



# Council

Meeting No 6

Monday 21 August 2023

Notice No 6/1654

Notice Date 17 August 2023

*minutes*

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**Present**

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

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

At the commencement of business at 5.07pm, those present were:-

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

The Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Director City Planning, Development and Transport, Director City Life, Director Strategic Development and Engagement, Acting Director City Services and Principal Lawyer were also present.

**Hybrid Meeting Arrangements**

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

**Acknowledgement of Country and Opening Prayer**

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

**Webcasting Statement**

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

Councillor Scott left the meeting of Council at 5.17pm, prior to discussion on Item 3.2, and returned at 5.32pm, after the vote on Item 3.2. Councillor Scott was not present at, or in sight of, the meeting of Council during discussion or voting on Item 3.2.

**Order of Business**

Following Item 3.3, at 5:39pm, Council agreed that the order of business be altered such that Items 12.4, 12.5 and 12.6 be brought forward and dealt with prior to Item 4, for the convenience of the public present.

The Chair (the Lord Mayor) left the meeting of Council at 6.26pm, prior to discussion on Item 9.10, and returned at 6.48pm, following the adjournment. The Lord Mayor was not present at, or in sight of, the meeting of Council during discussion or voting on Item 9.10.

Following the departure of the Lord Mayor at 6.26pm, Deputy Lord Mayor Councillor Sylvie Ellsmore chaired the meeting until the adjournment, at 6.29pm.

Councillor Scott left the meeting of Council at 7.08pm, prior to discussion on Item 12.9, and returned at 7.09pm, after the vote on Item 12.9. Councillor Scott was not present at, or in sight of, the meeting of Council during discussion or voting on Item 12.9.

**Item 1      Confirmation of Minutes**

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

That the Minutes of the meeting of Council of Monday, 26 June 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

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

### Statement of Ethical Obligations

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

### Disclosures of Interest

The Lord Mayor (Councillor Clover Moore AO) made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.6 on the agenda, in that she is currently in the process of acquiring an apartment in a separate Deicorp-owned development within Green Square.

The Lord Mayor considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because there is no connection between the Council's sale of this land to Deicorp, which was identified over a decade ago in the Council's Development Control Plan (DCP) and Masterplans for the precinct, and her private purchase of this separate property, She has not discussed or had any contact with Deicorp in relation to this matter.

- a pecuniary interest in Item 9.10 on the agenda, in that her husband owns shares in Woolworths Group that is the landowner for the site in this Planning Proposal.

The Lord Mayor stated that she would not be voting on this matter.

Councillor HY William Chan made the following disclosures:

- a less than significant, non-pecuniary interest in Item 3.3 on the agenda, in that he previously worked on Transport for NSW's Sydney Metro West urban design and master planning.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement was with the existing Sydney Metro West stations only and not with regard to Zetland station.

- a less than significant, non-pecuniary interest in Item 9.6 on the agenda, in that he is a conference speaker (Design Track) for South by Southwest (SXSW) Sydney 2023.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action as his contribution to SXSW Sydney 2023 is voluntary and determined via SXSW Sydney 2023's Session Select program.

Councillor Sylvie Ellsmore made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that she has participated in a site visit with other councillors to the 4A Centre for Contemporary Asian Art, at the invitation of the Centre, earlier in 2023. As part of the informal discussion at the event, she spoke to one of the Directors and staff members about their aspirations for expanded support from the City of Sydney.

Councillor Ellsmore 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 further discussions with anyone connected with the centre since that time, nor discussed this proposed accommodation grant. She has no personal or financial interest or connection with the 4A Centre for Contemporary Asian Art or staff connected with the centre, as far as she is aware.

- a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that she has consulted with a number of potential beneficiaries for this grant program, that is, organisations who provide food relief in the City of Sydney, and may choose to apply for the new grant program if it is established.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the consultation was focused on identifying the needs of the community, to inform her decisions as a local Councillor. She has no personal connection with any of the organisations she spoke to, membership, nor financial interest.

Councillor Linda Scott made the following disclosures:

- a pecuniary interest in Item 3.2 on the agenda, in that she is a joint owner of a rental property.

Councillor Scott stated that she will not be voting on this matter.

- a less than significant, non-pecuniary interest in Item 6.3 on the agenda, in that her husband is the CEO of the Pharmacy Guild.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because there will be no decisions relating to pharmacies required on this item.

- a less than significant, non-pecuniary interest in Item 6.10 on the agenda, in that she is the Council-nominated member of Southern Sydney Regional Organisation of Councils (SSROC).

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because no tender matters have been discussed prior to the briefings.

- a less than significant, non-pecuniary interest in Items 12.1, 12.8, 12.9, 12.10, 12.15, 12.16 and 12.18 on the agenda, in that she is the president of the Australian Local Government Association (ALGA) of which Local Government NSW is a member of.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ALGA represents all 537 member councils equally.



- a less than significant, non-pecuniary interest in Item 12.4 on the agenda, in that one of her children currently attends Alexandria Park Community School.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the motion celebrates the life of an individual.

- a pecuniary interest in Item 12.9 on the agenda, in that she is the Chair of an industry, profit to members superannuation fund.

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

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

**Item 3 Minutes by the Lord Mayor****Item 3.1 Vale Mary-Louise McLaws AO****Minute by the Lord Mayor**

To Council:

I wish to inform Council of the passing of Emeritus Professor Mary-Louise McLaws AO, internationally recognised epidemiologist and public health specialist, on 12 August 2023.

Australians came to know Professor McLaws through her many media appearances during the Covid-19 pandemic, calmly and gracefully explaining it and the actions we needed to take to limit its impacts. The Chief Executive Officer and I had the benefit of her advice to guide the City of Sydney's response, including difficult decisions around the New Year's Eve fireworks.

Born in Tasmania on 17 March 1953, she was the second child of Jewish parents Barry and Louise Viney. Mary-Louise and her older brother, Barrie, spent their early years with their mother in Bondi, before moving to the Central Coast where she attended Gosford High School. She took the surname of her stepfather, Bruce McLaws.

She graduated with a Bachelor of Science degree from the University of Sydney, following it with a Diploma in Tropical Public Health in 1984 and a Master's degree in Public Health in 1987.

In 1986, she met the late Professor David Cooper AC, who invited her to join the HIV and AIDS research laboratory he was establishing at the University of NSW. She commenced a PhD, researching condom use behaviour in homosexually active men at risk of AIDS, supervised by Professor Cooper. It was an important contribution to HIV prevention, assisted by the close personal and professional relationships she established with community AIDS organisations.

Completing her thesis in 1992, she joined the University of NSW's academic staff as an assistant professor in epidemiology, later becoming Professor, Epidemiology, Healthcare Infection and Infectious Diseases Control in the University's school of public health and community medicine.

Over the next 30 years, Professor McLaws made a significant academic contribution, writing more than 180 research papers, while teaching, mentoring students and supervising and supporting their research.

Her research in epidemiology, infection control and patient safety extended her work beyond the University. As a long-time member of NSW Health's Clinical Excellence Commission, she collaborated in implementing state-wide infection prevention programs in hospital settings including intensive care units and hospital emergency departments.

As director of Sydney South West Area Health Service's Public Health Unit, she made significant contributions to eliminating HIV, hepatitis B and hepatitis C and containing the spread of the swine flu.

Professor McLaws also made a significant international contribution to public health. In 2002, she became an adviser for World Health Organisation (WHO), working on the ground in Hong Kong and Malaysia and Beijing to help control Severe Acute Respiratory Syndrome (SARS) and develop their surveillance systems. In Beijing she collaborated on research to understand why healthcare workers acquired SARS in response to the outbreak of the disease. Her other international work included infection control research in Cambodia, China, Bangladesh, Mali, Indonesia, Iran, Viet Nam, Taiwan and Turkey.

In February 2020, she joined other experts at Geneva's WHO headquarters to make sense of an emerging international public health emergency. The cause, a new disease named Covid-19 in the same month, would dominate her life for the next two years.

As a member of the WHO Covid-19 expert advisory panel, she would attend online meetings which continued some hours after midnight Sydney time because of international time differences while continuing her University of NSW day job. She told a journalist she was “constantly jetlagged” but was always happy to sacrifice sleep to be informed by cutting-edge, ever-changing scientific research.

This, together with her own research, enabled her to advocate for evidenced-based public policy to respond to Covid. In the early days of the pandemic, she called for Australia to close its borders and urged people not to attend the ultimately cancelled 2020 Melbourne Grand Prix. She was among the first experts to talk about the need for face masks and dedicated quarantine facilities, rather than keeping overseas arrivals in poorly ventilated hotels.

Much of her time was dedicated to educating the public about Covid, by making herself available to journalists at all hours and through numerous media appearances.

Susannah Elliott, CEO of the Australian Science Media Centre, said Professor McLaws “was always calm, measured and available.”

“She had a skill for connecting with people through her boundless empathy and genuine willingness to help – she was a truly brilliant science communicator. She was also incredibly modest, asking for feedback on her interviews and open to suggestions on how she could improve.”

The Federal Health Minister, Mark Butler, said that “to see her on TV outline in a very calm but authoritative and articulate way, the best way we could protect ourselves was a source of great reassurance to the Australian people.”

In early 2022, Professor McLaws was diagnosed with a brain tumour and took leave from the University of NSW and WHO to begin cancer treatment, while encouraging people to donate to brain cancer research.

In June 2022, she was appointed an Officer of the Order of Australia “for distinguished service to medical research, particularly to epidemiology and infection prevention, to tertiary education, and to health administration” and was one of 92 Australians recognised in a special Covid-19 honour roll.

Professor McLaws is survived by Richard Flook, her husband of 35 years, and her children Zia and Zachary.

**Recommendation**

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Professor Mary-Louise McLaws AO and her outstanding contribution to public health and epidemiological research in Australia and internationally;
- (B) Council express its condolences to Professor McLaws' husband, Richard Flook, and her children Zia and Zachary; and
- (C) the Lord Mayor convey Council's sincere condolences to Professor McLaws' family.

**COUNCILLOR CLOVER MOORE AO**

Lord Mayor

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

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

Carried unanimously.

Note – All Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to Professor Mary-Louise McLaws AO.

S051491

## **Item 3.2     Strengthening Renters Rights and Limiting Rent Increases**

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

To Council:

We are in the midst of a housing crisis, which is making renting in Sydney increasingly unaffordable. The problem is particularly acute in the City of Sydney, where more than half of people living in the City are renters.

Over the last financial year, median rents for units in our local area went up by a staggering 25 per cent, that is an increase of \$182 per week, bringing the median rent for a unit in the City of Sydney from \$728 per week to \$910 per week. Haymarket and Zetland saw the highest annual increase in rent across suburbs nationally, with rent increasing by 30 per cent in the past year.

These substantial increases are one of the largest contributors to rising inflation and the current cost-of-living crisis, and are having devastating impacts on people and the efficient functioning of our city. Essential workers like paramedics, teachers and social workers have been priced out of living in the city. Young people and students, including from overseas, that are working in retail and hospitality can no longer live close to the city centre and are at increasing risk of homelessness.

### **Urgent action needed by State and Federal Governments**

Housing is primarily the responsibility of the NSW Government. However, the City uses every lever available to increase the supply of means-tested and permanent affordable rental housing for lower income households in the Local Government Area.

To June 2022, the City has contributed to 2,759 Affordable Housing dwellings, either built or in the pipeline. This includes:

- 1,376 dwellings from \$378 million in levies (from sites in Pyrmont, Ultimo, Green Square and the Southern Employment Lands);
- 228 dwellings from \$24 million in subsidised City-owned land sales (on sites in Zetland, Redfern, Alexandria and Surry Hills);
- 483 dwellings from \$10 million in City grants to not-for-profit housing providers from our Affordable and Diverse Housing Fund (for projects in Darlinghurst, Chippendale, and Surry Hills); and
- 672 dwellings through Voluntary Planning Agreements (projects in Glebe and Rosebery), our planning controls (Redfern and Waterloo) and by other means.

The City's levy scheme, which has been increased to all of the Local Government Area since July 2021, is expected to deliver a further 1,950 affordable dwellings.

On 22 June 2023, the NSW Parliament passed the Residential Tenancies Amendment (Rental Fairness) Bill 2023, which includes implementing a portable rental bond scheme. I welcome the NSW Government's commitment to strengthening renters' rights and rebalancing the rental market. I also welcome the appointment of Trina Jones as the NSW Rental Commissioner, who will be a voice for renters and will design and implement initiatives to deliver on the NSW Governments rental reforms agenda.

The NSW Government recently concluded consultation on further proposed changes to the Residential Tenancies Act 2010. The City of Sydney's submission supports balanced and sensible recommendations that the NSW Government should implement. They include:

- ending 'no grounds' evictions on all leases including at the end of fixed term leases;
- increasing the notice period to terminate a fixed term lease from 30 days to 90 days, so it aligns with the notice period for rolling leases;
- addressing loopholes so that rent increases are limited to once every 12 months, including when a fixed term lease changes to a rolling lease;
- making it easier for renters to have pets, by limiting the reasons a landlord can say no;
- introducing minimum rental efficiency standards for all rental properties in NSW;
- implementing a portable bond scheme, to allow a renter to transfer their bond to a new tenancy, before the bond from the old tenancy has been repaid; and
- other improvements such as protection of renters' data and privacy, making information about median rents publicly available, and letting renters know about embedded networks.

The NSW Government must work collaboratively with important stakeholders such as the Tenants Union of NSW and others to ensure the rental market supports long term renters, provides increased certainty, and slows down rental increases.

On 22 June 2023, the Australian Government established an inquiry into the worsening rental crisis in Australia with consultation currently underway. Last week, National Cabinet agreed on some national principles of renter's rights. Every state and territory will work towards ending no grounds evictions, limiting rent increases to once a year and developing minimum rental standards. This is a good starting point but doesn't go far enough to stop excessive rents.

It is critical that all levels of government hear from people about their experiences of the rental situation in Australia and seriously look at what can be done to rein in excessive rent increases.

### **Excessive rent increases**

Excessive rent increases are already unlawful in NSW, but there is little guidance on what is 'excessive'. The burden is on the tenant to prove the increase is excessive in the NSW Civil and Administrative Appeals Tribunal. This approach has not worked because of the sheer effort renters need to assert their rights. Tenants cannot easily find or access timely information on median rents. Additionally, few renters have the time, energy and tenacity needed to lodge an appeal in the tribunal and wait for the outcome of that process.

In the ACT, excessive rent rises are defined as greater than 110 per cent of the consumer price index (CPI) for rent. Owners or agents can still request more, but the onus is on them to argue the case that it is not excessive in the tribunal. A clearer definition of what is considered 'excessive' rent increases must be included in any new legislative changes by the NSW Government.

**Limits on excessive rent increases must only be introduced alongside sensible reforms to short term rental accommodation rules.**

While short-term letting helps facilitate local tourism and can help people earn extra cash, we need tighter State regulation to stop homes being wholly converted into short-term rental properties and contributing to a lack of supply for long-term housing. The concern is not hosted properties where someone might rent out their spare room occasionally or properties that are leased out while the resident has gone on holiday. A balanced approach that distinguishes occasional short-term letting from commercial tourist and visitor accommodation is required.

The current framework for regulating short-term rental accommodation includes an exempt development pathway allowing hosted and non-hosted short-term rentals for up to 180 days per year. Any bookings of 21 consecutive days or more are exempt from the 180-day cap. Given the acute rental affordability crisis in the inner city, the City of Sydney has consistently advocated for this to be lowered to a maximum of 90 days per year.

In May 2023, Council resolved that the Chief Executive Officer investigate commissioning a study to report on the impact that short-term rental accommodation is having on rental affordability and availability and tourist accommodation in the City of Sydney Local Government Area. We will send the results and recommendations of that study to the NSW Government when it is complete.

With over 58,000 people in NSW on the Social Housing waiting list, we desperately need investment in new Social and Affordable Housing and homelessness services that are already stretched to the limit. The \$10 billion Housing Australia Future Fund will create around 30,000 Affordable homes. It is not the panacea - but it is a significant step in the right direction. It is essential this Bill is passed without further delay.

Legislating for improved renters' rights and limiting rent increases will result in greater transparency between landlords and tenants, which is strongly supported by the City of Sydney.

**Recommendation**

It is resolved that:

(A) Council note:

- (i) that over the 2022/23 financial year, median rents for units in the City of Sydney Local Government Area went up by a staggering 25 per cent, that is an increase of \$182 per week, bringing the median rent for a unit in the City of Sydney from \$728 per week to \$910 per week;
- (ii) that Haymarket and Zetland in the City of Sydney area saw the highest annual increase in rent across suburbs nationally, with rent increasing by 30 per cent in the past financial year;
- (iii) that on 22 June 2023, the NSW Parliament passed the Residential Tenancies Amendment (Rental Fairness) Bill 2023 providing some increased protections for renters;
- (iv) that on the 22 June 2023, the Australian Government established an inquiry into the worsening rental crisis in Australia with public consultation currently underway; and

- (v) the City of Sydney's submission to the NSW Government's consultation paper that proposes further changes to the Residential Tenancies Act 2010, as shown at Attachment A to the subject minute;
- (B) Council call on the NSW Government to limit rent increases to a maximum of 110 per cent of the CPI for rent, alongside sensible reforms to short term rental accommodation rules such as a reduced cap of 90 days per year for short term rental accommodation to reduce the number of homes taken off the long-term rental market;
- (C) the Chief Executive Officer be requested to:
  - (i) provide a copy of this Lord Mayoral Minute to the NSW Department of Fair Trading, as an addendum to the City of Sydney's submission on 'Improving NSW rental laws consultation paper'; and
  - (ii) make a submission to the Australian Government's inquiry into the worsening rental crisis in Australia by the Community Affairs References Committee before the 1 September 2023 deadline that is consistent with the City of Sydney's submission and this Lord Mayoral Minute to the NSW Government's proposed rental reforms and circulate a copy via the CEO Update; and
- (D) the Lord Mayor be requested to write to:
  - (i) the NSW Rental Commissioner, Trina Jones congratulating her on her appointment and urging her to work with the NSW Government and other relevant stakeholders such as the Tenants Union of NSW to implement stronger protections for renters as soon as possible;
  - (ii) the Minister for Housing and Homelessness, the Minister for Planning and Public Spaces, the Minister for Environment, Minister for Better Regulation and Fair Trading and local state members with a copy of this Lord Mayoral Minute and encouraging them to work collaboratively with the NSW Rental Commissioner, the City of Sydney, and other relevant stakeholders to implement cohesive reforms that deliver stronger protections for renters as soon as possible; and
  - (iii) the leaders of non-government parties in the Australian Government urging them to support the Housing Australia Future Fund Bill 2023, which will fund desperately needed new social and affordable housing projects across the country.

## **COUNCILLOR CLOVER MOORE AO**

Lord Mayor

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

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

At the request of Councillor Ellsmore, and by consent, the Minute was varied such that clause (B) read as follows –

- (B) Council call on the NSW Government to prevent unlimited rent increases. Models which should be considered include limiting rent increases to a maximum of 110 per cent of the CPI for rent, alongside sensible reforms to short term rental accommodation rules such as a reduced cap of 90 days per year for short term rental accommodation to reduce the number of homes taken off the long-term rental market;



Amendment. Moved by Councillor Ellsmore –

That clause (D)(iii) be amended as follows –

- (iii) the Australian Government and leaders of non-government parties in the Australian Parliament urging them to support immediate and direct investment of Federal funding, which will fund desperately needed new social and affordable housing projects across the country, at a level which would ensure that the waiting list of public housing does not go backwards, as projected under the current proposed Housing Australia Future Fund Bill 2023.

The amendment lapsed for want of a seconder.

The substantive Minute, as varied by consent, was carried on the following show of hands –

Ayes (7)            The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok, Weldon and Worling.

Noes (2)            Councillors Gannon and Jarrett.

The Minute, as varied by consent, was carried.

S051491

### **Item 3.3 Sydney Metro West Extension to Zetland**

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

To Council:

At 278 hectares, Green Square is Australia's largest urban renewal project with a redevelopment cost of \$22 billion at its completion. By 2036, it will have approximately 63,000 residents and up to 22,000 workers – a density of around 22,600 people per square kilometre or 226 per hectare, among the highest densities in Australia for a renewal area of this size. Around 33,000 residents – more than half of the total population - has already moved in.

However, when the City took control in 2006, the Town Centre was virtually moribund. The industrial land was heavily contaminated and significantly affected by flooding.

Along with master planning, we have been delivering on a \$1.8 billion local infrastructure plan for services and facilities – roads and footpaths, new parks and playgrounds, public art and childcare, as well as funding more than half of the \$140 million, 2.5-kilometre stormwater trunk drain, which was the responsibility of the NSW Government. The City has already funded \$700 million to ensure local community infrastructure is in place as residents move in.

