

**26 June 2023**

At 5.00 pm

**Council**

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## Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Minutes by the Lord Mayor**
  - 3.1 Vale Fabian LoSchiavo
  - 3.2 Collective Action on Waste
  - 3.3 Food Insecurity
  - 3.4 Proposal for a Statewide LGBTIQ+ Local Government Safety Summit
- 4. Memoranda by the Chief Executive Officer**
  - 4.1 Audit Risk and Compliance Committee Independent Expert Recruitment
  - 4.2 Local Government NSW Annual Conference 2023 - Nomination of Delegates
- 5. Matters for Tabling**
- 6. Report of the Corporate, Finance, Properties and Tenders Committee**
  - 6.1 Confirmation of Minutes
  - 6.2 Statement of Ethical Obligations and Disclosures of Interest
  - 6.3 Integrated Planning and Reporting Program and Budget 2023/24 - Adoption
  - 6.4 Investments Held as at 31 May 2023
  - 6.5 Contract Variations - Pyrmont Community Centre Upgrade
  - 6.6 Contract Variation - Major Services Agreement (IT) for Public Access IT and Facilities and Services
  - 6.7 Exemption from Tender and Contract Variation - Redfern

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Community Centre Music Studio

- 6.8 Tender - Reject and Negotiate - T-2021-632 - Digital Asset Management System
- 6.9 Exemption from Tender, Contract Variations and Revised Project Scope - Woolloomooloo Playground
- 6.10 Exemption from Tender and Contract Variation - T-2020-443 - Head Design Consultant - City Recital Hall Upgrade Works
- 6.11 Exemption from Tender - IT Licence, Subscription, Maintenance and Support Contracts
- 6.12 Tender - T-2022-715 - Sydney Christmas Infrastructure Services 2023-2027
- 6.13 Tender - T-2023-992 - Microsoft Enterprise Agreement

### **7. Report of the Business and Economic Development Committee**

- 7.1 Confirmation of Minutes
- 7.2 Statement of Ethical Obligations and Disclosures of Interest
- 7.3 Grants and Sponsorship - Business Sector Support and Innovation and Ideas

### **8. Report of the Housing For All Committee**

- 8.1 Confirmation of Minutes
- 8.2 Statement of Ethical Obligations and Disclosures of Interest
- 8.3 Post Exhibition - Planning Proposal - Affordable Housing Program Update - Sydney Local Environmental Plan 2012, Sydney Local Environmental Plan (Green Square Town Centre) 2013, Sydney Local Environmental Plan (Green Square Town Centre - Stage 2) 2013, Draft City of Sydney Affordable Housing Program 2022 and Draft Affordable Housing Contributions Interim Distribution Plan

### **9. Report of the Cultural and Creative Committee**

- 9.1 Confirmation of Minutes

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- 9.2 Statement of Ethical Obligations and Disclosures of Interest
- 9.3 Grants and Sponsorship – Cultural Grants
- 9.4 Major Events and Festivals Charity Partners - 2023/2024
- 10. Report of the Resilient Communities Committee**
  - 10.1 Confirmation of Minutes
  - 10.2 Statement of Ethical Obligations and Disclosures of Interest
  - 10.3 Public Exhibition - City of Sydney Resilience Strategy
  - 10.4 Grants and Sponsorship - Community Grants and Aboriginal and Torres Strait Islander Collaboration Fund
  - 10.5 Grants and Sponsorship - Accommodation Grant Program – Annual Performance Review and Lease Renewals 2023 and Grant of Licence to Scarred Trees Ministries
- 11. Report of the Transport, Heritage, Environment and Planning Committee**
  - 11.1 Confirmation of Minutes
  - 11.2 Statement of Ethical Obligations and Disclosures of Interest
  - 11.3 Grants and Sponsorship - Environmental Grants
  - 11.4 Post Exhibition – Urban Forest Strategy, Street Tree Master Plan and Tree Management and Donation Policy
  - 11.5 Post Exhibition - Electrification of Transport in the City - Strategy and Action Plan
  - 11.6 Post Exhibition - Planning Proposal - 118-130 Epsom Road and 905 South Dowling Street, Zetland - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment
  - 11.7 Project Scope - Phillip Street to College Street Cycleway
  - 11.8 Traffic Treatment - Proposed Permanent Road Closure - Liverpool Street at Oxford Street, Darlinghurst

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- 11.9 Public Exhibition - Update to Access Strategy and Action Plan - Continuing the Vision
- 11.10 Fire Safety Reports
- 11.11 Approved Variations to Development Standards Reported to the Department of Planning and Environment
- 12. Local Planning Panel - Appointment of Members**
- 13. Questions on Notice**
- 14. Supplementary Answers to Previous Questions**
- 15. Notices of Motion**
  - 15.1 Taylor Square – Pedestrianisation and Upgrade Feasibility Study
  - 15.2 Getiela Park
  - 15.3 Support for Sydney Street Festival – Newtown
  - 15.4 Congratulations to the Lord Mayor on her Appointment as an Officer of the Order of Australia
  - 15.5 Scope and Plan for the Sydney Special Entertainment Precinct
  - 15.6 Amend the City of Sydney Act 1988 to Remove Double Votes
  - 15.7 Electrify Sydney
  - 15.8 Increasing Developer Contributions for Affordable Housing
  - 15.9 Ending Loneliness in the City Forum

**Item 1**

**Confirmation of Minutes**

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

Meeting of 15 May 2023

## Item 2

### **Statement of Ethical Obligations**

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

### **Disclosures of Interest**

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

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

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

### Item 3.1

#### Vale Fabian LoSchiavo

File No: S051491

#### Minute by the Lord Mayor

To Council:

I wish to inform Council of the passing of Fabian LoSchiavo, social activist and devout Anglo-Catholic on 11 May 2023.

Fabian was born on 15 December 1949 and grew up in Eastwood. He attended Catholic schools in Eastwood and Bathurst where he discovered he had a vocation. After leaving school, he sought to fulfill it with the Vincentians in Campbelltown and Perth and later with the Premonstratensians at their seminary in St Norbert's Abbey, Green Bay Wisconsin, before returning to Australia in 1972.

Fabian was however faced with contradictions between his faith and his sexuality. His attempts to seek a "cure" failed, including through long-discredited aversion therapy.

After studying at the University of NSW, he joined the NSW State Archives, until his retirement in 2012.

In the early 1970s, he became involved in gay groups and joined the Anglican church, becoming a parishioner of the progressive and inclusive St Luke's Enmore.

For the following 50 years, Fabian actively integrated his religious life with his identity as a gay man and in doing so, carved a space in which LGBTIQ+ people of faith could be open and visible.

In 1977, St Luke's elected Fabian to the Sydney Diocesan Synod, which was a position he held into the 1980s. As a Synod member he attempted to persuade the Diocese to adopt an open, inclusive and accepting position on homosexuality against fierce opposition. In 1983, Synod blocked debate on Fabian's motion which stated, "Synod is of the opinion that homosexuality is not a bar to any ministry of this Church", instead referring it to a Synod committee.

On 24 June 1978, Fabian took part in a street march in support of gay and lesbian rights on the morning of the first Mardi Gras carrying a sign reading "Gay, Free and C of E." That night the first Mardi Gras ended with 53 people being arrested in Kings Cross. Soon after he joined a Gay Solidarity Group and along with other lesbian and gay Anglicans formed AngGays in 1979.

Fabian had a love of music and singing, which featured in both his religious observance and activism. He was a mainstay of the St Luke's parish choir, founding member of the Sydney Gay Liberation Choir, and a vocalist with the camp country gospel band, Eve and the Forbidden Fruits. He was also an accomplished piano accordionist, a talent he used in his best-known alternate persona, Mother Inferior, later Mother Abyss of the Sisters of Perpetual Indulgence.



The Order of Perpetual Indulgence was established in the United States in 1979 in response to the AIDS crisis. In 1981, Fabian and others established a Sydney Chapter of the Order, which soon became a feature of rallies, protests and community events.

In 1983, soon after the AIDS crisis became a major challenge facing the gay male community, Fabian led the Order in providing pastoral care within and beyond the lesbian and gay communities.

The Order's effective use of satire led to Fabian developing other characters to expose the hypocrisy, sexism and racism within organised religion. He performed them not just within the LGBTIQ+ community but at events and fundraisers. In July 1988, he brought several of his characters together in a one man show at the Performance Space in Redfern. It skewered the worst aspects of organised religion in the same way Max Gillies exposed politics and the late Barry Humphries laid bare Australian social mores.

One of Fabian's lesser-known talents was sewing, a skill he used in both his activism and religious faith. He sewed flags and banners for protests and conferences and shortened the robes of Father Jeff Parker, after he became rector of St Luke's in 2019.

He continued to be a St Luke's parishioner long after he moved to Malabar riding his bicycle to attend communion, teach Sunday school, help in its opportunity shop and perform at church functions. Father Parker appointed him as his rector's warden, the highest lay position in a parish.

After retiring in 2012, he became increasingly involved in the local Malabar community, always willing to mind and walk dogs of his friends and neighbours.

He was a regular Mardi Gras participant in his various guises and was featured in the 2022 ABC telecast as Father Brown riding his bicycle.

He also achieved his vocation, through the liberal Catholic Holy Celtic Church International, being ordained Rev Dom Fabian.

Fabian will be remembered by both the LGBTIQ+ and St Luke's parish communities for his bravery, creativity, warm-heartedness and sense of humour. His contributions to queer culture, social justice and inclusiveness within organised religion will long be celebrated.

## **Recommendation**

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Fabian LoSchiavo and his significant contribution to social justice including LGBTIQA+ community activism and his Anglican parish community;
- (B) Council express its condolences to his family; and
- (C) the Lord Mayor be requested to convey Council's condolences to Fabian LoSchiavo's family.

**COUNCILLOR CLOVER MOORE AO**

Lord Mayor

## Item 3.2

### Collective Action on Waste

File No: S051491

#### Minute by the Lord Mayor

To Council:

On 18 May 2023, I hosted around 140 Mayors, Councillors, General Managers/Chief Executive Officers and management staff from Greater Sydney and Metropolitan Councils for the Metropolitan Sydney Mayoral Summit on Waste.

We also welcomed representatives from Local Government NSW, the NSW Environmental Protection Authority, the Greater Cities Commission, and the Western and Northern Regional Organisations of Councils, the Macarthur Strategic Waste Alliance, and The Parks.

The summit was convened by the Southern Sydney Regional Organisation of Councils (SSROC) on behalf of Resilient Sydney, which the City supports.

The summit highlighted the critical need for all councils to work together to bring real change to manage our waste into the future, while we transition to a more circular economy.

#### The challenge

Reducing waste and its impact on the environment is one of the key actions councils can take to lower our emissions.

Across the Sydney metropolitan area, 55 per cent of household and commercial waste goes to landfill each year. This results in loss of valuable resources, costing businesses and households more than \$750 million in waste levies each year.

Alarming, by 2034, data shows there will be no capacity at existing landfill sites in NSW. The development pipeline for new facilities like the proposed Woodlawn Advanced Energy Recovery Centre near Goulburn can take up to ten years to be fully operational.

The time has long passed when councils collected rubbish and transported it to a landfill where it would slowly rot away. Achieving the overhaul of the industry that is needed requires strategic input from Mayors, Councillors, General Managers/Chief Executive Officers and Council officers.

Industry-wide challenges include a limited number of suppliers, a lack of processing infrastructure and a shortage of readily accessible waste collection and transfer sites.

These challenges mean all Sydney councils face rising costs, increasing truck movements and resource recovery rates that are static at best. Few available options exist for increased efficiency or resource recovery improvements, or to reduce landfill.

The original drivers of public health and hygiene have been supplemented by the need to reduce pollution, lower carbon emissions, and recover and re-use resources. Collecting waste is just part of the picture; councils must make strategic decisions about where this waste will go.

The last 20 years have seen significant positive change. Recycling has been introduced for glass, hard plastics, paper and cardboard. There are separate collections for mattresses, electronic waste, tyres, clothing, mobile phones, batteries, and chemicals. Landfills capture methane to generate energy. There will soon be collections for food waste and/or food and garden organics.

Unfortunately, waste processing and disposal have not kept pace with the growing population, and waste generation rates continue to increase. Most Sydney councils must pay to haul recyclable materials and waste far outside their local area, and new transfer capacity is difficult to secure due to cost and availability of appropriately zoned land.

