in the South Africa of the 1960s and 1970s. In June 1976, black schoolchildren protested against the teaching of Afrikaans, a language associated with the apartheid regime. Police violently put down the protests, with many children being shot and killed. Encouraged by Gene's cousin, Laurence Freedman, Brian, Gene and their young family moved to Australia the same year, with just \$5,000 between them.

Brian soon got a job with the Bank of NSW, now known as Westpac. He worked in the fixed interest department, where his talent for investing was soon recognised.

In 1981, Brian and Laurence founded EquitiLink, a fund management business, at Brian's kitchen table with an initial \$5,000 investment. The Australian Financial Review later described EquitiLink as "the first funds management company specifically aimed at offering retail investors the kind of sophisticated products sold to institutions".

In 1986, they floated EquitiLink on the American Stock Exchange, raising over a billion Australian dollars. Equitilink was eventually sold to Aberdeen Asset Management in 2000 for \$153 million, with \$5.5 billion under management, of which 55 per cent was in the United States.

In 1992, Brian was part of a consortium that bought Channel Ten from Westpac for \$230 million. According to the Australian Financial Review, it increased in value to \$650 million within five years. Brian served on its board from 1994 to 2007.

Brian's interests ranged well beyond the world of finance. He served on the board of the Organising Committee for the 2000 Sydney Olympic Games and chaired its finance committee. He was President of the Australian Museum Trust from 2001 to 2009, ensuring it continued to be world-leading in its collections and scientific research. This was helped by his being founding Chairperson of the Australian Museum Foundation and the President's Circle of donors as key fundraising vehicles. He was a director of the Australia-Israel and Jewish Affairs Council, and chairman of the Rambam Israel Fellowships program.

Brian shared Gene's passion for art and supported her commitment to Sydney's cultural life. He was a director of the Sherman Galleries from 1986 to 2007 and subsequently the Sherman Contemporary Art Foundation from 2008 to 2017. Gene intended this Foundation to be a 10-year project. In 2018, it transformed into the Sherman Centre for Culture and Ideas to facilitate discussion about fashion and architecture.

Brian and Gene were also avid art collectors, owning over 900 artworks. In 2015, they began downsizing their collection, gifting works by twenty of Asia's most important contemporary artists to the Art Gallery of NSW. Other works were later gifted to the National Gallery of Australia, the University of Melbourne, Sydney University's Chau Chak Wing Museum, MoMA in New York and Tate Modern in London.

In 2021, they donated their entire collection of moving image and virtual reality works to the Art Gallery of NSW. They were among the first people to support the construction of the Gallery's Sydney Modern, pledging \$1.5 million to its capital campaign. A project gallery in the new building will be named the Sherman Family Gallery. It was not their first contribution to new gallery space. In 2010, they gifted \$2 million toward the new gallery for the College of Fine Arts (now UNSW Art and Design) in Paddington.

Brian's philanthropic endeavours were not limited to supporting the arts. When his twin grandchildren were born with the rare Allen Herndon Dudley Syndrome (AHDS), he supported study of the disease by the University of Technology Sydney via the MCT8 International Research Initiative. The Sherman Foundation made significant donations to UTS's global AHDS research and supported workshops for parents of children dealing with the disease.

Inspired by Ondine's passion, Brian supported animal protection through their organisation, Voiceless. Since its establishment, Voiceless has helped to significantly fund UTS's animal law courses, advocacy, and the Centre for Compassionate Conservation. Brian helped found the first-of-its-kind with Ondine's husband, the ecologist Dr Dror Ben-Ami. The Centre conducts ground-breaking research across several continents, with the aims of slowing extinction, resolving human-wildlife conflict, eliminating wildlife trade and enhancing coexistence. Voiceless also established the annual Honourable Michael Kirby Voiceless Prize for Animal Law, awarded to the highest achieving student.

In 2010, Brian was diagnosed with Parkinson's disease. At first it was a private family matter, but Brian eventually took steps to ensure his experience would benefit others. He worked with the Garvan Institute of Medical Research, taking part in a powerful advertising campaign to raise awareness and shared his experience in two episodes of Australian Story.

In March last year, he published *Walking Through Honey: My Journey with Parkinson's Disease* co-authored with A.M. Jonson. The title was taken from a phrase Gene's father had used to explain how he felt when he, too, was fighting the disease. The book proposed "more experimental approaches to treating Parkinson's Disease", advocating turning to the arts, including music, art and movement, for therapy. He previously published his memoir *Lives of Brian: Entrepreneur, Philanthropist, Animal Activist*, in 2018, also co-authored with A.M. Jonson.

In June 2004, Brian became a Member of the Order of Australia in recognition of "his service to the community as a philanthropist and benefactor to a range of arts, education, and sporting organisations, and to business and commerce". Brian also received an Ernst & Young Entrepreneur of the Year award, an Honorary Doctor of Letters from the University of Technology, Sydney and with Gene, the B'nai B'rith Gold Medal for outstanding humanitarianism.

At his funeral, Rabbi Jeffrey Kamins said that Brian embraced his work to "improve the world with a fullness of heart, mind and body, spurred on by ... his fabulous success in business, achieved with his incredible physical and mental stamina, his strategic insight, self-assurance and dogged determination."

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Brian Michael Sherman AM and his significant contribution to the animal advocacy, the arts and philanthropy;
- (B) Council express its condolences to Brian's widow, Gene, their children Emile and Ondine, and their grandchildren; and
- (C) the Lord Mayor be requested to convey Council's condolences to Brian Sherman's family.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

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

S051491

Item 3.2 Support for Vanuatu

Minute by the Lord Mayor

To Council:

The Islands of Vanuatu are now under a six-month state of emergency after Tropical Cyclone Judy, Tropical Cyclone Kevin and earthquakes struck the Pacific Island nation at the beginning of March.

On 1 March 2023, Tropical Cyclone Judy crossed the country, bringing heavy rain and gale-force winds, with the capital Port Vila bearing the greatest impacts. Within 48 hours this was followed by Cyclone Kevin and two earthquakes. The first earthquake, with a 6.5 magnitude struck at 5am 90km from Luganville, Vanuatu's second largest city, while the second with a 5.4 magnitude earthquake struck 90 minutes later 114km from the city.

The cyclones flooded roads, overturned light planes, uprooted trees, downed powerlines, disrupted communications and caused severe damage to infrastructure and crops. Homes were battered, with roofs being torn off while others were flattened.

Save the Children Australia are working with the Vanuatu National Disaster Management Office (NDMO) and other relevant authorities and humanitarian support partners to assess how many households require immediate assistance. They are providing first aid to individuals and families coordinating short term and long-term relief with regional communities.

The damage is on a similar scale to that caused by category 5 Cyclone Pam which hit Vanuatu in 2015 and caused widespread damage. While Vanuatu is prone to natural disasters, experiencing two cyclones close to each other is unprecedented. Climate change is increasing the intensity of these events.

On 2 March 2023, the Australian Government announced it would join over 100 other nations in co-sponsoring Vanuatu's bid for an International Court of Justice advisory opinion on climate change. The bid is part of an international campaign to ensure an adequate global response to the human rights crisis caused by climate change, with the people who have contributed the least to global emissions being impacted the most. The request will be made by a United Nations General Assembly resolution, to be voted on later this year. While non-binding, the advisory opinion will set out the right of people and states, particularly small islands states, to a safe climate.

While this move is welcomed, immediate assistance is needed. The Australian Government has deployed HMAS Canberra, with more than 600 Australian Defence Force personnel, to Vanuatu. This deployment was preceded by a 12-person rapid assessment team travelling on two Royal Australian Air Force aircraft. They will help Vanuatu with aerial damage assessments and a range of disaster, health, infrastructure, power and humanitarian assessment capabilities.

Australia's initial support package included shelters, water purification supplies and other essential items for impacted communities. The aid teams are working with partners from France and New Zealand to support Vanuatu's official response.

I am proposing that Council support these aid efforts with a donation of \$50,000 to Save the Children Australia.

These donations comply with the City of Sydney's Support for Charities Policy adopted by Council on 21 November 2022, and are in line with previous donations. They also 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.

Recommendation

It is resolved that:

- (D) Council donate \$50,000 to Save the Children Australia from the 2022/23 General Contingency Fund; and
- (E) the Chief Executive Officer be requested to arrange a program for staff donations to Save the Children Australia to support the relief effort in Vanuatu and for Council to match dollar for dollar any contributions until the end of March 2023 from the 2022/23 General Contingency Fund.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

S051491

Item 3.3 **Congratulations to WorldPride**

Minute by the Lord Mayor

To Council:

At the beginning of this century people said pixie dust was sprinkled over Sydney for the Olympics. Over 17 days in February and early March the pixie dust returned together with glitter, glamour and rainbows for Sydney WorldPride 2023.

It was a festival with so many highlights: concerts, exhibitions, live theatre, parties, sport, Pride Villages together with the annual Sydney Gay and Lesbian Mardi Gras Fair Day and a larger than usual Parade. It attracted around 500,000 participants with 78,000 from outside greater Sydney and culminated with 50,000 people joining the spectacular Pride Walk across Sydney Harbour Bridge on Sunday, 5 March 2023.

WorldPride was not just glitter and glamour. A three-day Human Rights Conference addressed the many serious challenges facing LGBTIQ+ people around the world. Australia has made significant strides but there is still work to do. We need to end cruel conversion therapy and discrimination of students and teachers in religious schools, and we need to continue to strive to ensure people can be open and safe. But these are small challenges compared to those faced by many people across the globe. In other parts of the world, the only safe way of being gay, lesbian, trans or non-binary is to be invisible. The risks of ostracism, imprisonment or execution are too great.

As Robyn Kennedy said at the beginning of the Pride Walk, “we march for them”.

WorldPride didn't just happen. It was built of the solid foundations of over five decades of advocacy, activism and community building, which began with the formation of Australia's first gay and lesbian rights organisation, the Campaign Against Moral Persecution, or CAMP in 1970-1971. It needed vision, commitment and hard work to make it a success together with the strong support of all three levels of government, National, State and Local.

The City of Sydney was a proud supporter of the 2019 bid by Sydney Gay and Lesbian Mardi Gras Ltd for Sydney to host WorldPride 2023, contributing \$50,000 towards the bid. We rejoiced when Mardi Gras' bid won at Interpride's annual general meeting. In December 2019 Council unanimously agreed to provide \$250,000 towards WorldPride's initial set up costs.

Council unanimously agreed to provide \$500,000 in cash support in June 2021 and in May 2022 endorsed a further \$650,000 value-in-kind support. This was augmented with an additional \$300,000 cash funding to support the beautification and activation of Oxford Street. The City's total cash and in-kind support for WorldPride was \$1.75 million.

In addition to our direct and in-kind support, our grants program funded more than 15 WorldPride community projects with more than \$415,000 in cash funding and \$48,000 venue-in-kind support.

In support of Qtopia's proposal for a permanent LGBTIQ+ museum at the site of the former Darlinghurst Police Station, the City also provided a \$283,500 cash grant and a temporary home for an interim museum for 12 months at the Green Park bandstand in Darlinghurst ready for WorldPride.

City staff across the organisation also provided significant support to facilitate Sydney WorldPride in addition to their other work responsibilities.

WorldPride initiatives led and produced by the City included:

- Murals created by queer artist Amy Blue on the three heritage buildings on Oxford Street's which tell the Strip's story and celebrates its people, places, history and connection to the LGBTQI+ community.
- Still Thriving, a mural by Dylan Mooney on the 'top of town' building on Victoria Street, Darlinghurst.
- A mural designed by Vandal, incorporating the Progress Pride Flag at the front of the Burdekin Hotel at 2 Oxford Street Darlinghurst.
- Liberate! Exhibition at Customs House curated by creative producer Jacqui North which celebrates 45 years of community-led social change.
- Programming of rainbow lights on George Street.
- Participation in the Mardi Gras parade by City staff.
- Rainbow lighting for the Taylor Square fountain.
- LGBTIQ+ street signs in Darlinghurst.
- Pride street signs.
- Rainbow progress Pride banners.
- Installation of a plaque commemorating the '78ers in Taylor Square.
- Repainting of the rainbow crossing on Campbell Street.
- Progress Pride flag artwork on the footpath of George Street.
- Steam cleaning of Oxford street, waste removal and street cleaning throughout the festival period.

The Oxford Street activation grant contributed to decorative decals, façade and shopwindow lighting and festoon lights, LED down lights and moving fixtures for the two day Oxford Street Party to mark the end of WorldPride. Vacant shops were used by InterPride and for a quiet space and First Nations space.

The City also contributed \$240,000 in cash and \$22,000 to Sydney Gay and Lesbian Mardi Gras which provided the core of the WorldPride festival. The City participated in the Mardi Gras Parade for the 18th year with an entry themed 'Oxford Street, you're so sweet'. A vintage ice cream truck led 80 City staff, family and friends dressed in 1950's diner inspired costumes performing a choreographed routine celebrating Oxford Street.

WorldPride will leave many legacies. Preparations for WorldPride also accelerated the implementation of our Oxford Street LGBTIQ+ Social and Cultural Place Strategy, and this work will continue.

At the State level, both major parties gave a bipartisan commitment to banning gay conversion therapy and providing the former Darlinghurst Police Station as a permanent home for Qtopia, Sydney's LGBTIQ+ museum.

The Federal Government made two significant announcements during the Human Rights Conference. A 10 Year National Action Plan for the Health and Wellbeing of LGBTIQIA+ people was launched. Guided by an LGBTIQIA+ Health Advisory Group, it will shape how Australia addresses health disparities and make improvements across the health system. It is backed by a \$26 million investment in health and medical research focusing on LGBTIQIA+ communities.

Foreign Minister Penny Wong announced the establishment of a new Inclusion and Equality Fund to support LGBTIQIA+ civil society organisations and human rights defenders, international partnerships and networks with initial funding of \$3.5 million. Her Department will also begin work to develop a dedicated LGBTIQIA+ human rights engagement strategy which will include bilateral and multilateral diplomacy, development and humanitarian assistance.

The intangible legacy for Sydney is WorldPride's impact on our people: the many volunteers, organisations and businesses who made it possible, the attendees at WorldPride events and the people who became aware that something special was happening.

To quote WorldPride CEO Kate Wickett, "We invited the World, and the world could see the best of Australia and who we are - kind compassionate and caring."

Recommendation

It is resolved that Council:

- (A) commend Sydney WorldPride Ltd and Sydney Gay and Lesbian Mardi Gras Ltd on a successful Sydney WorldPride 2023;
- (B) commend and thank the many volunteers, organisations and businesses who contributed to a successful Sydney WorldPride 2023;
- (C) commend and thank City Staff for their work in ensuring a safe and successful Sydney WorldPride 2023;
- (D) commend the NSW Coalition Government and NSW Labor Opposition for their bipartisan support for banning gay conversion therapy and providing the former Darlinghurst Police Station as a permanent home for Qtopia, Sydney's LGBTIQIA+ museum and call for a speedy honouring of these commitments; and
- (E) commend the Federal Government on its LGBTIQIA+ health and foreign policy initiatives, in the expectation that they will be fully implemented.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

That the Minute by the Lord Mayor be endorsed and adopted, subject to the amendments as follows –

It is resolved that:

- (A) Council commend Sydney WorldPride Ltd and Sydney Gay and Lesbian Mardi Gras Ltd on a brilliant Sydney WorldPride 2023;
- (B) Council commend and thank the many volunteers, organisations and businesses who contributed to a successful Sydney WorldPride 2023;
- (C) Council commend and thank City Staff for their work in ensuring a safe and successful Sydney WorldPride 2023;
- (D) the Chief Executive Officer be requested, in association with the NSW Government and Sydney Gay and Lesbian Mardi Gras Ltd, to investigate the annual closure of Oxford Street and Pride villages on Riley Street and Crown Street for a period of at least a weekend during the Mardi Gras festival;
- (E) Council commend the NSW Coalition Government and NSW Labor Opposition for their bipartisan support for banning gay conversion therapy and providing the former Darlinghurst Police Station as a permanent home for Qtopia, Sydney's LGBTIQ+ museum and call for a speedy honouring of these commitments; and
- (F) Council commend the Federal Government on its LGBTIQ+ health and foreign policy initiatives, in the expectation that they will be fully implemented.

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

S051491

Item 3.4 International Women's Day

Minute by the Lord Mayor

To Council:

To mark this International Women's Day, I would like to reflect on the progress we have made at the City as a proud champion of women's participation and leadership, and what more needs to be done to achieve gender equality.

Leading the way

As the first female popularly elected Lord Mayor, and after many years battling patriarchal party politicians, I wanted to make sure the City of Sydney was an organisation that attracted, supported and retained talented women. So, along with our exceptional Chief Executive Officer Monica Barone, we set about change.

We became the first local government organisation to monitor and publicly report on gender pay equity and we introduced new family friendly policies for women and men.

For six years in a row, we have defied Australian trends with a pay gap in favour of women. Our 2022 gender pay gap was 5.3 per cent in favour of women. The main reason for this is the leadership profile of our organisation. In 2021:

- 70 per cent of our Council were female;
- 55 per cent of our Executive team including our Chief Executive Officer were female;
- 53 per cent of our senior managers were female; and
- 50 per cent of our section managers were female.