However, despite increasing the population density at Green Square being the policy of successive NW Governments since 1995 and reaping billions in stamp duty windfall gains, they have been slow to meet their state infrastructure responsibilities.

Investment in mass transit at a major growth centre at Zetland is long overdue. This would help reduce congestion, manage current capacity problems and encourage more public transport use in the future.

The former NSW Government explored extending the Sydney Metro West to Zetland by 2031, as part of initial plans for Stage 1 Metro West. However, as project costs soared, a connection to Zetland was dropped. It was later envisaged as an eastern extension under the NSW Government's South East Transport Strategy 2022 by 2041, but it cannot wait until then.

I made it clear to the previous government that Sydney Metro West, continued out to Zetland, is essential and must be delivered as soon as possible. I have, again, raised the urgency of mass transit solutions to Green Square such as the Metro in recent letters to, and meetings with, the new NSW Premier, Treasurer, Minister for Transport and Minister for Planning and Public Spaces.

I welcome the NSW Government's Independent Review Interim Report into the Sydney Metro project, which recommends consideration of a further eastern extension to Sydney Metro West.

The City's long-term strategic plan, Sustainable Sydney 2030- 2050: Continuing the Vision, responds to the NSW Government's South East Sydney Transport Strategy 2020 and envisages future stations around the University of NSW, Prince of Wales Hospital and Sydney Children's hospital to better connect current and future innovation, knowledge and employment centres, helping to foster innovation precincts and space for the jobs of the future.

Such an extension would also take more cars off the road and help to transform key major city gateways such as Oxford Street, Botany Road, and Broadway, currently acting as traffic sewers, into green, pedestrian and cycling friendly avenues – making them welcoming entries to the city centre.

For years, the City has worked with developers to preserve Zetland Avenue as a transport corridor. That would not only accommodate a Green Square light rail connection to central Sydney, but also presents an excellent opportunity for a metro stop. Zetland Avenue is appropriately sized to fit a metro station, on an axis with a useful alignment eastwards to Randwick and beyond.

Infrastructure like the Sydney Harbour Bridge or Opera House was expensive at the time of construction, and people had their doubts. But leaders must look beyond what is hard in the moment and build what is needed for future communities.

New metro stations such as Zetland are an overdue, necessary correction so I was pleased to read recent media reports that the NSW Government is now seriously considering a metro stop at Zetland.

The City of Sydney is prepared to work with the NSW Government to identify appropriate land and a construction area including consideration of leases, stratum land sales and public domain upgrades to reduce the cost of a delivering a metro station at Zetland for the NSW Government to be delivered as part of the Sydney Metro West scope as soon as possible.

## **Recommendation**

It is resolved that:

(A) Council note:

- (i) by 2036, Green Square will have approximately 63,000 residents and up to 22,000 workers - a density of around 22,600 people per square kilometre or 226 per hectare, among the highest densities in Australia for an area of this size;
- (ii) the City of Sydney is meeting its public infrastructure obligations with a \$1.8 billion local infrastructure plan for services and facilities, with \$700 million already funded to ensure community infrastructure is in place as residents move in;
- (iii) the former NSW Government explored extending Sydney Metro West to Zetland by 2031, as part of plans for Stage 1 Metro West, but it was dropped;
- (iv) the NSW Government's South East Transport Strategy 2020 envisages a metro stop at Zetland by 2041, but it cannot wait until then;
- (v) an eastern extension to Sydney Metro West including a stop at Zetland (Green Square) is one of the future transformative projects outlined in Sustainable Sydney 2030- 2050: Continuing the Vision; and

- (vi) that the Lord Mayor raised the urgency of mass transit solutions to Green Square including metro in recent letters to and meetings with the new NSW Premier, Treasurer, Minister for Transport and Minister for Planning and Public Spaces;
- (B) the Chief Executive Officer be requested to investigate options for appropriate land and a construction area, including consideration of leases, stratum land sales and public domain upgrades, to reduce the cost of a delivering a metro station at Zetland for the NSW Government to be delivered under Stage 1 of Sydney Metro West, and report back to Council on the outcome of those investigations and next steps via the CEO Update; and
- (C) the Lord Mayor be requested to write again to the NSW Premier, Treasurer, and Minister for Transport with a copy of this Lord Mayoral Minute and calling on the NSW Government to work with the City of Sydney to address the significant transport infrastructure deficit at Green Square by extending Sydney Metro West eastwards to Zetland as part of the Sydney Metro West scope as soon as possible.

### **COUNCILLOR CLOVER MOORE AO**

Lord Mayor

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

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

Carried unanimously.

S051491

### **Procedural Motion**

At this stage of the meeting, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scott –

That the Order of Business be altered such that Items 12.4, 12.5 and 12.6 be brought forward and dealt with prior to Item 4, for the convenience of the public present.

Carried unanimously.

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

There were no Memoranda by the Chief Executive Officer for this meeting of Council.

## **Item 5 Matters for Tabling**

### **5.1 Disclosures of Interest**

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

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

Carried unanimously.

### **5.2 Petitions**

#### **Thomson Street and Forbes Street Darlinghurst 2010 Residents Petition – “No” to Council’s Proposed Parking Change**

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

Current – eastern side of Thomson St “1P 8am – 12 midnight Permit Holders Excepted Area 17.”

Proposed Changes to Parking in Thomson St (North of Liverpool St) - eastern side of Thomson St “No Parking 6am – 6pm Thu and Public Holidays & 1P 8am – 12 Midnight Mon-Wed, Fri-Sun 6pm-12 Midnight Thurs Permit Holders Excepted Area 17.”

#### **Petition Summary**

As residents of Thomson Street and Forbes Street, we strongly oppose this poorly considered and impractical proposal to change the parking in Thomson St (North) in order to accommodate Cleanaway’s standard 2.5 metre wide garbage truck and we appeal to City of Sydney Council (CoS) to withdraw this proposed change.

#### **City of Sydney Inaccuracies**

In preparing this petition we have discovered a number of inaccuracies and inconsistencies that have been used by the CoS to support their argument for removing parking spaces in Thomson Street (North) to accommodate Cleanaway. Inaccuracies such as:

- CoS informed residents that Cleanaway’s smaller garbage trucks would not be suitable for accessing Thomson Street. On a resident contacting Cleanaway to ask for the dimensions of their garbage trucks we were advised that Cleanaway has only one standard garbage truck and this is approximately 9.25 metres long and 2.6 metres wide (including mirrors). Cleanaway confirmed that they don’t operate smaller garbage trucks as they are not commercially viable. If this is the case, why were smaller Cleanaway trucks being used (July 2023) to collect garbage from the narrow streets of Surry Hills, see Appendix G?
- CoS advised the residents of Thomson Street (North) that Cleanaway’s 9.25 metre long x 2.5 metre wide standard garbage truck travels the length of Thomson Street (South) #42 - #80 to collect waste. On asking the residents of Thomson Street (South), Cleanaway’s 2.5 metre wide garbage trucks do not access this street as it is too narrow for the trucks to traverse.

- CoS states Galara Street, Rosebery (See Appendix B) has “similar restrictions applied ..... to good effect”. Galara Street, Rosebery is a new apartment development, very different to Thomson Street (North). Galara Street should not be used by CoS as a comparison or benchmark for “similar restrictions”.
- CoS stated that they have to provide a safe working environment for not only its employees but also its contractors. This statement by CoS is contradictory given the wording in the tendering process - Cleanaway is responsible for their employees, not CoS.
- CoS mentions that “the maximum distance for movement of bins is 10 metres”. What CoS did not state was that the 10 metres is taken from The City of Sydney’s Guidelines for Waste Management in New Developments (the Guidelines), only. This Guideline does not apply to a 100 metre long strip of 20 heritage terrace houses built in the mid to late 19th century!
- CoS, in another statement, contradicted their “10 metre” guideline stating “no more than 20 metres” for the running of garbage.
- CoS mentions that “the maximum distance for movement of bins is 10 metres” as per the New Development Guidelines. What CoS did not qualify was that the maximum manual handling distance between the storage and the collection point is: “10 metres for bins including 120L, 240L, 660L and 1,100L Mobile Garbage Bins (MGBs)”. Bins in Thomson Street are small, varying from 50L, 80L to 120L, maximum.
- CoS’s “proposed parking changes” letter implies that “missed waste collection services” were due to access problems associated with Thomson Street. When contacted, CoS Officers stated that the actual reason was that Cleanaway was short of trucks and / or drivers, not because of street access problems. (See The Sun Herald of 23rd July 2023, Page 14 article titled “Anger grows over rubbish dispute”).

### **Tendering Process**

- The tendering process (Reference Point 12.) is obligated to identify and address garbage collection in the narrower streets of its LGA. Smaller garbage trucks or the use of runners have historically been and continue to be accepted work practices.

### **Precedent**

- Thomson Street parking has been the same for decades. Given CoS proposed parking change it appears that CoS is looking after the interest of Cleanaway over the interests of residents in Darlinghurst and the wider community.
- Thomson and Forbes Street houses and streetscape were built in the 19th century and are not classified as a “new development” as defined in the CoS’s Guidelines for Waste Management in New Developments, August 2018. Galara Street Rosebery, referenced by the Council as a precedent for this type of parking restriction, is not comparable to Thomson Street, where only one of the 20 houses has access to any off street parking. Galara Street’s apartments have access to on-site parking and waste is collected in a very different way.

### **Resident Impact**

- It is not reasonable or feasible for families with young children to leave their home before 6am on a weekday morning to try and move their car to a neighbouring street, especially as there may not be any suitable vacant parking space available.

- Apart from residents needing to access their homes, Thomson and Forbes Streets are located in a “go-to” destination that attracts many people from outside this area to enable access to cultural / commercial / educational / benevolent / café / restaurant enterprises. This places additional demands on parking in what is already a challenging area for local residents to park.
- To propose a “No Parking 6am – 6pm Thursday” on the eastern side of Thomson Street (North) will exacerbate an already existing and ever-increasing challenge for residents needing to park near their homes in Darlinghurst.

This is Cleanaway and the CoS’s problem to solve. The residents should not become the collateral damage for poor decision making and lack of due diligence by CoS. The residents of Thomson Street and Forbes Street say “NO” to CoS’s proposed parking change!

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250



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

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

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

At the commencement of business at 2.04pm those present were -

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

**Hybrid Meeting Arrangements**

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

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 3.29pm.

**Report of the Corporate, Finance, Properties and Tenders Committee**

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of Monday 14 August 2023 be received, with Items 6.1 and 6.2 being noted, the recommendations set out below for Items 6.4 to 6.7 inclusive and Item 6.10 being adopted in globo, and Items 6.3, 6.8 and 6.9 being dealt with as shown immediately following those items.

Carried unanimously.

**Item 6.1****Confirmation of Minutes**

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

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 19 June 2023, as circulated to Councillors, be confirmed.

Carried unanimously.



## Item 6.2

### 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 6.3 on the agenda, in that she is currently in the process of acquiring an apartment in a separate Deicorp-owned development within Green Square.

The Lord Mayor considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because there is no connection between the Council's sale of this land to Deicorp, which was identified over a decade ago in Council's Development Control Plan and Masterplans for the precinct, and her private purchase of this separate property. She has not discussed or had any contact with Deicorp in relation to this matter.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.3 on the agenda, in that her husband is the CEO of the Pharmacy Guild. Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because there will be no decisions relating to pharmacies required on this Item.
- a less than significant, non-pecuniary interest in Item 6.10 on the agenda, in that she is a Council-nominated member of Southern Sydney Regional Organisation of Councils (SSROC). Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because no tender matters have been discussed prior to the briefings.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matter 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

### 2022/23 Quarter 4 Review – Delivery Program 2022-2026

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

It is resolved that:

- (A) note the interim financial performance of Council for the 2022/23 financial year ending 30 June 2023, including the Net Surplus of \$179.5M as outlined within the report and summarised at Attachment A to the subject report;
- (B) note the full year Capital Works expenditure of \$144.6M for 2022/23, approve the proposed revote of \$21.7M and adjustments to future years forward estimates, to increase the adopted 2023/24 budget to \$237.6 including \$8.0M of contingency to progress the planned capital works, as detailed in the Attachment B to the subject report;

- (C) note the Technology and Digital Services capital expenditure of \$18.6M for 2022/23, and approve the proposed revote of \$2.5M and other adjustments totalling (\$1.2M), to increase the adopted 2023/24 TDS capital budget to \$21.0M as shown in Attachment B in the subject report;
- (D) note the full year Plant and Equipment expenditure of \$8.4M for 2022/23 (net of disposals), and approve the proposed revote of \$3.2M, to increase the adopted 2023/24 net budget to \$17.2M as show in Attachment B in the subject report;
- (E) note the full year net Property Acquisitions of \$92.5M;
- (F) note the operational performance indicators and quarter and full year achievements against the Delivery Program 2022-2026 objectives, as detailed in Attachment C to the subject report; and
- (G) note the supplementary report which details major legal issues, the quick response, street banner and venue hire support grants and sponsorship programs, fee-waived and discounted community facilities hire, international travel, property and land use matters approved under delegation and contracts over \$50,000 in Quarter 4, as detailed in Attachment D to the subject report.

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

It is resolved that:

- (A) Council note the interim financial performance of Council for the 2022/23 financial year ending 30 June 2023, including the Net Surplus of \$179.5M as outlined within the report and summarised at Attachment A to the subject report;
- (B) the Chief Executive Officer be requested to provide advice about options to further increase the allocation for food support grants in 2023/24, to be reported to Council at a future meeting or through the CEO Update;
- (C) Council note the full year Capital Works expenditure of \$144.6M for 2022/23, approve the proposed revote of \$21.7M and adjustments to future years forward estimates, to increase the adopted 2023/24 budget to \$237.6 including \$8.0M of contingency to progress the planned capital works, as detailed in the Attachment B to the subject report;
- (D) Council note the Technology and Digital Services capital expenditure of \$18.6M for 2022/23, and approve the proposed revote of \$2.5M and other adjustments totalling (\$1.2M), to increase the adopted 2023/24 TDS capital budget to \$21.0M as shown in Attachment B in the subject report;
- (E) Council note the full year Plant and Equipment expenditure of \$8.4M for 2022/23 (net of disposals), and approve the proposed revote of \$3.2M, to increase the adopted 2023/24 net budget to \$17.2M as show in Attachment B in the subject report;
- (F) Council note the full year net Property Acquisitions of \$92.5M;
- (G) Council note the operational performance indicators and quarter and full year achievements against the Delivery Program 2022-2026 objectives, as detailed in Attachment C to the subject report;

- (H) Council note the supplementary report which details major legal issues, the quick response, street banner and venue hire support grants and sponsorship programs, fee-waived and discounted community facilities hire, international travel, property and land use matters approved under delegation and contracts over \$50,000 in Quarter 4, as detailed in Attachment D to the subject report;
- (I) Council note the City of Sydney's Community Strategic Plan includes a target for 7.5 per cent affordable and 7.5 per cent social (including public) housing, and that the Chief Executive Officer be requested to update the format of the Housing for All Key Performance Indicators in future Operational Reports to report both absolute numbers and percentages; and
- (J) Council reaffirm the previous commitment of 20 February 2023 to deliver more trans and gender diverse swim events, and request that the staff provide an update on opportunities to support events, in addition to the planned March 2024 event at Cook and Phillip Pool.

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

X084366

#### **Item 6.4**

##### **Investments Held as at 30 June 2023**

It is resolved that the Investment Report as at 30 June 2023 be received and noted.

Carried unanimously.

X020701

#### **Item 6.5**

##### **Investments Held as at 31 July 2023**

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

Carried unanimously.

X020701

**Item 6.6****Proposed Sale of Surplus City Owned Land – Part 17 Zetland Avenue, Zetland**

It is resolved that:

- (A) Council endorse the sale of proposed Lot 112 in a proposal plan of subdivision of 17 Zetland Avenue West, Zetland being Lot 11 in Deposited Plan 121716 to Deicorp Projects (Joynton Avenue) Pty Ltd at the price agreed to by both parties and supported by independent valuation as detailed in Confidential Attachment C to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to finalise all negotiations with Deicorp Projects (Joynton Avenue) Pty Ltd and enter into a Contract for Sale and any other documentation required to complete the sale.

Carried unanimously.

X086239

**Item 6.7****Tender - T-2022-810 - Venue Management Catering Services**

It is resolved that:

- (A) Council accept the tender offer of Tenderer B for the provision of catering services to the City's landmark venues for the price and contingency outlined in Confidential Attachment A to the subject report for a period of two years, with the option of an extension of three years if the City deems that the supplier's performance is meeting expectations;
- (B) Council note that the total contract sum and contingency for the provision of catering services to the City's landmark venues 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.

Carried unanimously.

X093477.003

**Item 6.8****Tender - T-2023-917 - Oxford Street West and Liverpool Street Cycleway Construction**

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

It is resolved that:

- (A) Council accept the tender of Tenderer D for the construction of a separated bi-directional cycleway along the northern kerb side lane of Liverpool Street and Oxford Street between Elizabeth Street and Flinders Street, Darlinghurst for the price and contingency outlined in Confidential Attachment B to the subject report;
- (B) Council note that the total contract sum and contingency for the construction of the Oxford Street West and Liverpool Street cycleway is outlined in Confidential Attachment B to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and
- (D) Council approved the additional funds as outlined in Confidential Attachment B to the subject report.

Carried unanimously.

X037203

**Item 6.9****Tender - T-2023-953 - Pyrotechnical Services for Sydney New Year's Eve**

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

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for Pyrotechnic Services for 2024 and 2025 Sydney New Year's Eve (with two additional options to extend to cover the 2026 and 2027 events, and further 2028 and 2029 events);
- (B) Council note that the total contract sum and contingency for Pyrotechnic Services for 2024 and 2025 Sydney New Year's Eve (with two additional options to extend to cover the 2026 and 2027 events, and further 2028 and 2029 events) is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in Clause (A), if appropriate.

Variation. At the request of Councillor Ellsmore, and by consent, the motion was varied, such that it read as follows:

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for Pyrotechnic Services for 2024 and 2025 Sydney New Year's Eve (with two additional options to extend to cover the 2026 and 2027 events, and further 2028 and 2029 events);
- (B) Council note that the total contract sum and contingency for Pyrotechnic Services for 2024 and 2025 Sydney New Year's Eve (with two additional options to extend to cover the 2026 and 2027 events, and further 2028 and 2029 events) is outlined in Confidential Attachment A to the subject report;
- (C) the Chief Executive Officer be requested to track future Sydney New Year's Eve event emissions through the City's Green Report;
- (D) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and
- (E) authority be delegated to the Chief Executive Officer to exercise the options referred to in Clause (A), if appropriate.

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

X092284.002

## **Item 6.10**

### **Exemption from Tender - SSROC T2022-03 - Provision of Linemarking Services**

It is resolved that:

- (A) Council approve an exemption from tender for the Provision of Linemarking Services as Southern Sydney Regional Organisation of Councils (SSROC) has an arrangement with a suitable panel of suppliers resulting from a competitive tender process;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
  - (i) SSROC conducted a tender process in 2022 which resulted in a suitable panel of competitive suppliers being available to the City, providing a value for money outcome; and
  - (ii) there is unlikely to be any material benefit or cost saving to repeating the tender process;
- (C) Council note that the total contract sum is detailed in Confidential Attachment A to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the Provision of Linemarking Services, for a period of up to six years, and for the total contract sum detailed in Confidential Attachment A to the subject report.

Carried unanimously.

X095581



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

PRESENT

Deputy Lord Mayor Councillor Sylvie Ellsmore

(Chair)

Councillor Lyndon Gannon

(Deputy Chair)

Councillors HY William Chan, (Waskam) Emelda Davis, Shauna Jarrett, Robert Kok, Linda Scott, Yvonne Weldon AM and Adam Worling.

At the commencement of business at 5.57pm those present were -

Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scott, Weldon and Worling.

**Hybrid Meeting Arrangements**

The Chair (Councillor Ellsmore) advised that Councillor Weldon was attending the meeting of the Cultural and Creative Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

**Apologies**

The Lord Mayor extended her apologies for her inability to attend the meeting of the Cultural and Creative Committee.

The meeting of the Cultural and Creative Committee concluded at 5.59pm.

**Report of the Cultural and Creative Committee**

Moved by Councillor Gannon, seconded by Councillor Scott –

That the report of the Cultural and Creative Committee of its meeting of Monday 14 August 2023 be received, with Items 7.1 and 7.2 being noted, and the recommendations set out below for Items 7.3 being dealt with as shown immediately following that item.