Data shows that we will not be able to meet NSW and Commonwealth targets with our current systems. Even with the highest efficiencies, progress in domestic waste collection and recovery will be impossible without major changes. These transitions will be expensive.

The waste levy on landfill is an incentive to recycle, but in a failing market just adds to the costs that Council must charge the community.

In NSW, only around seven per cent of around \$800 million collected in annual waste levy revenue comes back to councils and the waste industry through contestable grants to fund improvements. Councils do not receive a fair share of funding despite being asked to meet government targets and transition to a circular economy.

### **The City of Sydney**

The City of Sydney local government area alone produces 5,500 tonnes of waste every day comprising household, commercial, construction and demolition waste, which contributes to about eight per cent of the City's total greenhouse gas emissions.

While recycling our waste is important, the market for recycled products has not kept up with demand. We collaborated on the Southern Sydney Regional Organisation of Council's Paving the Way program and together created a market for one-third of our domestic glass collections.

Since initiating our food scraps recycling trial in 2019, we have collected more than 1,500 tonnes of food scraps from about 20,000 houses and apartments which saved 738 cubic metres of landfill space and 1,284 tonnes of greenhouse gas emissions. At the same time, we produced 64,500 kilowatt hours of energy, 7.9 tonnes of fertiliser and 239 tonnes of compost.

We are now researching new ways to process food scraps using more cost-effective technology. We will soon begin a trial involving insects that not only recycles food and organics, but produces a protein, which can be substituted for animal feed or other protein uses.

Councils need to collaborate, to influence, and to leverage our collective purchasing power. Building a strong, green and circular economy brings opportunities for job creation and economic growth.

It is encouraging to hear at a meeting of Australia's Environment Ministers on 9 June 2023, they agreed to shift towards a safer, circular economy. They also agreed to support stronger and clearer protections under environment and heritage legislation. I look forward to seeing swift action based on these commitments.

I am recommending that Council resolve to take strategic action on waste by:

- calling on the Commonwealth Government to expedite bans on materials that cannot be recycled or recovered, and to increase extended producer responsibilities;
- calling on the NSW Government to set the waste levy at an appropriate level and reinvest it into waste initiatives and improving approval processes and licencing procedures;
- working with other Greater Sydney and Metropolitan councils to coordinate our advocacy, communications and collective buying power to bring the benefits of scale, efficiency and industry confidence; and
- working with the other tiers of government to ensure the delivery of infrastructure solutions locally to reduce waste hauled long distances or to landfill.

### **Recommendation**

It is resolved that:

(A) Council note:

- (i) councils have a key role to play in reducing waste and its impact on the environment; and
- (ii) across the Sydney metropolitan area, 55 per cent of household and commercial waste goes to landfill each year, resulting in loss of valuable resources, costing businesses and households more than \$750 million in waste levies each year;

(B) Council work with other Greater Sydney and Metropolitan councils on:

- (i) reducing waste;
- (ii) improving environmental outcomes where waste has to be processed; and
- (iii) finding solutions for the residue that is left;

(C) the Lord Mayor be requested to write to the Federal Minister for Climate Change and Energy and the Federal Minister for the Environment and Water with a copy of the subject Lord Mayoral Minute requesting their commitment to taking strategic action on waste alongside other levels of government; and

- (D) the Lord Mayor be requested to write to the NSW Premier, the NSW Treasurer, and the NSW Minister for Climate Change, Energy and the Environment, requesting that the NSW Government reinvest 100 per cent of the revenue from its waste levy for council and industry initiatives that:
- (i) accelerate the transition to a circular economy;
  - (ii) build the waste infrastructure needed to meet the growing pressures of population growth, loss of landfill capacity and a lack of competition in the sector;  
and
  - (iii) educate and support communities to reduce waste.

**COUNCILLOR CLOVER MOORE AO**

Lord Mayor

## Item 3.4

### Proposal for a Statewide LGBTIQ+ Local Government Safety Summit

File No: S051491

#### Minute by the Lord Mayor

To Council:

I am shocked by the alarming increase in attacks targeting LGBTIQ+ events by far-right hate groups in NSW and Victoria. Many have occurred in local government venues, putting attendees and Council staff at risk.

In Victoria, over 10 LGBTIQ+ events have been cancelled, postponed, or shifted online due to violent threats from far-right groups. They include a drag storytime event planned to mark the International Day Against Homophobia, Biphobia and Transphobia in Melbourne's southeast. The City of Monash cancelled the event after anti-LGBTIQ+ protesters disrupted a Council meeting in April 2023, and it received violent threats presenting risks to the safety of staff, attendees and Council facilities.

There have been reports of similar violent disruptions and attacks being experienced in Sydney, Newcastle, Goulburn and other regional centres. In February 2023, a police guard was required due to protests and a reported bomb threat at a drag storytime event at Manly Library in Sydney. On 20 May 2023, an LGBTIQ+ poetry workshop was disrupted at the Newcastle City Library by far-right protesters in a coordinated attack.

During WorldPride, a group of around 30 men held an unauthorised protest march in Newtown, reportedly intimidating others and attempting to enter LGBTIQ+ venues. The men belong to "Christian Lives Matter" which frequently features posts critical of LGBTIQ+ activism and pride on its Facebook page. Videos of the vandalism of the WorldPride mural outside Wynyard station and the rainbow stairs outside Pitt Street Uniting Church have also been posted.

In response to these growing threats, Nicolas Parkhill AM, the Chief Executive Officer of ACON, wrote to me inviting the City of Sydney to co-host a statewide LGBTIQ+ Local Government Safety Summit jointly with ACON and Local Government NSW. The summit would bring together councils, NSW Government agencies including police and emergency services and LGBTIQ+ community organisations and researchers.

The aims of the summit are to:

- raise awareness about the escalating threats of violence and intimidation targeting the LGBTIQ+ community events, particularly those involving trans and gender diverse people;
- foster collaboration and dialogue among local councils, Local Government NSW, community representatives, and stakeholders to collectively address these safety concerns;
- develop a coordinated response plan to mitigate risks and improve safety measures for LGBTIQ+ community events;

- empower local councils to implement targeted strategies, policies, and initiatives that support the safety and well-being of LGBTIQ+ people and events within their respective jurisdictions;
- strengthen community resilience and promote a culture of inclusivity, diversity, and acceptance across NSW; and
- share the efforts of local councils that are supportive of LGBTIQ+ community events and their strategies for safeguarding their communities.

The summit will provide an opportunity for participating councils and community groups to issue a joint public statement condemning the violence that has occurred and setting out a coordinated response plan to combat future threats of violence.

ACON is proposing that the summit be a one-day, in person event at a City of Sydney venue. ACON will develop a comprehensive program of presentations and workshops focused on mitigating risk, enhancing safety and sharing case studies highlighting the great work of Councils already responding to these challenges.

On 1 August 2005, Council unanimously adopted a comprehensive resolution in support of the LGBTIQ+ community which included the following:

“Council, recognising that violence and harassment remains a major issue of concern for the gay, lesbian, bisexual and transgender community, will actively work with relevant gay, lesbian, bisexual and transgender organisations and government agencies and organisation to end such violence and harassment.”

I strongly support the City of Sydney co-hosting this summit, which is consistent with and progresses this resolution.

The City continues to host and support a wide range of programs and events for the LGBTIQ+ communities. They include *Liberate!*, an exhibition in Customs House celebrating 45 years of community-led social change, including a series of panel conversations, online Pride Amplified Storytime videos, a panel discussion on how HIV is represented in the media in Australia titled ‘Positive Musings: Reflections of HIV in Modern Australia’ at Customs House, and *Queer as Fiction*, a fun and engaging hour of Queer storytelling at Green Square Library.

The City also celebrates Wear it Purple Day each year, and last year this was marked by a roller derby workshop in Glebe and a three-part online inclusivity training workshop series, and Transgender Day of Remembrance.

Last year, the City worked with community partners to deliver a ceremony and candlelit vigil on the ground of the University of Sydney to mark the day. Fortunately, these programs and events have all taken place without incident. It is our responsibility to ensure that we are able to continue hosting and supporting these events without putting our staff and community at risk.

The City also supports LGBTIQ+ community groups through our grants and sponsorship program. Since 2017, the City has granted nearly \$5.2 million in cash to 158 projects where LGBTIQ+ communities are a primary or secondary beneficiary. This includes, support of the annual Sydney Gay and Lesbian Mardi Gras Parade and Festival, support of Sydney WorldPride in 2023 and a two-year commitment to support an LGBTIQ+ museum in Darlinghurst.



**Recommendation**

It is resolved that:

- (A) Council note the City of Sydney is a proud supporter of the LGBTIQ+ community and is committed to working with relevant organisations and NSW government agencies to end violence and harassment experienced by them;
- (B) Council endorse ACON's proposal for a NSW LGBTIQ+ Local Government Safety Summit;
- (C) Council agree in principle to co-host this summit with ACON at a suitable City of Sydney venue; and
- (D) the Chief Executive Officer be requested to consider what support the City can provide for this summit with a report to be provided to Council.

**COUNCILLOR CLOVER MOORE AO**

Lord Mayor

**Item 4.1****Audit, Risk and Compliance Committee Independent Expert Recruitment****File No: S083523****Memorandum by the Chief Executive Officer**

To Council:

The Office of Local Government published the Draft Guidelines for Risk Management and Internal Audit in Local Government in NSW (the "Draft Guidelines") in December 2022. Council have been advised that compliance with these Draft Guidelines is required by 1 July 2024. The Draft Guidelines have not yet been finalised pending the making of empowering regulations. The Office of Local Government is not able to advise when these regulations will be made.

One of the independent members of the City's Audit, Risk and Compliance Committee will complete their term of appointment to the Committee in November 2023.

In consultation with the Chair of the Audit, Risk and Compliance Committee, it is recommended that Council endorse updated position descriptions which reflect the requirements of the Draft Guidelines. This will enable the conduct of an expression of interest process to identify appropriate candidates for new independent members. This process will be conducted by the Chair of the Audit, Risk and Compliance Committee in conjunction with the Chief Executive Officer in accordance with the requirements of the Draft Guidelines. The recommended appointments will be reported back to Council for endorsement in accordance with the Draft Guidelines.

Following the resignation of Jess Scully from Council in April 2023, Council is required to appoint a new Council representative on the Audit, Risk and Compliance Committee.

Once the regulations are made and the Draft Guidelines are finalised, staff will submit an updated Audit Risk and Compliance Committee Charter for Council endorsement.

**Recommendation**

It is resolved that:

- (A) Council endorse the draft position descriptions for independent members and independent chairs as shown at Attachment A to the subject memorandum, for the purposes of enabling the conduct of a public expression of interest process;
- (B) authority be delegated to the Chair of the Audit, Risk and Compliance Committee, in conjunction with the Chief Executive Officer, to undertake a recruitment process for independent members in accordance with the draft position descriptions, by way of a public expression of interest process;

- (C) Council note that recommendations in relation to the appointment of new members of the Audit, Risk and Compliance Committee will be the subject of a future report to Council for endorsement; and
- (D) Council appoint Councillor \_\_\_\_\_ as Council's representative on the Audit, Risk and Compliance Committee.

**MONICA BARONE**

Chief Executive Officer

**Attachments**

**Attachment A.** Draft Position Descriptions - Audit, Risk and Compliance Committee

# **Attachment A**

**Draft Position Descriptions – Audit Risk  
and Compliance Committee**

## Position Description (Audit Risk and Compliance Committee) Independent Chairperson

<b>Division</b>	N/A
<b>Business Unit</b>	N/A
<b>Management Level</b>	N/A
<b>Grade/Band</b>	N/A
<b>Date position description approved</b>	XXXXXXX

### Committee overview

The City of Sydney Council has established an audit, risk and improvement committee (referred to as the Audit Risk and Compliance Committee or the ARCC) in compliance with section 428A of the *Local Government Act 1993*, section (#1bc) of the *Local Government (General) Regulation 2021* and the Departmental Chief Executive's *Guidelines for risk management and Internal Audit for local government in NSW*. These terms of reference set out the ARCC's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

The ARCC is independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and to provide the Council with robust, objective and unbiased advice and assurance.

The ARCC has an advisory and assurance role only and exercises no administrative functions, delegated financial responsibilities or any management functions. The ARCC provides independent advice to the Council that is informed by the Council's internal audit and risk management activities and information and advice provided by staff, relevant external bodies and subject matter experts.