By promoting the City as an employer of choice for women and by addressing conscious and unconscious gender bias, the City's workforce composition has become more gender balanced. The number of women employed by the City of Sydney has grown substantially from 29 per cent in 2005 to 42.7 per cent in 2022.

Women shouldn't be penalised by lower superannuation benefits at retirement when caring for children interrupts their careers. City of Sydney staff can access 52 weeks of parental leave – 18 weeks on full pay (or 36 weeks at half pay) and 34 weeks of unpaid leave – with superannuation paid for this entire period. Partners also receive four weeks paid partner leave.

Though we were ahead of the times when we introduced 18 weeks paid parental leave and four weeks paid partner leave, the time has come to consider whether we can extend these even further. We know that the first six months of a newborn's life are crucial to their future wellbeing, and yet we don't give parents the support they need to ensure they are able to care for their children as they would like throughout that period. This must change.

The City was one of the first organisations to gain White Ribbon workplace accreditation, and to offer paid domestic and family violence leave. We also have an active Women's Staff Network, support for breastfeeding women and mentoring programs.

Of course, women have many other identities which we also strive to support. The City has initiatives for Aboriginal and Torres Strait Islander staff, staff who identify as LGBTQIA+ and staff with a disability.

What more needs to be done

Though we have come along way when it comes addressing gender equality, there is still a long way to go.

Pay

Workplace Gender Equality Agency (WGEA) data shows that Australia has a gender pay gap of 13.3 per cent in favour of men across the private and public sectors. This means that, on average, men earn \$253 more than women each week. According to the WGEA, it will take another 26 years for Australian women to reach pay parity with men if we progress at the same pace.

Housing

Women over 55 are the fastest growing group of homeless people in Australia. Reasons for this include having taken time out of the workforce to care for children, lower levels of superannuation, lower pay rates, and domestic and family violence.

In 2016, the City invested \$1.5 million in a HammondCare facility in Darlinghurst. This facility houses 42 older people who were at risk of homelessness, and includes a floor just for women which caters for survivors of domestic and family violence. More broadly, the City has built almost 1,500 affordable housing units, and has 600 more affordable homes in the pipeline and 700 more affordable homes planned for the future.

But the City cannot address Sydney's housing affordability crisis on its own. The State Government is primarily responsible for social and affordable housing and – with 58,000 households on the social housing waiting list – it must build more social housing across the city, without selling off existing stock. It must also reduce the age at which people are given priority for housing from 80 to 55 years, in line with the lived experiences of older women.

Leadership

Australia has made great strides when it comes to the number of women on government boards, with 51 per cent of positions held by women, and 41 per cent of Chair and Deputy Chair positions held by women. However, when it comes to the boards of ASX200 companies, 36 per cent of positions are held by women and a mere 11 per cent of Chair positions are held by women. We also know that a small number of very well-educated white women hold a disproportionate number of these positions, and much more work needs to be done to reflect our diversity.

Although progress is being made when it comes to women's representation in Australia's federal parliament and cabinet, the same is not true of our state parliament and cabinet. At a federal level, women make up 39 per cent of members of parliament, and 43 per cent of cabinet members. In NSW, these numbers drop to 33 per cent of parliamentarians and just 26 per cent of cabinet positions.

Domestic and family violence

Across Australia, one woman is still killed each week by a partner or ex-partner. And we know that this is just the tip of the iceberg when it comes to domestic and family violence incidents. In NSW, where reported cases of intimate partner assault have been steadily rising, we urgently need more resources for our overwhelmed courts, and more refuges for domestic and family violence survivors.

Migrant women face additional barriers when it comes to escaping domestic and family violence, including language barriers, a lack of family support and precarious visa statuses. These women must also receive the specialised assistance they need if we are to end domestic and family violence in Australia.

Healthcare

Bucking a long-term Australia-wide trend, teenage pregnancies are on the rise in 14 rural, regional and remote local government areas across NSW. It is imperative that all adolescents have access to the full spectrum of reproductive sexual health services regardless of where they live, as well as tailored support to continue their education should they have a baby before they complete high school.

Removal of children

Aboriginal and Torres Strait Islander children now account for 44 per cent of children in out-of-home care in NSW, even though Aboriginal and Torres Strait Islander children make up around just 6 per cent of all Australian children. This means Aboriginal children are now 11 times more likely than non-Aboriginal children to be removed from their parents. For our Aboriginal communities and those of us who are still haunted by the testimonies of the Stolen Generations, these statistics are devastating.

Trans and gender-diverse people

Astoundingly, a person in NSW is still required to have sex affirmation surgery if they want to change their sex on their birth certificate. This is out of step with numerous jurisdictions around the world – including Australia – which recognise that a person may want the sex descriptor on their official documentation changed so that it reflects their chosen gender, and that whether that person has genital surgery or not is a personal matter that is entirely up to them.

Women in prison

Most women in prison have committed non-violent offences, and women in prison are more likely than men in prison to have experienced physical and sexual abuse, mental health issues, and drug and alcohol dependency. Two thirds of women in NSW prisons have at least one child under the age of 18, and one third of women in NSW prisons are Aboriginal and Torres Strait Islander. At a cost of \$80,000 to imprison one person per year, and a recidivism rate of 50 per cent, we really have to ask ourselves if this is the best use of taxpayer's money when it comes to making our community safer.

The City of Sydney is a progressive organisation in a vibrant and dynamic city that celebrates diversity. On this International Women's Day, I ask that we to pay our respects to the women who fought so hard to achieve this, make sure we never let our guard down, and advocate for the ongoing changes we need to ensure future generations of women are able to enjoy all the opportunities they are entitled to.

Recommendation

It is resolved that:

- (A) the Chief Executive Officer be requested to investigate extending paid parental leave, inclusive of adoption leave, at the City of Sydney, from 18 weeks to 26 weeks;
- (B) the Chief Executive Officer be requested to investigate extending paid partner leave at the City of Sydney from four weeks to six weeks; and
- (C) the Lord Mayor be requested to write to the Prime Minister, Federal Minister for Women, incoming NSW Premier and incoming NSW Minister for Women asking them to advance progress towards gender equality by:
 - (i) closing the gender pay gap;
 - (ii) dramatically increasing access to social and affordable housing, including by addressing the needs of women over 55;

- (iii) increasing the proportion of women with different backgrounds on boards, in parliament and in cabinet;
- (iv) eliminating domestic and family violence by ensuring all victim/survivors – regardless of their visa status – are eligible for income support, crisis payments, healthcare, crisis accommodation and legal advice;
- (v) ensuring women and girls freely choose if and when they have children, including by making reproductive sexual health services available to all adolescents regardless of where they live;
- (vi) allocating the resources needed to keep families together by addressing the underlying social and economic factors that lead to entrenched disadvantage, particularly among Aboriginal and Torres Strait Islander women;
- (vii) adopting a system of self-identification for the purposes of changing sex or gender descriptors on official documentation; and
- (viii) reducing the number of women in prison by addressing the underlying causes of imprisonment, including by reallocating the vast sums of money spent on incarcerating traumatised, nonviolent women each year.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Variation. At the request of Councillor Jarrett, and by consent, the Minute was varied by the addition of clause (D) to read as follows –

- (D) the Lord Mayor be requested to write to the incoming NSW Premier and incoming NSW Minister for Local Government:
 - (i) highlighting the importance of providing opportunities for people of different backgrounds to represent their communities on Council; and
 - (ii) asking them to promote diverse representation on Council by amending the *Local Government Act 1993* (NSW) to ensure locally elected representatives receive remuneration and allowances commensurate with their workload, like their state and federal counterparts.

The Minute, varied by consent, was carried unanimously.

S051491

Item 4 Memoranda by the Chief Executive Officer

Item 4.1 City of Sydney Community Campaign - The Voice to Parliament

This item was withdrawn from the agenda.

Item 5 Matters for Tabling**5.1 Disclosures of Interest**

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

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

Carried unanimously.

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

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

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

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

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

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillor Ellsmore was attending the meeting of the Corporate, Finance, Properties and Tenders Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

Apologies

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

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.05pm.

Report of the Corporate, Finance, Properties and Tenders Committee

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 6 March 2023 be received, with Items 6.1 and 6.2 being noted, and Item 6.3 being dealt with as shown immediately following that item.

Carried unanimously.

Item 6.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 13 February 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 6.2

Statement of Ethical Obligations and Disclosures of Interest

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

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

Item 6.3

Investments Held as at 28 February 2023

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

It is resolved that the Investment Report as at 28 February 2023 be received and noted.

Carried unanimously.

X020701

Item 7 Report of the Transport, Heritage, Environment and Planning Committee

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor HY William Chan

(Deputy Chair)

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

At the commencement of business at 2.06pm those present were -

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

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillor Ellsmore was attending the meeting of the Transport, Heritage, Environment and Planning Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

Apologies

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

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

That the apology of Councillor Scully be accepted and leave of absence from the meeting of the Transport, Heritage, Environment and Planning Committee be granted.

Carried unanimously.

The meeting of the Transport, Heritage, Environment and Planning Committee concluded at 2.59pm.

Report of the Transport, Heritage, Environment and Planning Committee

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

That the report of the Transport, Heritage, Environment and Planning Committee of its meeting of 6 March 2023 be received, with Items 7.1 and 7.2 being noted, the recommendations set out below for Items 7.4 to 7.7 inclusive being adopted in globo, and Item 7.3 being dealt with as shown immediately following that item.

Carried unanimously.

Item 7.1

Confirmation of Minutes

Moved by Councillor Chan, seconded by Councillor Kok –

That the Minutes of the Meeting of the Transport, Heritage, Environment and Planning Committee of Monday 13 February 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 7.2

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 Transport, Heritage, Environment and Planning Committee.

Item 7.3

Extension of Temporary Use of Road Space for Outdoor Dining

Note - The Transport, Heritage, Environment and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 13 March 2023.

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

It is resolved that:

- (A) Council continue the temporary use of road space for existing on-street Outdoor Dining approvals until 31 December 2024;
- (B) authority be delegated to the Chief Executive Officer to extend existing on-street footway approvals to cover the notification and assessment period where the operator has lodged a new footway application prior to 30 April 2023;
- (C) authority be delegated to the Chief Executive Officer to amend Appendix 1 of the Outdoor Dining Guidelines to replace the words '30 April 2023' with '31 December 2024';
- (D) the Chief Executive Officer include in the next draft budget to be submitted to Council for endorsement to go on public exhibition funding for the extension of the current program until 31 December 2024, at a cost of approximately \$3.8 million in expenses and revenue foregone as set out in this report;
- (E) Council note that these costs are in addition to the proposed extension of the fee waiver for outdoor dining permits to be included in the draft budget in accordance with Council's resolution of 21 November 2022; and
- (F) Council note that a review of the Outdoor Dining Guidelines will be carried out in relation to applications on or near parks and other public spaces to ensure equitable and accessible use of the parks and other public space spaces and that any amendments will be reported to Council for its consideration and public exhibition.

Variation. At the request of Councillor Ellsmore, and by consent, the motion was varied by the addition of clause (F) as follows -

(F) Council note that:

- (i) a review of the Outdoor Dining Guidelines will be carried out in relation to applications on or near parks and other public spaces to ensure equitable and accessible use of parks and other public space and that any amendments will be reported to Council for its consideration and public exhibition;
- (ii) the public will have the opportunity to comment. Applications for on-street dining to continue will involve notification to nearby properties and residents; and
- (iii) the review of outdoor dining will include consideration of the suitability of existing outdoor dining locations, and will consider opportunities for permanent and semi-permanent options (such as parklets).

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

S060627-02

Item 7.4

Post Exhibition - City North Public Domain Plan

Note – the recommendation of the Transport, Heritage, Environment and Planning Committee was not adopted. The following alternative recommendation was adopted as part of an in globo motion (as contained in the Information Relevant To Memorandum dated 10 March 2023 from the Chief Operating Officer, circulated prior to the meeting).

It is resolved that:

- (A) Council adopt the City North Public Domain Plan with amendments, as shown at Attachment A to the subject report, as a guiding document to inform capital works planning, negotiations with government and developers, planning proposals and development applications subject to the following amendment:

the wording of Guiding Direction 5 on page 29 of the Plan will be amended to read “Support and encourage active building edges and high quality activation in the public domain that also reflect the important heritage of this precinct, in particular Aboriginal and Torres Strait Islander heritage.” as shown in Attachment A to the subject Information Relevant To Memorandum;
- (B) Council note that project opportunities require further advocacy, consultation, testing, feasibility assessment and design development in collaboration with key stakeholders including property owners and Transport NSW / Sydney Metro, to inform future capital works budgets and future scoping reports to be considered by Council; and
- (C) authority be delegated to the Chief Executive Officer to make amendments to the City North Public Domain Plan in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

S121925

Speaker

Heather Loewenthal addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 7.4.

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

Item 7.5

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

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal – 757-763 George Street, Haymarket, the draft Sydney Development Control Plan 2012 – 757-763 George Street, Haymarket amendment, and draft Voluntary Planning Agreement, as shown in Attachment A to the subject report;
- (B) Council approve Planning Proposal – 757-763 George Street, Haymarket, as shown at Attachment B to the subject report, and request the relevant local plan making authority as a Local Environmental Plan under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve the draft Sydney Development Control Plan 2012 - 757-763 George Street, Haymarket amendment, as amended following public exhibition and shown at Attachment C to the subject report, noting the approved Development Control Plan will come into effect on the date of publication of the subject Local Environmental Plan;
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal 757-763 George Street, Haymarket and draft Sydney Development Control Plan - 757-763 George Street, Haymarket amendment to correct any minor errors or omissions prior to finalisation; and
- (E) Council note the draft Voluntary Planning Agreement, as shown at Attachment D to the subject report, will be executed under delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.

Carried unanimously.

X038464

Speaker

Tom Cook (Mecone) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 7.5.

Item 7.6

Fire Safety Reports

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to D of the subject report;
- (C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 33 Euston Road, Alexandria at this time;
- (D) note the contents of Attachment C and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 10-18 Gadigal Avenue, Waterloo at this time; and
- (E) note the contents of Attachment D and not exercise its power under the Environmental Planning and Assessment Act 1979 to issues a Fire Safety Order at 241-243 Commonwealth Street, Surry Hills at this time.

Carried unanimously.

S105001.002

Item 7.7

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

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

Carried unanimously.

S040864

Item 8 Adoption - Council Related Development Applications Policy

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

It is resolved that:

- (A) Council adopt the draft Council-Related Development Applications Policy as set out at Attachment A to the subject report, to commence at the time the Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022 commences; and
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Council-Related Development Applications Policy in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

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

It is resolved that:

- (A) Council adopt the draft Council-Related Development Applications Policy as set out at Attachment A to the subject report, to commence at the time the Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022 commences, with the following amendments:
 - (i) Amend the definition of 'excluded development' as follows:

Amend item (e) in the definition as follows:

(e) development where the City might receive a small fee for the use of their land ~~(such as outdoor dining areas for which fees are or may be payable under legislation)~~
 - (ii) Insert after item (g) the following clarification:

“except applications which would limit existing free public access to public land (as defined in the Local Government Act 1993).”

The purpose of the amendments is to clarify that applications or changes to Council lands and interests - where they would limit or restrict existing free, public access - are not considered 'excluded development' for the purposes of this Policy; and
- (B) authority be delegated to the Chief Executive Officer to make any other amendments to the Council-Related Development Applications Policy in order to give effect to this motion and to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

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

X090920

Item 9 Questions on Notice

1. Investigating Options to Install Refugees Are Welcome Banners at Town Hall and at Other Key Locations

By Councillor Ellsmore

Question

1. At the 31 October 2022 Council meeting, Council unanimously committed to create banners or signage stating that 'Refugees are Welcome' (or equivalent) that can be prominently displayed at the Sydney Town Hall and other key locations within the City of Sydney. Which locations to display Refugees are Welcome Banners (or equivalent) have been considered or investigated by the City?
2. Where are banners or signage currently displayed, including banners which recognise the City's long running commitment as a Refugee Welcome Zone?
3. What heritage or other considerations were taken into account, in relation to the Sydney Town Hall?
4. What locations and types of banners are being proposed for the future? (Including which town halls, community centres and other key locations are proposed).
5. The 31 October 2022 Council decision requested that the Chief Executive Officer provide advice about costs of creating these banners, including if the Council were to commission or collaborate with a refugee or asylum seeker artist or organisation to design the banners or signage. What investigations or discussions has the City undertaken with refugee-affiliated organisations and/or refugee artists regarding the creation of Refugees Are Welcome Banners?
6. Which organisations or individuals has the City had discussions with, or is proposing to have discussions with?
7. What is the proposed timeline for implementation?
8. Are new banners or signs proposed for Refugee Week in June? Are banners or signs proposed at other times of the year?

X086664

Answer by the Chief Executive Officer

In addition to the information circulated via CEO Update on 9 December 2022, pull-up welcome banners have been produced. These are being distributed to the City's community centres for display and will be available for use by Libraries and at relevant meetings or workshops. Flagpole banners for outside Sydney Town Hall are in production to display at appropriate times, including Refugee Week. Staff are investigating other appropriate dates, which may include International Day of Peace. Costs for all banners are estimated at less than \$9,000 and have been included in the current year budget.

Staff are planning to produce street banners to display on flagpoles around the CBD and local government area. The pull-up and Town Hall flag pole banner design was shown at Refugee Welcome Zone Interagency and Asylum Seekers Interagency meetings in January 2023 to present the design and locations for display. City staff are in conversation with relevant key refugee and asylum seeker service providers to investigate incorporating refugee artist expression and experience in a specific design for street banners for future use.