Carried unanimously.

## **Item 7.1**

### **Confirmation of Minutes**

Moved by Councillor Gannon, seconded by Councillor Scott -

That the Minutes of the meeting of the Cultural and Creative Committee on Monday 19 June 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 7.2**

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

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that she participated in a site visit with other Councillors to the 4A Centre of Contemporary Asian Art, at the invitation of the Centre, earlier in 2023. As part of the informal discussion at the event, Councillor Ellsmore spoke to one of the Directors and staff members about their aspirations for expanded support from the City of Sydney.

Councillor Ellsmore 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 further discussion with anyone connected with the Centre since that time, or discussed this proposed accommodation grant.

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

The Cultural and Creative Committee recommended the following:

### Item 7.3

#### Grants and Sponsorship – Accommodation Grants Program - 4A Centre for Contemporary Asian Art

Moved by Councillor Gannon, seconded by Councillor Worling -

It is resolved that:

- (A) Council approve the provision of an Accommodation Grant to Asian Australian Artists Association Incorporated for Shop 2, Ground Floor, The Corporation Building, 181-187 Hay Street, Haymarket to lease the property for a five-year period from 1 September 2023 to 31 August 2028, with the option to renew, on the following rental subsidy:

	Market Rental Value	Rental Subsidy	Rental Subsidy Value	Rent Payable
Year 1 2023-24	\$64,600	100%	\$64,600	\$0
Year 2 2024-25	\$66,538	97%	\$64,542	\$1,996
Year 3 2025-26	\$68,534	97%	\$66,478	\$2,056
Year 4 2026-27	\$70,590	97%	\$68,472	\$2,118
Year 5 2027-28	\$72,708	97%	\$70,527	\$2,181

- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the lease agreement with the Asian Australian Artists Association Incorporated for Shop 2, Ground Floor, The Corporation Building, 181-187 Hay Street, Haymarket; and
- (C) 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.

Carried unanimously.

X086353.004

**Item 8 Report of the Resilient Communities Committee**

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor (Waskam) Emelda Davis

(Deputy Chair)

Deputy Lord Mayor Councillor Sylvie Ellsmore, Councillors HY William Chan, Lyndon Gannon, Shauna Jarrett, Robert Kok, Linda Scott, Yvonne Weldon AM and Adam Worling.

At the commencement of business at 4.47pm those present were -

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

**Hybrid Meeting Arrangements**

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

The meeting of the Resilient Communities Committee concluded at 5.21pm.

**Report of the Resilient Communities Committee**

Moved by Councillor Davis, seconded by Councillor Kok –

That the report of the Resilient Communities Committee of its meeting of Monday 14 August 2023 be received, with Items 8.1 and 8.2 being noted, and Items 8.3 and 8.4 being dealt with as shown immediately following those items.

Carried unanimously.

**Item 8.1****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 19 June 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

**Item 8.2****Statement of Ethical Obligations and Disclosures of Interest**

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that she has consulted with a number of potential beneficiaries for this new grant program, that is, organisations who provide food relief in the City of Sydney, and may choose to apply for the new grant program, if it is established.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does require further action in the circumstances because the consultation was focused on identifying the needs of the community, to inform her decisions as a local Councillor. She has no personal connection with any of the organisations she spoke to.

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

The Resilient Communities Committee recommended the following:

## Item 8.3

### Grants and Sponsorship - Food Support Grants

Moved by Councillor Davis, seconded by Councillor Kok –

It is resolved that:

- (A) Council note the 26 June 2023 Resolution of Council put forward via a Lord Mayoral Minute, requesting the Chief Executive Officer investigate options for financial support for food relief organisations and, where relevant, other community-based initiatives that provide access to low-cost food including cooperatives and mutual aid groups, which are operating in the City of Sydney and report back to Council;
- (B) Council approve the Food Support Grant Guidelines as shown at Attachment A to the subject report;
- (C) Council approve up to \$1.7 million for the provision of the 2023/24 Food Support grants, with \$1.0 million to be sourced from the General Contingency Fund and up to a further \$0.7 million from the CEO Contingency;
- (D) Council approve the Food Support grants to be incorporated into the City's Grants and Sponsorship Program for 2024/25 and 2025/26, along with the associated budget for the grants and the costs associated with staffing and administration;
- (E) Council note that following completion of the grant application and assessment process, all grant recommendations for the Food Support grants will be brought back to Council for approval; and
- (F) authority be delegated to the Chief Executive Officer to make minor changes to the Guidelines or to correct minor errors to the matters set out in this report and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

### Speakers

Ronni Kahn AO (OzHarvest), Coral Lever (First Nations Response), Nellie Pollard-Wharton (First Nations Response) and Rosanna Barbero (Addison Road Community Organisation) addressed the meeting of the Resilient Communities Committee on Item 8.3.

## Item 8.4

### Grants and Sponsorship - Ad Hoc Grant - Grant of Licence to Australians for Indigenous Constitutional Recognition Ltd

(Note – the recommendation of the Resilient Communities Committee was not adopted. The following alternative recommendation was adopted (as contained in the Information Relevant To Memorandum dated 13 August 2023 from the Chief Executive Officer, circulated prior to the meeting).

Moved by Councillor Davis, seconded by Councillor Kok -

It is resolved that:

- (A) Council approve an ad-hoc grant to Australians for Indigenous Constitutional Recognition Limited to licence Suite 17.02B, Level 17, Town Hall House, 456 Kent Street, Sydney from 22 August 2023 to 7 November 2023 in accordance with section 356 of the Local Government Act 1993 on the following rental subsidy which incorporates all outgoings and utilities:

Licence Term	Market Rental Value (approximate)	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
22 August 2023 – 7 November 2023	\$21,841.90	100%	\$21,841.90	\$0

- (B) Council approve an ad-hoc grant to Australians for Indigenous Constitutional Recognition Limited to licence Suite 19.02, Town Hall House, 456 Kent Street, Sydney from 22 August 2023 to 7 November 2023 in accordance with section 356 of the Local Government Act 1993 on the following rental subsidy which incorporates all outgoings and utilities:

Licence Term	Market Rental Value (approximate)	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
22 August 2023 – 7 November 2023	\$37,112.20	100%	\$37,112.20	\$0

- (C) Council note that the City will be required to report and declare this financial assistance provided in accordance with the applicable legislation from time to time;
- (D) Council note that the funding for this grant will be sourced from the amount approved by Council on 15 May 2023 to support the Voice to Parliament;
- (E) Council note that a revised draft licence agreement for Suite 17.02B, Level 17 and Suite 19.02, Level 19, Town Hall House, 456 Kent Street, Sydney has been provided to Australians for Indigenous Constitutional Recognition Limited (YES23);

- (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.

The motion was carried on the following show of hands:

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

Noes (1)            Councillor Jarrett\*.

Carried.

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

S098790



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

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor HY William Chan

(Deputy Chair)

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

At the commencement of business at 3.47pm those present were -

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

The Chair (the Lord Mayor) left the meeting of the Transport, Heritage, Environment and Planning Committee at 5.22pm before discussion and voting on Item 9.10, and did not return. The Chair (the Lord Mayor) was not present for discussion and voting on Items 9.9 to 9.12.

Following the departure of the Lord Mayor, Deputy Lord Mayor Councillor Sylvie Ellsmore chaired the remainder of the meeting.

**Hybrid Meeting Arrangements**

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

**Order of Business**

Following Item 9.8, at 4.46pm, the Transport, Heritage, Environment and Planning Committee agreed, for the convenience of the public present, that the Order of Business be altered such that the Resilient Communities Committee be brought forward and dealt with before Item 9.9 of the Transport, Heritage, Environment and Planning Committee. Following the conclusion of the Resilient Communities Committee and resumption of the Transport, Heritage, Environment and Planning Committee at 5.24pm, the meeting further agreed, for the convenience of the public present, that the Order of Business be altered such that Item 9.10 be brought forward and dealt with before Item 9.9.

**Procedural Motion**

Following discussion on Item 9.6, it was moved by Councillor Chan, seconded by the Chair (the Lord Mayor) and carried unanimously that the motion be withdrawn. Councillor Chan then moved Items 9.6, 9.7 and 9.8 in globo (seconded by the Chair (the Lord Mayor), carried unanimously.)

The meeting of the Transport, Heritage, Environment and Planning Committee concluded at 5.57pm.

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

Moved by Councillor Chan, seconded by Councillor Kok –

That the report of the Transport, Heritage, Environment and Planning Committee of its meeting of Monday 14 August 2023 be received, with Item 9.2 being noted, the recommendations set out below for Items 9.3 to 9.5 inclusive, Items 9.7 to 9.9 inclusive and Item 9.12 being adopted in globo, and Items 9.1, 9.6 and 9.10 being dealt with as shown immediately following those items.

Carried unanimously.

### **Item 9.1**

#### **Confirmation of Minutes**

Moved by Councillor Chan, seconded by Councillor Kok –

That the Minutes of the meeting of the Transport, Heritage, Environment and Planning Committee of 19 June 2023, as circulated to Councillors, be confirmed.

Carried on the following show of hands:

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

Noes (1)            Councillor Weldon.

Carried.

### **Item 9.2**

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

Councillor Robert Kok disclosed a significant non-pecuniary interest in Item 9.11 on the agenda, in that he has had a recent close professional relationship with Jess Miller and this item recommends she be appointed to the Local Planning Panel as a community representative. Jess Miller was a Councillor elected in 2016 as a member of the Clover Moore Independent Team and was a Clover Moore Independent Team candidate at the 2021 Council election.

Councillor Kok stated that he would not be voting on this item.

Councillor Davis disclosed a significant non-pecuniary interest in Item 9.11 on the agenda, in that Jess Miller was a Councillor elected in 2016 as a member of the Clover Moore Independent Team and was a Clover Moore Independent Team candidate at the 2021 Council election.

Councillor Davis stated that given this professional relationship with Jess Miller she would not be voting on this item.

Councillor Worling made the following disclosures:

- a significant non-pecuniary interest in Item 9.11 on the agenda, in that Jess Miller was a Councillor elected in 2016 as a member of the Clover Moore Independent Team and was a Clover Moore Independent Team candidate at the 2021 Council election. Councillor Worling stated that given this professional relationship with Jess Miller he would not be voting on this item.
- a less than significant, non-pecuniary interest in Item 9.11 on the agenda, in that he sits on the Sydney Football Stadium Consultative Community with Julie Armour, who is recommended for appointment to the Local Planning Panel as a community representative. Councillor Worling stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because outside of this voluntary committee he does not have a professional relationship with Julie and has not spoken to her about her appointment on the Local Planning Panel.
- a less than significant, non-pecuniary interest in Item 9.11 on the agenda, in that since being elected a councillor in May 2023, he has met with Peter Tzannes, who is recommended for appointment to the Local Planning Panel as a community representative, to discuss community matters because of his position on the Centennial Park Residents' Association. Councillor Worling stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not spoken to Mr Tzannes about the appointment on the Local Planning Panel.

The Chair (the Lord Mayor) made the following disclosures:

- a pecuniary interest in Item 9.10 on the agenda, in that her husband owns shares in Woolworths Group, which is the landowner for the site in this planning proposal. The Chair (the Lord Mayor) stated that she would not be voting on this matter.
- a significant, non-pecuniary interest in Item 9.11 on the agenda, in that she has had a recent close professional relationship with Jess Miller and this item recommends she be appointed to the Local Planning Panel as a community representative. Jess Miller was a Councillor elected in 2016 as a member of the Clover Moore Independent Team and was a Clover Moore Independent Team candidate at the 2021 Council election.

The Chair (the Lord Mayor) stated that she would not be voting on this Item.

Councillor Chan disclosed a significant non-pecuniary interest in Item 9.11 on the agenda, in that he has had a recent close professional relationship with Jess Miller and this item recommends she be appointed to the Local Planning Panel as a community representative. Jess Miller was a Councillor elected in 2016 as a member of the Clover Moore Independent Team and was a Clover Moore Independent Team candidate at the 2021 Council election.

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

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

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

### **Item 9.3**

#### **Project Scope - O'Dea Avenue Cycling Connection**

It is resolved that Council:

- (A) approve the concept design for O'Dea Avenue cycleway as shown in Attachment B to the subject report for detailed documentation and construction tender;
- (B) endorse undertaking additional investigations with Transport for NSW on retaining the right turn at Joynton Avenue, in response to community feedback;
- (C) note the estimated project costs as detailed in Confidential Attachment D to the subject report; and
- (D) note that the City will be applying for construction phase funding from the NSW Government.

Carried unanimously.

X090338.003

#### **Speaker**

David Mateparae addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 9.3.

### **Item 9.4**

#### **Project Scope - Ultimo to Surry Hills Cycleway**

It is resolved that Council:

- (A) approve the concept design for the Ultimo to Surry Hills Cycleway as shown in Attachment B to the subject report for detailed documentation and construction tender;
- (B) note the estimated project costs as detailed in Confidential Attachment D to the subject report; and
- (C) note that the City will be applying for construction phase funding from the NSW Government.

Carried unanimously.

X034650.002

## **Item 9.5**

### **Project Scope - Wellington Street Bike Network Link**

It is resolved that Council:

- (A) approve the concept design for the Wellington Street cycleway between George Street and Cope Street as shown in Attachment B to the subject report, for progression to detailed design and construction;
- (B) note the estimated project costs as detailed in Confidential Attachment D to the subject report; and
- (C) note that the City will be applying for construction phase funding from the NSW Government.

Carried unanimously.

X034652

## **Item 9.6**

### **Public Exhibition - Haymarket and Chinatown Revitalisation Strategy**

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

It is resolved that:

- (A) Council note the 9 March 2020 Resolution of Council - Supporting Haymarket and Other Businesses put forward via a Lord Mayoral Minute requesting that the Chief Executive Officer further investigate street attractions and activations, including changes to signage, streetscape and traffic movements in Haymarket to reinvigorate the area and increase foot traffic and the 21 November 2022 Resolution of Council endorsing the Project Definition and Scope for the Dixon Street Improvements;
- (B) Council note the findings of the Haymarket Visioning Engagement Outcomes Report as shown at Attachment B to the subject report, Community Vision for Haymarket as shown at Attachment C to the subject report, Haymarket and Chinatown Economic and Land Use Study as shown at Attachment D to the subject report, and Chinatown Thematic History as shown at Attachment E to the subject report;
- (C) Council approve the public exhibition of the draft Haymarket and Chinatown Revitalisation Strategy as shown at Attachment A to the subject report, for a minimum period of 28 days;
- (D) Council note that the Haymarket and Chinatown Revitalisation Strategy including any recommended changes will be brought back to Council for adoption following the exhibition period;
- (E) Council note that further reports will be brought back to Council following heritage assessment of any further items for heritage listing;

- (F) Council note that following the exhibition period if it is confirmed that the Dixon Street frontage upgrade program and the Haymarket activation grants are endorsed by Council, additional budget of an estimated \$900,000 over three years to co-fund the Dixon Street frontage upgrade program and an estimated \$600,000 over three years for additional Haymarket activation grants will be required. In this eventuality a further report will be brought back to Council for consideration and public exhibition of the new programs as required;
- (G) Council note following the exhibition period, if it is confirmed that significant implementation activities are endorsed by Council, funding will be required for an additional Full Time Equivalent (FTE) position for a Haymarket Coordinator and this will be required to be incorporated into future budgets for public exhibition and endorsement by Council; and
- (H) authority be delegated to the Chief Executive Officer to make minor amendments to the draft Haymarket and Chinatown Revitalisation Strategy for clarity or correction of drafting errors prior to public exhibition.

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

It is resolved that:

- (A) Council note the 9 March 2020 Resolution of Council - Supporting Haymarket and Other Businesses put forward via a Lord Mayoral Minute requesting that the Chief Executive Officer further investigate street attractions and activations, including changes to signage, streetscape and traffic movements in Haymarket to reinvigorate the area and increase foot traffic and the 21 November 2022 Resolution of Council endorsing the Project Definition and Scope for the Dixon Street Improvements;
- (B) Council note the findings of the Haymarket Visioning Engagement Outcomes Report as shown at Attachment B to the subject report, Community Vision for Haymarket as shown at Attachment C to the subject report, Haymarket and Chinatown Economic and Land Use Study as shown at Attachment D to the subject report, and Chinatown Thematic History as shown at Attachment E to the subject report;
- (C) Council approve the public exhibition of the draft Haymarket and Chinatown Revitalisation Strategy as shown at Attachment A to the subject report, for a minimum period of 28 days;
- (D) Council note that the Haymarket and Chinatown Revitalisation Strategy including any recommended changes will be brought back to Council for adoption following the exhibition period;
- (E) Council note that further reports will be brought back to Council following heritage assessment of any further items for heritage listing;
- (F) Council note that following the exhibition period if it is confirmed that the Dixon Street frontage upgrade program and the Haymarket activation grants are endorsed by Council, additional budget of an estimated \$900,000 over three years to co-fund the Dixon Street frontage upgrade program and an estimated \$600,000 over three years for additional Haymarket activation grants will be required. In this eventuality a further report will be brought back to Council for consideration and public exhibition of the new programs as required;

- (G) Council note following the exhibition period, if it is confirmed that significant implementation activities are endorsed by Council, funding will be required for an additional Full Time Equivalent (FTE) position for a Haymarket Coordinator and this will be required to be incorporated into future budgets for public exhibition and endorsement by Council;
- (H) the Chief Executive Officer be requested to investigate the possibility of creating a Chinatown and Haymarket Community Centre and report back to Council via the CEO Update; and
- (I) authority be delegated to the Chief Executive Officer to make minor amendments to the draft Haymarket and Chinatown Revitalisation Strategy for clarity or correction of drafting errors prior to public exhibition.

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

X098596

### **Speakers**

Kevin Cheng (Soul of Chinatown), Brad Chan (Banna Property Group), Vincent Lim (Haymarket Chamber of Commerce), the Hon Henry Tsang and King Fong addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Items 9.6, 9.7 and 9.8.

### **Item 9.7**

#### **Public Exhibition - Haymarket Public Domain Plan**

It is resolved that:

- (A) Council approve for public exhibition the draft Haymarket Public Domain Plan, as shown at Attachment B to the subject report, for a minimum period of 28 days;
- (B) Council note that the Haymarket Public Domain Plan including any recommended changes and a project implementation plan, will be reported to Council for adoption following the exhibition period;
- (C) Council note that further stakeholder engagement and feasibility assessments will be required to develop a more refined scope for individual projects and guide the City's long term planning and capital works programming; and
- (D) authority be delegated to the Chief Executive Officer to make minor amendments to the draft Haymarket Public Domain Plan for clarity or correction of drafting errors prior to public exhibition.

Carried unanimously.

X004285.004

### **Speakers**

Kevin Cheng (Soul of Chinatown), Brad Chan (Banna Property Group), Vincent Lim (Haymarket Chamber of Commerce), the Hon Henry Tsang and King Fong addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Items 9.6, 9.7 and 9.8.

**Item 9.8****Public Exhibition - Planning Proposal - Heritage Item - Chinatown Ceremonial Gates, Haymarket - Sydney Local Environmental Plan 2012 Amendment**

It is resolved that:

- (A) Council approve the Planning Proposal - Heritage Item - Chinatown - Ceremonial Gates, Haymarket as shown at Attachment A to the subject report for submission to the Department of Planning and Environment with a request for Gateway Determination;
- (B) Council approve the Planning Proposal - Heritage Item - Chinatown Ceremonial Gates, Haymarket, as shown at Attachment A for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Department of Planning and Environment to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the planning proposal; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Heritage Item - Chinatown Ceremonial Gates to correct any drafting errors or to ensure consistency with the Gateway Determination.

Carried unanimously.

X098658

**Speakers**

Kevin Cheng (Soul of Chinatown), Brad Chan (Banna Property Group), Vincent Lim (Haymarket Chamber of Commerce), The Hon Henry Tsang and King Fong addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Items 9.6, 9.7 and 9.8.



**Item 9.9****Post Exhibition - Planning Proposal - Retail Review and Retail Parking - Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012 Amendment**

It is resolved that:

- (A) Council note the requirements of the Gateway Determination issued by the Department of Planning and Environment to amend the contents of Planning Proposal: Retail Review and Retail Parking, prior to public exhibition, as shown at Attachment C to the subject report;
- (B) Council note the matters raised in response to the public exhibition of Planning Proposal: Retail Review and Retail Parking and draft Sydney Development Control Plan 2012: Retail Review of Southern Sydney Amendment, as described in this report and shown at Attachments D to the subject report;
- (C) Council approve the Planning Proposal: Retail Review and Retail Parking, following consideration of submissions as shown at Attachment A to the subject report, to be sent to the Department of Planning and Environment to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979;
- (D) Council approve Sydney Development Control Plan 2012: Retail Review of Southern Sydney Amendment, following consideration of submissions, as shown at Attachment B to the subject report, 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; and
- (E) authority be delegated to the Chief Executive Officer to make minor amendments to Planning Proposal: Retail Review and Retail Parking and Sydney Development Control Plan 2012: Retail Review of Southern Sydney Amendment to correct any minor errors, or omissions or ensure consistency with legal drafting prior to finalisation.