The ARCC must always ensure it maintains a direct reporting line to and from the Council's internal audit function and act as a mechanism for Internal Audit to report to the Council and the Chief Executive Officer on matters affecting the performance of the internal audit function.

### Committee objective

The objective of the ARCC is to provide independent assurance to the Council by monitoring, reviewing and providing advice about the Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

## Independence requirements for independent chairperson

The ARCC chair must be independent to ensure there are no real or perceived bias or conflicts of interest that may interfere with their ability to act independently and can provide the council with robust, objective, and unbiased advice about how the council is functioning.

ARCC independent chair **cannot**:

- currently be a councillor of any NSW council
- be a non-voting representative of the board of the joint organisation
- be a candidate at the last election of the council
- be a person who has held office in the council during its previous term
- be currently employed by the council or joint organisation, or been employed during the last 12 months
- conduct audits of the council on behalf of the Audit Office of NSW
- have a close personal or business relationship with a councillor or a person who has a senior role in the council that may lead to a real or perceived conflict of interest
- currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit, and advisory services) to the council which directly affect subjects or issues considered by the ARCC
- be (or have a close family member who is a substantial shareholder, owner, officer, or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity which could be considered a real or perceived conflict of interest, or
- currently or have previously acted as an advocate of a material interest on behalf of the council or a related entity which could be considered a real or perceived conflict of interest.

Current staff of the City of Sydney Council cannot serve as the chair of the ARCC, but may serve as an independent member of another council's ARIC, provided they meet the independence and eligibility criteria for membership of that council's ARIC, and the City is not participating in a shared arrangement with the other council in relation to that ARIC or the internal audit function.

## Eligibility requirements for all independent ARCC members, including the chairperson

As any independent member could be appointed by the council as the ARCC chairperson, in addition to meeting the independence requirements set out above, the following eligibility criteria apply to all independent members of the ARCC, including the chairperson.

The chair of the ARCC must possess the skills, knowledge, and experience necessary to undertake the role on the ARCC effectively and to ensure the ARCC is able to operate appropriately and effectively to support the council. The following eligibility criteria for the independent chairperson reflects the minimum standards that must be met for appointment.

## ***Essential criteria***

The chairperson of the ARCC, must demonstrate the following:

- leadership qualities and the ability to promote effective working relationships in complex organisations
- an ability to communicate complex and sensitive assessments in a tactful manner to the head of the council's internal audit function, senior management and the mayor and councillors
- a sound understanding of:
  - the principles of good organisational governance and capacity to understand local government accountability, including financial reporting
  - the business of the council or the environment in which it operates
  - internal audit operations, including selection and review of the head of the council's internal audit function, and
  - risk management principles
- extensive senior level experience in governance and management of complex organisations, an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and a willingness to constructively challenge/question management practices and information,
- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations, with at least one member having advanced skills in accounting and finance
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of an independent member of the ARCC, and
- preparedness to undertake any training on the operation of the ARCC recommended by the chair based on their assessment of the skills, knowledge, and experience of the independent member.

## ***Desirable criteria***

All independent members of the ARCC, including the chairperson, should also meet the following criteria, but these are not essential:

- extensive senior level experience in governance and management of complex organisations, and
- possession of a relevant professional qualification or membership, e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA).

**Note: Councils are required to undertake a criminal record and financial status (bankruptcy) check of all ARCC independent members before their appointment.**

### **Appointment of ARCC independent members, including the chairperson**

When selecting ARCC members, including the chairperson, the council should ensure the ARCC has an appropriate mix of skills, knowledge, and experience to successfully implement its terms of reference and add value.

An ARCC should have:

- at least one member with financial expertise (for example, a qualified accountant or auditor or other financial professional with experience of financial and accounting matters), and
- a mix of skills and experience in:
  - business
  - financial and legal compliance
  - risk management
  - internal audit, and
  - any specialised business operations of the council, where the ARCC would benefit from having a member with skills or experience in this area.

All ARCC members, including the chairperson, should have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the ARCC's consideration of the annual financial statements.



## Position Description (Audit Risk and Compliance Committee) **Independent Member**

<b>Division</b>	N/A
<b>Business Unit</b>	N/A
<b>Management Level</b>	N/A
<b>Grade/Band</b>	N/A
<b>Date position description approved</b>	XXXXXXX

### **Committee overview**

The City of Sydney Council has established an audit, risk and improvement committee (referred to as the Audit Risk and Compliance Committee or the ARCC) in compliance with section 428A of the *Local Government Act 1993*, section (#1bc) of the *Local Government (General) Regulation 2021* and the Departmental Chief Executive's *Guidelines for risk management and Internal Audit for local government in NSW*. These terms of reference set out the ARCC's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

The ARCC is independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and to provide the Council with robust, objective and unbiased advice and assurance.

The ARCC is to have an advisory and assurance role only and is to exercise no administrative functions, delegated financial responsibilities or any management functions. The ARCC will provide independent advice to the Council that is informed by the Council's internal audit and risk management activities and information and advice provided by staff, relevant external bodies and subject matter experts.

The ARCC must always ensure it maintains a direct reporting line to and from the Council's internal audit function and act as a mechanism for Internal Audit to report to the Council and the Chief Executive Officer on matters affecting the performance of the internal audit function.

### **Committee objective**

The objective of the ARCC is to provide independent assurance to the council by monitoring, reviewing and providing advice about the Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

## Independence requirements for all independent members

ARCC independent members must be independent to ensure they have no real or perceived bias or conflicts of interest that may interfere with their ability to act independently and can provide the council with robust, objective, and unbiased advice about how the council is functioning.

ARCC independent members **cannot**:

- currently be a councillor of any NSW council
- be a non-voting representative of the board of the joint organisation
- be a candidate at the last election of the council
- be a person who has held office in the council during its previous term
- be currently employed by the council or joint organisation, or been employed during the last 12 months
- conduct audits of the council on behalf of the Audit Office of NSW
- have a close personal or business relationship with a councillor or a person who has a senior role in the council that may lead to a real or perceived conflict of interest
- currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit, and advisory services) to the council which directly affect subjects or issues considered by the ARCC
- be (or have a close family member who is) a substantial shareholder, owner, officer, or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity which could be considered a real or perceived conflict of interest, or
- currently or have previously acted as an advocate of a material interest on behalf of the council or a related entity which could be considered a real or perceived conflict of interest.

Current staff of the City of Sydney Council cannot serve as the chair of the ARCC, but may serve as an independent member of another council's ARIC, provided they meet the independence and eligibility criteria for membership of that council's ARIC, and the City is not participating in a shared arrangement with the other council in relation to that ARIC or the internal audit function.

## Eligibility requirements for all independent ARCC members

As any independent member could be appointed by the council as the ARCC chair, in addition to meeting the independence requirements set out above, the following eligibility criteria apply to all independent members of the ARCC.

The chair and independent members of the ARCC must possess the skills, knowledge, and experience necessary to undertake their roles on the ARCC effectively and to ensure the ARCC is able to operate appropriately and effectively to support the council. The following eligibility criteria for all independent members reflect the minimum standards that must be met for appointment as the chair or independent member of the ARCC.

## ***Essential criteria***

All independent members of the ARCC must demonstrate the following:

- leadership qualities and the ability to promote effective working relationships in complex organisations
- an ability to communicate complex and sensitive assessments in a tactful manner to the head of the council's internal audit function, senior management and the mayor and councillors
- a sound understanding of:
  - the principles of good organisational governance and capacity to understand local government accountability, including financial reporting
  - the business of the council or the environment in which it operates
  - internal audit operations, including selection and review of the head of the council's internal audit function, and
  - risk management principles
- extensive senior level experience in governance and management of complex organisations, an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and a willingness to constructively challenge/question management practices and information,
- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations, with at least one member having advanced skills in accounting and finance
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of an independent member of the ARCC, and
- preparedness to undertake any training on the operation of the ARCC recommended by the chair based on their assessment of the skills, knowledge, and experience of the independent member.

## ***Desirable criteria***

All independent members of the ARCC should also meet the following criteria, but these are not essential:

- extensive senior level experience in governance and management of complex organisations, and

- possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)).

**Note: Councils are required to undertake a criminal record and financial status (bankruptcy) check of all ARCC independent members before their appointment.**

## Appointment of ARCC members

When selecting ARCC members, councils should ensure the ARCC has an appropriate mix of skills, knowledge, and experience to successfully implement its terms of reference and add value.

An ARCC should have:

- at least one member with financial expertise (for example, a qualified accountant or auditor or other financial professional with experience of financial and accounting matters), and
- a mix of skills and experience in:
  - business
  - financial and legal compliance
  - risk management
  - internal audit, and
  - any specialised business operations of the council, where the ARCC would benefit from having a member with skills or experience in this area.

All ARCC members should have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the ARCC's consideration of the annual financial statements.

## Item 4.2

### Local Government NSW Annual Conference 2023 - Nomination of Delegates

File No: X094806

#### Memorandum by the Chief Executive Officer

To Council:

This memorandum seeks Council's consideration of the nomination of Councillors as voting delegates to the Local Government NSW (LGNSW) Annual Conference, to be held from Sunday 12 to Tuesday 14 November 2023 at Rosehill Gardens Racecourse in Parramatta.

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

The draft conference program is not yet available. Information will be available in the coming months.

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

#### Registration as a Voting Delegate

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

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

#### Conference Program/Motions

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

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

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

Members are asked to submit motions by 15 September 2023. The latest date for submission of motions and inclusion in the conference business paper is 14 October 2023.

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

### **Councillors' Expenses and Facilities Policy**

Councillors Chan, Davis, Ellsmore, Scott and Scully were the City of Sydney delegates at the 2022 Local Government NSW Annual Conference held in the Hunter Valley.

Expenditure incurred for the conference totalled \$12,328.21. The Councillors' Expenses and Facilities Policy provides for Councillors to attend the Local Government NSW Annual Conference at the City's expense. Funds are available in the draft 2023/24 operating budget to cover registration fees, travel and other reasonable expenses incurred by Councillors.

### **Recommendation**

It is resolved that:

- (A) Council appoint the Lord Mayor and all Councillors as its voting delegates at the Local Government NSW Annual Conference, to be held at Rosehill Gardens Racecourse Parramatta from Sunday 12 to Tuesday 14 November 2023;
- (B) Council note all registration fees, travel costs and other reasonable expenses associated with the attendance of Councillors at the Local Government NSW Annual Conference will be met by the City in accordance with the Councillors' Expenses and Facilities Policy; and
- (C) Council note that a spouse, partner or other person may accompany a Councillor at the conference, and the City will meet any associated ticket costs.

**MONICA BARONE**

Chief Executive Officer

## Item 5

### Matters for Tabling

#### 5.1 Disclosures of Interest

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

#### Recommendation

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

#### 5.2 Petitions

##### (a) Plunkett Street Students

Councillor Scott gives notice that, at the meeting of Council on Monday, 26 June 2023, she will table and speak to a petition (with 35 signatures) with the following terms:

Please can we have a hamster wheel in our new playground in Woolloomooloo? We can all play in it together.

##### (b) Getiela Park Lighting and Sound

Councillor Jarrett gives notice that, at the meeting of Council on Monday, 26 June 2023, she will table and speak to a petition (with 31 signatures) with the following terms:

We write to the City of Sydney to express our concerns with the current amenity around Getiela Park regarding lighting and sound issues.

Residents of Alexandria have contacted Council to discuss lighting along Park Road and Getiela Synthetic Sportsfield which impacts the amenity of surrounding residents at night. Residents regularly raise the lights are too bright at hours after night-time use and have noted that the lights often do not get turned off, leading to individuals accessing the Sportsfield after hours, disrupting residents ability to sleep.

Furthermore, the use of the Getiela Synthetic Sportsfield after hours was raised with Council and the resulting significant noise complaints. The use of the Sportsfield at times exceeding 10:00PM with no noise mitigation strategies in place has impacted residents.

However, the City of Sydney has not adequately responded to these issues raised by the Alexandria community. As a result, residents are requesting:

- (a) that the City of Sydney investigate amending lighting times and/or dimming the lights around in Getiela Synthetic Sportsfield and Park Road during after park use;
- (b) that the City of Sydney commission an external sound consultant to investigate the sound around Getiela Synthetic Sportsfield and Getiela Park to determine whether the installation of noise mitigation measures are beneficial for the Alexandria community; and

- (c) that the City of Sydney commit to the installation of more public toilet facilities near the Getiela Synthetic Sportsfield and Getiela Park.

**Recommendation**

It is resolved that the Petitions be received and noted.