The City's "Our Diverse Communities" [web page](#) includes a section dedicated to refugees and people seeking asylum. This also includes reference to the Refugee Welcome Zone and the City's Refugee and people seeking asylum access project, that provides free or low cost access to City facilities and services. The site also features a video interview with three refugees. In addition, the City is recognised as a Refugee Welcome Zone on the [website](#) of the Refugee Council of Australia.

2. Public Housing and Public Land Redevelopment in the City of Sydney

By Councillor Ellsmore

Question

1. In an answer to a Question on Notice tabled at the 12 December 2022 Council meeting, it was advised that there had been three Pre-DA requests regarding the development of public housing in the last 12 months, relating to multiple properties on Wentworth Park Road and Raper Street Newtown. What are the details of what was discussed at these pre-DA meetings? What development or changes are proposed for these properties?
2. Since November 2022, have City staff had any discussions or correspondence with NSW Government representatives about planned or future development applications regarding State-owned or controlled land in NSW, including any pre-DA requests? If yes, please provide details.
3. In an answer to a Question on Notice tabled at the 12 December 2022 Council meeting, it was advised that the City initiated discussions with the Land and Housing Corporation (or LAHC), in relation to eight planning proposals or forthcoming planning proposals.

Since November 2022, have City staff had any discussions or correspondence with NSW Government representatives about these or additional planning proposals relating to State-owned or controlled land in NSW? If yes, please provide details.

4. Generally, what City of Sydney policies or guidelines determine what or how pre-DA advice is provided? Please provide details.

X086664

Answer by the Chief Executive Officer

1. Further information about the three pre-DA requests for advice:

14-26 Wentworth Park Road, Glebe - PDA/2022/130

On 23 June 2022 a pre-DA request for advice was submitted involving a preliminary public housing scheme for a 3 storey, 40 unit residential flat building under the *State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP 2009)* was lodged with Council.

A pre-DA meeting was held on 4 July 2022 to discuss height, deep soil and canopy cover, solar access, cross ventilation, privacy and other design matters. A letter of advice was provided on 13 July 2022 and further comments were provided on 4 August 2022.

A further pre-DA for demolition of the site was requested on 3 March 2023 and is under assessment.

82 Wentworth Park Road, Glebe - PDA/2022/44

On 19 February 2021 City staff reviewed a preliminary public housing scheme for a 4 storey, 51 room boarding house development (under the former *ARH SEPP 2009*). Advice was provided regarding height, view loss, trees, substation/garbage collection, amenity of some units in relation to the light rail tracks and other design matters.

On 14 March 2022, City staff met to discuss their revisions and no formal advice was provided.

An application for 43 public housing dwellings was lodged on 24 January 2023. The application proposes demolition of existing buildings, tree removal, and construction of the building. The application is currently under assessment and is on public exhibition until 15 March 2023.

10-18 Raper Street, Newtown - PDA/2022/244

A pre-DA request for advice was made on 9 November 2022, seeking feedback regarding non-discretionary standards and standards for boarding houses set out in the *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)* could be varied.

Advice was provided on 23 December 2022, including confirmation that any departure from a development standard would be assessed on its merits at DA stage in accordance with established law, and also providing comments as to other matters with regard to design, setbacks, trees and flooding.

2. Since November 2022, City staff have had discussions with NSW Government representatives on:

2 Quay Street, Haymarket - PDA/2022/261

A pre-DA request for advice was submitted on 30 November 2022 for maintenance and conservation works to Paddy's market building was received. City staff provided email advice in relation to the information that would be required to accompany any future application on 11 January 2023.

Scope of works included:

- removal of 1990s clock face and make good copings and trims,
- Repairs to brickwork.
- Repairs and painting of timber windows.
- Installation of bird proofing.
- Upgrade of external lighting.

1 Eddy Avenue, Haymarket (Tenancy 4-7) - D/2022/984**1 Eddy Avenue, Haymarket (Tenancy 12 and 12a) - D/2022/1127****1 Eddy Avenue, Haymarket (Tenancy 11) - D/2022/1128****1 Eddy Avenue, Haymarket (Tenancy 7) - D/2022/1146**

In late 2022 - early 2023, four tenancy fit out development applications (DAs) were assessed by City staff which had been lodged on Behalf of Transport for NSW (TfNSW). The applications proposed *licenced food and drinks premises* and a *licenced function centre*. The applications were not specific as to the type of food and drink premises or liquor licence sought.

No Pre-DA advice or meetings were requested for these applications. However, during assessment, two meetings were held with the applicant and a TfNSW representative to discuss the content of the application.

At the meetings, the applicant was not able to identify a particular intended use of each tenancy, nor how some of the uses were permissible within the zone.

The applicant withdraw the applications on 27 January 2023 for review before relodging.

3. Since November 2022, the City has not met or had discussions regarding the eight Land and Housing Corporation (LAHC) sites in Pymont and Ultimo referred to in the previous answer.

In the review of planning controls to implement the NSW Government's Pymont Peninsula Place Strategy, City staff have had preliminary discussions about:

- 1-17 Mary Ann Street, Ultimo - TAFE NSW Ultimo Campus, Owner: Minister Admin Tech Further Education Com Act 1990
- 19 Mary Ann Street, Ultimo - TAFE NSW Ultimo Campus, Owner: Minister Admin Tech Further Education Com Act 1990
- 20-28 Bulwara Road, Pymont - Ausgrid, Owner: Alpha Distribution Ministerial Holding Corporation
- 77-89 Pymont Street, Pymont - Ausgrid, Owner: Alpha Distribution Ministerial Holding Corporation

At a meeting on 15 December 2022, LAHC advised they may progress with a planning proposal for the Franklyn Street, Glebe site in 2023. No details on the planning proposal were provided.

In February 2023, City staff met with Metro regarding planning proposals for Hunter Street station and the City received correspondence from Transport for NSW requesting submissions on the notified Planning Proposal for the Hunter Street Metro Station.

4. Pre-lodgement or pre-DA guidelines and requirements of applicants is published on the City [website](#). Proposals presented for pre-DA advice are considered against the relevant controls contained in the Sydney Local Environment Plan 2012, the Sydney Development Control Plan 2012, and any relevant State Environmental Planning Policies (SEPP's). Advice provided is clearly stated to be for guidance only based on the preliminary information provided. It does not bind any future consent authority in relation to the assessment of a future proposal.

3. Street Furniture Contract

By Councillor Scott

Question

1. Please detail where and how the contract for the provision of the City's street furniture is available to the public.
2. During the procurement process, how many tenders were considered? Why did the City staff recommend to reject and negotiate?
3. What were the tender specifications for street furniture?
4. Were sites for advertising signs specified during the tender process? To any or all tenderers?
5. How many sites were specified during the tender process? How many sites were specified during the contract negotiation process?
6. Post the signing of the contract, how many sites did the City provide landowner permission for? Post signing of the contract, how many sites did the City refuse? Has the City revoked any sites for permission at any stage?

7. Were fixed prices for fixed sites provided by any tenderers? Were fixed prices requested by the City?
8. How much income has been received, broken down by month, since the contract was signed with the City? What's the formula for the income?
9. Please detail who tendered, and how many meetings were held with each tenderer?
10. How many advertising sites did JCDecaux have?
11. Which sites have heritage considerations? Please detail how the City has considered the heritage of the sites approved, and those rejected?
12. Were guarantees of landowner consent or approvals given to tenderers about approvals for signs at any stage in the tender or contract negotiation process? Were any guarantees given during contract variation processes?
13. How much time is allocated in total, per month, to the City's advertising? What is the cost in kind of this?
14. How did the City's Audit, Risk and Compliance Committee consider this contract?
15. How many contract amendments have been requested? How many have been granted? Please detail what they are for.

X086668

Answer by the Chief Executive Officer

1. The Street Furniture and Outdoor Media Services Agreement is available on Council's website: <https://www.cityofsydney.nsw.gov.au/council-governance-administration/contracts-over-150000-awarded-by-city-of-sydney>
2. Please refer to prior reports to Council in June 2020 and May 2019 –
[Direct Contract Negotiations - Street Furniture, Out-of-Home Media and WiFi Services](#)
 (endorsed by Council - 29 June 2020)
[Tender - Reject and Negotiate - Street Furniture, Out-of-Home Media and Wi-Fi Services](#)
 (endorsed by Council – 13 May 2019)

Confidential attachments to the relevant reports will be provided via the CEO Update

3. Information was provided to Council in the confidential attachments to the reports referred to above. Confidential attachments to reports will be provided via the CEO Update.
4. During the tender process, tenderers were provided information relating to the location of sites where the existing provider, JC Decaux, had advertising installed.
5. Refer to answer at 4.
6. The City has provided landowners consent for all furniture sites where QMS has applied for a DA.

A total of 83 development applications and modification applications have been determined in relation to applications lodged by QMS (as at 1 March 2023). Eight applications (relating to a total of 27 individual pieces of furniture) were refused by the relevant consent authority.

7. No.

8. Operating income received has been reported in Councils quarterly financial report. The confidential attachment to the June 2020 report to Council contained information relating to payments under the contract. Confidential attachments to reports will be provided via the CEO Update.
9. There were extensive discussions with tenderers over multiple procurement processes, including an exemption from tender process. More information is generally contained in the prior reports to Council referred to above.
10. JC Decaux had approximately 950 panels.
11. All advertising panels that have been approved have had development applications lodged by QMS. Development applications were assessed in accordance with the *Environmental Planning and Assessment Act 1979*.

There has been 83 applications (DAs and s4.55 modification applications) determined for QMS related items up to 1 March 2023. These cover 550 individual items in locations spread across the local government area. Some of these locations are within heritage conservation areas, some are adjacent to heritage items, and some do not have any heritage consideration.

Of these applications 27 individual items were refused across 8 applications. The reasons for refusal varied but included the location would result in adverse heritage impacts, the location conflicting with other approved uses in the public domain and the location not being supported by Transport for NSW.

The remaining applications have been approved subject to conditions. In some instances, conditions have been imposed deleting individual items forming part of the development applied for as they were not appropriate in the circumstances. Of these applications, 50 items were deleted via conditions.

Where there is a heritage consideration associated with individual items, consultation would have occurred with the City's Heritage and Urban Design team during the assessment. The heritage advice would have been considered during the assessment of the application. Where necessary, further discussions were also held with senior planning managers, prior to the determination of the applications.

12. No. The contract is the full agreement between the parties and requires QMS to obtain all required consents for development applications.
13. The City has the following advertising rights at no cost:
 - (a) 100% of the 155 community displays.
 - (b) 100% of 20 static panels.
 - (c) 0% of time at 125 specified digital panel locations.
 - (d) 7.5% of time all other digital panel locations spread evenly throughout the day.
14. Council approved the key terms of the contract.
15. One contract variation has been entered into between the parties to clarify provisions of the contract due to:
 - (a) The impact of Covid-related delays
 - (b) An inconsistency between the contract and specification relating to automated floor cleaning of public toilets
 - (c) A need to clarify liability for connection of public toilets to sewer in new locations

- (d) A need to clarify the City's advertising rights in more detail (refer to answer at 13 above)

4. Mardi Gras

By Councillor Scott

Question

1. How many tickets to march in the City of Sydney Mardi Gras was the City of Sydney allocated?
2. How were they allocated? Were any elected members of council or their staff provided with tickets to march in the parade?

X086668

Answer by the Chief Executive Officer

1. The City has a float entry with up to 80 participants as specified by Mardi Gras and included in the contract between the City of Sydney and Mardi Gras.
2. All staff including members of the LGBTQIA+ staff network are invited to participate through the intranet weekly bulletin Our News. Positions are allocated on a first come first served basis. As this is a staff opportunity, the Lord Mayor and Councillors are not provided places in the City's parade entry

5. City of Sydney Live Music and Performance Plan Update

By Councillor Scott

Question

Individually, please detail the progress of the following recommendations under the Live Music and Performance Action Plan (2012):

1. Review the Sydney Development Control Plan (DCP) to optimise its support for the live music and performance sector by identifying and protecting areas with strong traditions of live music and performance, and by supporting areas where urban and cultural amenity can be improved by live music and performance activity.
2. Establish a City of Sydney live music and performance liaison officer.
3. Review City of Sydney policies and protocols, refine the process for assessment of 'offensive noise' and develop City policies to address outdated development consent conditions
4. Establish a policy and process that includes alternative dispute resolution options for live music and performance venues in the City of Sydney;
5. Monitor the impacts of the Building Code of Australia on creative practice;
6. Develop a pre-lodgement process to provide bespoke advice and support for the development of temporary or non-traditional performance spaces;
7. Establish a venue-satisfaction survey and formal network of live music and performance venues to meet biannually in order to build relationships and discuss issues of concern;
8. Establish a Music and Performance Program Coordinator role based at an appropriate peak body, supported by a financial contribution from the City, to assist first-time venues find, select and program live music or performance;

9. Collaborate with the Australian Hotels Association and Music NSW to make appropriate, unused hotel spaces available for music rehearsals;
10. Establish a grant program for venues and organisations wanting to hold all-ages events;
11. Optimise City-owned indoor and outdoor facilities for use as live music and performance venues by augmenting existing equipment with appropriate sound, lighting and seating infrastructure, and issuing licences to enhance their use as performance venues;
12. Provide space in suitable City properties for innovative start-up businesses that support live music and performance; and
13. Allocate \$20,000 matched funding to APRA|AMCOS to develop a campaign to support local musicians to play live in local venues.

X086668

Answer by the Chief Executive Officer

The Live Music and Performance Action Plan was adopted in 2014. It outlines the importance of the live performance sector to the cultural, social and economic health of the city and how over-regulation and inconsistent policies across government agencies have created additional pressures on the viability of the sector. The Plan contains 60 actions that were developed in consultation with a Live Music and Performance Industry Taskforce.

The Plan was initially intended to be delivered within 5 years, however, soon after adoption the introduction of Lock Out Laws created a more complex and evolving set of challenges for the local live scene, and the City undertook advocacy and supported additional industry initiatives beyond the initial scope of the 60 Actions in the Plan.

The 60 Actions were all completed, implemented, rescoped or discontinued by the time the Covid-19 Pandemic hit in 2020. Due to the significant impacts of the pandemic on this sector, the City did not close-out the Action plan, choosing instead to remain agile and responsive to the developing situation, and sensitive to other urgent priorities for the sector.

The City's continued work to support the live music and performance sector, particularly through nightlife regulation, urban planning, the provision of cultural infrastructure and direct investment in local live culture is now embedded across the following strategic documents:

- Sustainable Sydney 2030-2050: Continuing the Vision, our Community Strategic Plan
- City Plan 2036, our Local Strategic Planning Statement
- The Development Control Plan 2012 (and subsequent revisions)
- Making Space for Culture, cultural infrastructure target
- Grants and Sponsorship Policy
- Creative City Cultural Policy

A close-out report for the Live Music and Performance Action Plan will be reported via the CEO Update later this year and will contain a holistic summary of how the City went about delivering the 60 Actions in the Plan and additional work to support the sector.

Brief updates to specific actions are as follows:

Action 1.1.1. Review the Sydney Development Control Plan 2012 to optimise its support for live music and performance by identifying and protecting areas with strong traditions of live music and performance and by supporting areas where urban and cultural amenity can be improved by live music and performance activity.

- The Late Night Trading planning controls were updated in 2019 to incentivise live performance with additional trading hours.
- The City implemented changes to the development control plan in 2022 to provide guidance for small scale cultural uses.
- The City exhibited a draft development control plan in 2020 with proposed entertainment sound management controls. The draft controls are under review in response to submissions and the NSW Government's Special Entertainment Precincts legislation.
- Planning controls for the Oxford Street Creative and Cultural precinct were implemented in 2022 and incentivise cultural activities and live performance.

Action 1.3.1. Establish a City of Sydney Live Music and Performance liaison officer.

The role, Strategy Advisor – Live Music and Performance, was established in 2014 and resourced for 6 years. In 2020, the functions of this role were incorporated into the role Strategy Advisor – Culture.

Review City of Sydney policies and protocols, refine the process for assessment of 'offensive noise' and develop City policies to address outdated development consent conditions

This is not an action in the Live Music and Performance Action Plan. The Plan contains the following actions:

Action 1.6.1. Develop clearly defined and publicly available compliance guidelines for enacting compliance measures in response to amenity complaints against live music and performance venues, including consideration of the noise-related development consent conditions applied to the venue being investigated, consideration of order of occupancy, and improved criteria for assessing "offensive noise", processes for liaison staff to be informed of amenity disputes and processes to ensure that appropriate compliance decisions are made in relation to historic or out-dated consent conditions.

- A venue operator/owner must make a formal application to council to change any consent conditions. This is a process that cannot be initiated by council.
- The City has implemented an approach to work with venue operators with out-dated consent conditions to bring the venues into compliance, rather than issue infringement notices. Working with the Strategy Advisor – Culture, venues are supported to update their development consent to contemporary conditions that are supportive of live performance.
- The City's standard 'entertainment noise' conditions for entertainment venues have been updated to include measurable dB limits at the nearest sensitive receiver rather than the use of subjective 'offensive noise' conditions.