Carried unanimously.

X084812

**Item 9.10****Post Exhibition - Planning Proposal - 923-935 Bourke Street Waterloo - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

Moved by Councillor Chan, seconded by Councillor Ellsmore -

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal: 923-935 Bourke Street, Waterloo and Draft Sydney Development Control Plan 2012: 923-935 Bourke Street, Waterloo as shown in Attachment A to the subject report;
- (B) Council note the draft Planning Agreement as shown at Attachment D to the subject report is currently on public exhibition;
- (C) subject to the execution of the draft Planning Agreement as shown at Attachment D to the subject report, Council approve Planning Proposal: 923-935 Bourke Street, Waterloo, 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;
- (D) Council approve Draft Sydney Development Control Plan 2012: 923-935 Bourke Street, Waterloo, 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;
- (E) authority be delegated to the Chief Executive Officer to make minor variations to Planning Proposal: 923-935 Bourke Street, Waterloo and Draft Sydney Development Control Plan 2012: 923-935 Bourke Street, Waterloo to correct any minor errors prior to finalisation; and
- (F) Council note that the planning agreement will be executed by the Chief Executive Officer under existing delegations.

Carried unanimously.

X083066

**Speakers**

Ronald Smith, and Daniel Howard (Ethos Urban) – on behalf of the applicant, addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 9.10.

## **Item 9.11**

### **Local Planning Panel - Appointment of Members**

The Transport, Heritage, Environment and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 21 August 2023.

Following the Transport, Heritage, Environment and Planning Committee meeting, Item 9.11 was withdrawn in order to further consider the matter.

X095150

## **Item 9.12**

### **Fire Safety Reports**

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to D of the subject report;
- (C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 252-258 Sussex Street, Sydney at this time;
- (D) note the contents of Attachment C and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 243-247 Cleveland Street, Redfern at this time; and
- (E) note the contents of Attachment D and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 464-480 Kent Street, Sydney at this time.

Carried unanimously.

S105001.002

### **Adjournment**

At this stage of the meeting, at 6.29pm, it was moved by the Chair (Deputy Lord Mayor, Councillor Sylvie Ellsmore), seconded by Councillor Gannon –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 6.48pm.

**Item 10      Questions on Notice****1.      Gadigal Avenue Bus Seating**

By Councillor Jarrett

In the 18 April 2023 CEO Update, Council was informed that the City of Sydney would be installing seating in four locations along Gadigal Avenue which were expected to be completed by end of May 2023. On 5 June 2023, Councillor Jarrett enquired about whether in fact, the installation of the seats had been completed. The Director City Services responded on 6 June 2023, confirming that the seats had not yet been installed but a work order had been raised and installation was on QMS's schedule, weather permitting.

**Question**

1. It has now been almost three months since the installation of the seating along Gadigal Avenue was expected to be completed, has the installation now been completed?
2. If not, why did the City of Sydney commit to having the seating installed by the end of May 2023 when it couldn't deliver in this time frame?
3. If not, considering Sydney has experienced a very dry and sunny winter and therefore weather has not been an issue, why has the installation not been completed?
4. Are there any other infrastructure projects that are currently delayed or behind schedule?

X086666

**Answer by the Chief Executive Officer**

The seat installation works are being completed this week. The 2022/23 Quarter 4 Review and presentation to the [Corporate, Finance, Properties and Tenders Committee](#) on 14 August 2023 provided details of infrastructure projects that have experienced delays in 2022/23.

## **2. Getiela Synthetic Sportsfield – Meeting with Alexandria Park Community School Principal**

By Councillor Jarrett

On 31 July 2023, Councillor Jarrett received an email from the Chief Executive Officer stating 'after the Council meeting on 26 June 2023, City staff met with the Department of Education on 27 June 2023 and asked them write to the City requesting us to review the Project Deed (signed by DoE and the City) requirements for the fence. The acting Principal and representatives from the School Assets team advised they would be providing the letter to the City. To date we have not received anything in writing from them regarding the fence. Staff are meeting with the Principal next Monday 7 August 2023 and will raise the issue with her'.

### **Question**

1. Did the meeting scheduled for Monday 7 August 2023 take place?
2. If so, what was discussed at the meeting?
3. If so, what was the outcome and/or action items of the meeting?

X086666

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

Under the Licence Agreement between the City and the Department of Education for the shared use of the Getiela sportsfield and courts, there is a requirement for both parties to meet quarterly to discuss and resolve operational and management issues. The second quarterly meeting was held on 7 August 2023 and the issues discussed included:

- Council's resolution of 26 June 2023
- Fence height review - letter
- Broken window repair
- Accessible toilet PIN codes
- Defect rectification
- Sportsfield – bi-annual deep clean
- Line marking

The Department of Education representatives committed to sending through the letter requesting the review of the fence height and the supporting reasons why the change is requested. City staff will commence the review once the letter is received.

### 3. Cycleways Expenditure Breakdown

By Councillor Jarrett

In 2007, the City of Sydney introduced its Cycle Strategy and Action Plan 2007-2017, and in 2009, constructed its first separated cycleway. Today, in August 2023, the City of Sydney is asking Council to approve millions of dollars for the construction of several more cycleways.

#### Question

1. What has been the City's total expenditure on the cycleway network for each year inclusive of:
  - (a) 2022;
  - (b) 2021;
  - (c) 2020;
  - (d) 2019;
  - (e) 2018;
  - (f) 2017;
  - (g) 2016;
  - (h) 2015;
  - (i) 2014;
  - (j) 2013;
  - (k) 2012;
  - (l) 2011;
  - (m) 2010; and
  - (n) 2009?
  
2. In comparison, what has been the City's total expenditure on affordable housing contributions both materially and in-kind in each year inclusive of:
  - (a) 2022;
  - (b) 2021;
  - (c) 2020;
  - (d) 2019;
  - (e) 2018;

- (f) 2017;
  - (g) 2016;
  - (h) 2015;
  - (i) 2014;
  - (j) 2013;
  - (k) 2012;
  - (l) 2011;
  - (m) 2010; and
  - (n) 2009?
3. How many affordable housing dwellings did the City need to build in order to reach their affordable housing targets in each year inclusive of:
- (a) 2022;
  - (b) 2021;
  - (c) 2020;
  - (d) 2019;
  - (e) 2018;
  - (f) 2017;
  - (g) 2016; and
  - (h) 2015?
4. How many affordable housing dwellings did the City actually build in each year inclusive of:
- (a) 2022;
  - (b) 2021;
  - (c) 2020;
  - (d) 2019;
  - (e) 2018;
  - (f) 2017;
  - (g) 2016; and
  - (h) 2015?

**Answer by the Chief Executive Officer**

Cycleway expenditure is detailed below.

<b>Financial Year</b>	<b>Operating Expenditure \$</b>	<b>Capital Expenditure \$</b>	<b>Total Expenditure \$</b>	<b>Capital grants and contributions \$</b>	<b>Net Expenditure \$</b>
2008/09	0	8,634,816	<b>8,634,816</b>	0	8,634,816
2009/10	904	20,205,983	<b>20,206,887</b>	447,500	19,759,387
2010/11	0	22,363,460	<b>22,363,460</b>	205,460	22,158,000
2011/12	13,254	6,092,619	<b>6,105,873</b>	165,114	5,940,759
2012/13	206,801	4,160,879	<b>4,367,680</b>	0	4,367,680
2013/14	153,195	12,323,119	<b>12,476,313</b>	0	12,476,313
2014/15	8,575	23,533,563	<b>23,542,138</b>	395,195	23,146,943
2015/16	2,236	10,275,065	<b>10,277,301</b>	101,498	10,175,803
2016/17	632	2,715,088	<b>2,715,720</b>	958,278	1,757,442
2017/18	773,555	2,792,762	<b>3,566,318</b>	1,071,795	2,494,523
2018/19	113,537	3,619,683	<b>3,733,219</b>	113,989	3,619,230
2019/20	547,211	11,535,994	<b>12,083,205</b>	1,347,473	10,735,732
2020/21	232,473	7,249,383	<b>7,481,855</b>	5,163,983	2,317,872
2021/22	245,711	10,509,151	<b>10,754,862</b>	4,235,777	6,519,085
2022/23	65,821	9,997,785	<b>10,063,606</b>	8,796,072	1,267,534
	<u>2,363,906</u>	<u>156,009,348</u>	<u><b>158,373,254</b></u>	<u>23,002,135</u>	<u>135,371,119</u>



A total of \$390,116,000 has been collected from the City's Affordable Housing (AH) levies for the period - financial year (FY) 1996 to FY2023.

<b>FY</b>	<b>CoS Levy \$</b>	<b>Fund \$</b>	<b>Subsidized land sales foregone revenue and leases \$</b>	<b>Subsidy for Aboriginal Housing officer to work with CHPs \$</b>
2022	24,753,000			98,655
2021	20,189,000	4,000,000		
2020	18,106,000	160,000	5,000,000	150,000
2019	16,791,000	350,000		
2018	31,133,000	1,500,000		
2017	54,863,000		15,219,999	
2016	23,124,000			
2015	25,511,000			
2014	47,446,000		1,800,000	
2013	14,951,000			
2012	6,176,000			
2011	5,314,000		2,180,000	
2010	4,549,000			
2009	6,556,000			

The adopted targets for the percentage of affordable and social housing are for the whole of the City of Sydney Local Government Area are for all contributors including by NSW Government agencies and corporations (the Land and Housing Corporation (LAHC), the Transport Asset Holding Entity (TAHE) and Infrastructure NSW), private developers through State Significant Development obligations (example Barangaroo and Central Park), Community Housing Providers funded not through the City's levies (for example National Housing Finance and Investment Corporation (NHFIC) loans or grants) and Community Housing Providers funded through the City's AH contribution scheme.

#### City of Sydney Affordable Social and Diverse Housing Work

The City continues to advocate for an increase in the supply of affordable, social and diverse housing in Sydney.

## Definitions (used at the City of Sydney)

Affordable – is means tested rental housing. Usually owned and managed by Community Housing Providers. It is called Affordable Housing because this is what it is called in the Planning System. Key Worker Housing might be a better term.

Social – usually Government owned. Used to be called Public Housing. Rental costs are below market rent. Because of short supply it is usually assigned to people with priority housing needs: such as people who are homeless or at risk of homelessness, people with health-related needs.

Diverse – we use this term to refer to housing that targets specialist need such as; seniors, aged care, people with disabilities.

At the City of Sydney we largely deliver Affordable, Social and Diverse Housing through levies, land, grants and the planning system.

## Targets

City of Sydney has a target that 15 per cent of all housing should be Affordable and Social. As of the last housing audit in June 2022 about 9.2 per cent of all housing in the City of Sydney is Affordable and Social.

## Affordable Housing

Housing targets are set by the NSW Government. Councils are required to prepare Local Housing Strategies that respond to these targets.

Sustainable Sydney 2030-2050 Continuing the Vision adopts the targets set by the local housing strategy for at least 156,000 private dwellings and 17,500 non-private dwellings by 2036 with 15 per cent per cent to be social housing and affordable housing.

Delivering this housing is incumbent on all parties to contribute across the housing spectrum and supply chain, including local and state government, private developers and community housing providers.

As of 30 June 2022, there are 1,427 built affordable housing units in the local area, 641 dwellings in the development pipeline and a further 701 that we expect to be built in the future. Of these:

- (a) 1,376 affordable dwellings (built, pipeline and expected) have resulted from the City's levies;
- (b) 228 affordable dwellings (built, pipeline and expected) have been assisted by the City's subsidised land sales; and
- (c) 483 diverse dwellings (built, pipeline and expected) have been assisted by the City's Affordable and Diverse Housing Fund;
- (d) a further 672 dwellings (built, pipeline and expected) are provided by other means.

The City's expanded levy scheme, which has covered all of the local government area since July 2021, is expected to deliver a further 1,950 affordable dwellings.

If considered all together the built, pipeline, expected and projected Affordable housing dwellings will equal 4,719 Affordable rental dwellings and Affordable diverse dwellings to 2036. This equates to 39 per cent of the 12,000 Affordable dwellings target for 2036, or about 2.9 percent of all forecast dwellings.

The City supports the delivery of Affordable housing through the levies it collects, land discounts for community housing providers, its planning powers and grants to non-governmental organisations. To date we have provided \$24.2 million in discount land and almost \$10 million in grants.

### Affordable Housing Levy

Up to 30 June 2022, the City's levy has enabled the collection of \$377.8 million under the various affordable housing programs operating across parts of the council area. About \$11 million has been collected in 2022/23.

In July 2021 the levy was expanded to cover all of the Local Government Area that is subject to Sydney Local Environmental Plan 2012. The levy is expected to deliver a further 1,950 affordable dwellings.

### Affordable Housing through Discounted Land

The City has subsidised land sales for the provision of social and affordable housing by \$24.2 million. This includes sites at:

- Portman Avenue, Zetland – South Sydney Hospital site (104 built affordable dwellings)
- 11 Gibbons Street, Redfern (122 affordable and 40 social built dwellings)
- 338 Botany Road, Alexandria (106 pipeline affordable dwellings); and
- 330 Botany Road, Alexandria (275 pipeline affordable dwellings).
- 545-549 South Dowling Street, Surry Hills (10 pipeline affordable dwellings, incorporating 19 beds in shared arrangement).

### Affordable Housing through the Planning Framework

Innovative planning controls have been introduced to increase the supply of affordable housing.

The City introduced planning controls that permits affordable rental housing on certain land where other residential development is not permitted. This keeps land values low for community housing providers and government who are seeking land to develop affordable rental housing. This has assisted the provision of 381 affordable dwellings in the pipeline so far.

The Botany Road Precinct planning proposal introduced floor space and height incentives to make it easier for community housing providers to develop sites for affordable housing. Initially, this will assist about 50 additional affordable housing units on a City West Housing site.

The City also uses planning agreements for affordable rental housing outcomes when changes are being made to planning controls, for example in Harold Park when it was rezoned in 2009, Bay Street, Glebe in 2014 and the draft agreement for the provision of affordable housing unit on-site at 923-935 Bourke Street, Waterloo.

The City has secured an additional 102 affordable dwellings through voluntary planning agreements. These dwellings are over and above the required affordable housing contribution.

### Affordable and Diverse Housing Fund including Status of Projects

Of the \$10.3 million set aside for the Affordable and Diverse Housing Fund, just \$95,000 remains unallocated. Approximately \$4.1 million is committed from the fund but is not yet paid.

Projects delivered to date are:

- 118-120 Darlinghurst Road, Darlinghurst – HammondCare – aged care for at risk women (56 built diverse dwellings). The City provided \$1.5 million in cash funding.
- 26-30 City Road, Chippendale – St George Community Housing – youth housing and boarding rooms (73 built diverse dwellings). The City provided \$3 million in cash funding.
- 348A Bourke Street, Surry Hills – Wesley Mission – refuge housing (44 built diverse dwellings). The City provided \$1 million in cash funding.
- Alternative Housing Ideas Challenge – a non-bricks and mortar project which sought proposals from local and international participants for new and innovative housing options. The City provided \$350,000 in cash funding.
- Aboriginal housing support officer to St George Community Housing, Bridge Housing and City West Housing – a non-bricks and mortar project employing Aboriginal Affordable Housing Engagement Coordinators to increase access to affordable housing opportunities for Aboriginal and Torres Strait Islander communities. The City provided \$345,000 in cash funding.
- Housing for All Australians economic study – a non-bricks and mortar research project, for which the City provided \$10,000 in cash funding.

Funding is allocated but remains unpaid for following projects:

- UTS – Indigenous student housing (275 expected diverse dwellings). \$1 million approved by Council in March 2020. The grant agreement and related covenant is currently with UTS for signing.
- RJ Williams Building – Wesley Mission (74 expected diverse dwellings). \$3 million approved by Council in December 2020. An application to modify the original development approval is under assessment by the City.

In addition to those projects funded through the Affordable and Diverse Housing Fund, the City has also supported the following project through an ad hoc Community Services grant:

- Women's Community Shelters - \$118,450 cash funding approved by Council in October 2021 to unlock under-utilised student accommodation to provide single women at risk of homelessness with affordable housing and support.

### Social Housing facilitated by the City of Sydney

841 built social housing dwellings, 110 pipeline, 158 expected have been facilitated in some way by the City, including:

- changes to planning controls for the Common Ground project – (52 built social dwellings);
- land subsidy for Gibbons Street – (40 built social dwellings);
- provided by City West Housing as part of an affordable housing project – (38 built social dwellings);

- changes to planning controls for Cowper Street (LAHC) – (40 pipeline social dwellings);
- changes to planning controls for Metro Quarter, Waterloo – (70 pipeline social dwellings);
- changes to planning controls for Elizabeth Street (LAHC) – (60 expected social dwellings);
- changes to planning controls for Waterloo Estate South (LAHC) – (98 expected social dwellings);
- Elger Street, Glebe. Dedication of land to LAHC (Oct. 2012) to enable the Glebe Affordable Housing Project – a mixed social/ affordable/ private housing development (noting Compulsory Acquisition and the subsequent dedication back to Council of two new streets and a public park – (99 built social dwellings);
- transfer of 612 dwellings plus two land parcels to NSW Govt (then Dept of Housing) for nil (Nov. 1988) – (612 built social dwellings).

Note, this is social housing facilitated by the City of Sydney in some way – it is not a count of all social housing in the local government area.

#### Land and Housing sites (State Government)

The Land and Housing Corporation (LAHC) has (or will) made applications to change the planning controls on a number of social housing sites. Generally, the change will facilitate private, social and affordable housing to be provided on the site. Sites include:

- Waterloo Estate (South) – (227 affordable and 98 net increase social expected dwellings);
- Cowper Street, Glebe – (40 pipeline social dwellings);
- Elizabeth Street, Redfern - (30 affordable and 60 social expected dwellings);
- Explorer Street, Sth Eveleigh – (unknown, however pre-lodgement discussion indicates a net increase of about 74 social dwellings, noting there are already 46 social dwellings on site);
- Franklyn Street, Glebe – (unknown, however pre-lodgement discussion indicates a net increase of about 22 social dwellings, noting there are already 108 social dwellings on site).

#### **4. Fourth Quarter Operational Plan Report 2022/23**

By Councillor Jarrett

In the Corporate, Finance, Properties and Tenders Committee Item 3.3: Fourth Quarter Operational Plan Report 2022/23, the City indicates that 'progress against the Non-residential Register Methodology and Plan for the local government election in 2024 remains on track. Legislative change to non-residential entitlement within the City has been foreshadowed by the Minister for Local Government; scenario planning to prepare for possible options has been completed.'

##### **Question**

1. What options has the City prepared for each possible scenario?
2. Can the options prepared for each possible scenario be distributed to all Councillors via CEO Update?

X086666

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

Staff have considered at a high level the potential entitlement impacts, as well as one-off and ongoing financial implications, of various legislative change scenarios. A CEO Update will be provided with further information.

#### **5. Tree Shade and Planting Services**

By Councillor Scott

##### **Question**

1. Broken down by suburb, what percentage is shaded by trees?
2. Broken down by suburb, what percentage is covered by greening?
3. What plans and targets does the City of Sydney currently have regarding green spaces in the city?
4. What plans and targets does the City of Sydney currently have regarding tree shade in the city?
5. What free tree planting services does the City of Sydney provide in public areas?