S044250



**Item 6**

**Report of the Corporate, Finance, Properties and Tenders Committee - 19 June 2023**

**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 8 May 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

**Item 6.2****Statement of Ethical Obligations and Disclosures of Interest**

Councillor (Waskam) Emelda Davis disclosed a significant, non-pecuniary interest in Item 6.7 on the agenda, in that she has engaged the Redfern Community Centre Music Studio through her role as Chairwoman for Australian South Sea Islanders Port Jackson (ASSIPJ) in 2022 for the ASSIPJ recognition day events.

Councillor Davis stated that she would not be voting on this matter.

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in item 6.3 on the agenda, in that she is the President of the Australian Local Government Association (ALGA), which the City has an association with, via their membership of Local Government NSW.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ALGA is the national peak body for all councils, and acts in accordance with the interest of all councils.

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

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

### **Item 6.3**

#### **Integrated Planning and Reporting Program and Budget 2023/24 - Adoption**

It is resolved that:

- (A) Council note the submissions received from the community, and staff responses, on the exhibited suite of the Integrated Planning and Reporting documents as shown at Attachment C to the subject report;
- (B) Council note the proposed changes to the documents, including fees and charges, as incorporated within the Operational Plan and Resourcing Strategy, and set out in Attachment D to the subject report;
- (C) Council adopt the Operational Plan 2023/24, as shown at Attachment A to the subject report;
- (D) Council adopt the Resourcing Strategy 2023, as shown at Attachment B to the subject report;
- (E) Council adopt the draft Operating and Capital Budgets and future years' forward estimates as reflected in the Operational Plan 2023/24 and Resourcing Strategy 2023 including:
  - (i) Operating income of \$674.2M, operating expenditure before depreciation of \$559.2M for an Operating Result of \$115.0M, and a Net Surplus of \$96.0M after allowing for interest income, depreciation and capital contributions;
  - (ii) Capital Works expenditure of \$203.4M; including a capital contingency of \$8.0M;
  - (iii) Plant and Assets net expenditure of \$14.0M;
  - (iv) Capital Works (Technology and Digital Services) of \$19.7M; and
  - (v) Net Property Acquisitions of \$189.5M;
- (F) Council adopt the Rates Structure, Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the Operational Plan 2023/24; and
- (G) authority be delegated to the Chief Executive Officer to approve any minor editorial and document design corrections prior to publication.

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

X084366

#### **Speakers**

Barry Melville (Radio 2RPH) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.3.

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

**Item 6.4**

**Investments Held as at 31 May 2023**

It is resolved that the Investment Report as at 31 May 2023 be received and noted.

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

X020701

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

## **Item 6.5**

### **Contract Variations - Pymont Community Centre Upgrade**

It is resolved that Council:

- (A) approve additional contract contingency for the construction contract with Belmadar Pty Ltd for construction of the Pymont Community Centre Upgrade works, as outlined in Confidential Attachment A to the subject report;
- (B) approve additional contract contingency for the head design consultant contract with Welsh and Major Architects Pty Ltd for additional design and construction stage services for the Pymont Community Centre Upgrade works, as described in Confidential Attachment B to the subject report; and
- (C) approve the additional funds sought for the Pymont Community Centre Upgrade works as detailed in Confidential Attachment A to the subject report.

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

X038743

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

**Item 6.6**

**Contract Variation - Major Services Agreement (IT) for Public Access IT and Facilities and Services**

It is resolved that:

- (A) Council approve a contract variation to extend the original contract for Public Access IT Services for a period of six months;
- (B) Council approve the additional funds sought as outlined in Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the variation to the contract to give effect to the resolutions above.

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

X006467.004

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

### **Item 6.7**

#### **Exemption from Tender and Contract Variation - Redfern Community Centre Music Studio**

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the contract to Last Minute Productions Pty Limited to operate the Redfern Community Centre Music Studio;
- (B) Council note the reasons a satisfactory outcome would not be achieved by inviting tenders is due to the following extenuating circumstances:
  - (i) sufficient time is required to undertake the procurement process and to allow for a transition period associated with any future supplier without a risk of a gap in service to the community, including the Aboriginal and Torres Strait Islander and Australian South Sea Islander communities;
- (C) Council approve the variation to extend the original contract with Last Minute Productions Pty Limited to operate the Redfern Community Centre Music Studio for a period of up to 12 months, and to increase the total contract value, as detailed at Confidential Attachment A to the subject report;
- (D) Council note that the revised total contract value for this contract is outlined in Confidential Attachment A to the subject report and there are sufficient funds allocated in the draft 2023/24 operating budget for the contract extension and increase to overall contract value; and
- (E) authority be delegated to the Chief Executive Officer to finalise, execute and administer the variation to the contract to give effect to the resolutions above.

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

X031225.001

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

### **Item 6.8**

#### **Tender - Reject and Negotiate - T-2021-632 - Digital Asset Management System**

It is resolved that:

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

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

X096102.003



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

## Item 6.9

### **Exemption from Tender, Contract Variations and Revised Project Scope - Woolloomooloo Playground**

It is resolved that:

- (A) Council endorse the revised scope of work for improvements to Woolloomooloo Playground as described in the subject report and shown in the revised concept design at Attachment B to the subject report, for progression to relevant approvals, preparation of design, documentation and construction;
- (B) Council note the forecast costs and financial implications as outlined in Confidential Attachment D to the subject report;
- (C) Council approve the additional project budget for the Woolloomooloo Playground project as outlined in Confidential Attachment D to the subject report;
- (D) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the existing head design consultancy contract with Spackman Mossop Michaels Pty Limited and head construction contract with Quality Management & Constructions Pty Limited to expand the scope of each contract to include the revised scope of work endorsed by this report;
- (E) Council note that a satisfactory result would not be achieved by inviting tenders because:
  - (i) a competitive process has already been undertaken in relation to the provision of these head design consultancy and head construction services; and
  - (ii) there will be time and value for money implications if a separate tender process was undertaken for the provision of the additional scope of works;
- (F) Council approve:
  - (i) a contract variation with Spackman Mossop Michaels Pty Limited for the provision of the additional head design consultancy services for the price outlined in Confidential Attachment D to the subject report; and
  - (ii) a contract variation with Quality Management & Constructions Pty Limited for the provision of the additional head construction services for the price outlined in Confidential Attachment D to the subject report;
- (G) authority be delegated to the Chief Executive Officers to finalise, execute and administer the contract variations with Spackman Mossop Michaels Pty Limited and Quality Management & Constructions Pty Limited to give effect to the resolutions above;

- (H) Council note the revised total contract sums for the contracts with Spackman Mossop Michaels Pty Limited and Quality Management & Constructions Pty Limited as outlined in Confidential Attachment D to the subject report; and
- (I) Council endorse the Pring Street / Dowling Street, Woolloomooloo school drop off area as described in the subject report and shown in the revised concept design at Attachment B to the subject report for preparation of concept design options for consultation and a further report to Council.

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

X025427.001

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

### **Item 6.10**

#### **Exemption from Tender and Contract Variation - T-2020-443 - Head Design Consultant - City Recital Hall Upgrade Works**

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for City Recital Hall Upgrade works for the Head Design Consultancy;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
  - (i) the consultant is already engaged, and work is well underway; and
  - (ii) the time and cost implications to tender and potentially contract with another head design consultant will not provide value for money for the Council;
- (C) authority be delegated to the Chief Executive Officer to vary the contract with the Head Design Consultant relating to City Recital Hall Upgrade works to give effect to this approval; and
- (D) Council note that the total contract sum and contingency is outlined in Confidential Attachment A to the subject report.

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

X030208.001

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

### **Item 6.11**

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

It is resolved that:

- (A) Council approve an exemption from tender for the provision of the maintenance, support, subscription and licencing of the software applications, platforms and hardware appliances upon the expiry of the current agreements, for the respective extension period along with the optional extension, if appropriate, as listed in Confidential Attachment A to the subject report, noting that because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders;
- (B) Council note the reasons why a satisfactory outcome would not be achieved by inviting tenders differ for each application, platform or appliance and include:
  - (i) a lack of availability of alternative suppliers;
  - (ii) high costs and/or extensive business disruption associated with a transition to a new provider; and
  - (iii) cost to take the arrangement to market would be disproportionate to the potential value of change;
- (C) Council note that the detailed reasons as to why a satisfactory result will not be achieved by inviting tenders are outlined further in Confidential Attachment A to the subject report;
- (D) Council enter into the subscription, licencing, maintenance and support agreements with the suppliers upon the expiry of the current agreements for the respective extension period along with the optional extension, if appropriate, as listed in Confidential Attachment A to the subject report; and
- (E) authority be delegated to the Chief Executive Officer to finalise, execute and administer (including exercising options, if appropriate) the subscription, licencing, maintenance and support agreements with the relevant suppliers as listed in Confidential Attachment A to the subject report.

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

S064539

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

**Item 6.12**

**Tender - T-2022-715 - Sydney Christmas Infrastructure Services 2023-2027**

It is resolved that:

- (A) Council accept the tender of Tenderer A for Sydney Christmas Infrastructure Services 2023-2027 for the price and contingency outlined in Confidential Attachments A and B to the subject report for a period of five years;
- (B) Council note that the total contract sum and contingency for Sydney Christmas Infrastructure Services 2023-2027 is outlined in Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender.

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

2022/564137

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

**Item 6.13****Tender - T-2023-992 - Microsoft Enterprise Agreement**

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for T-2023-992 Microsoft Enterprise Agreement in accordance with the approved annual budget for a period of three years;
- (B) Council note that the total contract sum and contingency for T-2023-992 Microsoft Enterprise Agreement is outlined in Confidential Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender.

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

X096889

**Item 7**

**Report of the Business and Economic Development Committee - 19 June 2023**

**Item 7.1**

**Confirmation of Minutes**

Moved by Councillor Kok, seconded by Councillor Chan –

That the Minutes of the meeting of the Business and Economic Development Committee of Monday 14 November 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

## Item 7.2

### Statement of Ethical Obligations and Disclosures of Interest

The Lord Mayor (Councillor Clover Moore AO) disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that a grant to Fitness Australia Limited is recommended for funding under the Innovation and Ideas Grant Program. The grant application was made by Mariana Ivantsoff, a former employee at the Office of the Lord Mayor.

The Lord Mayor considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she did not have any contact or discussion about the application with Mariana or anyone from Fitness Australia Limited.

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that he has been involved in the Social Enterprise Council of NSW and ACT (SECNA) Ltd in its activities in 2021, and the University of Technology Sydney (UTS) as a guest lecturer in 2022.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement in the organisations were in previous years.

Councillor Shauna Jarrett disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that she is a member of CBD Sydney Chamber of Commerce Limited. The CBD Sydney Chamber of Commerce Limited's Expo'24, Supporting Women Run Business, Better Business Program has been recommended for a grant of \$34,250 under the City of Sydney's Business Sector Support Grant Program.

Councillor Jarrett considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she did not have any other relationship with the CBD Sydney Chamber of Commerce Limited other than being a member.

Councillor Robert Kok disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that Fitness Australia Limited was recommended for a grant.

Councillor Kok considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was not aware of their application for the grant and the recommendations until the committee paper became available, and had not discussed these grants with the recipient. Councillor Kok did not have any contact with the applicant nor had they contacted him about their grant application.

Councillor Yvonne Weldon disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that she has worked with Supply Nation – not necessarily receiving an income – but certainly has a relationship with them. She noted that they are not listed as Supply Nation in the Committee papers.

Councillor Weldon considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had any contact or discussion with Supply Nation about their grant application.

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that The Australian Retailers Association is recommended for a grant. In the past, due to his business AWPR and the fashion clients he represents, he has communicated regularly with The Australian Retailers Association.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstance because he was unaware up until receiving the papers that they were receiving a grant and have not spoken with The Australian Retailers Association about the grants process.



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

The Business and Economic Development Committee recommended the following:

### Item 7.3

#### Grants and Sponsorship - Business Sector Support and Innovation and Ideas

It is resolved that:

- (A) Council approve the cash and value-in-kind recommendations for the Business Sector Support Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Business Sector Support Grant program as shown at Attachment B to the subject report;
- (C) Council approve the cash recommendations for the Innovation and Ideas Grant program as shown at Attachment C to the subject report;
- (D) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Innovation and Ideas Grant program as shown at Attachment D to the subject report;
- (E) Council note that all grant amounts are exclusive of GST;
- (F) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (G) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

(Note – at the meeting of the Business and Economic Development Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1)        Councillor Ellsmore\*

Carried.