Action 1.6.2. Ensure that authority to commence compliance actions against live music and performance venues involving assessment of "offensive noise" is restricted to appropriate staff who are experienced and trained to assess and determine "offensive noise", and that formal procedures reflect this.

- Compliance procedures were reviewed. This action is complete.

Establish a policy and process that includes alternative dispute resolution options for live music and performance venues in the City of Sydney

This is not an action in the Live Music and Performance Action Plan. The Plan contains the following actions:

Action 1.8.1. Provide options for alternate dispute resolution about live music and performance in the City of Sydney through the establishment of a formal mediation policy and pilot process that offers free, independent and confidential mediation services for resolving amenity complaints about live music and performance in the City of Sydney, in collaboration with NSW Police and the NSW Office of Liquor, Gaming and Racing, as appropriate.

- This action has been explored, noting the limits of the City's capacity to outsource such a service and maintain our role as the regulator of any outcomes of such a service.
- Through the Strategy Advisor – Culture role and collaboration between planning, compliance and operational teams, the City investigates amenity disputes, works with venue operators to find solutions to compliance issues, addresses ongoing complaints and where necessary, funds sound attenuation solutions through grant programs.
- The City has consistently advocated to the Police, Liquor and Gaming NSW, and the 24 Hour Economy Commissioner for a multi-agency, integrated, customer-centred, solutions-focused response to amenity and entertainment sound complaints.
- City compliance staff work collaboratively with venue operators and take an educative approach to resolving noise issues. Staff liaise closely with complainants and where appropriate seek to moderate their expectations regarding their noise issues.

Monitor the impacts of the Building Code of Australia on creative practice

- This is not an action in the Live Music and Performance Action Plan, although the Plan does include 8 actions regarding the Building Code of Australia (now National Construction Code). All those actions have been completed.
- Researching how the National Construction Code impacts the cultural sector and the provision of cultural infrastructure is an ongoing, business-as-usual function of the City's cultural strategy team. This has included advocacy at a federal and state level through suitable forums and inquiries.
- The NSW Government introduced changes to support 'small live music or arts venues' in 2020, consistent with the City's advocacy.

Action 2.2.1. Develop a pre-lodgement process to provide bespoke advice and support for the development of temporary or non-traditional performance spaces.

- This action was implemented in 2014 and has continued as a function of the Strategy Advisor – Culture role and the pre-DA process offered to cultural operators.
- The City's proposal for an exempt development path for small-scale cultural activities in a range of building and business types was not adopted by the Dept of Planning. Work continues to explore other options for achieving an exempt or complying pathway for the activation of non-traditional performance spaces.

Action 4.1.1 Establish a venue-satisfaction survey and (Action 4.1.2) formal network of live music and performance venues to meet biannually in order to build relationships and discuss issues of concern

- The City engaged Dr Martin Cloonan, a noted music industry researcher based in the UK, to undertake the venue satisfaction surveys. This action is complete.

- In 2016 the City convened an industry forum attended by over 60 representatives of venues, booking agents, artist managers, artists and festivals with the aim of establishing a Sydney Live Music Alliance. Funding was provided to this industry group, but an ongoing network was not maintained. The Contemporary Music Roundtable was established with funding from the City of Sydney for three iterations of an annual industry conference, but ongoing support for the management and continuation of the conference was not secured.
- Other industry-based networks and advocacy campaigns (especially those in response to Lock Out Laws and the Music Festivals Licensing Scheme) met the intent of this action by other means.

Action 4.3.1. Contribute funding to an appropriate sector organisation for the establishment of a Music and Performance Program Coordinator role, subject to future Council resolution, to help venues in the City of Sydney local government area identify and implement live music and performance opportunities.

- In 2015, Council endorsed funding of a pilot Live Music Programming Coordinator role to be delivered through a partnership between Live Music Office, Music NSW, City of Sydney, Leichhardt and Marrickville Councils.
- The role was responsible for developing a guide to new businesses wanting to introduce live music programming, as well as working with existing venues to optimise their programs. The pilot project, titled Amplify, was successfully completed and evaluated.

Action 4.5.1. Collaborate with the Australian Hotels Association and Music NSW to make appropriate, unused hotel spaces available for music rehearsals.

- This action was scoped and has been discontinued due to inadequate evidence of the need or interest in this particular approach to providing music rehearsal space.
- The music industry needs fit-for-purpose and purpose-built spaces for rehearsal, recording and performing, in suitable buildings and locations. The City continues to provide music rehearsal space in our community centres and has invested in new purpose built music rehearsal spaces in our facilities portfolio. Through our Oxford Street Cultural Precinct Planning Controls and Cultural Infrastructure advocacy, we are working to increase the supply of rehearsal and production spaces for performing artists.
- Actions L1.6 and L1.7 of *City Plan 2036* guide the City's planning controls to support the inclusion of soundproofed shared music rehearsal facilities in high density housing projects.

Action 4.7.2. Establish a grant program for venues and organisations wanting to hold all-ages events.

- Devolved funding was provided to Music NSW to deliver a series of all-ages gigs through their Indent Program, utilising local venues.
- Further funding was allocated to Music NSW to pilot an ongoing monthly program of all-ages gigs at 107 Projects Redfern, New/Now, curated and produced by a committee of young people.
- Funding for all-ages music and performance events was an identified funding priority of the City's cultural and creative grants from 2016-2022.
- These actions have been furthered by the City's support to establish Playwave, a digital platform for providing free and low-cost tickets to music, theatre, dance and festival events for high school aged audiences.

Optimise City-owned indoor and outdoor facilities for use as live music and performance venues by augmenting existing equipment with appropriate sound, lighting and seating infrastructure, and issuing licences to enhance their use as performance venues.

- This is not an Action from the Live Music and Performance Action Plan, rather there are two actions that pursue a similar outcome:

Action 4.8.2. Review hiring policies, prices, facilities and liquor licensing options associated with City of Sydney owned venues so that they are optimised to support small scale live music and performance in Sydney.

Action 4.10.1. Ensure that the hiring policies, prices, facilities and liquor licensing options associated with City of Sydney managed outdoor spaces are optimised to support the provision of live music and performance, across small and large scales.

- Both of these actions are complete.

Provide space in suitable City properties for innovative start-up businesses that support live music and performance

- This was not the action in the Live Music and Performance Action Plan, the action (4.14.1) was to encourage applications for accommodation in City-owned space from start-up and small businesses providing complementary services to the live music and performance industry.
- During the initial five year term of the Live Music and Performance Action Plan, the City awarded 10 Accommodation Grants to organisations servicing the live performance industry and 13 affordable live/work tenancies to musicians and performing artists. The value of these grants was more than \$400,000 each year in rental subsidies.

Action 4.9.2. Allocate \$20,000 matched funding to APRA|AMCOS to develop a campaign to support local musicians to play live in local venues.

- This funding was approved by Council at the time of adopting the Live Music and Performance Action Plan. This was the seed-funding for the Live Music Office's *Live and Local* program, which is still operating.

6. Advertising Screens Review

By Councillor Weldon

Question

1. At the October 2022 Council meeting, the Chief Executive Officer was requested to undertake a review of the new advertising screens in the City and report back to Council. What is the status of this review and when will it be complete?
2. Have any advertising screens been found to be non-compliant with their development application approvals. If so, how many?
3. How many screens have been removed or relocated as a result of this review?
4. Has the City of Sydney incurred any costs (including forfeited revenue) as a result of the review and removal or relocation of advertising screens?

X086670

Answer by the Chief Executive Officer

1. It is anticipated that the review will be finalised by May 2023.
2. This will be advised following finalisation of the review.
3. QMS has proactively removed two advertising structures. These removals were completed prior to the commencement of the external review.
4. No costs have been incurred for removal or relocation to date.

7. Change of Use of Boarding Houses

By Councillor Weldon

Question

1. In the last 10 years, how many applications have there been for 'Change of Use' from a boarding house to residential dwelling in the City of Sydney?
2. Of these applications, how many have been approved and how many boarding house rooms have been lost?
3. Of those approved, how many were determined to be financially unviable and on what other basis were applications approved?
4. When assessing the financial viability of a Boarding House, what steps are taken to verify the relevant values (rental income, expenses, depreciation, current investment value and capital upgrading) provided by the applicant to calculate rental yield?
5. How does the City of Sydney safeguard against asset 'harvesting' i.e. the inclusion of expenditure which is a result of inadequate maintenance over an extended period?

X086670

Answer by the Chief Executive Officer

1. In the last 10 calendar years the City has received 48 applications for 'Change of use *from* a boarding house.'
2. All the above applications were approved. We do not have a record of the number of lost boarding house rooms.
3. Financial viability is one of a list of considerations to be taken into account under the SEPP (Housing) 2021 (and predecessor provisions) and in itself is not determinative. Development applications are assessed against all applicable factors under the SEPP and other relevant planning controls.
4. Information is received and assessed against the criteria in the SEPP. Where the information is inadequate or there are concerns about its accuracy, further information, such as receipts or other verification of financial information, will be requested prior to determination of the application.
5. As above, requests for further information are made where there are concerns about the accuracy or adequacy of information provided. Assessments are required to be received and assessed in accordance with the legislation and the planning controls, including the SEPP.

Item 10 Supplementary Answers to Previous Questions

Supplementary Answers to Questions on Notice are as follows:

Question on Notice – Council 20 February 2023

5. City of Sydney Waste Disposal

By Councillor Scott

Question

1. In the last five years, has the City withheld payment for waste services at any time from any external providers? If so, when, how much and what for?

No. Payments are adjusted to reflect work undertaken by contracted service providers.

2. If not, will the City consider this option in future? If not, why not?

The City always reviews invoices to ensure that payments are correct.

3. Has the City sought any contract amendments from Cleanaway since 2019?

No.

4. Have Cleanaway sought any contract amendments from the City since 2019?

No.

5. What are the additional costs that the City has incurred as a result of increased waste complaints?

Nil additional costs associated with the management of the waste complaints.

6. Please detail, broken down by month since 2018, how many complaints of missed collection the City has received?

Below reflects the number of bins due for lift that the city collects every year.

Stream	Number of bins due for lift per week	Number of bins due for lift per year
Red	55,835	2,903,420
Yellow	39,828	2,071,056
Green*	4,461	231,972
	100,124	5,206,448

*Green bins are collected fortnightly, above is average per week

The below table reflects the total number of reported missed services for all waste streams including all bin types, mattresses and bulky waste bookings.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
2018	1548	1799	1642	996	1338	835	871	1274	1037	1260	1549	1470
2019	2084	1426	1221	1241	1161	1083	5799	1969	1324	1256	1904	1374
2020	1445	1458	1825	2629	1295	1125	1259	1082	1205	1282	1086	1486
2021	1332	1590	1382	1299	1071	1221	1195	1427	2979	2858	1330	1517
2022	3922	1727	2022	2011	2202	1978	1759	1280	1349	2010	2785	2209
2023	3713	4624										

7. Please detail, broken down by month since 2018, how many requests for bulk collection the City has received? Of these, how many have been collected on the day booked? How many have been missed? How many have been delayed?

The below table details total number of bookings received, per year and month versus service provider.

Year/Month	City - Garbage Services	Cleanaway	URM	Waste - Soft Landing	Grand Total
2018					
Jan	1656	N/A	3256	894	5806
Feb	1139	N/A	2435	782	4356
Mar	1132	N/A	2480	802	4414
Apr	1185	N/A	2413	791	4389
May	1131	N/A	2396	837	4364
Jun	936	N/A	2118	761	3815
Jul	1182	N/A	2620	866	4668
Aug	1049	N/A	2470	830	4349
Sep	1102	N/A	2371	754	4227
Oct	1212	N/A	2612	886	4710
Nov	1251	N/A	2822	902	4975
Dec	1421	N/A	2794	830	5045
Total 2018	14396	0	30787	9935	55118

2019	City - Garbage Services	Cleanaway	URM	Waste - Soft Landing	Grand Total
Jan	1878	N/A	3512	1042	6432
Feb	1577	N/A	3050	988	5615
Mar	1395	N/A	2919	1016	5330
Apr	1448	N/A	2846	996	5290
May	1218	N/A	2730	884	4832
Jun	1109	N/A	2413	773	4295
Jul	1020	3413	14	1004	5451
Aug	856	3113	N/A	824	4793
Sep	949	3336	N/A	890	5175
Oct	955	3453	N/A	813	5221
Nov	1012	3460	N/A	866	5338

Year/Month	City - Garbage Services	Cleanaway	URM	Waste - Soft Landing	Grand Total
Dec	1157	3793	N/A	929	5879
Total 2019	14574	20568	17484	11025	63651

2020	City - Garbage Services	Cleanaway	URM	Waste - Soft Landing	Grand Total
Jan	1361	4313	N/A	1072	6746
Feb	1128	3980	N/A	1074	6182
Mar	820	4677	N/A	1222	6719
Apr	N/A	6421	N/A	1480	7901
May	N/A	5530	N/A	1240	6770
Jun	N/A	5579	N/A	1288	6867
Jul	N/A	5918	N/A	1388	7306
Aug	N/A	5842	N/A	1321	7163
Sep	N/A	6017	N/A	1318	7335
Oct	N/A	5577	N/A	1210	6787
Nov	N/A	5967	N/A	1316	7283
Dec	N/A	6662	N/A	1314	7976
Total 2020	3309	66483	0	15243	85035

2021	City - Garbage Services	Cleanaway	URM	Waste - Soft Landing	Grand Total
Jan	N/A	7180	N/A	1408	8588
Feb	N/A	6041	N/A	1395	7436
Mar	N/A	6056	N/A	1371	7427
Apr	N/A	5554	N/A	1235	6789
May	N/A	5574	N/A	1187	6761
Jun	N/A	5119	N/A	1108	6227
Jul	N/A	5881	N/A	1274	7155
Aug	N/A	6162	N/A	1342	7504
Sep	N/A	5596	N/A	1245	6841
Oct	N/A	5383	N/A	1166	6549
Nov	N/A	5557	N/A	1243	6800
Dec	N/A	5782	N/A	1224	7006
Total 2021	0	69885	0	15198	85083

2022	City - Garbage Services	Cleanaway	URM	Waste - Soft Landing	Grand Total
Jan	N/A	6446	N/A	1221	7667
Feb	N/A	5134	N/A	1180	6314
Mar	N/A	6051	N/A	1259	7310
Apr	N/A	5499	N/A	1140	6639
May	N/A	5862	N/A	1258	7120
Jun	N/A	5208	N/A	1085	6293
Jul	N/A	2373	N/A	511	2884

Year/Month	City - Garbage Services	Cleanaway	URM	Waste - Soft Landing	Grand Total
Aug	N/A	5475	N/A	1204	6679
Sep	N/A	4702	N/A	1055	5757
Oct	N/A	3359	N/A	787	4146
Nov	N/A	4100	N/A	855	4955
Dec	N/A	2543	N/A	650	3193
Total 2022	0	56752	0	12205	68957

2023	City - Garbage Services	Cleanaway	URM	Waste - Soft Landing	Grand Total
Jan	N/A	1893		660	2553
Feb	N/A	591		303	894
YTD 2023		2484	0	963	3447

Grand Total	32279	216172	48271	64569	361291
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The below table details total requests received over the same period (as at 28 February 2023), including detail about days to complete request versus scheduled date:

Early	3148
On time - on day due	138153
Past due	219900
Not yet completed	90
	361291

No bulky waste is ever missed, all bulky waste is eventually collected. Waste is sometimes reported as not presented, generally because it has been recycled or repurposed by others.