X086668

### Answer by the Chief Executive Officer

1. As endorsed by Council on 26 June 2023 as part of Urban Forest Strategy report and briefing the City now uses new spatial analysis techniques, that measures the community's access to canopy cover (at the local 100m and regional 1600mm scales) at consistent reference points across the Local Government Area, and no longer reports on the canopy cover within suburb boundaries. This canopy access approach provides greater insight to better manage the urban forest for the entire community, rather than relying on somewhat artificial suburban boundaries. The [Urban Forest Story Map](#) includes an interactive map that allows people to search for their address and see the canopy cover in their area, and also to compare the change in canopy cover since 2008. The City currently has 19.8 per cent canopy cover.
2. Similar to the response above, greening is also measured based on community access. The [Greening Sydney Strategy](#) has a map showing this access at the 1600mm scale (see page 45) and there is also an interactive map in the [Greening Sydney Story Map](#) that allows you to select a location and buffer area (i.e. 100m, 200m and 400m) to see the amount of canopy and greening in that area. Including tree canopy the City has 32 per cent green cover.
3. As endorsed by Council on 26 June 2023 as part of Urban Forest Strategy, the greening target for the City is 40 per cent by 2050. The City has a 10-year long term financial plan which allocates funding for greening and Council approved the annual capital works program which contains greening projects.
4. As endorsed by Council on 26 June 2023 as part of Urban Forest Strategy, the City has an urban canopy target of 27 per cent to be achieved by 2050. Council has approved funding for street tree planting (minimum of 700 per year), the in-road tree planting program and parks and open space projects which also include tree planting.
5. The City undertakes the majority of tree planting within street and parks as part of our capital works programs. The City participates in the annual National Tree Day event in July each year, which is managed and funded by the City for the community to plant trees and shrubs in local parks. The City also provides tubestock plants and landscape materials for local schools and LandCare groups to plant in schools and public spaces.

### 6. Cleanaway Truck Size Effects on Parking Conditions

By Councillor Scott

#### Question

1. What truck sizes does Cleanaway own for use in the City of Sydney? Please describe their lengths, widths, heights and mass.
2. What traffic and parking conditions has the City proposed to change specifically due to waste collection requirements from Cleanaway vehicles? Please detail in what locations, and when.
3. What is the City doing to ensure Cleanaway can service smaller streets such as Thomson Street, Union Street, Shorter Lane, Griffin Street and Maddison Lane, without changes to parking and traffic conditions?

X086668

**Answer by the Chief Executive Officer**

1. There are five differently size vehicles approved for waste collection in the City. Cubic metre hopper capacity, gross vehicle mass (GVM) and dimensions are detailed below.
  - (a) Medium rigid vehicle 8m<sup>3</sup> “mini”. GVM of 8.5t. Dimensions 7008mm long x 2400mm wide x 2297mm high.
  - (b) Medium rigid vehicle 11m<sup>3</sup>. GVM of 14t. Dimensions 7548mm long x 2500mm wide x 2701mm high
  - (c) Heavy rigid vehicle 16m<sup>3</sup>. GVM of 22.5t. Dimensions 9910mm long x 2500mm wide x 2972mm high
  - (d) Heavy rigid vehicle 20m<sup>2</sup>. GVM of 22.5t. Dimensions of 9916mm long x 2500mm wide x 3383mm high
  - (e) Heavy rigid vehicle 24m<sup>3</sup>. GVM of 22.5t. Dimensions of 10604mm long x 2500mm wide x 3298mm high

Cleanaway has a national fleet of over 5,900 vehicles and on occasions it has substituted in replacement vehicles to ensure continuity of service for the City. This can occur when an approved vehicle is under repair or subject to routine maintenance. We are aware that Cleanaway has previously deployed a smaller vehicle, primarily used in its Container Deposit Scheme/Return and Earn operations, to undertake City collections.

2. The City has routinely made adjustments to parking arrangements over many decades that support a safe and effective residential waste collection service. Some changes are made for the benefit of all large vehicles that need access such as emergency vehicles and delivery vehicles. The City’s contractor, Cleanaway, does not directly request the City for changes to parking conditions. When proposing “No Parking” arrangements for the purpose of easing waste collection vehicle access, the City drives this process based off feedback provided by Cleanaway when access to bins is obstructed by parked cars and other traffic impediments. Additionally, when frequent missed bin collection services are reported and escalated by residents, the City seeks out feedback from Cleanaway regarding areas of improvement, including feedback on accessibility for waste collection vehicles. This feedback from Cleanaway provides the basis for the City to review accessibility of the roads and how this may impact collections of bins.

Since 2019, the City has made parking changes in the following streets to remove parking on waste collection days only, following investigation, community consultation and endorsement by the Local Pedestrian Cycling and Traffic Calming Committee:

- Kepos Lane, Redfern – June 2019
- Maddison Lane, Redfern March 2020
- Salisbury Lane, Rosebery - November 2020
- Young Lane, Redfern - November 2020
- Baptist Lane, Redfern – June 2023



Designated parking spaces were installed in the following streets to allow space for waste vehicles to park while completing waste collection at large sites:

- Booth Street, Camperdown – July 2023 - 3 spaces of “No Parking Council Vehicle Excepted 6am-6pm Tues & Fri”
  - Galara Street, Rosebery – June 2022 - 2 spaces of "No Parking, Waste Vehicles Excepted, 5am - 6pm, Mon - Sat"
3. The City is currently in discussions with Cleanaway on the specific challenges that exist in Thomson Street, as well as other narrow streets in the City, to ensure we can offer our residents the very best possible waste collection service. This may involve smaller collection vehicles or the deployment of bin runners where appropriate.

## 7. Trolley Dumping Penalties

By Councillor Scott

In November 2022, the new Public Spaces (Unattended Property) Bill 2021 came into effect. This legislated a three-hour collection time limit on trolleys, vehicles or other items causing a safety hazard, and a seven-day limit for others. Further, fines for offences range from \$660 to \$13,750 depending on the nature, number and time the items remained.

### Question

Broken down by month, how many penalties has city issued since new law came into effect?

X086668

### Answer by the Chief Executive Officer

Nil.

## 8. Increase in Lost Time Injuries

By Councillor Scott

The recent Quarterly Report demonstrated that lost time injuries more than doubled between 21/2022 and 22/2023.

### Question

1. Why did this increase occur?
2. Why does the City not have a target for this issue?
3. Please detail any trends emerging regarding lost time injuries.
4. What steps is the City taking to remedy the increase in lost time injuries?

5. Does the City only monitor city staff, or contractors as well?
  - (a) If so, please provide a breakdown of the results.
  - (b) If not, why not?
6. What has been modified on the risk register as a result?
7. What resourcing changes have been made to address this issue in the annual budget?

X086668

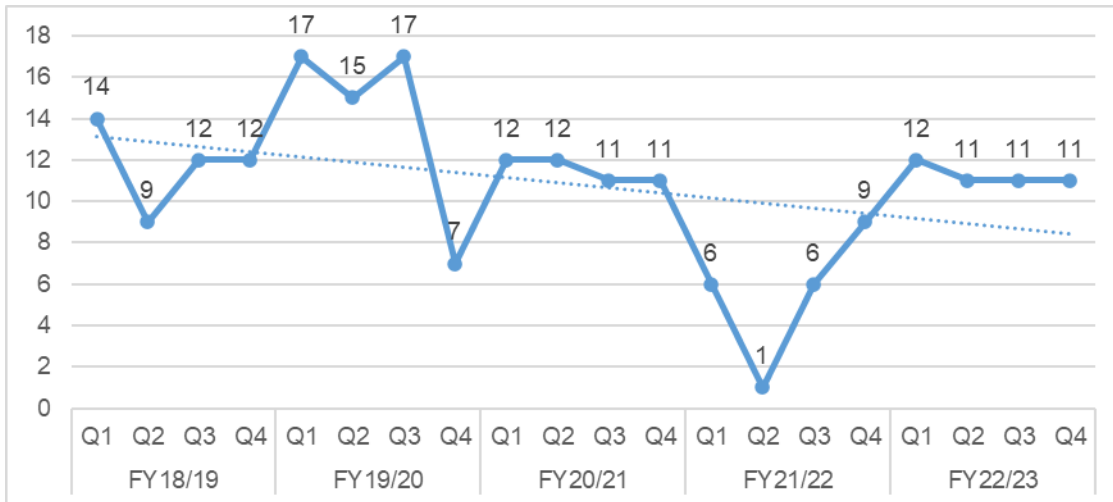
**Answer by the Chief Executive Officer**

1. Covid-19 and vaccination restrictions during 2021/22 reduced City services and many employees were working from home. As a result, lost time injuries significantly reduced during this time. During 2022/23 there was a return to normal services and a return to work for those working from home. Subsequently, lost time injuries have generally returned to pre-Covid levels but remain below 2018/19 and 2019/20.

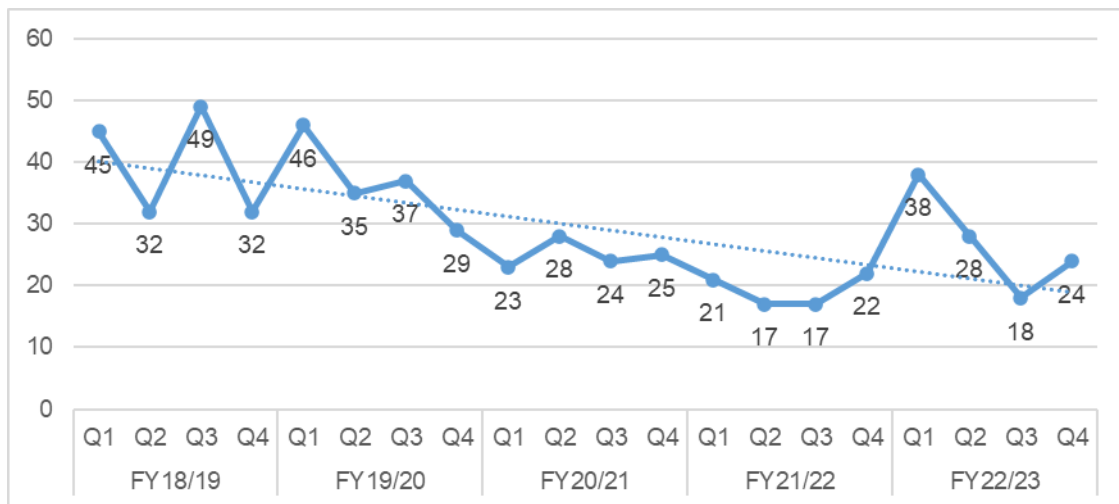
<b>Financial Year</b>	<b>Number of Lost Time Injuries</b>
<b>2018/19</b>	47
<b>2019/20</b>	56
<b>2020/21</b>	46
<b>2021/22</b>	22
<b>2022/23</b>	45

2. The City takes a comprehensive approach to monitoring safety. The WHS Unit reports quarterly to the Executive on both lead and lag indicators for safety, including lost time injuries, workers compensation claims, notifiable incidents, training and safety inspections completed.
3. The City continues to see an overall downward trend in lost time injuries and workers compensation claims over the last five years, as shown below. The types of injuries remain relatively stable. The leading nature of injury was musculoskeletal.

### 5 Year Trend of Lost Time Injuries



### 5 Year Trend of Workers Compensation Claims



4. The City prepares an annual WHS Corporate Plan with programs and performance indicators aimed at reducing workplace injuries.

The goals for 2023/24 that will improve work health and safety include:

- Ensure effective implementation of the Safety Management System (SMS). This program is designed to ensure the ongoing implementation and management of the City's SMS, which in turn supports a reduction in incidents and injuries.
- Improve early intervention injury management to ensure the safe, durable return to work of injured workers. This program is a trial of an early intervention physiotherapy program prior to a workers compensation claim being lodged. The pilot program will be for Cleansing and Waste and Rangers employees. This program is designed to improve early intervention injury management processes to ensure the safe, durable return to work of injured workers and prevent re-injury.
- Implement actions to manage psychosocial hazards and prevent psychological injuries. This program will implement the new procedure Managing Psychosocial Hazards at Work which is based on the new Code and details how to manage risks to psychological health, following exposure to psychosocial hazards in the workplace.

5. The City captures serious notifiable incidents reported to us by our third-party service providers. Individual contract managers discuss lost time injuries with our major service providers during contract management meetings, but this data is not held centrally.
6. In accordance with our Safety Management System procedures, WHS risk mitigation strategies are reviewed and if necessary, control measures revised:
  - after an incident;
  - when the control measure is not effective in controlling the risk;
  - before a change at the workplace that is likely to give rise to a new or different health and safety risk that the control measure may not effectively control;
  - if a new hazard or risk is identified; and
  - if the results of consultation indicate that a review is necessary, or if a health and safety representative requests a review.
7. Additional funding has been allocated to the FY23/2024 WHS budget to fund an early intervention physiotherapy program. The position of Workplace Rehabilitation Advisor has also been made permanent in the FY23/2024 budget.

**9. Status of State Government Re-development Projects in the City of Sydney, August 2023**

By Councillor Ellsmore

**Question**

1. What state significant planning proposals on public land are underway, in the City of Sydney Local Government Area?  
  
Please provide the current list of state significant planning proposals, where a NSW Government entity was either applicant, owner, or part-owner.
2. What development applications, modifications 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.
3. Of these development applications, proposals or projects, for which is:
  - (a) Land and Housing Corporation the proponent?
  - (b) Transport Asset Holding Entity the proponent?
4. Of the planning proposals, development applications and other proposals above, which are:
  - (a) not yet lodged but in early stages of planning, including consultation pre lodgement?
  - (b) submitted but not yet placed on public exhibition?
  - (c) currently on public exhibition, and what are proposed closed dates?
  - (d) post exhibition but not yet determined?

5. In answers to similar questions tabled at the 26 June 2023 Council meeting, a summary was provided in the form of a table with details of 43 development applications and 23 modification applications, where an NSW Government entity was either applicant, owner, or part-owner.

If not provided in the answers for Questions 1-4 above, please provide additional information about those applications, in the form of the street address and whether they are development applications or modification applications.

X086664

### Answer by the Chief Executive Officer

1. The City has assessed the planning proposal for the Hunter Street Metro site. The planning proposal has been approved by Council and Central Sydney Planning Committee and is with the NSW Department of Planning and Environment for finalisation.

The NSW Department of Planning and Environment is assessing a State Significant Precinct rezoning proposal from the Transport Asset Holding Entity (TAHE) for the Central Station Precinct.

2. There are 52 development related applications (DA) where a state entity is a landowner or proponent (not including pre-DAs) that are under assessment. Please see list provided for question 5. No other planning proposals.
- 3.
- (a) Two.
- (b) None.
4. No planning proposals and three pre-DA applications lodged where the owner is a state entity. Please see below.

Application No.	Applicant Name	Owner Name	Primary Street Address	Primary Suburb	Description
PDA/2022/139	Gyde Consulting	Alpha Distribution Ministerial Holding Corporation	130 Joynton Avenue	Zetland	<p>Informal proposal for a mixed-use development indicatively comprising:</p> <ul style="list-style-type: none"> <li>• 9 building envelopes: A1, B1, C1, D1, D2, D3, E1, E2, and E3 (580 apartments);</li> <li>• A1, B1, C1, D1, and E1 are mixed-use buildings with non-resi uses at ground;</li> <li>• D2, D3, E2 and E3 are residential apartment buildings;</li> <li>• drawings indicate basement level connections and shared servicing arrangements between buildings - A1 and B1; and between C1, D1/D2/D3 and E1/E2/E3;</li> <li>• a Design Excellence Strategy that establishes parameters for two competitive design processes for the site.</li> </ul> <p>The proposal includes an offer to provide community infrastructure including:</p> <ul style="list-style-type: none"> <li>• dedication of land and staged construction of the extension of Grandstand Pde, Victoria Park Pde, Zetland Ave, George Julius Ave, Defries Ave and Letitia Street;</li> <li>• dedication of land to augment Woolwash and Biyanbing Parks and to augment Zetland Ave and to create public open space (at the eastern end of the site).</li> </ul>

Application No.	Applicant Name	Owner Name	Primary Street Address	Primary Suburb	Description
PDA/2023/126	Mod Urban Pty Ltd	The State Of New South Wales	36 Bridge Street	Sydney	New footway application and new umbrellas
PDA/2023/159	Qtopia Sydney	Health Administration Corporation	301 Forbes Street	Darlinghurst	Change of use to an information and educational facility (ground-floor level only). Partial use of ground-floor level for entertainment facility (theatrette). Minor internal alterations to accommodate museum and office fitout for the Sydney Pride Museum.

5. Of the 52 submitted applications listed where the owner or proponent is a state entity, 28 are on exhibition or have been subject to an exhibition period.

Application details including exhibition start and end dates are provided in the list in response to question 5.

Please note, not all applications require notification under the Community Participation Plan, and where an application is newly lodged, notification (if required) may not have been actioned yet pending additional fees or documentation from the applicant.

6. Please see list of applications where an NSW Government entity was either applicant, owner, or part-owner and is under assessment.

Application Type	Application No.	Applicant Name	Owner Name	Primary Street Address	Description	Exhibition Start Date	Exhibition End Date
S4.55 Modification	D/2016/1557/A	Mirvac Green Square Pty Ltd	Landcom And Minister For Public Works & Services	411 Botany Road, Zetland	S4.55(2) - Modification of consent to amend the approved building envelopes	31/03/2023	17/04/2023
S4.55 Modification	D/2018/517/O	Mirvac Green Square Pty Ltd	Landcom	77-93 Portman Street, Zetland	Section 4.55(1A) modification of consent to amend OC staging.		
S4.55 Modification	D/2019/1254/B	The Trustee For Simon Goh Family Trust	Place Management NSW	2 Little Hay Street, Haymarket	Section 4.55 (2) modification of consent to extend hours of operation of Chinta Ria Buddha Love from 11:00am - 12:00 midnight for indoors and 11:00am - 12:00 midnight outdoors, Monday to Sunday inclusive.	10/07/2023	25/07/2023
S4.55 Modification	D/2021/1379/A	Mirvac	Landcom	77-93 Portman Street, Zetland	S4.55(1A) - Modification of consent to amend the stratum lot arrangement		

Application Type	Application No.	Applicant Name	Owner Name	Primary Street Address	Description	Exhibition Start Date	Exhibition End Date
S4.55 Modification	D/2021/1560/C	Giovanni Cirillo	Place Management NSW	101 George Street, The Rocks	Section 4.55(1A) - Modification of consent to amend approved Plan of Management relating to the removal of the requirements for on-site dedicated security personnel.		
S4.55 Modification	D/2021/493/C	Land Housing Corporation	New South Wales Land And Housing Corporation	17-31 Cowper Street, Glebe	Section 4.55(1A) modification of consent for affordable housing development to reduce balcony sizes of apartments, amendments to basement layout, services at ground floor, relocation of waste room, and changes to landscaping.		
S4.55 Modification	D/2021/665/F	Mirvac Commercial Sub Spv Pty Limited	Mirvac Commercial Sub Spv Pty Limited And Telstra Corporation Ltd And Alpha Distribution Ministerial	55 Pitt Street, Sydney	Section 4.55(1A) modification of consent for various design amendments to the external facade and internal floor configurations.		
S4.55 Modification	D/2021/665/G	Mirvac Commercial Sub Spv Pty Limited	Mirvac Commercial Sub Spv Pty Limited And Telstra Corporation Ltd And Alpha Distribution Ministerial	55 Pitt Street, Sydney	S4.55(1A) - Modification of consent		
S4.55 Modification	D/2021/776/B	QMS Media Pty Ltd	Transport Asset Holding Entity Of New South Wales	3 Martin Place, Sydney	S4.55(1A) - Modification of consent to modify Condition 21		
S4.55 Modification	D/2021/795/A	QMS Media Pty Ltd	The State Of New South Wales	2001 Martin Place, Sydney	S4.55(1A) - Modification of consent to amend Condition 22		
S4.55 Modification	D/2021/895/C	Create NSW	New South Wales Land And Housing Corporation	43-51 Cowper Wharf Roadway, Woolloomooloo	Section 4.55(1A) modification of consent		

Application Type	Application No.	Applicant Name	Owner Name	Primary Street Address	Description	Exhibition Start Date	Exhibition End Date
S4.55 Modification	D/2021/909/B	Markham Real Estate Partners (KSW) Pty Ltd	Transport For NSW And The Owners - Strata Plan No 68959 And The Council Of The City Of Sydney	21 Lime Street, Sydney	Section 4.55(1A) modification of consent to amend a number of conditions to revise the previously approved staging of the development and timing of construction certificates relevant to specific stages of works.		
S4.55 Modification	D/2022/123/A	QMS Media Pty Ltd	The State Of New South Wales	191 Hay Street, Haymarket	S4.55(1A) - Modification of consent to modify Condition 26		
Development Application	D/2022/1282	Australian Museum Trust	Australian Museum Trust	1 William Street, Darlinghurst	New signage and signage strategy. The application is Integrated Development, requiring approval under the Heritage Act 1977.	16/01/2023	14/02/2023
Development Application	D/2023/190	Mr Tong Xie	Place Management NSW	35 Tumbalong Boulevard, Haymarket	Extension of trading hours for Tenancy NW10 (789 BBQ). Proposed hours are 11.00am to 12 midnight Sunday to Thursday, 11.00am to 2.00am Friday to Saturday	27/03/2023	18/04/2023
Development Application	D/2023/203	Jones Lang Lasalle NSW Pty Ltd	Government Property NSW	88 Phillip Street, Sydney	Alterations and additions to commercial development including installation of mechanical plant and refurbishment of the Aurora Place forecourt area.	05/05/2023	22/05/2023
Development Application	D/2023/21	New South Wales Land And Housing Corporation	New South Wales Land And Housing Corporation	82 Wentworth Park Road, Glebe	Demolition of existing buildings, tree removal, and construction of a four storey residential flat building for 43 affordable housing dwellings.	14/02/2023	15/03/2023
Development Application	D/2023/255	Australian Museum Trust	Australian Museum Trust	1 William Street, Darlinghurst	Installation of permanent projection equipment for projected images onto the Australian Museum façade.	19/04/2023	25/05/2023