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

S117676

**Item 8**

**Report of the Housing For All Committee - 19 June 2023**

**Item 8.1**

**Confirmation of Minutes**

Moved by Councillor Ellsmore, seconded by Councillor Scott –

That the Minutes of the meeting of the Housing For All Committee of Monday 20 June 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 8.2**

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

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

The Housing For All Committee recommended the following:

### Item 8.3

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

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal: City of Sydney Affordable Housing Program Update and draft City of Sydney Affordable Housing Program Amendment 2022 and draft City of Sydney Affordable Housing Contributions Interim Distribution Plan, as described at Attachment A to the subject report;
- (B) Council approve Planning Proposal: City of Sydney Affordable Housing Program Update, shown at Attachment B to the subject report, as amended, to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve the draft City of Sydney Affordable Housing Program Amendment 2022, shown at Attachment C to the subject report, as amended, noting that it will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 20 of the Environmental Planning and Assessment Regulation 2021;
- (D) Council approve the draft City of Sydney Affordable Housing Contributions Interim Distribution Plan, shown at Attachment D to the subject report, as amended, noting it will not commence until 1 July 2024;
- (E) Council note that following further research and stakeholder consultation it is intended that a final distribution plan will be reported to Council prior to 1 July 2024; and
- (F) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal: City of Sydney Affordable Housing Program Update, the draft City of Sydney Affordable Housing Program Amendment 2022 and the draft City of Sydney Affordable Housing Contributions Interim Distribution Plan, to correct any drafting errors or inconsistencies, prior to finalisation.

(Note – at the meeting of the Housing For All Committee, this recommendation was moved by Councillor Ellsmore, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X084801

**Item 9**

**Report of the Cultural and Creative Committee - 19 June 2023**

**Item 9.1**

**Confirmation of Minutes**

Moved by Councillor Gannon, seconded by Councillor Kok –

That the Minutes of the meeting of the Cultural and Creative Committee of Monday 14 November 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

## Item 9.2

### Statement of Ethical Obligations and Disclosures of Interest

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that he has been involved in the following organisations: University of Technology Sydney (UTS) as a guest lecturer in 2022; NSW Department of Premier and Cabinet as an Australia Day Ambassador since 2021; Destination NSW's Vivid Sydney as a speaker for Vivid Ideas in 2023; NSW Architects Registration Board as a registered architect since 2020; and TEDxSydney Limited as a speaker in 2019.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement in the NSW Department Premier and Cabinet, Vivid Sydney and TEDxSydney are and were on a voluntary basis. Councillor Chan's registration with NSW Architects Registration Board is a professional membership and he is not currently a contractor with UTS.

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that she has known and worked with people from the following organisations:
  - 107 Projects Incorporated, having used the venue previously for Silver Siren's event;
  - Antenna Documentary Institute Limited, having worked with staff in the past in the film and television industry;
  - Redfern Women: Our Stories of the Black Movement (Elizabeth Margaret Muldoon), personally knows four of the co-authors such as Bronwyn Penrith (Mudgin-Gal), Dulcie Fowler, Linda Coe and Ann Weldon through community, cultural and social activities;
  - K'AINGA the CommonWealth, is an acquaintance of Michael Dagostino, Director Museums and Cultural Engagement, Chau Chak Wing Museum, who wrote the support letter for the grant;
  - Glebe Public School, having volunteered at the school over the past years; and
  - Gadigal Information Service Aboriginal Corporation Yabun Festival, as a member and chaired one of their general meetings.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because her past grass-roots community work and within the organisation of the Australian South Sea Islanders Port Jackson (ASSIPJ), which she chairs.

- a pecuniary interest in Item 9.3 on the agenda, in that as Chairwoman for ASSIPJ, she received a scholarship in 2020 to continue to engage in volunteer, cultural and community events with Tranby Aboriginal Co-Operative Limited and The United Church in Australia Property Trust (NSW) as the auspice for The Wayside Chapel Foundation. She is currently a long-term resident living in Uniting Church housing care on Bowman Street, Pyrmont. She also completed her master's degree and thesis at University of Technology Sydney under the scholarship program in 2020.

Councillor Davis stated that she would not be voting on this matter.

Councillor Robert Kok disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, where Malaysia Fest, and K.W Cheng & H Wong Wing Kee were recommended for a grant.

Councillor Kok considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was not aware of their application for the grant and the recommendations until the committee paper became available and he has not discussed these grants with the recipients. He has not had any contact with the applicants, nor have they contacted him about their grant application.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that she is a member of Mardi Gras.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she does not hold any executive or government positions.

- a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that she is acquainted with the CEO of the Sydney Children's Hospital Foundation who will be the charity partner for Sydney Christmas 2023.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had any conversations or engagements on this matter.

Councillor Yvonne Weldon disclosed a pecuniary interest in Item 9.3 on the agenda, in relation to the Tier 2: Major Festivals and Events grants. She was most recently Deputy Chair of the NSW Australia Day Council, and reporting to the Department of Premier and Cabinet specifically.

Councillor Weldon stated that she would leave the meeting and would not be voting on this item.

Councillor Adam Worling made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that IMG is recommended for a grant. In the past, due to his business AWPR and the fashion clients he represents, he has communicated with IMG with regards to their Annual Australian Fashion Week. Councillor Worling considers that his non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was unaware up until receiving the papers that they were receiving a grant and has not spoken with IMG about the grants process.
- a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that Settlement Services International is recommended for a grant. In the past, due to his ongoing work with the not-for-profit Thread Together, he has communicated regularly with Settlement Services International. Councillor Worling considers that his non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was unaware up until receiving the papers that they were receiving a grant and has not spoken with Settlement Services International about the grants process.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matters on the agenda for this meeting of the Cultural and Creative Committee.

The Cultural and Creative Committee recommended the following:

### Item 9.3

#### Grants and Sponsorship – Cultural Grants

It is resolved that:

- (A) Council approve the cash and value-in-kind recommendations for the Creative Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Creative Grant program as shown at Attachment B to the subject report;
- (C) Council approve the cash and value-in-kind recommendations for the Festivals and Events Sponsorship program as shown at Attachment C to the subject report;
- (D) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Festivals and Events Sponsorship program as shown at Attachment D to the subject report;
- (E) Council note that all grant amounts are exclusive of GST;
- (F) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (G) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

(Note – at the meeting of the Cultural and Creative Committee, this recommendation was moved by Councillor Gannon, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1)      Councillor Ellsmore\*.

Carried.

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

S117676



The Cultural and Creative Committee recommended the following:

#### **Item 9.4**

#### **Major Events and Festivals Charity Partners - 2023/2024**

It is resolved that:

- (A) Council approve the appointment of Sydney Children's Hospital Foundation Limited (ABN: ABN 72 003 073 185) as the charity partner for Sydney Christmas 2023, with the option to extend to 2024;
- (B) Council approve the appointment of National Breast Cancer Foundation, (ABN: 37 144 841 707) as the charity partner for Sydney New Year's Eve 2023, with the option to extend to 2024;
- (C) Council approve the appointment of Settlement Services International Limited (SSI) (ABN: 38 031 375 761) as the charity partner for Sydney Lunar Festival 2024, with the option to extend to 2025; and
- (D) authority to be delegated to the Chief Executive Officer to enter into agreements with Sydney Children's Hospital Foundation Limited, National Breast Cancer Foundation and Settlement Services International Limited to establish their charity partner status for the respective events.

(Note – at the meeting of the Cultural and Creative Committee, this recommendation was moved by Councillor Gannon, seconded by the Councillor Kok), and carried unanimously.)

2023/134808

**Item 10**

**Report of the Resilient Communities Committee - 19 June 2023**

**Item 10.1**

**Confirmation of Minutes**

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

That the Minutes of the meeting of the Resilient Communities Committee of Monday 8 May 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

## Item 10.2

### Statement of Ethical Obligations and Disclosures of Interest

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that she has known the following organisations and staff through her capacity as Chairwoman for Australian South Sea Islanders Port Jackson (ASSIPJ), engaging in grass-roots, cultural and community engagements and various events:
  - Acon Health Limited;
  - Addison Road Centre for Art's Culture, Community and Environment Ltd;
  - Redfern Youth Connect (Australia) Limited; and
  - Kinchela Boys Home Aboriginal Corporation.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she was not involved in the grant application process or approval process.

- a pecuniary interest in Item 10.4 on the agenda, in that she knows Sydney Maritime Museum Ltd through her community and advocacy work within her role as Chairperson for ASSIPJ, such as Sugar Festival and ASSIPJ Recognition Day event.

Councillor Davis stated that she would not be voting on this matter.

- a pecuniary interest in Item 10.5 on the agenda, in that she knows Scarred Trees Ministries (Larissa Minnecon) through her community and advocacy work within her role as Chairperson for ASSIPJ.

Councillor Davis stated that she would not be voting on this matter.

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that ReLove is recommended for a community services grant. In the past, due to his ongoing work with the not-for-profit Thread Together, he has communicated with ReLove.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was unaware up until receiving the papers that they were receiving a grant and has not spoken with ReLove about the grants process.

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

The Resilient Communities Committee recommended the following:

### **Item 10.3**

#### **Public Exhibition - City of Sydney Resilience Strategy**

It is resolved that:

- (A) Council approve for public exhibition the draft Resilience Strategy 2023-2028 (the Strategy), as shown at Attachment A to the subject report;
- (B) Council note that the Resilience Strategy including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Resilience Strategy.

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

2023/225711

The Business and Economic Development Committee recommended the following:

#### **Item 10.4**

#### **Grants and Sponsorship - Community Grants and Aboriginal and Torres Strait Islander Collaboration Fund**

It is resolved that:

- (A) Council approve the cash and value in kind recommendations for the Community Services Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash or value in kind grant for the Community Services Grant program as shown at Attachment B to the subject report;
- (C) Council approve the cash recommendation for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment C to the subject report;
- (D) Council note that all grant amounts are exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

(Note – at the meeting of the Resilient Communities Committee, this recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Kok, and carried on the following show of hands:

Ayes (8)            The Chair (the Lord Mayor), Councillors Chan, Gannon, Jarrett, Kok, Scott, Weldon and Worling

Noes (1)            Councillor Ellsmore\*.

Carried.

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

S117676

The Business and Economic Development Committee recommended the following:

### Item 10.5

#### Grants and Sponsorship - Accommodation Grant Program – Annual Performance Review and Lease Renewals 2023 and Grant of Licence to Scarred Trees Ministries

It is resolved that:

- (A) Council note the continuation of the current Accommodation Grant leases and licences for the 68 lease holders that have satisfactorily completed their annual performance review for the 2022 calendar year and are continuing in the Program;
- (B) Council note that Darlinghurst Theatre Company at Creative Spaces – Suites 3.02 and 3.03, Level 3, 101-115 William St, Darlinghurst, Digital Storytellers Limited at Creative Spaces – Suite 3.01, Level 3, 101-115 William St, Darlinghurst, and We Are Warriors at Suite 2, Ultimo Community Centre, 525 Harris Street, Ultimo were not required to complete an annual performance review and are continuing in the Program;
- (C) Council approve the new lease for the Junction Neighbourhood Centre Incorporated for suites 1, 2 and 3 at St Helens Community Centre, 184 Glebe Point Road, Glebe from 1 July 2023 to 30 June 2026 on the following rental subsidy:

Year	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 1 1 July 2023 - 30 June 2024	\$40,685	65%	\$26,304	\$14,381
Year 2 1 July 2024 - 30 June 2025	\$41,906	65%	\$27,094	\$14,812
Year 3 1 July 2025 – 30 June 2026	\$43,163	65%	\$27,906	\$15,256

- (D) Council approve the new lease for the Goodstart Early Learning Limited for 277-279 Bourke Street Darlinghurst from 1 July 2023 to 30 June 2028 on the following rental subsidy:

<b>Year</b>	<b>Market Rental Value</b>	<b>Grant Subsidy</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1 1 July 2023 - 30 June 2024	\$298,673	0%	\$0.00	\$298,673
Year 2 1 July 2024 - 30 June 2025	\$307,633.19	0%	\$0.00	\$307,633.19
Year 3 1 July 2025 – 30 June 2026	316,862.19	0%	\$0.00	316,862.19
Year 4 1 July 2026 – 30 June 2027	\$326,368.05	0%	\$0.00	\$326,368.05
Year 5 1 July 2027 – 30 June 2028	\$336,159.09	0%	\$0.00	\$336,159.09