8. What other metrics does the City collect on waste and recycling collection services? How are these monitored?

Service Level Measurement	Frequency
1- Sustainable Safe Service	
Management of Personnel	
% of safety inspections conducted (safety interactions) of its employees or subcontractors in accordance with the Contractors inspection program.	Monthly
Attend meetings with City WHS representatives as required	As Requested
Provision of adequate WHS supervision of personnel	As Requested
Tool Box or Start Up meetings have safety contact	As Requested
Contract specific risk register is developed and updated and available on an ongoing basis within 3 months of Contract and available to the City	As Requested
Contract specific WHS Incident register is developed and updated and available on an ongoing basis within 3 months of Contract and available to the City	As Requested
Escalation process for managing WHS incidents and risk is developed and updated as required	As Requested

Risk, Safety and Incident Management	
% of incidences and near misses recorded immediately, including mitigation strategies, investigations closed out within 10 business days with root cause analysis, incident to be mitigated immediately with plan to close out within 2 weeks	Monthly
Evidence of inspections and audits recorded. Monthly reporting of safety performance indicators	Monthly
Comply with all statutory reporting and report as part of the Contractors monthly report.	Monthly
Contractor audits compliance with all WHS requirements and undertaken in accordance with Contractor audit program.	Monthly
Management of Personnel and Training	
% of environmental inspections conducted of its employees, subcontractors, equipment in accordance with the Contractors inspection program.	Monthly
Attend meetings with City Environmental representatives as required	As Requested
Provision of adequate Environmental supervision of personnel	As Requested
Tool Box or Start Up meetings have environmental contact	As Requested
Environmental, Risk Incident Management	
Contract specific environmental risk register is always developed and updated and available on an ongoing basis within 3 months of Contract and available to the City	As Requested
Contract specific environmental Incident register is always developed and updated and available on an ongoing basis within 3 months of Contract and available to the City	As Requested
Escalation process for managing environmental incidents and risk is developed and updated as required	As Requested
No materials, oils, liquids are spilt during collection	Monthly
Any materials, oils, liquids are spilt during collection is cleared within 2hrs or as required by WHS or Environmental rules, policy or legislation (whichever is quicker)	Monthly
Compliance with all legislation and Environmental requirements	By Quality Audit
Process and Systems in Place	
% of incidences and near misses recorded immediately, including mitigation strategies, investigations closed out within 10 business days with root cause analysis, incident to be mitigated immediately with plan to close out within 2 weeks	Monthly
Evidence of inspections and audits recorded. Monthly reporting of environmental performance indicators	Monthly
Comply with all statutory reporting and report as part of the Contractors monthly report.	Monthly
Contractor audits compliance with all Environmental requirements and undertaken in accordance with Contractor audit program.	Monthly
Traffic infringements are recorded immediately, investigated including mitigation strategies, investigations closed out within 10 business days with root cause analysis	Monthly
Third Party vehicle damage is recorded immediately, investigated closed out within 10 business days with root cause analysis	Monthly
Third Party property damage is recorded immediately, investigated closed out within 10 business days with root cause analysis	Monthly
Contractor undertakes scheduled maintenance procedures in accordance with all OEM and Clean Fleet minimum requirements	Monthly
2 - Quality Waste Collection Service	
Service Delivery Compliance against Standards	
Missed Garbage collection â‰¤1 per 1,000 services	Monthly
Missed Recyclables collection â‰¤1 per 1,000 services	Monthly
Missed Garden Organics Collection â‰¤1 per 1,000 services	Monthly
Missed Clean Up Collection â‰¤1 per 150 services	Monthly
100% of unsuccessful Mobile Bins collections are collected within 24hrs of nominated Collection Day and time period	Monthly
Nil early starts for any Collection Service	Monthly

Specific recovered material streams are delivered to the processing facility in the intended condition. Recyclables and Organic streams are not rejected at the material recovery facility due to Contamination or compaction.	Monthly
Reduction of Customer Complaints	
≤ 40 complaints on Garbage collection services	Monthly
≤ 40 complaints for Recyclables collection	Monthly
≤ 10 complaints on Garden Organics collection Services	Monthly
≤ 10 complaints on Clean Up collection Services	Monthly
Mobile Bin repair request are serviced within 2 days	Monthly
New Bin Service requests are fulfilled within 2 days	Monthly
New Mobile Bin replaced on day of service when Mobile Bins are beyond economical repair.	Monthly
All complaints resolved or escalated and documented in a complaint register as part of the monthly report	Monthly
Customer Responsiveness	
All responses to customer complaints resolved within the specified timeframes. Complaints resolution within 24hrs or as otherwise agreed with the City.	Monthly
% of attendance at all scheduled & ad-hoc meetings	Monthly
All information as requested by the City for use in relation to stakeholder management is delivered within agreed timelines	Monthly
Provision of accurate, up to date and completed reports by the due date	Monthly
3 - Effective Contract & Commercial Management	
Meeting and Reporting	
Develop, implement and maintain a Business Continuity plan	As Requested
All required data and documents, missed services footage etc are accessible to City via a web portal	Monthly
100% accurate monthly invoices	Monthly

7. Waste Management in the City of Sydney

By Councillor Weldon

Question

1. How many missed waste and recycling collections were reported to the City of Sydney in each of the preceding 12 months (January 2022 to January 2023)?

The below table details missed waste and recycling bin reports received by month from January 2022 to 22 January 2023.

	Missed Garbage Bin	Missed Recycling
2022		
Jan	1019	847
Feb	456	235
Mar	459	348
April	609	268
May	511	373
June	449	370
July	476	376
Aug	406	256
Sept	458	314
Oct	588	505
Nov	613	914
Dec	711	696
2023		
Jan	1326	965

2. How much did the City of Sydney expend on waste management services (combined in-house and contracted services) in each of the last five years (FY2017/18, FY2018/19, FY2019/20 and FY2020/21 and FY2021/22)?

Unit 2020 Cleansing and Waste Operating Expenditure	2021-22	2020-21	2019-20	2018-19	2017-18
Salaries and Wages Expenditure	\$24.7M	\$24.5M	\$29.6M	\$28.5M	\$26.8M
Non Salaries and Wages Related Expenditure-including all contracts	\$40.6M	\$39.8M	\$37.3M	\$34.5M	\$32.0M
Total Expenditure	\$65.3M	\$64.3M	\$66.9M	\$63.0M	\$58.8M

This table represents operating costs only and does not include capital purchases or corporate overheads.

3. What was the number of full time/part time staff employed by the City of Sydney engaged in collecting waste in each of the last five years (FY2017/18, FY2018/19, FY2019/20 and FY2020/21 and FY2021/22)?

	FTE Cleansing and Waste Operations
2018	181
2019	188
2020	181
2021	193
2022	183
2023	189

Cleansing and Waste Operations includes street cleaning and sweeping, street litter bin collection, and food scraps collection.

6. If the answer to 5. is yes:

(a) On how many occasions and on what dates have City of Sydney employees collected waste that is part of the contract obligations of Cleanaway?

The City responds to urgent complaints and health and safety issues, as required. Payments are adjusted to reflect work not completed by contracted service providers.

As a result of the protected industrial action the City has collected 2293 illegal dumps and booked clean ups since 30 January 2023.

(b) What are the terms under which City of Sydney employees are doing work that is part of the contract obligations of Cleanaway?

The City maintains responsibility for the management of waste, Cleanaway is only paid for waste they have collected, in accordance with the Schedule of Rates as per the contract. Monthly invoices are reconciled and paid on services delivered.

7. Were any privately operated waste collection companies engaged by City of Sydney prior to the execution of the contract with Cleanaway?

Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.

8. If the answer to 7. is yes:

(c) What was the value of the contracts with City of Sydney with each of the companies?

Provider	Amount Spent	Contract Term	Commenced
URM	\$72.6M	5+2 Years plus variation to 30 June 2019	10/03/2010
Soft Landing	\$4.6M	3+1+1 Years	01/08/2018

Item 11 Notices of Motion

Item 11.1 Report of the Select Committee on Barangaroo Sight Lines

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

It is resolved that:

(A) Council note:

- (i) a Select Committee was established to inquire into the negotiations between the NSW Government, Lendlease and Crown in relation to sight lines at Barangaroo, including whether any biases influenced the final decision;
- (ii) on 23 September 2022, the Lord Mayor made a submission to the Select Committee raising significant concerns about the planning and delivery of development on public land at Barangaroo including Modification 9 for Central Barangaroo;
- (iii) on 17 February 2023, the Committee's report was tabled;
- (iv) key findings from the Committee's report include that:
 - (a) the Barangaroo sight lines have significant cultural and heritage value which must be preserved and protected; and
 - (b) Modification 9 proposes an unacceptable increase in height and footprint at Central Barangaroo which adversely impacts on sight lines and amenity of the precinct;
- (v) key recommendations from the Committee's report include that the NSW Government:
 - (a) engage in resolution processes for development disputes that seek transparent financial compensation rather than development bonuses;
 - (b) review any guidelines governing post-separation employment for senior public servants to ensure that any conflicts of interest are managed appropriately;
 - (c) develop a view management strategy in consultation with the Heritage Council of NSW, that identifies and preserves significant sight lines in Millers Point and Dawes Point and ensures that these views are considered in the context of any major redevelopment project; and
 - (d) reject Modification 9 and ensure that the redevelopment of Central Barangaroo remains small in scope so as not to cause significant obstructions to the Barangaroo sight lines; and

- (vi) the NSW Government has three months to respond to the committee's report; and
- (B) the Lord Mayor be requested to write to the NSW Premier and Leader of the Opposition to seek their assurance that whoever forms government following the State Election will:
 - (i) respond to the Committee's report by 17 May 2023; and
 - (ii) implement all of the recommendations from the report including:
 - (a) formally rejecting Modification 9 for Central Barangaroo; and
 - (b) when developing a view management strategy in consultation with the Heritage Council of NSW, seek feedback from the City of Sydney Council.

Carried unanimously.

X086661

Item 11.2 The Franklyn Street Report Launch

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that:

(A) Council note:

- (i) the Franklyn Street complex is located between Franklyn, Glebe and Bay Streets in the inner Sydney suburb of Glebe. It is over 1.3 hectares in area and is situated within the Mountain Street Heritage Conservation Area. The collection of mid-rise flats includes common gardens and multi-room apartments. It is home to approximately 100 public housing tenants;
- (ii) the NSW Government has announced its intention to demolish Franklyn Street, and replace the existing public housing with 70 per cent private housing and 30 per cent social housing (also known as the 'Communities Plus' model). Tenants, public housing advocates and the Glebe community have been working to protect the housing, the public land and the community that lives there;
- (iii) on 22 February 2023, public housing tenants and community resident action group Hands off Glebe - with the support of The Glebe Society - launched the 'Franklyn Report' at Sydney Town Hall;
- (iv) the Franklyn Report rejects the NSW Government's demolition and redevelopment plan, calling instead for maintenance, renovation and reuse of the solid brick flats on the site;
- (v) the NSW State Government has imposed a funding restraint on the body that manages public housing homes – Land and Housing Corporation (LAHC) – whereby it is required to raise funds to maintain or build new public housing by privatising or redeveloping public housing sites. This is purported to be the main reason behind redeveloping public housing estates like Franklyn Street;
- (vi) the report outlines how the NSW Government's proposal for the site would result in adverse outcomes for the community, the environment, heritage and the government's own stated policy aim of increasing public housing. Similar to other Communities Plus projects across NSW, the Franklyn Street redevelopment would actually reduce the number of public housing places by reducing the total number of bedrooms;
- (vii) this report outlines that the NSW Government's plans involve:
 - (a) the eviction and forced relocation of long-term residents who have lived in the complex for many years;
 - (b) an unacceptably high cost of taxpayers' money;
 - (c) the privatisation of public land;
 - (d) the demolition of sound and attractive public housing; and
 - (e) few new homes and reduced bedrooms, which would not address the waiting list for public housing which is currently more than 10 years in Glebe; and

- (viii) to effectively address the chronic housing affordability challenges across the City of Sydney and NSW, all levels of government need to address the provision of housing as critical infrastructure; accompanied by policies that adequately resource and fund its provision to ensure everyone has a safe, secure and affordable home;
- (B) Council congratulate Hands off Glebe and the Glebe Society for publishing the Franklyn Report, highlighting the inequalities of current government policy, and facilitating a platform for public housing tenants to have a voice; and
- (C) Council recognise the courage, endurance and strong social bonds of public housing residents residing in the Franklyn Street public housing complex.

Carried unanimously.

X086659

Item 11.3 Safer Streets around Childcare Centres

By Councillor Scully

It is resolved that

(A) Council note:

- (i) on average, one child a week is killed or seriously injured on the roads in NSW;
- (ii) in August 2019, 40km/h speed zones in the Sydney CBD were expanded to include additional areas around Ultimo, Barangaroo, Dawes Point, Millers Point to improve safety for pedestrians and bicycle riders and has resulted in a steep reduction in the number of crashes in Sydney CBD;
- (iii) in June 2021, the previous Minister for Transport, Andrew Constance, made a commitment to the Lord Mayor that all local and regional roads and the majority of state roads in our Local Government Area would have a maximum speed limit of 40km/h by the end of that year supported by clear road markings;
- (iv) in many locations where there is now a 40km/h speed limit, Transport for NSW (TfNSW) has not yet installed large roundel signage or other road markings to make this more visible to motorists;
- (v) currently 75 per cent of all roads in the City of Sydney Local Government Area have a speed limit of 40km/h or lower, and Transport for NSW provided the City with a program for approval and installation of the remaining 40km/h speed limits by June 2022 which has been delayed by Transport for NSW indefinitely;
- (vi) towards the end of last year, the Lord Mayor wrote to the Minister for Metropolitan Roads calling for Transport for NSW to work with the City to convert the remaining roads in the City to 40km/h without further delay;
- (vii) there are 143 registered childcare centres in the City of Sydney local government area; 117 of which are in a 40km/h speed zone and 26 which are in a 50km/h or higher speed zone;
- (viii) that the NSW Government has road safety requirements and considerations in place for primary schools across NSW, including 40 km/h school zones established on a section of one or more roads adjacent to a school with a part-time speed limit;
- (ix) however, there are no similar legislative requirements for traffic calming or speed reduction around childcare centres;
- (x) where childcare centres are attached to primary schools, school speeding zone rules generally lapse before childcare drop-off and pick-up times;
- (xi) City staff are in regular contact with childcare centres to advocate for safe pedestrian behaviours, particularly focused on young children around cars, and where possible, have implemented P15 drop-off and pick-up areas as well as *Children may be crossing ahead* signage;
- (xii) that Mitchell Street, Glebe, which is currently 50km/h, is of particular concern for residents, being a residential area with a childcare centre, Glebe Street Playground and MJ Doherty Reserve;

- (xiii) in December 2021, a three-year-old boy was tragically killed after being hit by a car on Glebe Street near the intersection at Mitchell Street;
 - (xiv) the installation of two new raised pedestrian crossings at the intersection of Mitchell Street and Glebe Street is programmed in the City's 2024/25 capital works program, which will reduce vehicle speeds and improve safety and connectivity for people walking; and
 - (xv) according to Transport for NSW, in a crash between a car and a pedestrian, there is a 10 per cent risk that a pedestrian will be killed at 30 km/h, 40 per cent risk at 40 km/h, and a 90 per cent risk at 50 km/h;
- (B) the Lord Mayor be requested to write to the NSW Premier and the Leader of the Opposition:
- (i) restating the urgency and necessity of implementing 40km/h speed limits on all streets in the City of Sydney Local Government Area, with consideration to 30km/h in our villages, to support safety for people walking and cycling; and
 - (ii) requesting the implementation of legislative requirements for traffic calming or speed reduction around childcare centres similar to what currently exists for schools; and
- (C) the Chief Executive Officer be requested to:
- (i) write to the Secretary of Transport for NSW to get a status update on commitments made by the previous Minister for Transport to reduce the speed limit to 40km/h on all local and most state roads in the City of Sydney Local Government Area to be supported by clear road markings; and
 - (ii) develop a plan in consultation with the community that identifies priority locations for installing traffic calming treatments with a focus on areas with high levels of walking with children including Mitchell Street in Glebe.

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

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

It is resolved that

- (A) Council note:
- (i) on average, one child a week is killed or seriously injured on the roads in NSW;
 - (ii) in August 2019, 40km/h speed zones in the Sydney CBD were expanded to include additional areas around Ultimo, Barangaroo, Dawes Point, Millers Point to improve safety for pedestrians and bicycle riders and has resulted in a steep reduction in the number of crashes in Sydney CBD;
 - (iii) in June 2021, the previous Minister for Transport, Andrew Constance, made a commitment to the Lord Mayor that all local and regional roads and the majority of state roads in our Local Government Area would have a maximum speed limit of 40km/h by the end of that year supported by clear road markings;
 - (iv) in many locations where there is now a 40km/h speed limit, Transport for NSW (TfNSW) has not yet installed large roundel signage or other road markings to make this more visible to motorists;

- (v) currently 75 per cent of all roads in the City of Sydney Local Government Area have a speed limit of 40km/h or lower, and Transport for NSW provided the City with a program for approval and installation of the remaining 40km/h speed limits by June 2022 which has been delayed by Transport for NSW indefinitely;
 - (vi) towards the end of last year, the Lord Mayor wrote to the Minister for Metropolitan Roads calling for Transport for NSW to work with the City to convert the remaining roads in the City to 40km/h without further delay;
 - (vii) there are 143 registered childcare centres in the City of Sydney local government area; 117 of which are in a 40km/h speed zone and 26 which are in a 50km/h or higher speed zone;
 - (viii) that the NSW Government has road safety requirements and considerations in place for primary schools across NSW, including 40 km/h school zones established on a section of one or more roads adjacent to a school with a part-time speed limit;
 - (ix) however, there are no similar legislative requirements for traffic calming or speed reduction around childcare centres;
 - (x) where childcare centres are attached to primary schools, school speeding zone rules generally lapse before childcare drop-off and pick-up times;
 - (xi) City staff are in regular contact with childcare centres to advocate for safe pedestrian behaviours, particularly focused on young children around cars, and where possible, have implemented P15 drop-off and pick-up areas as well as *Children may be crossing ahead* signage;
 - (xii) that Mitchell Street, Glebe, which is currently 50km/h, is of particular concern for residents, being a residential area with a childcare centre, Glebe Street Playground and MJ Doherty Reserve;
 - (xiii) in December 2021, a three-year-old boy was tragically killed after being hit by a car on Glebe Street near the intersection at Mitchell Street;
 - (xiv) the installation of two new raised pedestrian crossings at the intersection of Mitchell Street and Glebe Street is programmed in the City's 2024/25 capital works program, which will reduce vehicle speeds and improve safety and connectivity for people walking; and
 - (xv) according to Transport for NSW, in a crash between a car and a pedestrian, there is a 10 per cent risk that a pedestrian will be killed at 30 km/h, 40 per cent risk at 40 km/h, and a 90 per cent risk at 50 km/h;
- (B) the Lord Mayor be requested to write to the NSW Premier and the Leader of the Opposition:
- (i) restating the urgency and necessity of implementing 40km/h speed limits on all streets in the City of Sydney Local Government Area, with consideration to 30km/h in our villages, to support safety for people walking and cycling; and
 - (ii) requesting the implementation of legislative requirements for traffic calming or speed reduction around childcare centres similar to what currently exists for schools; and

- (C) the Chief Executive Officer be requested to:
- (i) write to the Secretary of Transport for NSW to get a status update on commitments made by the previous Minister for Transport to reduce the speed limit to 40km/h on all local and most state roads in the City of Sydney Local Government Area to be supported by clear road markings;
 - (ii) develop a plan in consultation with the community that identifies priority locations for installing traffic calming treatments with a focus on areas with high levels of walking with children including Mitchell Street in Glebe;
 - (iii) noting the investigations already completed for Mitchell Street Glebe, prioritise traffic calming measures for Mitchell Street Glebe that can be implemented in the short term; and
 - (iv) investigate whether the proposed raised pedestrian crossings design and implementation work for Mitchell Street Glebe can be completed earlier than the current proposed date of 2024/2025.