Application Type	Application No.	Applicant Name	Owner Name	Primary Street Address	Description	Exhibition Start Date	Exhibition End Date
Development Application	D/2023/292	Giovanni Cirillo	The State Of New South Wales	31a Alfred Street, Sydney	Demolition of existing canopy structures and construction of two new single-storey pavilions on the eastern and western sides of Customs House Square, with associated signage zones. The pavilions are proposed to be used for outdoor seating areas in association with a food and drink premises that will occupy the ground floor tenancies of the adjacent Customs House (subject to separate approval).  The hours of operation sought for the use of the pavilions is between 9.00am - 12.00 midnight, Mondays to Sundays inclusive on a permanent basis. Extended operating hours between 12.00 midnight - 2.00am the following day on Thursdays, Fridays and Saturdays and New Year's Day is sought on a trial period basis.	24/04/2023	25/05/2023
Development Application	D/2023/326	Built Pty Limited	Alpha Distribution Ministerial Holding Corporation	183-185 Clarence Street, Sydney	Installation of illuminated top of building signage	08/05/2023	23/05/2023
Development Application	D/2023/392	WI Developer Pty Ltd	Sydney Metro	49 Botany Road, Waterloo	Two lot Stratum subdivision of currently unregistered Lot 1 in Plan of proposed Subdivision of Lot 190 in DP 1257150 within the Waterloo Metro Station site for the purpose of creating a retail lot	08/06/2023	30/06/2023
Development Application	D/2023/411	Janice Dart	Planning Ministerial Corporation	156 Forbes Street, Darlinghurst	Demolition of buildings 18 and 19 at the National Art School	01/06/2023	30/06/2023
Development Application	D/2023/448	Australian Postal Corporation	Transport For NSW	201-217 Kent Street, Sydney	New signage and alterations to post office premises including a ramp and fencing	16/06/2023	03/07/2023

Application Type	Application No.	Applicant Name	Owner Name	Primary Street Address	Description	Exhibition Start Date	Exhibition End Date
Development Application	D/2023/475	Wds Hotels Pty Ltd	Place Management NSW	137 George Street, The Rocks	Alterations and additions to existing pub and hotel	20/06/2023	05/07/2023
Development Application	D/2023/534	Lendlease (Millers Point) Pty Ltd	Barangaroo Delivery Authority And Infrastructure NSW And Lendlease Millers Point Pty Ltd	51a Hickson Road, Barangaroo	Signage Strategy and new signage	10/07/2023	25/07/2023
Development Application	D/2023/546	Markham Real Estate Partners (KSW) Pty Ltd	Transport For NSW And The Owners - Strata Plan No 68959 And The Council Of The City Of Sydney	21 Lime Street, Sydney, Sydney	Signage strategy and new signage for tenancies facing King Street Wharf Promenade.	07/08/2023	22/08/2023
Development Application	D/2023/574	Zaccaria Concerts And Touring Pty Ltd	Centennial Park & Moore Park Trust	116 Lang Road, Moore Park	Spiegel tent Festival Gardens Event to be held between 31st August and 8th October 2023	05/07/2023	20/07/2023
Development Application	D/2023/593	Macquarie Bank Limited	Sydney Metro	8 Castlereagh Street, Sydney	New signage	02/08/2023	17/08/2023
Development Application	D/2023/613	Multiplex Constructions Pty Ltd	Waterways Authority	1a Bridge Road, Glebe	Re- Notification - New signage associated with new Sydney Fish Market	24/07/2023	25/08/2023
Development Application	D/2023/617	The Trustee For Carsingha Investments Unit Trust	Centennial Park & Moore Park Trust	116 Lang Road, Moore Park	New signage and food preparation area within the outdoor dining area of the existing Mary's Burgers.	28/07/2023	14/08/2023
Development Application	D/2023/626	Dexus Property Services Pty Ltd	Transport Asset Holding Entity Of New South Wales	8-10 Lee Street, Haymarket	Temporary business identification signage of two (2) cranes during development and construction. The signs are proposed on the crane jib arm and rear deck and handrail elements. The signage on the jib arm is proposed to be illuminated.	21/07/2023	07/08/2023
Development Application	D/2023/664	D R Design (NSW) Pty Ltd	Transport For NSW	201-217 Kent Street, Sydney	Alterations to Suite 1 and 2 of Level 5 to use premises as office. The application is integrated development requiring the approval of the NSW Heritage Council under the Heritage Act 1977.	08/08/2023	06/09/2023

Application Type	Application No.	Applicant Name	Owner Name	Primary Street Address	Description	Exhibition Start Date	Exhibition End Date
Development Application	D/2023/666	Mirvac Green Square Pty Ltd	Landcom	77-93 Portman Street, Zetland	Signage Strategy for Site 15 comprising building identification, retail and wayfinding signage zones	31/07/2023	15/08/2023
Development Application	D/2023/667	The Trustee For Maritime Trade Towers Trust	Transport For NSW	201-217 Kent Street, Sydney	New end of trip facility		
Development Application	D/2023/699	St Projects Pty Ltd	Infrastructure NSW	300 Barangaroo Avenue, Barangaroo	Alterations/additions to commercial development including new shade structure, outdoor seating and landscape works to use Level 3 podium rooftop for tenants.	10/08/2023	01/09/2023
Development Application	D/2023/702	Giovanni Cirillo	Place Management NSW	9-13 Hay Street, Haymarket	Food and drink premises (food markets) within Paddy's Markets. Proposed trading hours are 7.30am to 12.00 (midnight) Monday to Saturday, and 7.30am to 10.00pm Sundays.	08/08/2023	30/08/2023
Development Application	D/2023/703	Caitie Jefferies	Place Management NSW	1a Harbour Street, Sydney	Temporary use of Tumbalong Park for the Hello Darling event including the installation of the UKIYO Tent and ancillary structures. The event is to occur 15 September to 1 October 2023, between 7.00am – 12.00am (midnight). Bump in is to occur 11 – 15 September, between 5.00am – 10.00pm. Bump out is to occur 1 – 5 October, between 5.00am – 2.00am (the following day).	14/08/2023	29/08/2023
Development Application	D/2023/706	Squash Australia Ltd	The State Of New South Wales	2002 Martin Place, Sydney	Installation of Temporary Structures (Glass Court and Grandstands) and Ancillary Facilities For Use as Part of the Australian Open Squash Tournament (5-13 November 2023)	14/08/2023	12/09/2023
Development Application	D/2023/708	The Trustee For WI Developer Trust	Sydney Metro	49 Botany Road, Waterloo	Crane and jump from signage	14/08/2023	29/08/2023

Application Type	Application No.	Applicant Name	Owner Name	Primary Street Address	Description	Exhibition Start Date	Exhibition End Date
Development Application	D/2023/717	Glenn Johnson	Place Management NSW	107-109 George Street, The Rocks	Base building upgrade to the existing heritage commercial building including replacement of the rear roof, new amenities on L2 and conservation works.		
Development Application	D/2023/732	Macquarie Corporate Holdings Pty Ltd	Sydney Metro	37-51 Martin Place, Sydney	Signage - 3 signs and 4 signage zones on the South Site currently under construction as part of State Significant Development.		
Development Application	D/2023/738	Milestone (Aust) Pty Limited	Place Management NSW	2-10 Darling Drive, Sydney	Major community event at five sites located in Sydney, Ultimo, and Haymarket, over seven days between 15 October 2023 and 22 October 2023 - SXSW FESTIVAL		
Development Application	D/2023/97	The Trustee For Landream Pyrmont Unit Trust	The Council Of The City Of Sydney And Transport Asset Holding Entity Of New South Wales	14-26 Wattle Street, Pyrmont	Detailed design proposal for the demolition of existing structures, remediation, removal of trees, excavation and construction of a mixed use development comprising residential, commercial, retail, childcare and indoor recreation centre across five (5) buildings, basement car parking, landscaping, public domain and civil works, and subdivision. The proposal is Integrated Development under the Water Management Act 2000, requiring approval from the Department of Planning & Environment - Water. The application is being assessed concurrently with concept modification D/2019/649/B.	28/02/2023	12/04/2023

Application Type	Application No.	Applicant Name	Owner Name	Primary Street Address	Description	Exhibition Start Date	Exhibition End Date
s65 Heritage Act application delegated to Council	HCS/2023/41	Lendlease Construction Pty Limited	Minister For Education & Public Works & Services	1010 Upper Fort Street, Millers Point	The additional scope of works seeking approval under Section 65 provisions of the NSW Heritage Act relates to: the partial dismantling, re-stabilisation rebuilding of an additional 2.5 metre section of heritage brick wall (the wall) located within the site, adjacent to the Messenger's Cottage to ensure its future long-term conservation. Additional minor re-stabilisation works to the far western end of the heritage wall (adjacent to the MET Building).		
SSD advice	R/2018/4/M	Venues New South Wales	Venues New South Wales	44 Driver Avenue, Moore Park	Sydney Football Stadium – SSD 9249 Mod 7 – Advice on Modification		
SSD advice	R/2019/2/L	Venues New South Wales	Venues New South Wales	44 Driver Avenue, Moore Park	Sydney Football Stadium – SSD 9835 Mod 8 – Advice on Modification		
SSD advice	R/2023/16	Transport For NSW	Transport For NSW	1b Circular Quay, Sydney	Circular Quay Renewal – Advice on SEARS - SSI-60563459		
Subdivision certificate	S/2022/24	DEPARTMENT OF REGIONAL NSW	Place Management NSW	182-182A Cumberland Street, The Rocks	CFT-195369 - Torrens Title Subdivision		
Subdivision certificate	S/2023/12	Colliers International Engineering & Design (NSW)	Landcom	77-93 Portman Street, Zetland	Stratum subdivision		
Subdivision certificate	S/2023/17	Colliers International Engineering & Design (NSW)	Landcom	77-93 Portman Street, Zetland	Torrens title subdivision		
Subdivision certificate	S/2023/19	Land Title Solutions Pty Limited	Department Of Health And Her Most Gracious Majesty Queen Elizabeth The 2nd	42-50 Parramatta Road, Forest Lodge	Torrens title subdivision		

Application Type	Application No.	Applicant Name	Owner Name	Primary Street Address	Description	Exhibition Start Date	Exhibition End Date
Subdivision certificate	S/2023/7	Brookfield Office Properties One Carrington	Transport Asset Holding Entity Of Nsw	3 Wynyard Lane, Sydney	Subdivision of land into 1 lot DP1214642 Lot 16		

## 10. Recent Discussions about New or Future Possible Public Land Development in the City of Sydney, as of August 2023

By Councillor Ellsmore

### Question

Since June 2023, have City staff had discussions with any NSW Government representatives about any new or future development applications or development projects, relating to State-owned or controlled land in the Local Government Area, including any pre-DA requests?

If yes, please provide details.

X086664

### Answer by the Chief Executive Officer

No.

## 11. Status of Public Housing Redevelopment Plans in the City of Sydney, as of August 2023

By Councillor Ellsmore

### Question

1. Relating to public housing in the City of Sydney, what development applications, including modification applications, or planning proposals, are currently underway, as of August 2023?

Please provide details.

2. Of these sites, what are the street locations and at what stage are the proposals or applications?

Please advise which projects or locations are:

- (a) in pre-DA discussions or pre-consultation,
- (b) submitted but not yet placed on public exhibition,
- (c) on public exhibition,
- (d) post exhibition but not yet determined?

3. Are any of the proposals or applications listed above to be considered at an upcoming Local Planning Panel?

If yes, what is the street address of the relevant application/s or proposal/s, and what is the estimated date that the application/s or proposal/s will be considered?

4. If not included in the answers above, as of August 2023, at what stage are the proposals or applications in relation to:

- (a) Waterloo South,
- (b) 600 Elizabeth St Redfern,
- (c) Explorer Street Eveleigh,
- (d) 82 Wentworth Park Rd Glebe?

5. Since June 2023, have City staff had discussions with any NSW Government representatives about new, planned or future development applications or development projects, relating to public housing in the Local Government Area, including any pre-DA requests?

If yes, please provide details.

6. Is the City of Sydney aware of any further proposals for the redevelopment of public housing in the Local Government Area, that are not yet lodged but in early stages of planning, including consultation pre lodgement?

This includes expressions of interest for public housing sites which are the rezoning of the former NSW Government's public call for rezoning proposals for public housing sites.

7. Have any public housing sites in Pyrmont been identified for potential planning changes, through the City of Sydney's strategic review of the area?

If yes, please provide details including specific site addresses.

8. Have any public housing sites in other parts of the Local Government Area been identified for potential planning changes, arising from other City of Sydney's strategic planning processes or reviews?

If yes, please provide details.

X086664

**Answer by the Chief Executive Officer**

1. See response to 2 below.
2. Explorer Street, South Eveleigh - NSW Department of Planning and Environment is leading the rezoning of the NSW Land and Housing Corporation site. Draft planning controls are under preparation by the Department of Planning and Environment and have not yet been exhibited.

14-36 Wentworth Park Road, Glebe - pre-DA discussion.

82 Wentworth Park Road, Glebe - development application currently under assessment (post exhibition).

17-31 Cowper Street, Glebe - modification application currently under assessment (exhibition of modification not required).

3. 82 Wentworth Park Road, Glebe is scheduled to be considered by the Local Planning Panel before the end of 2023, subject to assessment of amended plans.
4.
  - (a) The planning proposal was finalised on 11 November 2022 with the new planning controls in effect from 28 February 2023.
  - (b) Pre-Design Competition consultation by Bridge Housing (SSD).
  - (c) See response to 2 above.
  - (d) Development application under assessment.
5. The City of Sydney is involved in working groups and a workshop for the Explorer Street, South Eveleigh rezoning.
6. No.
7. Eight sites identified by NSW Government Department of Planning and Environment in the Pyrmont Peninsula Place Strategy are still under consideration for potential planning changes. Details of those sites were provided in the Question on Notice on [13 March 2023](#).
8. No.

## **12. Potential State-led Rezoning of Sites within the City of Sydney Local Government Area**

By Councillor Ellsmore

### **Question**

1. On 10 August 2023, it was reported in the Sydney Morning Herald that more than 3,000 sites have been identified by the NSW Labor Government as public land suitable for redevelopment as housing, and 11 suburbs had been prioritised for state-led rezoning, including suburbs in the City of Sydney Local Government Area.  
  
Is the City of Sydney aware of this report and/ or has the City requested a copy of the report from the relevant Minister or Government agency?
2. The City of Sydney has previously written to the NSW Government raising objections to the proposed State-led rezoning and advocating for local planning powers to remain with Council.  
  
What has the NSW Government most recently advised the City of Sydney in relation to whether the NSW Government intends to extend or reduce State-led rezoning projects in the City of Sydney Local Government Area?
3. Has the City of Sydney been involved in recent discussions with NSW Government or its representatives, about specific suburbs, areas or sites which could be the subject of state-led rezoning?  
  
If yes, please provide details.



4. If yes, what suburbs or sites were discussed, and how do these suburbs or sites differ than those identified for potential future rezoning or growth in the City's current strategic land use plans and other planning instruments?

Please provide details.

X086664

**Answer by the Chief Executive Officer**

1. The City is not aware of the report and has not requested a copy, which according to the Sydney Morning Herald was obtained through freedom of information laws.
2. The City has not received a response to its letters. On 14 July 2023, the Department of Planning and Environment advised that no applications for projects in our local government area were selected under the State-assessed planning proposal industry nomination program.
3. No. The Sydney Morning Herald article identified Haymarket and Eveleigh in the City of Sydney. Haymarket features the 'Central Station' State Significant Precinct rezoning and Eveleigh features the Explorer Street site currently being rezoning by NSW Department of Planning and Environment.
4. No.

**13. Council Investments and Financial Position, as of July 2023**

By Councillor Ellsmore

**Question**

1. What are the main forms of financial investment made by the City of Sydney?
2. What are the main policies or documents that outline how the City of Sydney determines what it should invest in?
3. Noting that the *2022/23 Quarter 4 Review - Delivery Program 2022-2026* reported that the total property acquisitions by the City in the 2022/23 financial year were net \$92.5 million, what is the current estimated value of the City's commercial property investment portfolio?
4. Does the City currently have any investments in residential property? If yes, what are the details, and where is this reported?
5. Does the City currently have any investments in affordable housing? If yes, what are the details, and where is this reported?
6. Separate from the City's commercial property investment portfolio, the monthly investment report to the City's Corporate, Finance, Properties and Tenders Committee reported that the City's cash and investment position as of 31 July 2023 was \$718.24M.  
  
Of the total cash investments held by the City of Sydney as of 31 July 2023, how much in total is considered 'unrestricted'?
7. What are the main activities or projects that the City's 'restricted' cash investments are earmarked to fund?

8. Of the total cash investments held by the City of Sydney as of 31 July 2023, how much in total is considered 'unrestricted'?
9. Of the City's cash investments which are considered 'unrestricted', what amounts have been earmarked for specific activities or projects?

Please provide details including:

- (a) What are these activities or projects for which 'unrestricted' cash investments are earmarked, and how much has been earmarked for each?
  - (b) When or over what timeline will these activities or projects require funding? (that is, when will the funding be needed)?
  - (c) In what report or document is this list of activities or projects for which 'unrestricted' funding is earmarked reported?
10. Do developer contributions account for any of the City's total cash and investments of \$718.24M? If yes, what amount, and are these considered restricted or unrestricted?
  11. Do affordable housing contributions from development account for any of the City's total cash and investments of \$718.24M? If yes, what amount, and are these considered restricted or unrestricted?
  12. Has any of the City's total cash and investments of \$718.24M been earmarked for affordable housing, including grants for affordable housing? If yes, please provide details.
  13. What is the estimated revenue, once costs are accounted for, from the City's commercial property portfolio:
    - (a) For the 2022/23 financial year?
    - (b) For the 2023/24 financial year?
    - (c) Over the four years 2023/24 to 2026/27?
    - (d) Over the next ten years 2023/24 to 2033/34?

If estimate not made, please note this.

14. What targets has the City of Sydney established to increase the revenue and value of its commercial property portfolio?
15. How much interest revenue from the City of Sydney's cash and investments:
  - (a) Was originally projected to be made in 2022/23?
  - (b) Was made for the financial year 2022/23?
  - (c) Is projected to be made in 2023/24?
  - (d) Is projected to be made for the four years 2023/24 to 2026/27?

(e) Is projected to be made for the ten years 2023/24 to 2033/34?

If estimate not made, please note this.

16. Does the City fund any of its projects or work through borrowing?
17. Does the City access any financing other than cash reserves to purchase new commercial property?
18. In total, what is the current value of the City's main forms of investment income, including:
  - (a) total value of commercial property interests,
  - (b) total value of cash investments, and
  - (c) any other main forms of investment income?

X086664

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

1. The scope of the City's cash investments and the wider NSW local government sector is limited. It is mandated under the Local Government Act 1993, through a Ministerial Investment Order, that constrains council investments to deposits and/or bonds in Federal, State (including NSW TCorp) or Local Governments and in banks that are Approved Deposit Taking Institutions under the Banking Act. Councils are not permitted to invest in equities and therefore not permitted to invest directly in individual companies.
2. The Investment Policy and Investment Strategy are reviewed annually and approved by Council. The current Policy and Strategy were last approved by Council in October 2022, and will be tabled for consideration again in October 2023.
3. The Quarter 4 report noted net property acquisitions of \$92.5M within the 2022/23 year, representing the acquisition of the Woolstores properties at Alexandria (as a commercial investment) and 15 O'Riordan Street, Alexandria (to progress the Green Square to Ashmore Connector), partially offset by the divestment of some of the City's inventory of heritage floor space.

The valuation of the City's commercial property investment portfolio is presented to Council as part of the Annual Financial Statements. The value is expected to be \$509.6M as at 30 June 2023, subject to external audit confirmation. It should be noted that the City's commercial investment portfolio, only includes those properties the City holds for purely long term rental yield and capital appreciation, but excludes all other properties utilised by Council for operational purposes, or held for strategic purposes (e.g. the Town Hall Square buildings).