- (E) Council approve the new lease for the Goodstart Early Learning Limited for 7 Chapman Road Annandale from 1 July 2023 to 30 June 2028 on the following rental subsidy:

<b>Year</b>	<b>Market Rental Value</b>	<b>Grant Subsidy</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1 1 July 2023 - 30 June 2024	\$336,724	0%	\$0.00	\$336,724
Year 2 1 July 2024 - 30 June 2025	\$346,825.72	0%	\$0.00	\$346,825.72
Year 3 1 July 2025 – 30 June 2026	\$357,230.49	0%	\$0.00	\$357,230.49
Year 4 1 July 2026 – 30 June 2027	\$367,947.41	0%	\$0.00	\$367,947.41
Year 5 1 July 2027 – 30 June 2028	378,985.83	0%	\$0.00	378,985.83



- (F) Council approve the new lease for the Goodstart Early Learning Limited for 4 Huntley Street Alexandria from 1 July 2023 to 30 June 2028 on the following rental subsidy:

<b>Year</b>	<b>Market Rental Value</b>	<b>Grant Subsidy</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1 1 July 2023 - 30 June 2024	\$332,304	0%	\$0.00	\$332,304
Year 2 1 July 2024 - 30 June 2025	\$342,273.12	0%	\$0.00	\$342,273.12
Year 3 1 July 2025 – 30 June 2026	\$352,541.31	0%	\$0.00	\$352,541.31
Year 4 1 July 2026 – 30 June 2027	\$363,117.55	0%	\$0.00	\$363,117.55
Year 5 1 July 2027 – 30 June 2028	\$374,011.08	0%	\$0.00	\$374,011.08

- (G) Council approve the new lease and increased rental subsidy for Milk Crate Theatre for Office 3 Alexandria Town Hall, 73 Garden Street, Alexandria from 1 July 2023 to 30 June 2028 on the following rental subsidy:

Year	Market Rental Value	Grant Subsidy	Grant Amount	Rent to be paid
Year 1 1 July 2023 - 30 June 2024	\$24,950	79%	\$19,711	\$5,240
Year 2 1 July 2024 - 30 June 2025	\$25,699	79%	\$20,302	\$5,397
Year 3 1 July 2025 – 30 June 2026	\$26,469	79%	\$20,911	\$5,559
Year 4 1 July 2026 – 30 June 2027	\$27,264	79%	\$21,538	\$5,725
Year 5 1 July 2027 – 30 June 2028	\$28,081	79%	\$22,184	\$5,897

- (H) Council approve an ad-hoc grant to Larissa Minnecon representing Scarred Tree Ministries to licence Office 1 (including adjoining reception area), Ground Floor, Glebe Town Hall, 160 St John's Road, Glebe NSW 2037 from 1 July 2023 to 30 June 2024 in accordance with section 356 of the Local Government Act 1993 on the following rental subsidy which incorporates outgoings and utilities:

Year	Market Rental Value (approximate)	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 1 1 July 2023 - 30 June 2024	\$56,232	100%	\$56,232	\$0

- (I) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the lease agreements with the Junction Neighbourhood Centre Incorporated for suites 1,2 and 3 at St Helens Community Centre, 184 Glebe Point Road, Glebe, Goodstart Early Learning Limited at 277-279 Bourke Street Darlinghurst, 7 Chapman Road Annandale and 4 Huntley Street Alexandria and Milk Crate Theatre at Alexandria Town Hall, 73 Garden Street, Alexandria and the licence agreement to Larissa Minnecon representing Scarred Trees Ministries for Office 1 (including adjoining reception area), Ground Floor, Glebe Town Hall, 160 St John's Road, Glebe NSW 2037 on terms consistent with this resolution and in accordance with the Grants and Sponsorship Policy; and
- (J) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipients will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

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

S117676

**Item 11**

**Report of the Transport, Heritage, Environment and Planning Committee - 19 June 2023**

**Item 11.1**

**Confirmation of Minutes**

Moved by Councillor Chan, seconded by Councillor Ellsmore -

That the Minutes of the meeting of the Transport, Heritage, Environment and Planning Committee of 8 May 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 11.2**

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

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

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

### **Item 11.3**

#### **Grants and Sponsorship - Environmental Grants**

It is resolved that:

- (A) Council approve the cash recommendations for the Green Building Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant for the Green Building Grant program as shown at Attachment B to the subject report;
- (C) Council note that all grant amounts are exclusive of GST;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (E) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

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

S117676

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

#### **Item 11.4**

#### **Post Exhibition – Urban Forest Strategy, Street Tree Master Plan and Tree Management and Donation Policy**

It is resolved that:

- (A) Council note the submissions received from the community on the exhibited draft Urban Forest Strategy, draft Street Tree Master Plan, and the draft Tree Management and Donation Policy, as shown at Attachment F to the subject report;
- (B) Council adopt the Urban Forest Strategy, as shown at Attachment A to the subject report;
- (C) Council adopt the Street Tree Master Plan, with the recommended amendments as shown at Attachment B to the subject report;
- (D) Council rescind the existing Tree Donation Policy and Tree Management Policy, as shown at Attachments D and E to the subject report;
- (E) Council adopt the Tree Management and Donation Policy, as shown at Attachment C to the subject report; and
- (F) authority be delegated to the Chief Executive Officer to make amendments to the Urban Forest Strategy, Street Tree Master Plan, and the Tree Management and Donation Policy in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication;
- (G) authority be delegated to the Chief Executive Officer to make minor amendments to the Urban Forest Strategy, Street Tree Master Plan, and the Tree Management and Donation Policy in order to update technical details and approve tree species updates following localised community consultation; and
- (H) Councillors be informed of any amendments made under (G) above.

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

X087075, X085710, X085711

#### **Speaker**

Anthony Estorffe addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 11.4.

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

### **Item 11.5**

#### **Post Exhibition - Electrification of Transport in the City - Strategy and Action Plan**

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition period as shown at Attachment C to the subject report;
- (B) Council adopt the Electrification of Transport in the City Strategy and Action Plan, incorporating amendments, as shown at Attachments A and B to the subject report;
- (C) Council note the proposed expenditure in the 2023/24 budget on leadership actions consistent with the Electrification of Transport in the City Strategy and Action Plan; and
- (D) authority be delegated to the Chief Executive Officer to make amendments to the Electrification of Transport in the City Strategy and Action Plan in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

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

X093358

#### **Speakers**

Francis O'Neill (Bicycle NSW), Elizabeth Elenius (Pymont Resident Action Group) and Svetlana Rodgers addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 11.5.



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

### Item 11.6

#### **Post Exhibition - Planning Proposal - 118-130 Epsom Road and 905 South Dowling Street, Zetland - 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 the Planning Proposal: 118-130 Epsom Road and 905 South Dowling Street, Zetland, Draft Sydney Development Control Plan 2012: 118-130 Epsom Road and 905 South Dowling Street, Zetland and Draft Planning Agreement: 118-130 Epsom Road and 905 South Dowling Street, Zetland as shown at Attachment A to the subject report;
- (B) Council approve the Planning Proposal: 118-130 Epsom Road and 905 South Dowling Street, Zetland shown at Attachment B to the subject report, as amended following public exhibition, to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve Draft Sydney Development Control Plan 2012: 118-130 Epsom Road and 905 South Dowling Street, Zetland shown at Attachment C to the subject report, as amended following public exhibition, noting the development control plan will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 20 of the Environmental Planning and Assessment Regulation 2021;
- (D) authority be delegated to the Chief Executive Officer to make minor variations to the Planning Proposal: 118-130 Epsom Road and 905 South Dowling Street, Zetland and Draft Sydney Development Control Plan 2012: 118-130 Epsom Road and 905 South Dowling Street, Zetland to correct any minor errors 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 the delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.

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

Ayes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok and Worling

Noes (3) Councillors Ellsmore, Scott and Weldon.

Carried.)

X087876

### Speakers

James Luo (Kimberley Estate Strata Committee), Jane Grusovin, and Matthew Lennartz (Meriton) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 11.6.

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

### **Item 11.7**

#### **Project Scope - Phillip Street to College Street Cycleway**

It is resolved that Council:

- (A) approve the concept design for the Phillip Street to College Street Cycleway as shown in Attachment B to the subject report for detailed documentation and construction tender; and
- (B) note the estimated project costs as detailed in Confidential Attachment D to the subject report.

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

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

Noes (1) Councillor Weldon\*

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

X091807.006

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

### **Item 11.8**

#### **Traffic Treatment - Proposed Closure of Liverpool Street to Traffic at Oxford Street, Darlinghurst**

It is resolved that Council:

- (A) endorse the use of traffic treatments to close Liverpool Street to vehicular traffic at Oxford Street; and
- (B) endorse the conversion of Liverpool Street to a two-way street between Oxford Street and Yurong Street.

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

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

Noes (1) Councillor Weldon\*.

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

X039659.002

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

### **Item 11.9**

#### **Public Exhibition – Update to Access Strategy and Action Plan - Continuing the Vision**

It is resolved that:

- (A) Council approve for public exhibition the draft Access Strategy and Action Plan, as shown at Attachment A to the subject report;
- (B) Council note that the Access Strategy and Action Plan, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Access Strategy and Action Plan.

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

X095505

#### **Speaker**

Davis Haertsch (Walk Sydney) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 11.9.

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

### **Item 11.10**

#### **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 C of the subject report;
- (C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 39-43 Darlinghurst Road, Potts Point at this time; and
- (D) note the contents of Attachment C and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 18-32 Oxford Street, Darlinghurst.

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

S105001.002

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

**Item 11.11**

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

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

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

S040864

## Local Planning Panel - Appointment of Members

Document to Follow

**Item 13****Questions on Notice****1. City of Sydney's Operational Plan 2023/24 – Community Centres**

By Councillor Jarrett

**Question**

1. What are the total expenses being spent on community centres in the 2023/24 Operational Plan?
2. What is the breakdown of the City's total expenditure on each individual community centre in the 2023/24 Operational Plan?
3. How many City of Sydney staff are employed to work in community centres in the 2023/24 Operational Plan?
4. How many City of Sydney staff were employed to work in community centres in:
  - (a) 2022;
  - (b) 2021;
  - (c) 2020;
  - (d) 2019; and
  - (e) 2018?
5. What are the future staffing levels in each community centre for:
  - (a) 2023/24;
  - (b) 2024/25; and
  - (c) 2025/26?

X086666



## 2. Legal Advice

By Councillor Jarrett

The Lord Mayor indicated at the 15 May 2023 Council meeting that the City of Sydney had received legal advice pertaining to the legality of the Council's endorsement of providing Council facilities in support of the 'yes' campaign for the Voice Referendum to Parliament.

### Question

1. Who does the City engage to provide external legal advice?
2. How much does the City spend on engaging external legal advice annually?
3. What criteria needs to be met for the City to decide to engage external legal advice on a matter?
4. Who provided the legal advice to the City that the Lord Mayor mentioned regarding the Voice Referendum to Parliament at the 15 May 2023 Council meeting?
5. Why weren't Councillors provided the legal advice regarding the Voice Referendum to Parliament prior to the Council meeting at the 15 May 2023?
6. Can Councillors be provided with the legal advice the City obtained in relation to the legality of the Council's endorsement of providing Council facilities in support of the 'yes' campaign for the Voice Referendum to Parliament?