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

It is resolved that

- (A) Council note:
- (i) on average, one child a week is killed or seriously injured on the roads in NSW;
 - (ii) in 2019, Transport for NSW reported:
 - (a) nine total road deaths for those aged 16 and under, only one of those was a pedestrian; and
 - (b) 1,045 pedestrians were part of the 11,065 serious injuries;
 - (iii) in 2021, Transport for NSW reported:
 - (a) 17 total road deaths for those aged 16 and under, seven of those were pedestrians;
 - (b) 72 children under 16 were seriously injured as pedestrians, making up 20 per cent of the total pedestrians seriously injured;
 - (iv) in Australia:
 - (a) of the annual hospitalised injuries in 2019, pedestrians made up seven per cent;
 - (b) of that seven per cent (2,713), those aged under 16 made up 15 per cent; and
 - (c) in 2018, of the children aged under 14 who died because of a road transport accident, 29 per cent were pedestrians;
 - (v) in August 2019, 40km/h speed zones in the Sydney CBD were expanded to include additional areas around Ultimo, Barangaroo, Dawes Point, Millers Point to improve safety for pedestrians and bicycle riders and has resulted in a steep reduction in the number of crashes in Sydney CBD;

- (vi) in June 2021, the previous Minister for Transport, Andrew Constance, made a commitment to the Lord Mayor that all local and regional roads and the majority of state roads in our Local Government Area would have a maximum speed limit of 40km/h by the end of that year supported by clear road markings;
- (vii) in many locations where there is now a 40km/h speed limit, Transport for NSW (TfNSW) has not yet installed large roundel signage or other road markings to make this more visible to motorists;
- (viii) currently 75 per cent of all roads in the City of Sydney Local Government Area have a speed limit of 40km/h or lower, and Transport for NSW provided the City with a program for approval and installation of the remaining 40km/h speed limits by June 2022 which has been delayed by Transport for NSW indefinitely;
- (ix) towards the end of last year, the Lord Mayor wrote to the Minister for Metropolitan Roads calling for Transport for NSW to work with the City to convert the remaining roads in the City to 40km/h without further delay;
- (x) there are 143 registered childcare centres in the City of Sydney local government area; 117 of which are in a 40km/h speed zone and 26 which are in a 50km/h or higher speed zone;
- (xi) that the NSW Government has road safety requirements and considerations in place for primary schools across NSW, including 40 km/h school zones established on a section of one or more roads adjacent to a school with a part-time speed limit;
- (xii) however, there are no similar legislative requirements for traffic calming or speed reduction around childcare centres;
- (xiii) where childcare centres are attached to primary schools, school speeding zone rules generally lapse before childcare drop-off and pick-up times;
- (xiv) City staff are in regular contact with childcare centres to advocate for safe pedestrian behaviours, particularly focused on young children around cars, and where possible, have implemented P15 drop-off and pick-up areas as well as *Children may be crossing ahead* signage;
- (xv) that Mitchell Street, Glebe, which is currently 50km/h, is of particular concern for residents, being a residential area with a childcare centre, Glebe Street Playground and MJ Doherty Reserve;
- (xvi) in November 2012, Councillor Scott moved a motion for a Pedestrian Safety Audit of School Zones which was amended so that City staff did not have to undertake the audit;
- (xvii) in December 2021, a three-year-old boy was tragically killed after being hit by a car on Glebe Street near the intersection at Mitchell Street;
- (xviii) the installation of two new raised pedestrian crossings at the intersection of Mitchell Street and Glebe Street is programmed in the City's 2024/25 capital works program, which will reduce vehicle speeds and improve safety and connectivity for people walking; and
- (xix) according to Transport for NSW, in a crash between a car and a pedestrian, there is a 10 per cent risk that a pedestrian will be killed at 30 km/h, 40 per cent risk at 40 km/h, and a 90 per cent risk at 50 km/h;

- (B) the Lord Mayor be requested to write to the NSW Premier and the Leader of the Opposition:
- (i) restating the urgency and necessity of implementing 40km/h speed limits on all streets in the City of Sydney Local Government Area, with consideration to 30km/h in our villages, to support safety for people walking and cycling; and
 - (ii) requesting the implementation of legislative requirements for traffic calming or speed reduction around childcare centres similar to what currently exists for schools; and
- (C) the Chief Executive Officer be requested to:
- (i) write to the Secretary of Transport for NSW to get a status update on commitments made by the previous Minister for Transport to reduce the speed limit to 40km/h on all local and most state roads in the City of Sydney Local Government Area to be supported by clear road markings;
 - (ii) investigate conducting a pedestrian safety audit in City of Sydney school zones and report findings back to Council via the CEO Update;
 - (iii) develop a plan in consultation with the community that identifies priority locations for installing traffic calming treatments with a focus on areas with high levels of walking with children including Mitchell Street in Glebe;
 - (iv) noting the investigations already completed for Mitchell Street Glebe, prioritise traffic calming measures for Mitchell Street Glebe that can be implemented in the short term; and
 - (v) investigate whether the proposed raised pedestrian crossings design and implementation work for Mitchell Street Glebe can be completed earlier than the current proposed date of 2024/2025.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

The substantive motion was carried unanimously.

X086654

Extension of Time

During discussion on this matter, pursuant to the provisions of clause 9.29 of the Code of Meeting Practice, it was –

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

That Councillor Scully be granted an extension of time of one minute to speak on this matter.

Carried unanimously.

Points of Order

During discussion of Item 11.3, Councillor Scott raised a point of order, stating that it had been alleged that her statistics were not correct.

The Chair (the Lord Mayor) did not uphold the point of order.

Councillor Scott raised a further point of order to stating that she wished to correct a statement by another Councillor.

The Chair (the Lord Mayor) did not uphold the point of order.

Councillor Chan raised a point of order, stating that pursuant to clause 9.36 of the Code of Meeting Practice, all councillors must be heard without interruption and all other councillors must remain silent while another councillor is speaking.

The Chair (the Lord Mayor) upheld the point of order.

Adjournment

At this stage of the meeting, at 6.51pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 15 minutes.

The motion was carried on the following show of hands –

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

Noes (3) Councillors Ellsmore, Scott and Weldon.

Motion carried.

At the resumption of the meeting of Council at 7.07pm, all Councillors were present, except for Councillor Ellsmore, who returned to the meeting at 7.11pm, following the vote on Item 11.4.

Item 11.4 United Services Union 120th Anniversary

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

It is resolved that:

(A) Council note:

- (i) the Municipal Employees' Union was established on 20 March 1903;
- (ii) the Federated Clerks' Union of Australia, NSW Branch, was first registered on the 6 April 1908;
- (iii) these member organisations merged on 21 May 2003 to become the United Services Union (USU);
- (iv) the United Services Union represents local government, energy, airline and clerical and administrative employees throughout NSW and the ACT, with over 32,000 members;
- (v) the United Services Union's members are those which make up the local government workforce and are critical to the ability of councils to perform our important functions;
- (vi) when considering local government achievements, history favours remembering the elected officials, often failing to recognise the work of all the workers which the United Services Union represents. When Prince Alfred laid the original foundation stone of the City of Sydney Town Hall, his name memorialised, however, the USU represents the people that laid the thousands of stones on top of that which make up the Town Hall we sit in today;
- (vii) for its 120 years, the United Services Union have worked to protect and enhance members' wages and conditions;
- (viii) they encourage their members to be active in building a stronger and fairer community; and
- (ix) they provide a specially trained United Services Union Support Team to all financial members; and

(B) the Lord Mayor be requested to write to General Secretary Graeme Kelly OAM and the United Services Union congratulating them for their 120 years of service and thanking their workers for their efforts for our City.

Carried unanimously.

X086655

Item 11.5 Fossil Fuel Ad Ban - Motion to the Australian Local Government Association Conference

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

It is resolved that:

(A) Council note:

- (i) the 2023 National General Assembly of Local Government will be held from 13 to 16 June in Canberra;
- (ii) the theme for the 2023 National General Assembly is 'Our Communities, Our Futures'. This year's call for motions focuses on eight priority areas, one of which is 'Climate Change and Renewable Energy'. Motions are requested which identify programs and initiatives that the Commonwealth Government could develop, to assist Councils in their work to address climate change and reduce emissions;
- (iii) on 20 August 2022, Council passed a motion in support of banning fossil fuel advertising. Council:
 - (a) acknowledged that we are in a climate emergency;
 - (b) noted that air pollution from burning fossil fuels takes 8.7 million lives prematurely each year, which is more than tobacco;
 - (c) noted that several countries around the world have restricted or banned fossil fuel advertising, including France and the United Kingdom;
 - (d) noted that the Federal Government has a responsibility to implement restrictions on fossil fuel advertising through national laws, as was done for tobacco advertising, and which saw a proven reduction in tobacco consumption per capita;
 - (e) committed to investigate ways to restrict fossil fuel advertising in the City of Sydney Local Government Area, and advocate for restrictions on fossil fuel advertising at the State and Federal level; and
 - (f) agreed not to accept sponsorships from companies whose main business is the extraction or sale of coal, oil and gas;
- (iv) the Lord Mayor has since written to the Federal Minister for Communications, asking the Federal Government to pass national laws that restrict fossil fuel advertising, and to the NSW Minister for Digital Government and Minister for Customer Service, requesting the NSW Government impose restrictions on fossil fuel advertising; and
- (v) the Chief Executive Officer was requested to take a number of actions, including to work with other councils, Local Government NSW and the Australian Local Government Association to encourage a consistent approach across local government to fossil fuel advertising;

- (D) Council endorse a motion to be submitting to the 2023 National General Assembly of Local Government, which reads as follows:

This National General Assembly calls on the Australian Government to:

1. Recognise local governments are on the front line of the climate transition and that climate related floods and bushfires have left many councils with huge damage to roads and other infrastructure.
2. Recognise that thriving in the new economy requires communities to adapt to a changing climate, rapidly cut emissions, as well as educating local communities about the impacts and causes of climate change.
3. Encourage low emissions consumption nationally through public information campaigns, Australian Consumer Law, the Greenhouse and Energy Minimum Standards Act 2012 (Cth) (GEMS Act) or other relevant Commonwealth powers.
4. Open a fund to allow councils to sponsor community, education, sporting and cultural groups that currently take funding from the coal, petroleum or gas industry.

- (E) the Chief Executive Officer be requested to submit the motion on behalf of Council by the 24 March 2023 deadline, in the required format.

The motion was carried on the following show of hands:

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

Noes (2) Councillors Gannon and Jarrett.

Motion carried.

X086659

Item 11.6 Recent Police Intimidation of Peaceful Protesters in the City of Sydney

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) on 21 November 2022, Council passed a motion acknowledging that the right to protest is fundamental in a democratic society, and condemning harsh police practices with respect to protesters;
- (ii) in December 2022, the Lord Mayor wrote to the NSW Attorney General, the NSW Shadow Attorney General, the NSW Minister for Police and the Commissioner for Police:
 - (a) to express support for the right to peacefully gather, meet, and assemble in NSW;
 - (b) to express the City's support for the repeal of protest laws which had been introduced in April 2022; and
 - (c) to call on the NSW Police to cease pre-emptive and heavy-handed policing of protests, of climate protests;
- (iii) the catalyst for the motion of 21 November 2022 was the arrest of Violet Coco, who was arrested for peacefully protesting the climate emergency on the Sydney Harbour Bridge;
- (iv) since this motion passed, there have been numerous instances of arrest and detention being used against peaceful protestors. Examples include:
 - (a) on Friday 17 February 2023, a peaceful student rally was held at Martin Place. The protest was held outside the Martin Place offices of the Commonwealth Bank and the Reserve Bank of Australia, with the aim of highlighting the record profits reported by Australia's major banks while the living standards for young people are falling. At midnight that night, police went to the home of one of the organisers - University of NSW SRC Education Officer Cherish Kuehlmann. She was arrested and placed in custody for several hours, before being released; and
 - (b) anti-war campaigner Stephen Langford has been sticking an A4 note to the statue of Governor Lachlan Macquarie, quoting an 1816 directive from Macquarie ordering the killing of Aboriginal people by British troops. It has been reported that Stephen was later arrested outside the front of Sydney Town Hall and taken into custody, and charged with graffiti offences; and
- (v) police bail conditions are regularly imposed following arrests at peaceful protests, with a common condition imposed that a person charged is banned from a 2km radius of the CBD. The Deputy Lord Mayor's Office has been advised that in both Cherish and Stephen's cases these police conditions were imposed, and subsequently varied or removed completely by a Magistrate;

(B) Council reaffirm its support for peaceful protest, and its opposition to heavy handed policing; and

- (C) the Chief Executive Officer be requested to provide advice to Council about additional, practical steps the Council could consider, to support the right to peaceful protest. This could include but is not limited to: the development of clear advice or a guide for groups or individuals seeking to organise a peaceful protest on public land, about how they can do so; provision of a standard letter or advice affirming the Council's support for peaceful protest which groups can use in discussions with police; and convening a forum or other discussions between Council and police to discuss the changes to policing noted above.

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

Moved by Councillor Ellsmore, seconded by Councillor Weldon –

It is resolved that -

(A) Council note:

- (i) on 21 November 2022, Council passed a motion acknowledging that the right to protest is fundamental in a democratic society, and condemning harsh police practices with respect to protesters;
- (ii) in December 2022, the Lord Mayor wrote to the NSW Attorney General, the NSW Shadow Attorney General, the NSW Minister for Police and the Commissioner for Police:
 - (a) to express support for the right to peacefully gather, meet, and assemble in NSW;
 - (b) to express the City's support for the repeal of protest laws which had been introduced in April 2022; and
 - (c) to call on the NSW Police to cease pre-emptive and heavy-handed policing of protests, of climate protests;
- (iii) the catalyst for the motion of 21 November 2022 was the arrest of Violet Coco, who was arrested for peacefully protesting the climate emergency on the Sydney Harbour Bridge;
- (iv) since this motion passed, there have been other reported instances of peaceful protesters being arrested and detained. Examples include:
 - (a) on 22 February 2023 and 1 March 2023, The Guardian reported the case of Cherish Kuehlmann, a student at the University of NSW charged with a single count of unlawful entry on to enclosed land in Martin Place in February:
 - Ms Kuehlman had been arrested at midnight at her unit following a student rally outside the Reserve Bank on Friday 17 February protest the cost of housing, bank profits and the Reserve Bank's monetary policy;
 - Ms Kuehlman told The Guardian she was detained for "about four hours" before being released on strict bail conditions, including a ban on her travelling within two kilometres of Sydney's town hall, which would stop her from attending another protest being held that week;
 - on 1 March 2023, Magistrate Clare Farnan, removed the restrictive bail condition saying 'she "didn't understand" why NSW police had imposed bail given Kuehlmann had no prior convictions and was charged with an offence that carried a maximum fine of \$5,500'; and

- Magistrate Farnan dismissed the police argument that removing the restriction would allow Kuehlmann to attend a National Union of Students protest planned for this week, saying that was her “democratic right”; and
- (b) on 9 March 2023, the Sydney Criminal Lawyers website reported that:
- Stephen Langford had been arrested on 2 March 2023 over having stuck several pieces of A4 paper on the statue of Governor Lachlan Macquarie at the entrance of Hyde Park;
 - the papers reproduced Macquarie’s 1816 directive “All Aborigines from Sydney onwards are to be made prisoners of war and if they resist, they are to be shot and their bodies to be hung from trees in the most conspicuous places near where they fall so as to strike fear into the hearts of surviving natives,” a directive that led to the April 1816 Appin Massacre, which involved a British regiment killing at least 14 Dharawal and Gandangara people;
 - police had imposed bail conditions which included a ban on his travelling within two kilometres of Sydney’s Town Hall; and
 - on 3 March 2023, a magistrate dismissed this bail condition saying it was not warranted; and
- (v) the imposition of bail conditions restricting persons from travelling within two kilometres of Sydney’s Town Hall and their subsequent dismissal by the courts raises serious concerns that the police are seeking to undermine the right to peaceful protest;
- (B) Council reaffirm its support for peaceful protest, and its opposition to heavy handed policing;
- (C) Council note that the City of Sydney website contains information about holding public assemblies within the City of Sydney local government area; and
- (D) the Chief Executive Officer be requested to consider providing links on the City of Sydney website to resources that provide information about the right to organise and take part in public assemblies such as those provided by the Human Rights Law Centre, NSW Council for Civil Liberties, and Amnesty International.