4. The City currently owns 11 residential dwellings. The City is investigating these properties and will bring a report to Council shortly. The City also owns eight creative live/work spaces at William Street, Waterloo Library and Bathurst Street Creative Centre.
5. Council's interests in properties sold at discounted value to promote affordable housing, are represented by perpetual covenants on the titles of these properties.
6. The City currently holds \$331.5M in external and internally restricted funds.
7. The City holds external restricted funds, where cash holdings are yet to be discharged in accordance with the conditions of their receipt, including funds received for developer contributions, domestic waste and stormwater reserves.

The City also holds internally restricted funds as determined by Council resolutions, generally to recognise and assign funds to specific significant projects/purposes including the Supported Accommodation, Affordable and Diverse Housing Fund, Green Square Reserve, Heritage Conservation Fund, Public Liability Insurance, Workers Compensation Reserve, and to provide contingency funds for the operational liabilities beyond that provided for within the annual budget process (e.g. 10% of employee leave entitlements).

The details of the various restrictions and their purpose are set out in the City's Long Term Financial Plan (LTFP) that forms part of the Resourcing Strategy, while the value of funds held for each restriction / reserve are reported in the quarterly report for the first three quarters and the end of year financial statements.

8. As noted above, the City currently holds \$331.5M in restricted funds, leaving \$386.7M designated as 'unrestricted', which does not mean uncommitted.
9. The City's 10 year Long Term Financial Plan (LTFP) sets out details of the amounts, services, facilities, activities, capital works and acquisitions that will be funded, by the City's accumulated cash and future revenue streams. The LTFP includes all sources of restricted and unrestricted funds, both known and estimated over the ten years of the plan. Essentially, any Council activity not funded by specifically restricted funds (see above) will be funded by current or future unrestricted cash.

It must be recognised that the City does not restrict all of the funds that are required to satisfy its known and projected commitments, including much of its capital works program. In a year when the City receives less revenue or funds than budgeted, this impacts our surplus and the cash available to fund future programs, and the overall funding and commitments are therefore re-balanced as part of the annual budget and LTFP each year. The converse is true, in years where revenues exceed budgets (e.g. interest revenue), however in rising interest rate environments it is worth noting that the costs of programs and capital works also tend to rise which absorbs the additional funding.

10. Yes. The amount of unspent developer contributions at 30 June 2023 is \$46.7M, subject to final external audit confirmation, and will be reported to Council as part of the annual financial statements. These funds are all externally restricted as they are received in reference to and for the commitments specified within the City's various contribution plans.

It is important to recognise, as referenced in the Quarter 4 report, that the vast majority of developer contributions received represent the recoupment of Council's previous expenditure of general funds on City facilities and infrastructure that proactively supported the development of these areas (e.g. Gunyama Park Aquatic facility, Light Rail contribution, etc).

The balance of the \$46.7M of unspent funds represents monetary contributions for public benefits, received through Voluntary Planning Agreements (VPAs). Individual VPAs identify specific purposes for which contributions may be utilised. Major future project for which contributions are currently held include:

- Fit out works for the Business Innovation Space at 178 George Street
- Public Domain North masterplan works (including Bridge/Loftus Street public domain)
- Greenway and public park works in Rosebery
- Upgrade of CBD Laneways (Dalley and Underwood) and surrounding public domain

It should also be noted that the developer contributions recognised as revenue in the Quarter 4 review are not solely cash receipts, but also include the right to receive works-in-kind (e.g. public domain, parks assets, etc) as part of voluntary planning agreements that also benefit the City's community.

11. The City of Sydney's affordable housing program is set out at the following link:  
<https://www.cityofsydney.nsw.gov.au/affordable-housing-contributions/city-of-sydney-affordable-housing-program>

Affordable housing monetary contributions received for development in Central Sydney, Green Square, or on residual land or Planning Proposal land, are to be paid to the City and are then be allocated to a Recommended Community Housing Provider (CHP). Affordable Housing contributions for development in the Southern Employment Lands are paid to the City and then remitted to the NSW Department of Communities and Justice (DCJ). Affordable Housing contributions for development in the Ultimo-Pyrmont area are directly remitted to City West Housing by the developer.

The City generally remits these contributions to CHPs and DCJ quarterly. At 31 July 2023, approximately \$1.92M of the total cash and investments balance represented affordable housing contributions awaiting remittance to external parties, and these funds would be restricted until that time.

In addition, the City's Supported Accommodation, Affordable and Diverse Housing Fund constitutes an internal cash restriction, with a current balance of \$9.3M, subject to final external audit confirmation and will be reported to Council as part of the annual financial statements.

The City also has \$10M allocated of future years funding for new contributions to affordable housing, whether as a cash grant or a discounted sale of surplus property, but this future contribution is not yet included within the restrictions of the City's current cash and investments as at 30 June 2023.

12. See response to 11 above.
13. The City's commercial portfolio revenue is recognised and accounted for on a gross basis through the budget and LTFP, and reported back against these budgets in the quarterly reports rather than on a net basis per property.
- (a) \$67.3M as reported in the Q4 report.
  - (b) \$68.9M as resolved in the annual budget and LTFP.
  - (c) \$302.3M as resolved in the budget and forward estimates within the LTFP.
  - (d) \$856.5M as resolved in the budget and forward estimates within the LTFP.
14. The City's long term financial plan identifies the growth of its commercial property portfolio as an opportunity to improve our long term financial sustainability. Funds have been set aside for commercial property acquisition, and the City has been actively seeking appropriate opportunities within a very competitive market for a number of years, successfully acquiring the Woolstores in Alexandria during 2022/23.

In addition to new acquisitions, the City is also investigating opportunities to invest and enhance its existing portfolio, including building upgrades where appropriate and the design and implementation of appropriate office fit-outs, to optimise its commercial potential in a very competitive post-Covid marketplace.

- 15.
- (a) \$7.5M as reported in the Q4 report.
  - (b) \$23.5M as reported in the Q4 report.
  - (c) \$20.4M as resolved in the annual budget and LTFP.

- (d) \$68.9M as resolved in the budget and forward estimates within the LTFP.
  - (e) \$128.9M as resolved in the budget and forward estimates within the LTFP.
16. No, the City does not require borrowings to fund the commitments within its current LTFP.
17. No, that has not been the case to date.
- 18.
- (a) The property investment portfolio, excluding strategic holdings, is \$509.6M at 30 June 2023.
  - (b) \$718.24M as reported in the July 2023 Investment Report.
  - (c) Not applicable.

#### **14. Commercial Development Approval Processing Time Increase**

By Councillor Scott

2022/23 commercial development approvals are half of the 2020/22 levels and 42% of 2021/22 levels.

However, DA processing times have increased by an average of 8 days.

This increase is noted as attention required, with a target of decreasing the processing time by 8 days (back to the 2020/22 processing time).

##### **Question**

1. Is the decline in each year matched by a decline in applications? Please detail applications for 20/21, 21/22 and 22/23.
2. What resourcing has the City allocated to reaching this processing target in the budget?
3. What other measures is the City taking to support our planning work to deliver on our commercial growth targets to create new City jobs and grow liveable City communities?

X086668

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

###### **2022/23**

In 2022/23 over 1000 development applications (DA) were approved with a combined value of development of \$2.6 billion. A further 1800 development-related applications such as modifications to previous consents, outdoor dining and subdivision certificates were also processed. Additionally, 120 submissions of advice were made on State Significant Development Applications.

In financial year 2022/23 the City of Sydney finalised the single largest and complex commercial DA approval in terms of cost of development in the City's recent history, approving the construction of two commercial towers adjacent to central station with a cost of development of \$854 million.

The George Street cinema complex redevelopment was also approved with a combined value of \$224 million this will contribute to the revitalisation of one of the Sydney's most well-known districts with a 44-storey tower including apartments, hotel and also retail outlets and a cinema complex.

A further 567 commercial applications were also processed in the last financial year. Half of which were processed in under 40 net days.

### **Previous year and market decline**

Comparing 2022/23 to the two previous financial years, commercial DAs continue to represent around 50 per cent of the type of application processed by the City. Despite the decline of near 200 DAs overall being received - the mix of types of development is approximately the same. Please refer to tables below.

The decline in DAs being submitted overall to the City can be attributed to external factors such as the impacts of Covid-19, economic and market forces.

### **Detail of applications last three financial years**

The full list of all development applications lodged in the last three financial years would be an excess of 4000 application records. This data is publicly available and can be extracted from the DA search facility on the City's website and exported to Excel. Alternatively, below is a summary table.

Table 1. DAs in and out

<b>All DAs</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
DAs received	1574	1464	1266
less cancelled	-40	-15	-37
less withdrawn/rejected	-162	-154	-118
<b># DAs Lodged</b>	<b>1372</b>	<b>1295</b>	<b>1111</b>
difference to year prior		-77	-184
<b>Determinations</b>	<b>1338</b>	<b>1223</b>	<b>1082</b>
difference to year prior		-115	-141

Table 2. Percentage of commercial

<b>Determined DAs Commercial vs Other</b>			
Determined DAs	1338	1223	1082
Commercial DA*	670	648	569
Residential /Other	668	575	513
% commercial	50.1%	53.0%	52.6%

\*Please note the category of 'commercial DA' captures a broad mix of applications, ranging from a signage application (some with a cost of works in the low thousands) to retail fit outs, new food and drink premises, works to existing office premises and up to the construction of new office towers with cost of works in the multi-millions and typically more extensive assessment requirements which contribute to average assessment timeframes. Some large mixed-use development applications which can include part residential and commercial components have also been included.

### **Resourcing our planning work for growth**

There have been substantial pressures on the Planning Assessments Unit during and after Covid-19, such as planner vacancies and unplanned long-term leave which has affected overall processing times. Recruitment is an ongoing area of focus for unit management and the City has also engaged agency staff to temporarily assist in workloads.

Importantly, in the last financial year, and in response to Council's post Covid-19 priorities, the City carved out a Fast Track team in Planning Assessments with a focus on outdoor dining footpath and on street applications, small business, shop and office fit-outs and also minor amendments to previous approvals these include change of trading hours for venues such as restaurants, small bars and convenience stores.

In the last financial year, the Fast Track team processed 488 outdoor dining applications in an average time of 26 days, and 200 development applications with an average of 54 days, 140 of those DAs were processed in under 30 days.

## **15. City of Sydney Council Vehicles**

By Councillor Gannon

### **Question**

1. How many motor vehicles does the City of Sydney own?
  - (a) How many of those are fully electric?
  - (b) How many of those are hybrids?
  - (c) How many of those are solely internal combustion engines?
2. What was total cost of acquiring the City's Nissan Leaf fleet? Was consideration given to purchasing more affordable electric vehicles? If so, which vehicles?
3. Does the City consider the potential for future EV conversions with respect to the procurement of its Medium Rigid and Heavy Rigid vehicle fleets?

X086665

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

1. 288.
  - (a) 22.
  - (b) 78.
  - (c) 188.



2. \$824, 864. Yes, Renault Zoe and Telsa 3 - the City considered many EV models however, at the end of that research piece it was determined the Nissan Leaf was the best all round choice, including cost, safety, reliability and expected resale value all factors in the decision.
3. Yes, however the market is still limited in providing the City with Commercial vehicles that meet our needs without significant customisation.

## 16. Parking Fines Issued to City Vehicles

By Councillor Gannon

### Question

1. In the past five financial years, how many penalty notices (fines) have been issued to Council owned vehicles?
2. What is the breakdown of the different types of penalty notices?
3. What is the total cost of these fines?
4. How many employees have been fined?
5. Have any employees been issued more than one fine? If more than one, what is the highest number of fines issued to a single employee?
6. Are there any unidentified employees for fines?
7. How many challenges have been made against these fines?
  - (a) How many were successful?
  - (b) How many were unsuccessful?

X086665

### Answer by the Chief Executive Officer

1. 163.
- 2.

Driving in Bus Lane	9
Using Mobile Phone	5
Parking Fine	31
Red light	60
Speeding	58

3. \$49,469.
4. 39.
5. Yes. 8.
6. Yes.
7. Once drivers are nominated appeals are managed by Revenue NSW, the City does not have access to or hold this information.

## 17. Transport Workers Union – Industrial Action – Overtime and Workplace Injuries

By Councillor Gannon

### Question

1. How many hours of overtime have City staff undertaken because of the Cleanaway / TWU industrial action?
2. How many workplace injuries in the City's Cleansing teams have occurred this year? How does this compare to the past three calendar years?
3. Of these injured staff:
  - (a) How many were injured while performing overtime duties?
  - (b) How many were injured during regular shift hours?
4. What has been the total cost to the City with respect to these injuries?
5. How many Cleansing staff have worked overtime this year?
6. What percentage of the City's Cleansing staff have worked overtime this year?
7. What has been the total cost of overtime payment to Cleansing staff this year?

X086665

### Answer by the Chief Executive Officer

1. 505 hours.
2. There were 78 injuries in 2022/23.

Note injury data is routinely reported in financial years.

Injury date	Total injuries
2019/20	111
2020/21	84

Injury date	Total injuries
2021/22	56
2022/23	78

3.

(a)

Injury date	Total
2019/20	10
2020/21	8
2021/22	4
2022/23	10

(b)

Injury date	Total
2019/20	101
2020/21	76
2021/22	52
2022/23	68

4. The total cost to date for all injuries that occurred in Cleansing and Waste in 2022/23 is \$455,632.
5. 162.
6. 77 per cent.
7. \$1,918,760 (2022/23).

## 18. Update on the City of Sydney's Sydney Streets Program

By Councillor Ellsmore

### Question

1. What dates and locations are proposed for the 2023/24 Sydney Streets program?

2. Which business, venues, community organisations or other groups are the lead partners that the City is working with, to implement the 2023/24 Sydney Streets program?
3. Which business, venues, community organisations or other groups were lead partners or worked with the City to implement the 2022/23 Sydney Streets program?
4. Which businesses and venues participated in 2022/23 Sydney Streets program?
5. What community organisations, including resident groups, participated in the 2022/23 Sydney Streets program?
6. Can local resident groups or community groups have stalls as part of the 2023/24 Sydney Streets program?
7. What are the requirements or steps for local resident groups or community groups to participate in the Sydney Streets program?

X086664

**Answer by the Chief Executive Officer**1. Sydney Streets Series 4 2023

<b>Date</b>	<b>Sydney Streets Event</b>
Saturday 23 September	Redfern
Saturday 30 September	Haymarket
Saturday 14 October	Glebe
Saturday 21 October	Darlinghurst
Saturday 4 November	Surry Hills
Saturday 11 November	Pymont
Saturday 18 November	Potts Point *

\*Please note that Potts Point is subject to approval from the Local Pedestrian, Cycling and Traffic Calming Committee

Sydney Streets Series 5\* 2024

<b>Date</b>	<b>Sydney Streets Event</b>
Saturday 10 February	Haymarket – Sydney Lunar Streets
Saturday 17 February	Pymont
Saturday 24 February	Darlinghurst
Saturday 9 March	Glebe
Saturday 16 March	Redfern

<b>Date</b>	<b>Sydney Streets Event</b>
Saturday 23 March	Potts Point
Saturday 6 April	Surry Hills

\*Please note that Series 5 is subject to approval from the Local Pedestrian, Cycling and Traffic Calming Committee.

As requested by Council on 26 June 2023, staff are further investigating options for Sydney Streets, or a similar event in Newtown. Advice will be provided via the CEO Update.

2. Businesses and community organisations participate by applying through the expression of interest process advertised in the lead up of each series.
3. Businesses and community organisations participate by applying through the expression of interest process advertised in the lead up of each series.
4. The following businesses, venues, Chambers of Commerce, community organisations, residential groups and liquor accords were provided information or liaised with about each event or participated at the event on the day.
  - 2011 Residents Association
  - Chinatown Business Association (Sydney) Inc
  - Chippendale Residents Interest Group (CRIG)
  - City South Liquor Accord
  - Cleveland Street Action Group
  - Coalition of Glebe Groups
  - Convenor, Friends of the Pyrmont Community Centre
  - Convenor, Paddington-Darlinghurst Community Working Group
  - Council of Ultimo/Pyrmont Associations
  - Darling Harbour Liquor Accord
  - Darlinghurst Business Partnership
  - Darlinghurst Residents Action Group (DRAG)
  - Darlo Darlings
  - East Sydney Neighbourhood Association
  - Forest Lodge & Glebe Group
  - Friends of Pyrmont Point
  - Friends of Ultimo
  - Glebe Chamber of Commerce

- Glebe Community Action Group
- Haymarket Chamber of Commerce
- Haymarket HQ
- Haymarket Institute
- Kings Cross Community Centre
- Kings Cross Liquor Accord
- Neighbourhood Advisory Board - Surry Hills
- Potts Point Partnership
- Potts Pointers Community Group
- Pyrmont Action
- Pyrmont Cares
- Pyrmont Community Group
- Pyrmont History Group
- Pyrmont Ultimo Chamber of Commerce
- Redfern Small Bar Accord
- Redfern Station Community Group
- REDWatch
- Secrets on Stanley
- Soul of Chinatown
- South Sydney Business Chambers
- Surry Hills Liquor Accord
- Surry Hills Neighbourhood Centre
- Surry Hills Partnership/Creative Precinct
- Sydney City Liquor Accord
- The Glebe Society
- The Redfern Society
- Ultimo Village Voice
- Bill and Toni's Italian, Darlinghurst
- Black Squid and Co, Darlinghurst

- Flave, Darlinghurst
- Funkatello, Darlinghurst
- Lord Roberts Hotel, Darlinghurst
- Mrs Palmer/La Farmacia, Darlinghurst
- Stanley Street Gallery Get Cookied, Darlinghurst
- Stanley's Bar Pty Ltd, Darlinghurst
- Verde Restaurant, Darlinghurst
- Amigoss Association Inc, Glebe
- Becketts, Glebe
- Cambodge Café, Glebe
- Carte Restaurant, Glebe
- Ciccone & Sons, Glebe
- Cuppa Fix, Glebe
- Dirty Red, Glebe
- Glebe Markets, Glebe
- Glebe Public School Parent & Citizen's Association, Glebe
- Glebe Veterinary Hospital, Glebe
- Jambo Jambo Africa Pty Ltd, Glebe
- Little Beans Café, Glebe
- Mr Puff Loukoumades, Glebe
- Nava Thai Massage, Glebe
- No 92 GPR, Glebe
- Salt & Palm, Glebe
- The Lillipad Café, Glebe
- The Little Guy, Glebe
- The Shop Gallery, Glebe
- The Wedge Glebe, Glebe
- Tommy's Beer Café, Glebe
- Vecino, Glebe

- Vegan Grocery Store, Glebe
- Choy Lee Fut Kungfu And Qigong, Haymarket
- Community Bank Darling Square, Haymarket
- Covent Garden Hotel, Haymarket
- East Ocean Seafood Restaurant, Haymarket
- Euro Espresso, Haymarket
- Mr Puff Loukoumades, Haymarket
- Royal Jewellery, Haymarket
- The Haymarket Institute, Haymarket
- Topsy Toes Nail and Eyelash Bar, Haymarket
- A Date With Mabel, Potts Point
- BBQ Time, Potts Point
- Bistro Rex, Potts Point
- Dulcies, Potts Point
- Grape Garden, Potts Point
- Grove Bar, Potts Point
- Penny's Cheese Shop, Potts Point
- Rustic French, Potts Point
- Sleevemasters Tattoo, Potts Point
- The Roosevelt, Potts Point
- City of Sydney Planning, Pyrmont
- Fox Taylor Shoe & Leather Repair, Pyrmont
- Porter's Liquor, Pyrmont
- Quarrymans Hotel, Pyrmont
- SIG-CAF, Pyrmont
- Transport For NSW, Pyrmont
- Ultimo Community Centre, Pyrmont
- Yukis Favourites, Pyrmont
- 107 Projects, Redfern



- Bart Jr, Redfern
- Bush Food, Redfern
- Cafe Dreaming, Redfern
- Johnny Who, Redfern
- La Coppola Woodfired Pizza, Redfern
- Markd Tattoo, Redfern
- Mr Puff Loukoumades, Redfern
- Redfern & Co - The Redfern
- The Noble Hops, Redfern
- The Sunshine Inn, Redfern
- The Tudor Hall Hotel, Redfern
- All About Salon, Surry Hills
- Ardis Block To Grill, Surry Hills
- Bad Mama, Surry Hills
- Cuckoo Callay, Surry Hills
- Giuls, Surry Hills
- Henrietta Charcoal Chicken, Surry Hills
- Hiscoes, Surry Hills
- Khoi's, Surry Hills
- Lode Pies & Pastries, Surry Hills
- Lucky Pickle and Mud Australia, Surry Hills
- Masala Theory, Surry Hills
- Nour Sydney, Surry Hills
- Perfecta Laser & Beauty, Surry Hills
- Sky Sirens, Surry Hills
- Surry Hills Fine Wines, Surry Hills
- The Clock, Surry Hills
- The Nocturne, Surry Hills
- Trinity Bar, Surry Hills

- Vets On Crown, Surry Hills
  - Yo-Chi, Surry Hills
5. See response to 4 above.
  6. Yes. Local resident groups and community groups are invited to fill in the Expression of Interest form for each event.
  7. Local resident or community groups can apply via the Expression of Interest process which is advertised and opened in the lead up to each series event. Information about this process is available on the City's website: <https://www.cityofsydney.nsw.gov.au/business-support-funding/sydney-streets>

## 19. Dog Poisoning in City Parks by City Contractor

By Councillor Scott

In late July, City of Sydney contractors were re-filling rat baits in Sydney Park, Alexandria, when a dog ate some rat poison out of their exposed bucket. The dog ended up in the vet but has now recovered. At first, City of Sydney council denied responsibility, however, they have now admitted responsibility. City staff have been in touch with the dog owner and have spoken to the contractor.