X086666

## 3. City of Sydney's Operational Plan 2023/24 - Staff

By Councillor Jarrett

### Question

1. How many full time or full-time equivalent staff are employed by the City?
2. How many full time or full-time equivalent staff are employed in the:
  - (a) Office of the CEO;
  - (b) Chief Finance Office;
  - (c) Chief Operating Office;
  - (d) City Services;
  - (e) City Life;
  - (f) City Planning, Development and Transport;
  - (g) Legal and Governance;
  - (h) Strategic Development and Engagement; and

- (i) People, Performance and Technology?
3. How many part time staff are employed in the:
- (a) Office of the CEO;
  - (b) Chief Finance Office;
  - (c) Chief Operating Office
  - (d) City Services;
  - (e) City Life;
  - (f) City Planning, Development and Transport;
  - (g) Legal and Governance;
  - (h) Strategic Development and Engagement; and
  - (i) People, Performance and Technology?
4. How many employees are remunerated or have a contract which is valued between \$120,000-\$200,000 per financial year in the:
- (a) Office of the CEO;
  - (b) Chief Finance Office;
  - (c) Chief Operating Office;
  - (d) City Services;
  - (e) City Life;
  - (f) City Planning, Development and Transport;
  - (g) Legal and Governance;
  - (h) Strategic Development and Engagement; and
  - (i) People, Performance and Technology?
5. How many employees are remunerated or have a contract valued over \$200,000 per financial year in the:
- (a) Office of the CEO;
  - (b) Chief Finance Office;
  - (c) Chief Operating Office;
  - (d) City Services;
  - (e) City Life;

- (f) City Planning, Development and Transport;
  - (g) Legal and Governance;
  - (h) Strategic Development and Engagement; and
  - (i) People, Performance and Technology?
6. What is the average number of hours worked by:
- (a) Full time or full-time equivalent employees; and
  - (b) Part time employees?
7. What is the average number of hours working in the office by:
- (a) Full time or full-time equivalent employees; and
  - (b) Part time employees?
8. How many hours were spent on attending conferences in the 2022/23 reporting period by:
- (a) Full time or full-time equivalent employees; and
  - (b) Part time employees?
9. What was the 2022/23 cost of internal and external training?
10. What is the projected 2023/24 cost of internal and external training in the Draft Operational Plan 2023/24?
11. How many consultants did the City employ over the course of 2023/24 and what was the cost to the City of Sydney?
12. How many contract staff did the City employ in 2023/24?
13. How many staff did it take to administer the 2023/24 Operational Plan?
14. How many staff were involved in constructing and administering the Fees and Charges outline within the 2023/24 Operational Plan?

X086666

#### **4. Roslyn Street Upgrade**

By Councillor Gannon

##### **Question**

With respect to the Roslyn Street, Potts Point works planned in the City's 2023/24 Capital Works Program:

1. When will work commence?
2. When are works expected to be complete?
3. What upgrades are taking place?
4. Can a map of upgrades be provided?

X086665

#### **5. Soft Plastic Processing**

By Councillor Scott

On 3 April 2023, City staff advised that the current doorstep recycling service does not currently pick up soft plastics. This was due to the City being unable to find a suitable soft plastics processor to recycle the collected soft plastics from the collection service. The City advised that they manage the processing arrangements for each stream collected from the collection service, including soft plastics. The City stated that it was "looking into available processors that may be available to recycle soft plastics from residents".

##### **Question**

1. What have been the efforts of the City of Sydney to engage with Soft Plastic processors?
2. Have potential soft plastic processors been identified? If not, why?
3. What are the city's plans to process soft plastics in the future?

X086668

## 6. Discussions with the NSW Government about Future Public Housing and Public Land Development in the City of Sydney

By Councillor Ellsmore

### Question

1. In an answer to a Question on Notice tabled at the 13 March 2023 Council meeting, it was advised that the City initiated discussions with the Land and Housing Corporation (or LAHC) concerning eight sites owned by the NSW Land and Housing Corporation in the Pyrmont Peninsula.

Since answers to those questions were tabled, have City staff had any discussions or correspondence with the Land and Housing Corporation about these sites?

If yes, please provide details.

2. In an answer to a Question on Notice tabled at the 3 April 2023 Council meeting, it was advised that the City had discussions and/or correspondence with NSW Government representatives about two planned development applications regarding State-owned or controlled land in NSW, including any pre-DA requests.

Since answers to those questions were tabled, have City staff had any additional discussions or correspondence with NSW Government representatives about these potential projects?

If yes, please provide details.

3. Since April 2023, have City staff had discussions with any NSW Government representatives about any other planned or future development applications or development projects, relating to State-owned or controlled land in NSW, including any pre-DA requests?

If yes, please provide details.

4. Since April 2023, have City staff had discussions with any NSW Government representatives about any other planned or future development applications or development projects, regarding public housing, including any pre-DA requests?

If yes, please provide details.

X086664

## **7. Status of State Government Redevelopment Projects in the City of Sydney - June 2023**

By Councillor Ellsmore

### **Question**

1. What development applications or other form of planning proposals is the City of Sydney currently assessing, where the NSW Government is the landowner or proponent?  
  
Please provide details.
2. What development applications or other form of planning proposals is the City of Sydney currently assessing, where Land and Housing Corporation is the proponent?  
  
Please provide details.
3. What development applications or other form of planning proposals is the City of Sydney currently assessing, where the Transport Asset Holding Entity is the proponent?  
  
Please provide details.
4. What development applications or other form of planning proposals is the City of Sydney currently assessing, where other NSW Government entities or agencies are known to be the landowner or proponent?  
  
Please provide details.
5. Of the development applications and other proposals which the City of Sydney is currently assessing, what are the scheduled or estimated decision dates?

X086664

## **8. Register of Public Dwellings Owned by the City of Sydney**

By Councillor Scott

On 15 May 2023, Council resolved a motion to create a public register of city-owned properties including their address, property classification, zoning and part or whole vacancy status.

### **Question**

1. Has the public register been created? If so, where has it been published?
2. Which of the dwellings on the register are vacant?

X086668

**Item 14**

**Supplementary Answers to Previous Questions**

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

**Item 15.1****Notices of Motion****Taylor Square – Pedestrianisation and Upgrade Feasibility Study**

By Councillor Gannon

It is resolved that:

(A) Council note:

- (i) Taylor Square is the heart and soul of the Oxford Street precinct;
- (ii) Oxford Street is undergoing a mass revitalisation, with new businesses and developments appearing from Hyde Park to the Victoria Barracks, and a new cycleway and extended footpaths to start construction later this year;
- (iii) soon, the Oxford Street cultural precinct will be home to a new cultural institution, with Australia's first pride museum, Qtopia, establishing its permanent home in the former Darlinghurst Police Station; and
- (iv) that to foster cohesive cultural spaces, people must be prioritised over cars;

(B) Council note:

- (i) there is an opportunity to upgrade Taylor Square alongside the multiple other developments happening in its vicinity;
- (ii) that linking the National Art School, Qtopia, Taylor Square and Oxford Street with a pedestrianised square would create a fantastic public space for residents; and
- (iii) that this section of road has been closed previously for public events, such as the Glitter Festival; and

(C) the Chief Executive Officer be requested to:

- (i) investigate the feasibility of pedestrianising sections of Forbes, Foley and Bourke Streets in the vicinity of the planned Qtopia Museum; and
- (ii) report back to Council with the feasibility study's findings.

X086658



## Item 15.2

### Notices of Motion

#### Getiela Park

By Councillor Jarrett

It is resolved that:

(A) Council note:

- (i) Getiela Synthetic Sportsfield, consisting of basketball courts and sports fields, is a shared-use recreation facility developed by the Department of Education and the City of Sydney;
- (ii) the City entered into an agreement with the Department of Education in 2018, and School Infrastructure NSW designed and delivered the project;
- (iii) the NSW Department of Planning approved the Alexandria Park Community School redevelopment in February 2019;
- (iv) since the completion of the Getiela Synthetic Sportsfield and basketball courts upgrade, the sports field and courts have been extremely well utilised by local sports groups with consistent bookings after hours on weekdays and for several hours per day on the weekend;
- (v) whilst the local residents support the use of Getiela Synthetic Sportsfield and basketball courts, they have extreme concerns about the current conduct and operation of the facilities during the usage of the field and courts including:
  - (a) the current noise levels and anti-social behaviour exhibited by many of the current sports teams hiring the use of the field and using the courts;
  - (b) the operating hours of the field and courts;
  - (c) the light pollution and operating hours of the lights on the field and courts; and
  - (d) the height of the school fence and lack of security and enforcement of the field and courts;
- (vi) City staff have met with residents of the area to discuss the impacts of the usage of Getiela Synthetic Sportsfield and basketball courts on the liveability of the area and have come to several agreements regarding determining the appropriateness of groups who hire the field and enforcement of the Conditions of Use; and

- (vii) the residents have explicitly expressed to both City staff and Councillors that even with the small changes made to the use of the field, the current operation of Getiela Synthetic Sportsfield and basketball courts is unsustainable and unbearable, with more changes needing to be assessed and implemented immediately to create a balance between the liveability and recreational use of the area; and
- (B) the Chief Executive Officer be requested to:
- (i) write to and liaise with the Department of Education to discuss investigating an increase in the height of the fence surrounding Getiela Synthetic Sportsfield to reduce the number of people accessing the field and courts after the designated hours of use and to allow use of the Alexandria Park Community School bathrooms during operating hours to reduce anti-social behaviour and/or the installation of toilet/change facilities that are available during the relevant hours;
  - (ii) commission an external sound consultant to conduct acoustic testing at Getiela Synthetic Sportsfield on:
    - (a) a weekday evening during training on the field;
    - (b) the weekend during a men's football match;
    - (c) the basketball courts on a weekday evening; and
    - (d) the basketball courts on the weekendto ensure that the noise level and pollution is not exceeding residential noise limits and to determine whether the installation of a noise mitigation sound barrier wall would be beneficial for the residents surrounding the area;
  - (iii) investigate the possibility of a reduction in the operation hours of the Sportsfield and basketball courts on weeknights to 8pm rather than 10pm in order to preserve the wellbeing of the residents in the area;
  - (iv) investigate the feasibility of reducing the intensity/dimming the lighting during the evening operation of the field and basketball courts and the possibility for installing reflectors to reduce spill light on both the field and courts to limit the disruption on residential sleep patterns;
  - (v) review and amend the City of Sydney's Gatiela Synthetic Sportsfield Conditions of the Use to reflect the findings of the above recommendations; and
  - (vi) report back to Council on all investigations mentioned above in a timely manner.

X086657

## Item 15.3

### Notices of Motion

#### Support for Sydney Street Festival – Newtown

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) the Newtown Festival was a much-loved community fair, organised by local not for profit organisation the Newtown Neighbourhood Centre;
- (ii) earlier this year, the Newtown Neighbourhood Centre announced that it will no longer hold a Newtown Festival. Originally established as a way both to bring the community together and to fundraise to support the important work of the Newtown Neighbourhood Centre, the festival had grown very large and began running at a loss;
- (iii) the loss of the Newtown Festival leaves the suburb of Newtown without an annual community festival or major community event to celebrate the neighbourhood of Newtown;
- (iv) the City of Sydney has a Sydney Streets program where major streets, including high streets, are closed once or twice a year to traffic, to celebrate neighbourhoods. Streets included in the annual program are selected following consultation; and
- (v) to date, a Sydney Streets event has not been scheduled for Newtown;

(B) Council further note:

- (i) the suburb of Newtown is partly in the Inner West Council area, and partly in the City of Sydney Council area. King Street is the border between the two Councils; and
- (ii) like the City of Sydney, the Inner West Council has a strong program of community festivals and events to celebrate and promote local neighbourhoods and businesses, some of which include main street closures;

(C) the Lord Mayor be requested to write to the Mayor of the Inner West Council, to discuss the possibility that the two Councils could coordinate to organise a Sydney Streets closure or similar event in Newtown; and

- (D) the Chief Executive Officer be requested to
  - (i) assess options for a Sydney Streets, or similar event, to be held in Newtown in the future; and
  - (ii) provide advice to Council.

X086659

**Item 15.4****Notices of Motion****Congratulations to the Lord Mayor on her Appointment as an Officer of the Order of Australia**

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) on 5 June 2023, Lord Mayor Clover Moore was appointed as an Officer of the Order of Australia;
- (ii) the Lord Mayor's appointment honoured her service to local government, the Parliament of NSW, and the community of Sydney;
- (iii) the Lord Mayor has been Sydney's Lord Mayor since 2004 as well as an independent NSW MP between 1988 and 2012;
- (iv) in the Australian honours system appointments to the Order of Australia confer the highest recognition for outstanding achievement and service; and
- (v) nominations for awards in the General Division of the Order of Australia come directly from the community; and

(B) Council congratulate the Lord Mayor on her monumental achievement.