The motion was carried on the following show of hands –

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

Noes (1) Councillor Jarrett*

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

Motion carried.

X086659

Item 11.7 Restriction of Peaceful Protests at Sydney Town Hall

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) as part of its decision of 21 November 2022, in support of the right to peaceful protest, the Council called on the NSW Government to repeal April 2022 changes to the Roads Act 1993;
- (ii) the changes to the Roads Act 1993 were made in response to a climate protest held in the City. The changes introduced fines of up to \$22,000, two years in jail, or both, for disrupting 'major roads', bridges, tunnels, public transport and infrastructure facilities. A large number of roads in the City were identified as potentially included in the definition of 'major road', but to date the NSW Government has not released specific advice to confirm where the new laws apply; and
- (iii) since the introduction of the new anti-protest laws, there have been changes to the approach of NSW Police to organised protests in the CBD, particularly those planned outside Sydney Town Hall. The Office of the Deputy Mayor has received multiple accounts of protesters being told that new restrictions apply, and they may be charged under the new protest law for causing disruption to foot traffic and light rail in the area if they do not move or restrict their planned peaceful protests away from Sydney Town Hall. These include:
 - (a) NSW Police have told organisers of International Women's Day March (to be held on 11 March 2023), School Strike for Climate (held on 4 March 2023) and May Day that they cannot have rallies in front of Sydney Town Hall if the rally exceeds 2,000 people; and
 - (b) police have told organisers they need to hold rallies in Belmore Park and other venues instead, stating that protests in front of Sydney Town Hall cause too much disruption;

(B) Council affirm that:

- (i) Sydney Town Hall is an important and historic place for individuals to gather to express their political views;
- (ii) Police attempts to restrict peaceful protests at Sydney Town Hall are not compatible with the City of Sydney's commitment to supporting the right of peaceful gathering, meeting and assembly in NSW; and
- (iii) Council continues to strongly support the use of public space in the City of Sydney for peaceful political expression; and

- (C) the Lord Mayor be requested to again write to the NSW Police Minister, the Shadow Police Minister, and the Police Commissioner:
- (i) expressing concern about the reports of restrictions on peaceful protests outside the Sydney Town Hall,
 - (ii) reaffirming the City's position around the right for people to gather and express political views through peaceful protest in the CBD, and
 - (iii) requesting confirmation of what roads or areas in the Local Government Area are captured by the April 2022 changes to the Roads Act 1993.

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

Moved by Councillor Ellsmore, seconded by Councillor Davis –

It is resolved that:

- (A) Council note:
- (i) as part of its decision of 21 November 2022, in support of the right to peaceful protest, the Council called on the NSW Government to repeal April 2022 changes to the Roads Act 1993;
 - (ii) the changes to the Roads Act 1993 were made in response to a climate protest held in the City. The changes introduced fines of up to \$22,000, two years in jail, or both, for disrupting 'major roads', bridges, tunnels, public transport and infrastructure facilities. A large number of roads in the City were identified as potentially included in the definition of 'major road', but to date the NSW Government has not released specific advice to confirm where the new laws apply;
 - (iii) since the introduction of the new anti-protest laws, the Office of the Deputy Lord Mayor has been made aware of claims that NSW Police have changed their approach to organised protests in the CBD, particularly those planned outside Sydney Town Hall;
 - (iv) protesters claim that they have been told that new restrictions apply, and they may be charged under the new protest law for causing disruption to foot traffic and light rail in the area if they do not move or restrict their planned peaceful protests away from Sydney Town Hall;
 - (v) examples provided to the Office of the Deputy Lord Mayor include:
 - (a) NSW Police telling organisers of International Women's Day March (to be held on 11 March 2023), School Strike for Climate (held on 4 March 2023) and May Day that they cannot have rallies in front of Sydney Town Hall if the rally exceeds 2,000 people; and
 - (b) police telling organisers they need to hold rallies in Belmore Park and other venues instead, stating that protests in front of Sydney Town Hall cause too much disruption;
 - (vi) there is a long tradition of people gathering outside Sydney Town Hall and in Sydney Square to express their views on public issues; and
 - (vii) there may be circumstances when such gatherings may need to be relocated or rescheduled in order to protect public safety or to ensure entry to and egress from Sydney Town Hall;

- (B) Council affirm that:
- (i) Sydney Town Hall is an important and historic place for individuals to gather to express their political views;
 - (ii) public gatherings outside Sydney Town Hall and in Sydney Square should be permitted to continue subject to the need to protect public safety and ensure entry to and egress from Sydney Town Hall;
 - (iii) attempts to restrict peaceful protests at Sydney Town Hall, as described in (A) (iii) and (iv) above, are not compatible with the City of Sydney's commitment to supporting the right of peaceful gathering, meeting and assembly in NSW; and
 - (iv) Council continues to strongly support the use of public space in the City of Sydney for peaceful political expression and the expression of views on public matters;
- (C) the Lord Mayor be requested to write to the incoming NSW Police Minister:
- (i) expressing concern about the reports of restrictions on peaceful protests outside the Sydney Town Hall as described in (A) (iii) and (iv) above; and
 - (ii) reaffirming the City's position around the right for people to gather and express political views through peaceful protest in the CBD; and
- (B) the Chief Executive Officer be requested to:
- (i) write to the NSW Police Commissioner to seek the following information:
 - (a) clarification and further details about whether the information provided to the Office of the Deputy Lord Mayor about the actions of NSW Police as described in (A) (iii) and (iv) above are correct;
 - (b) if correct, what is the legal basis for the police action described in (A) (iii) and (iv) above;
 - (c) whether, and if so how NSW Police will apply the provisions of the Roads and Crimes Legislation Amendment Act 2022 to public gatherings outside Sydney Town Hall, together with the legal basis for any such application; and
 - (d) confirmation of what roads or areas in the Local Government Area are captured by the Roads and Crimes Legislation Amendment Act 2022; and
 - (ii) provide Councillors with the NSW Police Commissioner's response via the CEO Update.

Carried unanimously.

X086659

Item 11.8 Supporting the Student Affordability 'Get a Room' Campaign

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that:

(A) Council note:

- (i) the City of Sydney includes a large percentage of young people. The Local Government Area is home to a number of student campuses, including but not limited to the main campus for the University of Sydney (USyd), the main campus for the University of Technology Sydney (UTS), and the Ultimo TAFE;
- (ii) living standards amongst young people are falling, and poverty is growing. The Australian Council of Social Services (ACOSS) and the University of New South Wales found that Youth Allowance (i.e. the payment for a young person living away from home) is more than \$100 below the poverty line (2020, Poverty in Australia Report). They also reported that nine in 10 young people on Youth Allowanced had skipped meals and one in three had withdrawn from their studies because of a lack of funds;
- (iii) housing is the largest single cost for most households, and this is particularly the case for young people living away from home;
- (iv) in recognition of the lack of affordable housing for students, on 20 February 2023 the Council requested that the Chief Executive Officer provide advice on:
 - (a) the current services and programs for both local and international students, which are provided by or supported by the City; and
 - (b) any current discussions with student bodies, education providers or others about strategies to address the housing and cost of living pressures faced by students;
- (v) in recent weeks, the National Union of Students has launched the 'Get a Room' Campaign to lobby governments of all levels to address the problems facing students and young people;
- (vi) the campaign's demands are to:
 - (a) end rent hikes and cut rents with a national two-year rent freeze and rent reductions;
 - (b) investigate and punish dodgy landlords who provide substandard rental housing and exorbitant rents;
 - (c) ban unfair evictions so no one is forced to leave their homes at short notice;
 - (d) provide affordable student housing by capping student housing at 30 per cent of income and abolishing the market in private student accommodation;
 - (e) take emergency action to house international students who are arriving in Australia without a place of their own to stay;
 - (f) raise the rate of welfare for Youth Allowance, Austudy and Jobseeker recipients to meet the rising cost of living;
 - (g) build public housing to fill the massive shortfall in demand by 2027; and

- (h) expropriate investment properties so no one can profiteer from housing while the needy go without shelter; and
 - (vii) the campaign is led by the National Union of Students and has been endorsed by the UTS, the USyd and the UNSW Student Representative Councils, as well as USyd Welfare Action Group, UTS Education Action Group, and UNSW Education Collective;
- (B) the Lord Mayor be requested to:
- (i) write to the NSW Premier and the Prime Minister of Australia, to show the City's support for the 'Get A Room' Campaign, and to highlight the need for urgent action be taken to address the housing affordability challenges faced by students and young people; and
 - (ii) write to University Vice-Chancellors of Universities within the Local Government Area and surrounds to express the City's concerns over the sale of University-owned student accommodation to private providers, and to urge Universities to develop action plans to address affordability challenges faced by students; and
- (C) the Chief Executive Officer be requested to expand the advice about student support, which was previously requested by the Council on 20 February 2023, to include opportunities for the City to support the 'Get a Room' Campaign.

Amendment. Moved by Councillor Kok, seconded by Councillor Davis –

It is resolved that:

- (A) Council note:
- (i) the City of Sydney includes a large percentage of young people. The Local Government Area is home to a number of student campuses, including but not limited to the main campus for the University of Sydney (USyd), the main campus for the University of Technology Sydney (UTS), and the Ultimo TAFE;
 - (ii) living standards amongst young people are falling, and poverty is growing. The Australian Council of Social Services (ACOSS) and the University of New South Wales found that Youth Allowance (i.e. the payment for a young person living away from home) is more than \$100 below the poverty line (2020, Poverty in Australia Report). They also reported that nine in 10 young people on Youth Allowance had skipped meals and 1 in 3 had withdrawn from their studies because of a lack of funds;
 - (iii) housing is the largest single cost for most households, and this is particularly the case for young people living away from home;
 - (iv) in recognition of the lack of affordable housing for students, on 20 February 2023 the Council requested that the Chief Executive Officer provide advice on:
 - (a) the current services and programs for both local and international students, which are provided by or supported by the City; and
 - (b) any current discussions with student bodies, education providers or others about strategies to address the housing and cost of living pressures faced by students;
 - (v) in recent weeks, the National Union of Students has launched the 'Get a Room' Campaign to lobby governments of all levels to address the problems facing students and young people;

- (vi) the campaign's demands are to:
 - (a) end rent hikes and cut rents with a national two-year rent freeze and rent reductions;
 - (b) investigate and punish dodgy landlords who provide substandard rental housing and exorbitant rents;
 - (c) ban unfair evictions so no one is forced to leave their homes at short notice;
 - (d) provide affordable student housing by capping student housing at 30 per cent of income and abolishing the market in private student accommodation;
 - (e) take emergency action to house international students who are arriving in Australia without a place of their own to stay;
 - (f) raise the rate of welfare for Youth Allowance, Austudy and Jobseeker recipients to meet the rising cost of living;
 - (g) build public housing to fill the massive shortfall in demand by 2027; and
 - (h) expropriate investment properties so no one can profiteer from housing while the needy go without shelter; and
 - (vii) the campaign is led by the National Union of Students and has been endorsed by the UTS, the USyd and the UNSW Student Representative Councils, as well as USyd Welfare Action Group, UTS Education Action Group, and UNSW Education Collective; and
- (B) the Lord Mayor be requested to:
- (i) write to the NSW Premier and the Prime Minister of Australia, to highlight the need for urgent action be taken to address the housing affordability challenges faced by students and young people; and
 - (ii) write to University Vice-Chancellors of Universities within the Local Government Area and surrounds to express the City's concerns over the sale of University-owned student accommodation to private providers, and to urge Universities to develop action plans to address affordability challenges faced by students.

The amendment was carried on the following show of hands –

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

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

Amendment carried.

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

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

Noes (2) Councillors Gannon and Jarrett.

Amended motion carried.

X086659

Item 11.9 Off-Leash Dog Areas – Hyde Park and The Domain

By Councillor Gannon

It is resolved that:

(A) Council note:

- (i) the City of Sydney dog owning community has rapidly grown since the beginning of the pandemic with many residents getting dogs for companionship;
- (ii) our CBD and immediate surrounds are primarily comprised of high-density apartments, stressing the need for green open space for residents and dogs alike;
- (iii) while the City has 44 dog parks, including the Cook and Phillip Park, many residents have found these parks to be at capacity during peak times, especially residents in the CBD; and
- (iv) that there is a need to expand off-leash open spaces for dogs in the CBD area, specifically around The Domain and Hyde Park; and

(B) the Chief Executive Officer be requested to:

- (i) investigate options to make parts of Hyde Park an off-leash zone; and
- (ii) write to The Royal Botanical Gardens Trust requesting that an area of The Domain be turned into a timed off-leash dog zone.

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

Moved by Councillor Gannon, seconded by Councillor Davis –

It is resolved that:

(A) Council note:

- (i) the City of Sydney dog owning community has rapidly grown since the beginning of the pandemic with many residents getting dogs for companionship;
- (ii) our CBD and immediate surrounds are primarily comprised of high-density apartments, stressing the need for green open space for residents and dogs alike;
- (iii) the City has 50 parks and reserves where dogs are allowed to be off-leash, including the Cook and Phillip Park, Wentworth Park, Prince Alfred Park, Beare Park and Rushcutters Bay Park;
- (iv) residents have asked if we could expand off-leash open spaces for dogs in the CBD area, specifically around The Domain and Hyde Park;
- (v) the Domain is managed by the Royal Botanic Gardens and Domain Trust;
- (vi) it is not appropriate to allow dogs off-leash in Hyde Park because it is one of Australia's oldest parks offering 16 hectares of green and shaded open space in the heart of the city, including important sites of national significance and space for reflection, and
- (vii) it is not safe to allow dogs off-leash in Hyde Park because it is surrounded on all sides by some of Sydney's busiest streets; and

- (B) the Chief Executive Officer be requested to write to The Royal Botanical Gardens and Domain Trust requesting that they consider The Domain becoming an off-leash dog zone.

Carried unanimously.

X086658

Item 11.10 Live Music at the Eveleigh Hotel

Moved by Councillor Scott, seconded by Councillor Weldon –

It is resolved that:

(A) Council note:

- (i) the Eveleigh Hotel is a gambling free family friendly community hub at 158 Abercrombie Street;
- (ii) the family-run business has been operating for over a decade;
- (iii) the Eveleigh Hotel have reported that they have been the subject of noise complaints by a neighbour, and as such Council actions have resulted in restrictions on the Hotel;
- (iv) past restrictions issued by Council have been adhered to by the hotel, at immense cost and personal effort by their management and staff;
- (v) the Hotel has already carried out renovations of an estimated \$60,000 in recent years, responding with great patience to the Council's comments;
- (vi) they are currently carrying out yet more renovations;
- (vii) the City's attempts to resolve the noise issue through a voluntary process over the last six month had been unsuccessful so the City recently advised the Hotel more formal action may be taken. The Hotel responded with a commitment to engage an acoustic specialist, remove or relocate a speaker, lay carpet and underlay and instal acoustic panels;
- (viii) the Eveleigh Hotel report that the latest restrictions, however, threaten the survival of the Hotel;
- (ix) the latest restrictions issued by council mean that:
 - (a) outdoor seating is reduced again, to a maximum of six people on two tables until 8pm;
 - (b) the outdoor seating area is reduced from 7.8m² to 6m² in response to gathering of patrons on the footpath outside the pub having adverse impacts on the neighbouring properties and for pedestrians moving past the site;
 - (c) side windows and doors must be closed to prevent noise leakage;
 - (d) costly renovations must again take place to reduce noise leakage; and
 - (e) the applicant's footway submission sought to renew their existing approval including trading to 8.00 pm. The City approved the hours applied for and there was no reduction in trading hours;
- (x) the Hotel operators have been assured by City staff that live music can continue;
- (xi) these restrictions have cultivated an environment of anxiousness for the hotel, which has, in one case, led to an actual stress-related physical illness for which an ambulance had to be called during a shift;
- (xii) the Eveleigh Hotel have foremost called for the retraction of the latest restrictions and a reconsideration of past ones;

- (xiii) the Eveleigh Hotel would like to offer:
 - (a) modest live music events, such as jazz music on a Saturday afternoon; and
 - (b) a restrained provision of outdoor seating, for nine persons on three tables until 9pm;
- (xiv) the Eveleigh Hotel has started a petition for the restrictions to be removed, which has gained 2,076 signatures within six days of its publishing;
- (xv) the reasons that the Eveleigh Hotel find the imposed restrictions to be unreasonable are as outlined:
 - (a) the live music presented is distinctly family-friendly, both in noise-levels and in character. The live jazz events which take place on Saturday afternoons finish at a modest 7pm;
 - (b) the window closing restrictions reduce air flow to unsafe levels within the pub and, as a result, the atmosphere will be too hot for comfort during the summer, and, in addition, the oxygen levels will be reduced which is particularly dangerous in light of the ongoing Covid-19 pandemic. Encouraging air-flow through open windows and doors was an intrinsic element of the hotel's architectural design 150 years ago; and
 - (c) according to a noise assessment carried out by an independent audio specialist in 2019, Acoustic Logic Consultancy, noise levels were judged not to exceed the limits upheld by the council;
- (xvi) the sentiment expressed in the imposition of these restrictions is counter-intuitive to the NSW Government's claims to support hotels in moving away from gambling by promoting live music;
- (xvii) since July last year, the City has approved nearly 320 outdoor dining applications. Only one application has been refused;
- (xviii) the City will continue to work with business operators to maximise the activation of footpaths and streets whilst balancing the needs of other users and surrounding neighbours;
- (xix) in October of 2012, the City established a taskforce on Live music and Performance;
- (xx) on 18 November 2013, the City of Sydney Council endorsed the Taskforce's proposed action plan, Live Music Matters: Planning for Live Music and Performance in Sydney for public exhibition;
- (xxi) Live Music Matters identified 57 short, medium and long-term remedial actions the City of Sydney might take to support live music and live performance;
- (xxii) there was a status report commissioned by the taskforce in 2017 and the last one published was in 2018, revealing:
 - (a) a 61 per cent decline over a nine year period in Live Music or performance listings, from 540 in 2004 to 213 in 2013;
 - (b) in 2012, the City of Sydney's call centre received 2,829 noise-related enquiries or complaints. Of these, 105 (less than four per cent) were in connection with premises that programmed live music; and

- (c) in December 2018, 58 per cent of the action plan has been implemented with an additional 28 per cent of actions in progress and 14 per cent yet to start or being re-scoped; and

(xxiii) in 2016, APRA AMCOS released a report on live music revenue, revealing:

- (a) a 40 per cent drop in live performance revenue at venues within the Sydney CBD lockout area; and
- (b) of venues with a Live Artist Performance Licence, there was a 15 per cent overall decrease in value of venue expenditure on live artist performers, that being 17 per cent for hotels bars and nightclubs; and

(B) the Chief Executive Officer be requested to:

- (i) investigate all options to ensure live music can continue at the Eveleigh Hotel; and
- (ii) ensure any unbudgeted recommendations from the Taskforce and the City's Live Music and Performance Action Plan are funded in the City's forthcoming budget.

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

It is resolved that:

(A) Council note:

- (i) the Eveleigh Hotel is a gambling free family friendly community hub at 158 Abercrombie Street;
- (ii) the family-run business has been operating for over a decade;
- (iii) the Eveleigh Hotel have reported that they have been the subject of noise complaints by a neighbour;
- (iv) the City investigated noise complaints made about the Eveleigh Hotel, under State legislation;
- (v) since August 2022, City staff have been working with the Eveleigh Hotel owners by providing advice on measures to reduce noise impacts;
- (vi) the City's attempts to resolve the noise issue through a voluntary process over the last six months had been unsuccessful so the City recently advised the Hotel more formal action may be taken. The Hotel responded with a commitment to engage an acoustic specialist, remove or relocate a speaker, lay carpet and underlay and install acoustic panels;
- (vii) City staff have advised the Eveleigh Hotel owners they will not take enforcement action and live music can continue while noise mitigation works are undertaken;
- (viii) the Eveleigh Hotel would like to offer:
 - (a) modest live music events, such as jazz music on a Saturday afternoon; and
 - (b) a restrained provision of outdoor seating, for nine persons on three tables until 9pm;
- (ix) the Eveleigh Hotel has started a petition for the restrictions to be removed, which has gained 2,076 signatures within six days of its publishing;

- (x) since July last year, the City has approved nearly 320 outdoor dining applications. Only one application has been refused;
 - (xi) in January 2023, the Eveleigh Hotel was granted an outdoor dining approval for six square metres;
 - (xii) the City will continue to work with business operators to maximise the activation of footpaths and streets whilst balancing the needs of other users and surrounding neighbours;
 - (xiii) on Friday 10 March 2023, Councillors received a CEO Update detailing the investigation of noise complaints at the Eveleigh Hotel as well as the agreed noise attenuation works;
 - (xiv) in 2014 Council adopted the Live Music and Performance Action Plan;
 - (xv) the Action Plan included 60 actions which the City of Sydney and/or the NSW Government should take to support live music and live performance, with many of these actions requiring collaboration with the live music and performance sector;
 - (xvi) the majority of these actions have been implemented or superseded by other City policies and strategies, while most of those remaining require action by other levels of government; and
 - (xvii) the Chief Executive Officer has provided an update on the status of the actions in the Live Music and Performance Action Plan under Item 9 Questions on Notice with Answers as part of today's Council meeting papers; and
 - (xviii) urgent action is required to address the loss of live music and performance venues in Sydney; and
- (B) the Lord Mayor be requested to write to relevant incoming Ministers requesting urgent action to address the loss of live music and performance venues and to implement those outstanding Live Music and Performance Action Plan actions which are the responsibility of the NSW Government.

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

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

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

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

The amendment was declared carried.

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

That the motion be amended by the inclusion of a clause (B) as follows (with remaining items to be renumbered accordingly) –

(B) the Chief Executive Officer be requested to:

- (i) investigate all options to ensure live music can continue at the Eveleigh Hotel; and
- (ii) ensure any unbudgeted recommendations from the Taskforce and the City's Live Music and Performance Action Plan are funded in the City's forthcoming budget.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

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

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

Noes (1) Councillor Jarrett.

Amended motion carried.

X086655

Point of Order

During discussion of Item 11.10, Councillor Jarrett raised a point of order, stating that the Chair (the Lord Mayor) had made an inappropriate comment in response to the results of the vote on Councillor Chan's amendment.

The Chair (the Lord Mayor) upheld the point of order and retracted the comment.

Item 11.11 Waste Management Reporting and Response

By Councillor Weldon

It is resolved that:

(A) Council note:

- (i) the alarming number of reports of missed waste collections in the City of Sydney in recent weeks and over the last 12 plus months;
- (ii) that resident's bins are overflowing and that garbage is accumulating in streets across the Local Government Area;
- (iii) the collection of household goods was suspended for a number of weeks in 2022 and again at the start of 2023;
- (iv) the City of Sydney's waste management services are not meeting the expectation of the local community;
- (v) that although high unemployment and Covid-related staff absenteeism are shared challenges, waste management services in neighbouring Local Government Areas have not been impacted to the same extent as in the City of Sydney;
- (vi) the recent industrial action has only exacerbated long-term systemic issues with waste management services in the City of Sydney;
- (vii) that, as elected representatives, the Lord Mayor and Councillors are responsible for ensuring that waste management services meet the expectations of the local community;
- (viii) that, since the start of this year, Councillors have made repeated requests for additional information and urgent briefings regarding the deterioration of waste management services and the City of Sydney's response;
- (ix) the information provided in briefings and reports to Council's has not sufficiently addressed Councillors' questions and concerns;
- (x) when Councillors requested the City of Sydney's contract with Cleanaway, the Chief Executive Officer directed them to a significantly redacted copy. It was only after further requests that Councillors were provided with the unredacted contract; and
- (xi) that the majority of Questions on Notice submitted by Councillors ahead of the February Council meeting have yet not been answered; and

(B) the Chief Executive Officer be requested to:

- (i) provide a comprehensive report to Council detailing the deterioration of waste management services and the City of Sydney's response, including short- and medium-term measures to mitigate the current challenges and rapidly improve waste management services;
- (ii) review the collation and reporting of missed waste collections and response times to ensure that the information provided to Council is current and accurate;
- (iii) provide an ongoing quarterly update to Council regarding the performance of both the City of Sydney's primary waste management contractors and overall waste management services; and

- (iv) make Cleanaway's ongoing quarterly service reports available to Council (and provide previous reports dating back to the commencement of Cleanaway's current contract in 2018).

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

Moved by Councillor Weldon, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) the alarming number of reports of missed waste collections in the City of Sydney in recent weeks and over the last 12 plus months;
- (ii) that resident's bins are overflowing and that garbage is accumulating in streets across the Local Government Area;
- (iii) the collection of household goods was suspended for a number of weeks in 2022 and again at the start of 2023;
- (iv) the City of Sydney's waste management services are not meeting the expectation of the local community;
- (v) that although high unemployment and Covid-related staff absenteeism are shared challenges, waste management services in neighbouring Local Government Areas have not been impacted to the same extent as in the City of Sydney;
- (vi) the recent industrial action has only exacerbated long-term systemic issues with waste management services in the City of Sydney;
- (vii) that, as elected representatives, the Lord Mayor and Councillors are responsible for ensuring that waste management services meet the expectations of the local community;
- (viii) that, since the start of this year, Councillors have made repeated requests for additional information and urgent briefings regarding the deterioration of waste management services and the City of Sydney's response;
- (ix) the information provided in briefings and reports to Council's has not sufficiently addressed Councillors' questions and concerns; and
- (x) when Councillors requested the City of Sydney's contract with Cleanaway, the Chief Executive Officer directed them to a significantly redacted copy. It was only after further requests that Councillors were provided with the unredacted contract; and

(B) the Chief Executive Officer be requested to:

- (i) provide a comprehensive report to Council detailing the deterioration of waste management services and the City of Sydney's response, including short- and medium-term measures to mitigate the current challenges and rapidly improve waste management services;
- (ii) review the collation and reporting of missed waste collections and response times to ensure that the information provided to Council is current and accurate;

- (iii) provide an ongoing quarterly update to Council regarding the performance of both the City of Sydney's primary waste management contractors and overall waste management services; and
- (iv) make Cleanaway's ongoing quarterly service reports available to Council (and provide previous reports dating back to the commencement of Cleanaway's current contract in 2018).

The motion was lost on the following show of hands –

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

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

Motion lost.

X086655

Item 11.12 Diversifying City of Sydney Art Projects

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) it is important that the City affirms its support for equality of gender, First Nations and cultural diversity within the City of Sydney's City public art strategy and Public Art Policy;
- (ii) the City's 2011 'City Art public art strategy', draws on the Sustainable Sydney 2030 plan to commit to eight guiding principles for public art;
- (iii) the City Art program is responsible for commissioning major stand-alone permanent public artworks that are integrated with our capital works projects and temporary public art programs;
- (iv) since 2005 the City's public art program has focused on inclusion, working with artists and curators of different genders and cultural backgrounds, including four female curators;
- (v) the City's art program also includes managing and caring for a collection of over 250 permanent works and operating a conservation program. As well as, looking after plaques and memorials, issues associated with murals and graffiti, and the assessment of public art proposals in private developments during the development application process;
- (vi) among the collection is over sixty works created by women artists, over twenty works on women as the subject matter, and many other artworks that shine a light on the many diverse cultures in our city;
- (vii) recently commissioned works that celebrate the efforts, practices and histories of women are:
- (viii) *bara* by Judy Watson (2022) brings to light the importance of First Nations women's relationship to Warrane – Sydney Harbour;
- (ix) *Patchwork of Light* by Lara Schnitger (2019) celebrates feminist activism and the advancement of women in civic life in Australia; and
- (x) the Second World War Servicewomen Memorial by Dennis Adams (1990) is dedicated to the wartime servicewomen of NSW Women;
- (xi) of the 43 permanent public artworks the City has commissioned or acquired, since the appointment of the Public Art Advisory Panel in 2007, 35 are by women, which is approximately 80 per cent. These commissions contribute to rebalancing a collection that dates back to 1818;
- (xii) the projects and programs of the City Art program are guided by the City's Public Art Advisory Panel;

- (xiii) the City has established the 'Eora Journey: Recognition in the public domain' that commits to creating works of national significance by Aboriginal and Torres Strait Islander artists and designers to celebrate the First Peoples of Australia in our global city;
 - (xiv) four public works have been commissioned under the Eora Journey, including 'Conversations along Sydney's Harbour' most recently. The project commemorates Patyegarang's gift of the Aboriginal language to William Dawes, requested by Metropolitan Local Aboriginal Land Council;
 - (xv) the City public art strategy explicates that opportunities exist to work with other major art institutions to share expertise, resources and program ideas for funding City Art projects; and
 - (xvi) there are six statues of women in the City of Sydney. This includes two of Queen Victoria, while the statues of cricketer Belinda Clark and athletes Betty Cuthbert and Marlene Mathews are placed within the Sydney Cricket Ground precinct;
- (B) the Chief Executive Officer be requested to:
- (i) collaborate with the research being undertaken by A Monument of One's Own;
 - (ii) work with the Public Art Advisory Panel to identify new opportunities within City of Sydney projects, programs and capital works to support increased equality of gender, First Nations and cultural diversity within the public realm, including the installation of statues and art held in storage with reference to the Public Art Policy and City Art Public Art Strategy; and
 - (iii) work with the panel, stakeholders, and the community to enable the delivery of at least three new statues depicting women; and
- (C) the Public Art Advisory Panel be requested to consider the following when providing advice to Council on the development, presentation, and promotion of public art activities and when assessing applications from individuals and groups wishing to formally recognise significant local people:
- (i) identifying new opportunities to commemorate significant women from Sydney's history; and
 - (ii) prioritising artistic responses that include the figurative depiction of women when considering the installation of statues and memorials commemorating significant women from Sydney's history.

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

Moved by Councillor Scott, seconded by Councillor Weldon –

It is resolved that:

- (A) Council note:
- (i) it is important that the City continues to affirm its support for equality of gender, First Nations and cultural diversity within the City of Sydney's City public art strategy and Public Art Policy;
 - (ii) the City's 2011 'City Art public art strategy', draws on the Sustainable Sydney 2030 plan to commit to eight guiding principles for public art;

- (iii) the City Art program is responsible for commissioning major stand-alone permanent public artworks that are integrated with our capital works projects and temporary public art programs;
- (iv) since 2005 the City's public art program has focused on inclusion, working with artists and curators of different genders and cultural backgrounds, including four female curators;
- (v) the City's art program also includes managing and caring for a collection of over 250 permanent works and operating a conservation program. As well as, looking after plaques and memorials, issues associated with murals and graffiti, and the assessment of public art proposals in private developments during the development application process;
- (vi) among the collection is over sixty works created by women artists, over twenty works on women as the subject matter, and many other artworks that shine a light on the many diverse cultures in our city;
- (vii) artworks in the City of Sydney art collection by women celebrating and commemorating the efforts, practices and histories of women include:
 - (a) Earth Mother by Anita Aarons (1952) specifically created for the pleasure and education of children;
 - (b) Folly for Mrs Macquarie by Fiona Hall (1999) which acknowledges the historical Elizabeth Macquarie while simultaneously commenting on the follies of colonialism;
 - (c) Lamp for Mary by Mikala Dwyer (2011) which responds to an act of violence by creating a poignant tribute to all women who have experienced violence, increasing safety, and acting as a sign of resilience and hope;
 - (d) bara by Judy Watson (2022) brings to light the importance of First Nations women's relationship to Warrane – Sydney Harbour; and
 - (e) Patchwork of Light by Lara Schnitger (2019) celebrates feminist activism and the advancement of women in civic life in Australia;
- (viii) the collection also includes the Second World War Servicewomen Memorial by Dennis Adams (1990), a traditional figurative sculpture, dedicated to the wartime servicewomen of NSW Women;
- (ix) of the 43 permanent public artworks the City has commissioned or acquired, since the appointment of the Public Art Advisory Panel in 2007, 35 are by women, which is approximately 80 per cent. These commissions contribute to rebalancing a collection that dates back to 1818;
- (iii) significantly, almost none of these artworks are traditional figurative sculptures, with the artists who created them being free to exercise their imaginations and talents without being restricted to specific artforms such as traditional figurative sculpture;
- (x) the projects and programs of the City Art program are guided by the City's Public Art Advisory Panel;
- (xi) the City has established the 'Eora Journey: Recognition in the public domain' that commits to creating works of national significance by Aboriginal and Torres Strait Islander artists and designers to celebrate the First Peoples of Australia in our global city;

- (xii) four public works have been commissioned under the Eora Journey, including 'Conversations along Sydney's Harbour' most recently. The project commemorates Patyegarang's gift of the Aboriginal language to William Dawes, requested by Metropolitan Local Aboriginal Land Council;
 - (xiii) the City public art strategy explicates that opportunities exist to work with other major art institutions to share expertise, resources and program ideas for funding City Art projects; and
 - (xiv) there are six statues of women in the City of Sydney. This includes two of Queen Victoria, while the statues of cricketer Belinda Clark and athletes Betty Cuthbert and Marlene Mathews are placed within the Sydney Cricket Ground precinct;
- (B) the Chief Executive Officer be requested to:
- (i) collaborate with the research being undertaken by A Monument of One's Own by providing information about artworks in the City art collection created by women artists and/or celebrating and/or commemorating the efforts, practices and histories of women;
 - (ii) work with the Public Art Advisory Panel to identify new opportunities within City of Sydney projects, programs and capital works to support increased equality of gender, First Nations and cultural diversity within the public realm, including the installation of statues and art held in storage with reference to the Public Art Policy and City Art Public Art Strategy; and
 - (iii) work with the panel, stakeholders, and the community to enable the delivery of at least three new artworks celebrating, commemorating or depicting women which may include but not be restricted to figurative sculptures;
- (C) the Public Art Advisory Panel be requested to consider the following when providing advice to Council on the development, presentation, and promotion of public art activities and when assessing applications from individuals and groups wishing to formally recognise significant local people:
- (i) identifying new opportunities to commemorate significant women from Sydney's history;
 - (ii) allowing for artistic responses that may include the figurative depiction of women when considering the installation of artworks commemorating significant women from Sydney's history; and
 - (iii) the need for a continued rebalancing of artworks in the public domain including addressing the overwhelming majority of traditional figurative statues depicting male figures; and
- (D) Council endorse as a fundamental principle the over-riding importance of artists being free to exercise their imaginations and talents in creating new artworks in order to ensure the continued excellence of the City Art collection.

Carried unanimously.

X086655

At 8.53 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 3 April 2023 at which
meeting the signature herein was subscribed.