X086655

## Item 15.5

### Notices of Motion

#### Scope and Plan for the Sydney Special Entertainment Precinct

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the NSW Government has introduced special entertainment precincts to provide a different way for councils to manage amplified noise from licensed premises;
- (ii) the introduction of the precincts aims to revive live music and entertainment, activate local businesses and the night time economy, creating more places for the community to enjoy;
- (iii) venues within the precinct are encouraged to provide live entertainment and will have an extension on both their trading hours and outdoor dining as an incentive to prioritise arts and culture over pokies;
- (iv) a special entertainment precinct is a defined area where sound from licenced venues with amplified music is managed by a council through its noise management plan. This lets councils more easily support live music and performance in the precinct;
- (v) any requirements on amplified music that would normally be in place under the NSW Liquor Act 2007 will not apply in the precincts, including any licence conditions on amplified music;
- (vi) a council identifies a precinct by amending its local environmental plan and publishing the noise management plan on their website. A precinct may be a single venue, streetscape or other defined area;
- (vii) in late 2022, the Inner West council trialled the special entertainment precinct concept in a section of Enmore Road from Edgeware Road to King Street;
- (viii) one owner within the precinct stated, "We hired more artists, and with great live bands, drag shows and comedies free of charge, our bar has been ever more popular among punters. This trial has been a win for all";
- (ix) the Inner West Council has just voted unanimously at its latest meeting on 15 March 2023, to make the precinct permanent;
- (x) a report released by the council showed that 100 per cent of Enmore Road businesses that completed its survey about the precinct classification were in favour of it coming on full-time, while 91.3 per cent of visitors indicated support and 63 per cent of local residents were in favour;

- (xi) Councillor Scott has advocated for a special precinct around the Metro Theatre on George Street as a key to unlocking Sydney's creative and entertainment spaces; and
  - (xii) former Councillor Scully said an area around York, Clarence and Kent streets in the CBD would be ideal spot to pilot such a precinct as it had already demonstrated a sophisticated new nightlife offering; and
- (B) the Chief Executive Officer be requested to prepare a proposal for Council to consider a special entertainment precinct in the City of Sydney.

X086655

## Item 15.6

### Notices of Motion

#### Amend the City of Sydney Act 1988 to Remove Double Votes

By Councillor Scott

It is resolved:

- (A) Council note:
- (i) the City of Sydney Act 1988 (the Act) determines the eligibility of non-residential voters for elections of the City of Sydney Local Government;
  - (ii) the Act relates to the enrolment of voters and voting at elections for the City of Sydney Council;
  - (iii) in 2014, the City of Sydney Act 1988 was amended to make it compulsory for local non-resident owners, occupiers and ratepaying lessees to enrol and vote;
  - (iv) the amendment also increased the number of votes given to corporations and partnerships from one to two;
  - (v) in the 2012 election prior to the amendment, 1,709 eligible non-residents enrolled to vote in the City of Sydney;
  - (vi) in the 2016 election almost 23,000 non-residents were enrolled to vote;
  - (vii) the Act states that, "If a corporation is the sole owner, ratepaying lessee or occupier of any rateable land, the corporation may submit a nomination in writing to the general manager of the names of 2 natural persons to be enrolled as electors instead of the corporation"; and
  - (viii) the current City of Sydney voting system is unlike any other council in the world; and
- (B) the Lord Mayor be requested to write to the Minister for Local Government to advocate for the City of Sydney Act 1988 to be amended to remove all amendments introduced by the City of Sydney Amendment (Elections) Act 2014 and revert to the position immediately prior to the introduction of that amending Act.

X086655



## Item 15.7

### Notices of Motion

#### Electrify Sydney

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) in 2008 the City of Sydney launched Sustainable Sydney 2030 - The Vision;
- (ii) the Vision set a target of reducing greenhouse gas emissions across the entire local government area by 70 per cent below 2006 levels by 2030;
- (iii) the Vision planned for trigeneration to supply 70 per cent of Sydney's electricity needs by 2030;
- (iv) by using trigeneration, the City's reduction targets rely upon the use of gas which produces greenhouse gases;
- (v) accumulation of greenhouse gases in the atmosphere lead to a heating of the earth's surface, creating shifting seasons, rising sea-levels, disappearing Arctic sea-ice and more intense heat waves;
- (vi) the Vision's plans means that key city services such as Town Hall and Community pools still rely on gas for power;
- (vii) in 2021 the City released the Environmental strategy 2021-2025;
- (viii) the new strategy's key measures include phasing out natural gas from our operations and using alternative water sources to keep our parks green;
- (ix) a City of Sydney survey found that almost 100 per cent of residents wanted climate action;
- (x) the Albanese Government's Rewiring the Nation plan will enable \$4.7 billion from the Commonwealth to join with \$3.1 billion from the NSW Transmission Acceleration Facility, to help NSW realise its Electricity Infrastructure Roadmap and increase reliability across the east coast grid;
- (xi) after the Australian Local Government Association (ALGA)'s advocacy, the Federal Labor Government announced last week the creation of a new \$100 million Community Upgrades Fund;
- (xii) the fund will support local government to invest in local clean energy solutions such as upgrading public sporting, community and cultural facilities to deliver clean energy solutions; and

- (xiii) the fund will save our community's money and increase our resilience to climate change; and
- (B) the Chief Executive Officer be requested to bring to Council a proposal by the end of 2023 to electrify Sydney. This plan will explore:
  - (i) how the City can incentivise residents to transition their power from gas to electricity;
  - (ii) how the City will transition its own services including pools and Town Hall to electrical power; and
  - (iii) how the City can ensure and aid CBD commercial properties to transition to electrical power.

X086655

## Item 15.8

### Notices of Motion

#### Increasing Developer Contributions for Affordable Housing

By Councillor Ellsmore

It is resolved that:

- (A) Council note:
- (i) local councils can require affordable housing contributions to be paid when development or rezonings are being undertaken in their local government area;
  - (ii) the City of Sydney was one of the first councils in NSW to establish an affordable housing levy. To date, the City of Sydney has collected, and passed on to a community housing provider (CHP), over \$378 million in affordable housing contributions, supporting the development of more than 1,500 new affordable, including low and very low income, homes;
  - (iii) the City of Sydney is one of the few councils to impose an affordable housing levy across the whole council area;
  - (iv) the City of Sydney affordable housing levy is generally one per cent of floor space for non-residential development, and three per cent of floor space for residential development. At the June 2023 Council meeting, Council will consider a planning proposal which would establish the one per cent and three per cent rate consistently across the Local Government Area;
  - (v) in a selected number of areas (including the Botany Road corridor) where land is proposed for rezoning which would significantly increase its value, the City of Sydney may impose a higher levy through planning controls;
  - (vi) establishing and changing an affordable housing levy requires the approval of the NSW Government. Councils can only impose an affordable housing contribution or levy through the Council's Local Environmental Plan, which must be approved by the Minister for Planning;
  - (vii) under the relevant legislation (the Environmental Planning and Assessment Act 1979):
    - (a) councils can require the contributions to be in the form of the dedication of land free of cost to be used for the purpose of providing affordable housing, or the payment of a monetary contribution to be used for the purpose of providing affordable housing, or both. The City of Sydney's scheme currently only gives Council to ability to require monetary contributions, through developers can choose to dedicate land; and

- (b) councils can only impose 'reasonable' contributions, having regard to the extent of the need in the area for affordable housing, the scale of the proposed development, and what other contributions the developer is required to make; and
  - (viii) the City of Sydney has been working through bodies such as the South Sydney Regional Organisation of Councils (SSROC) and Resilient Sydney to support councils seeking to develop an affordable housing levy for their local council areas;
- (B) Council further note:
- (i) since the City of Sydney established its affordable housing levy scheme, the affordable housing crisis has significantly worsened;
  - (ii) there is a strong case to be made that the rate of affordable housing levy in the City of Sydney Council should be higher than the current rate;
  - (iii) examples of recent affordable housing levies established or proposed by other Councils include:
    - (a) Randwick City Council - affordable housing contribution in the city centre is five per cent of the total floor area of the development used for residential purposes;
    - (b) Byron Shire Council – up to 30 per cent contribution uplift rate for greenfield investigation areas, and a six per cent for residential and two per cent for non-residential total gross floor area in the Byron Bay Town Centre;
    - (c) Inner West Council – 50 per cent of the increase in residual land value from value uplift;
    - (d) Parramatta Council – developer contributions equivalent to 50 per cent of the land value uplift outside of the CBD, with 10 per cent of the value uplift to go toward affordable housing; and
- (C) the Chief Executive Officer be requested to:
- (i) prepare advice about the process for Council to update the affordable housing levy, through Council planning instruments and policies; and

- (ii) include in the advice to Council:
  - (a) how to update City of Sydney planning controls to give Council the power to require affordable housing contributions to be either in the form of a monetary contribution, or in the form of land or buildings;
  - (b) options to increase the affordable housing levy in residential and non-residential development;
  - (c) options to increase the affordable housing levy where there is a rezoning that would increase the value of land (also known as 'value uplift capture'); and
  - (d) other opportunities to ensure that affordable housing is prioritised in new developments, through planning agreements.

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## Item 15.9

### Notices of Motion

#### Ending Loneliness in the City Forum

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) Loneliness is about feelings of isolation or a lack of social connection that effects our mental health, our physical health, our quality of life and our sense of community;
- (ii) Loneliness is an increasingly common experience in Sydney, and around the world, particularly since the Covid pandemic. It is estimated one in four people in Sydney experiences loneliness;
- (iii) the importance of community connection, and addressing social isolation and loneliness, is identified in a number of Council policies and plans. This includes the City of Sydney Council's Community Strategy Plan which has a target that by 2050 community cohesion and social interaction will have increased. This is based on at least 75 per cent of the local resident population feeling part of the community, agreeing most people can be trusted and believing that when needed, they can get help from their neighbours;
- (iv) other targets and outcomes in the Community Strategy Plan include that everyone has equitable and affordable access to community and cultural facilities and programs, supporting social connection and wellbeing;
- (v) on 8 June 2023, an 'Ending Loneliness in the City Forum' was held at Sydney Town Hall. The event was attended by sixty people and around twenty organisations including resident action groups, community organisations, health researchers and health services, homelessness services, and architects;
- (vi) hosted by Deputy Mayor Sylvie Ellsmore, speakers included the CEO of Wayside Chapel Jon Owen, Executive Officer of Inner Sydney Voice and Council for the Ageing Marika Kontellis, research fellow at the University of Sydney's Matilda Centre Dr Marlee Bower, representative of the Coalition of Caring for Community Centres Melanie Tait, and student leader at the Sydney Alliance Eliza Putnis;
- (vii) the forum aimed to stimulate conversation about loneliness, what is known about loneliness; what works to prevent loneliness; and what opportunities exist to address loneliness in the City of Sydney;

(B) Council further note:

- (i) a report detailing the outcomes of the forum and key discussion points is being drafted and will be circulated for feedback, before being finalised and circulated to Council;
- (ii) some of the key notes or suggestions from the forum included:
  - (a) loneliness effects everyone, but people are particularly impacted at points of transition in their lives. This is one reason why young people, older people and new mothers are groups particularly impacted by loneliness;
  - (b) although loneliness does not discriminate, poverty and inequality can exacerbate the risk of feeling lonely. Public housing tenants are another group particularly impacted by loneliness and social isolation;
  - (c) people living close together may in fact be more isolated. Apartment buildings can be lonely places to live;
  - (d) the interplay between economic inequalities and the built environment can exacerbate loneliness especially for low marginalised and low socioeconomic groups;
  - (e) well-maintained natural spaces and well-designed, inclusive, and accessible public spaces allow for both planned and unexpected social interactions;
  - (f) community leaders and community-led groups play a key role in supporting community connection;
  - (g) Council is supporting a number of programs that increase community connection and address loneliness;
  - (h) responses to loneliness that work include those that aim to connect neighbourhoods, and are place-based. Place-based responses to loneliness should be co-designed with local communities;
  - (i) having access to a place or space that the community feels safe and has ownership of is very important. This can include spaces such as churches, community centres, neighbourhood centres, libraries, men's sheds and town halls;
  - (j) everyone should have access to a local space like this, which the community feels ownership of, in their neighbourhood;
  - (k) local councils have a key role to play in addressing loneliness, being the level of government closest to the community, and the custodian of many of the spaces where communities come together and connect;
  - (l) the availability of staffed community centres that are accessible, inclusive and within walking distance of every neighbourhood are critical to building social cohesion and community pride;
  - (m) sport is a key way for communities to connect. The costs of sport fees or hiring sport fields facilities can be a barrier;

- (n) there are lessons that can be learnt from other jurisdictions who have developed strategies to address loneliness, particularly the UK. Other Councils across Australia have developed ending loneliness strategies, including the City of Monash in Melbourne who initiated a five-year Loneliness Framework in 2020; and
- (o) there was interest in continuing the discussion about solutions to address loneliness in the City; and

(C) Council thank the panel members for contributing to the discussion about loneliness.

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