### Question

1. What identification do all City contractors wear to identify that they work for the City?
2. What signage are City contractors required to display when completing services such as this?
3. How is the City educating contractors on their obligations and what monitoring of compliance is in place?
4. What steps have been taken to prevent further pet poisonings by the City?
5. What consequences are there for the contractor?
6. Does the City have any obligations to report this to any regulators? If so, to whom and when was the report made?
7. What support has been offered to the resident?

X086668

**Answer by the Chief Executive Officer**

1. Contractors wear high-visibility vests with the contractor's company uniform labelled with the company's logo, which includes the wording "Pest Control".
2. No signage is required for these services as all rodent baits are contained within bait boxes. Signage is only required if there is a residual risk of pesticides used in public places.
3. The contractor has an obligation to comply with all relevant regulations, codes of practice, health and safety acts and guidelines. City staff meet regularly with the contractor to discuss operational matters and routinely review baiting performance.
4. City staff have investigated the incident. In consultation with the contractor, improvements have been implemented including self-closing bait containers with clear warning labels to mitigate any risks associated with access by dogs to rodent baits during the servicing of bait stations in public spaces.
5. City staff have met with the contractor and reinforced their contractual obligations. Improvements have been agreed to by the contractor.
6. No.
7. Shortly after the incident, the City staff that oversee the pest controller contract became aware of the incident and contacted the dog owner by phone to discuss the concerns, provide support, and enquire about the health and welfare.

**Item 11      Supplementary Answers to Previous Questions**

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

## Item 12 Notices of Motion

### Item 12.1 Local Council Outreach Services for Seasonal Workers

Moved by Councillor Davis, seconded by Councillor Kok -

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

(A) Local Government of NSW note:

- (i) the Pacific Australia Labour Mobility (PALM) formerly known as Seasonal Workers Program (SWP 2008) and Pacific Labour Scheme – (PLS 2012) allows businesses across Australia (all states and territories, with exception of ACT) to hire unskilled and semi-skilled workers from nine countries in the Pacific and Timor-Leste;
- (ii) the Pacific Australia Labour Mobility scheme is guided by a memorandum of understanding between countries being a government-to-government program;
- (iii) it is estimated that there are currently close to 39,000 seasonal worker nationals across Australia (as of June 2023) with 11,000 of those from the Island State of Vanuatu – the largest group from any nation;
- (iv) seasonal workers are taxpayers aligned with other Australian citizens and an integral part of our food system; they pick and process the fresh fruit and vegetables and meat that is on our supermarket shelves and kitchen tables across the City of Sydney and other council areas across NSW;
- (v) seasonal workers are often employed by large recruitment firms namely Approved Employers (AEs) who have responsibility for their well-being. Approved Employers rarely have good cultural connections or understanding of local communities where seasonal workers are placed;
- (vi) farmers receiving the migrants or seasonal workers are challenged daily to provide the necessary services that are required when integrating CALD communities into the Australian workforce;
- (vii) the Pacific Islands Forum Secretariat, Comprehensive Assessment of Regional and Sub-Regional, Labour Mobility Arrangements in the Pacific from December 2022 showed that seasonal workers face numerous ongoing systematic problems since inception of the program including:
  - (a) unsafe or inappropriate accommodation: seasonal workers are often housed in temporary living conditions that are overcrowded and well below the 'basic' Australian living standards. A lack of cost-effective transport between work and accommodation;
  - (b) a lack of access to crucial services including health, dentistry, and mental health services; culturally appropriate pastoral care and council services for Culturally and Linguistically Diverse (CALD) communities;

- (c) failure to comply with OHS (Occupational Health and Safety) regulations; and
  - (d) lack of assistance with personal finance management, wage theft, superannuation, insurance, banking services and tax returns; and
- (viii) the 2022 review of the Pacific Australia Labour Mobility Scheme and the Employer Guidelines updated in May 2023 require Approved Employers to have worker welfare embedded into their systems and practices to create positive, productive working environments:
- (a) the review itself has not put a halt nor fixed issues and challenges that are systemic such as exploitation of workers, wage theft, poor overcrowded accommodation; and
  - (b) workers are charged exorbitant rates (\$150-190 per bed per week), overcharged for transportation, bullying and exploitation; and
- (B) Local Government NSW is requested to write to the Hon Tony Burke, Minister for Employment and Workplace Relations asking the Commonwealth Government to:
- (i) work with approved employers to provide relevant councils with information about the number of seasonal workers expected and their countries of origin so councils can understand their cultural needs, prepare the community for their arrival, and consider and plan for their needs as part of their Local Emergency Management Plans;
  - (ii) increase the frequency of check-ins by the Australian Government particularly to ensure living conditions meet the requirements outlined in the PALM Scheme Approved Employer Guidelines; and
  - (iii) provide direct funding to councils to establish dedicated local service hubs to provide seasonal workers with targeted programs, including by:
    - (a) connecting seasonal workers with First Nations or traditional owners and other cultural authorities of the area;
    - (b) providing culturally appropriate and non-biased Pastoral care through Australian South Sea Islander (ASSI), Aboriginal, Torres Strait Islander, Pacific and Culturally and Linguistically Diverse and Culturally and Racially Marginalised (CARM) community organisations that demonstrate a deep knowledge of culture and the seasonal worker program and its people;
    - (c) developing pathways and support outreach programs that connect seasonal workers to organisations that centre on the needs of migrants to assist workers to access culturally sensitive assistance to access relevant information, health and mental health; and
    - (d) working closely with law enforcement authorities in respective councils to educate seasonal workers about law and order and council regulations.

Carried unanimously.

X086660

## Item 12.2    **Sheroes of Our Nation**

Moved by Councillor Davis, seconded by Councillor Scott -

It is resolved that:

- (A) Council note the 13 March 2023 Resolution of Council - Diversifying City of Sydney Art Projects and that this notice of motion is a continuum in support of said resolution;
- (B) Council affirm that action on this motion provides opportunities to support and increase equality of gender for Culturally and Linguistically Diverse (CALD) and Culturally and Racially Marginalised (CARM) trailblazers within the public realm, including but not limited to:
  - (i) Dr Faith Bandler née Ida Lessing Faith Musing AO AC MBE (27 September 1918-13 February 2015), an Australian civil rights activist born to a South Sea Islander Slave Blackbirded to Australia from Ambrym Island, Vanuatu and her mother was of Scottish-Indian heritage, whose achievements are documented at [https://en.wikipedia.org/wiki/Faith\\_Bandler](https://en.wikipedia.org/wiki/Faith_Bandler) and <https://pib.anu.edu.au/biography/bandler-ida-lessing-faith-15982>. Nelson Mandela, Nobel Peace prize winner and former President of South Africa, presented Faith on behalf of the Sydney Peace Foundation, with a Meritorious Award in Honour and Gratitude for a Life of Courageous Advocacy for Justice and for Indigenous People, for Human Rights, for Love and Reconciliation;
  - (ii) Dr Ernestine Bonita Mabo (nee Neehow) AO (c1943-26 November 2018), a Malanbarra Clan women from Palm Island and a descendant of Australia's Blackbird trade from Tanna Island in Vanuatu who was recognised as an Officer of the Order of Australia on Australia Day 2013 and fondly known as the 'Matriarch' or 'Mother' of native title for the Mabo v Queensland challenge by her husband Eddie Koiki Mabo on the notion of 'Terra Nullius,' that Australia was 'land belonging to no one', in the High Court of Australia, with her achievements documented at <https://jcu.pressbooks.pub/eddiekoikimabotimeline/chapter/the-mother-of-native-title/>; and
  - (iii) Ms Shireen Fern Joy Malamoo, born on 26 March 1936, an Aboriginal/Kanak woman of the Juru Clan and Blackbirded descendant of Tongoa Island in Vanuatu from Plantation Creek historically known as a town camp of the Burdekin, Townsville far north Queensland, a Commissioner of the Aboriginal and Torres Strait Islander Commission (1991-1993) and NSW Parole Board member (1994-2003) whose other achievements are documented at [ASSIPJ Board - original - Australian South Sea Islanders - Port Jackson](#) and [Malamoo, Shireen - Woman - The Australian Women's Register \(womenustralia.info\)](#); and

- (C) the Chief Executive Officer, working with the Public Art Advisory Panel and relevant stakeholders, be requested to investigate a process for commemorating pioneering CALD (Culturally and Linguistically Diverse) and CARM (Culturally and Racially Marginalised) trailblazers in public art with this process to include:
- (i) consultation with trailblazers' families and consideration of their culturally specific community and cultural practices and political relevance; and
  - (ii) taking into account the 11 April 2022 Resolution of Council - City of Sydney Recognition of and Support for Australian South Sea Islanders and the 13 March 2023 Resolution of Council - Diversifying City of Sydney Art Projects.

Carried unanimously.

X086660



### Item 12.3 Electrification of Homes

Moved by Councillor Davis, seconded by Councillor Ellsmore -

It is resolved that:

(A) Council note:

- (i) the City's Net Zero Performance controls that will come into effect from 1 October 2023 are a major step towards carbon reduction in relation to new offices, shopping centres, hotels:
  - (a) the planning controls, developed over four years, require new office, hotels and retail developments to reduce energy use through efficiency and renewable energy or be capable of achieving net zero energy prior to commencing use;
  - (b) this work paved the way for a similar state-wide policy. The new standards are ambitious but achievable and provide a clear pathway for developers to improve energy performance and transition to net-zero buildings. They will help the City achieve our target for net zero emissions by 2035 and will contribute to the NSW Government's goal of net zero emissions by 2050; and
  - (c) however, the new standards do not apply to residential development. The current BASIX SEPP, and the upcoming Sustainable Buildings SEPP includes a non-compete clause that prevents councils from introducing planning controls that set higher environmental requirements than the state planning policy such as requiring that only renewable energy be used in new residential developments;
- (ii) that we know industry can do better and there is an urgent need to make sure that future residential developments are not locked into using gas; and
- (iii) the Victorian Government has recently announced that all new homes will be required to be fully electric from 1 January 2024;

(B) Council further note:

- (i) we are in the middle of a housing and cost-of-living crisis and people are struggling to pay their increasing energy bills. From July this year, NSW residential energy customers face gas price increases of as much as 23.7 per cent;
- (ii) all electric homes, that don't use gas, are cheaper to run. Recent modelling from the Climate Council in 2022 shows that homes in Sydney could save \$924 a year on their bills if they switched gas appliances to electric ones;
- (iii) a report released this month by Energy Consumers Australia states that as more households switch to all electric appliances and heating and renewable energy, those that can least afford to get off gas will end up paying more;
- (iv) gas is also highly toxic to human health. A 2018 study in the Medical Journal of Australia found that gas cooktops are associated with around 12 per cent of childhood asthma in Australia. Stanford University researchers have linked gas stoves and ovens to carcinogenic chemicals like benzene. Long-term exposure to benzene is linked to acute lymphocytic leukaemia, chronic lymphocytic leukaemia, multiple myeloma, childhood leukaemia, and non-Hodgkin lymphoma;

- (v) 350 Australia's Electrify Your Council campaign is calling on Councils across the state to change their planning rules to require all-electric, gas-free new homes with some councils already implementing change through their planning controls, such as:
    - (a) Waverley Council is banning indoor gas appliances on health grounds by requiring only electric ovens, cooktops and space heaters are installed in new residential development; and
    - (b) Parramatta Council is requiring all new residential and non-residential developments in its city centre to be all electric, and is currently considering further changes to require all new non-residential buildings to be all-electric; and
  - (vi) the Lord Mayor recently wrote to and met with Penny Sharpe, Minister for Climate Change, Energy, Environment and Heritage asking the NSW Government to urgently develop a plan supported by incentives or rebates to transition homes and businesses from gas to renewable energy;
- (C) the Chief Executive Officer be requested to investigate the opportunities and challenges with amending the City of Sydney's planning controls to require all new residential developments, and development not captured by the City's new Net Zero planning controls, to be all electric and report back to Council via the CEO Update, including next steps, as soon as possible; and
- (D) the Lord Mayor be requested to write to Chris Minns, Premier of NSW urging him to develop a plan supported by incentives or rebates to transition homes and businesses from gas to renewable energy.

The motion was carried on the following show of hands:

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

Noes (2)      Councillors Gannon and Jarrett.

Motion carried.

X086660

**Item 12.4 Vale Uncle Terry Denzil**

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

It is resolved that:

(A) Council note:

- (i) significant City of Sydney community elder Uncle Terry Denzil was born in 1946 and sadly passed away in 2023;
- (ii) as a Life Member of the City of Sydney Basketball Association (CSBA), he was discovered by the CSBA at just 12 years old at the local Pitt Street YMCA and when Alexandria Basketball Stadium was open to the public in 1968, Terry played in the Men's competition with the YMCA;
- (iii) Uncle Terry led his team to multiple State Basketball Championships and was selected to represent NSW at multiple National Basketball Championships;
- (iv) from early on, Uncle Terry was one of the original advocates for the creation of Alexandria Park Community School (APCS), leading the charge as spokesperson, and petitioning relentlessly to the NSW Government to create APCS;
- (v) Uncle Terry was a member of the steering committee for the building of the new School, and his unwavering passion and dedication to improving APCS over the last two decades resulted in the newly built basketball gymnasium being named "The Denzil" in honour of Terry's passion for basketball and education within the local area;
- (vi) Uncle Terry influenced APCS culture through educational and sporting programs, delivering a positive experience for all past, present and future students;
- (vii) the basketball players of APCS will remember him most fondly for his afternoon coaching sessions, developing their skills on the court and building lifelong values of teamwork and determination to succeed in all areas of life;
- (viii) the school community will remember his wise words, 'straight-talking' advice and sense of humour; and
- (ix) Uncle Terry has made an immeasurable impact on the community and students of APCS that will be carried on through his programs and coaching;

(B) the Lord Mayor be requested to write to Uncle Terry Denzil's family expressing the City's condolences; and

(C) all present observe a minute silence to commemorate the life of Uncle Terry and his tireless contributions to the community.

Carried unanimously.

X086655

Note - All Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to Uncle Terry Denzil.

### **Item 12.5 Vale David Bernie**

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

It is resolved that:

(A) Council note:

- (i) esteemed City of Sydney barrister David Bernie was born on 25 September 1955 and sadly passed away after a long illness on 7 July 2023;
- (ii) known to be the life of every party, often seen in Hawaiian shirts, caring for his cherished cats, especially to those in Selwyn Street, Paddington, David was a dedicated and active community member in the City of Sydney, alongside his beloved partner Barry;
- (iii) David served as the Vice President of the NSW Council for Civil Liberties (CCL) for many years;
- (iv) David was the driving force behind the Council's push for an Australian Human Rights Act for decades, and his support for the Act was underpinned by a deep, personal belief that the State should provide an explicit statutory basis for respecting, protecting and promoting fundamental human rights;
- (v) David was an experienced barrister that many frequently turned to for help, and was kind, extremely generous with his time, ready to stand up and help others navigate difficult, often unfair, legal situations through his considerable pro bono work;
- (vi) David donated countless hours of work over the years to help people with protest cases, particularly World Youth Day, passport refusal, visa reviews and overturning unfair censorship laws;
- (vii) David was so well regarded that he was invited to act as the independent legal representative to sit in on the first use of ASIO's Detention and Questioning Warrants in anti-terrorism cases; and
- (viii) David developed the protocols and standard operating procedures to ensure the best possible privacy protections for the first CCTV cameras installed in the City of Sydney, which were then adopted statewide (although later overturned);

(B) the Lord Mayor be requested to write to David Bernie's family expressing the City's condolences; and

(C) all present observe a minute silence to commemorate the life of David Bernie and his tireless contributions to our community.

Carried unanimously.

X086655

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

**Item 12.6 Vale Betty Hounslow AM**

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

It is resolved that:

(A) Council note:

- (i) on 27 July 2023, Betty Hounslow sadly passed away;
- (ii) Betty had served on the board of Union Aid Abroad since 2018, as the organisation's expert appointee advising on development;
- (iii) she made immense contributions to the Union Aid Abroad organisation through a critical and strategic thinking approach to decision-making, policy discussions and programming challenges;
- (iv) Betty was dedicated to the organisation's values of solidarity, partnership, accountability, movement building, equality and justice;
- (v) during the 1990s, Betty began her career in Australian community development including work in women's refuges, community legal centres, and as the executive director of the Australian Council Of Social Service for seven years;
- (vi) Betty then moved to international development where she held the position of vice president of the Australian Council For International Development (ACFID) board from 2009 to 2012;
- (vii) before her retirement, Betty held the position of deputy director of the Fred Hollows Foundation;
- (viii) Betty was also known as a fierce advocate for the rights of refugees and asylum seekers, including serving on the board of the Asylum Seekers Centre of NSW, and chairing the Board for three years;
- (ix) Betty spent her whole life being an activist for LGBTQI+ rights and is acknowledged as a pioneer for human rights in Australia, as one of the 78'ers who helped organise the Drop the Charges campaigns after Sydney's first Mardi Gras; and
- (x) she was a lifelong trade unionist and social justice advocate. She was awarded the NSW Justice Medal, and had been appointed as a Member of the Order of Australia (AM);

(B) the Lord Mayor be requested to write to Betty Hounslow's partner Kate and her family expressing the City's condolences; and

(C) all present observe a minute silence to commemorate Betty's life and dedication to the development of our Australian and international community.

Variation. At the request of the Chair (the Lord Mayor), and by consent, the motion was varied such that (A)(ix) read as follows –

- (ix) Betty spent her whole life being an activist for LGBTQI+ rights and is acknowledged as a pioneer for human rights in Australia, including as one of the 78'ers who helped organise the Drop the Charges campaigns after Sydney's first Mardi Gras, was a member of the Task Group that planned the first Summer Mardi Gras and was a founding member of the Gay and Lesbian Immigration Task Force which successfully lobbied for the right of overseas partners of Australian citizens to gain permanent residency;

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

X086655

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

## Item 12.7 Stop Trolley Dumping

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) unattended shopping trolleys left in public areas are an eyesore and obstruct the amenity and accessibility of our city;
- (ii) in November 2022, the new Public Spaces (Unattended Property) Bill 2021 was introduced;
- (iii) the new offences associated with the new Public Spaces (Unattended Property) Act 2021 came into effect on 1 May 2023;
- (iv) the Act refers to offences of unattended vehicles, trolleys, and shared devices;
- (v) the Act legislated a three-hour collection time limit on trolleys, vehicles or other items causing a safety hazard, and a seven-day limit for others;
- (vi) under the new legislation, fines for offences range from \$660 per trolley for individuals to \$1320 per trolley for businesses who don't collect the abandoned property;
- (vii) the Act was introduced to help local governments clean up our public spaces, making them safer, more accessible and more enjoyable for our communities;
- (viii) abandoned trolleys cost the NSW Government \$17 million a year in picking up the unattended items;
- (ix) the new Act is designed to save councils time and money by deterring dumping; and
- (x) the City of Sydney community has shown consistent frustration at the number of dumped trollies around the City; and

(B) the Chief Executive Officer be requested to:

- (i) fast track the policy required to enact the enforcement of abandoned trolley penalties;
- (ii) consult with trolley providers on future planning provisions to minimise trolley use; and
- (iii) consider undertaking regular compliance blitz activities on abandoned trolleys in order to deter illegal dumping.

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

It is resolved that:

(A) Council note:

- (i) unattended shopping trolleys left in public areas are an eyesore and obstruct the amenity and accessibility of our city;
- (ii) some retailers have implemented trolley management solutions such as geo-locking trolleys to within the boundary of a supermarket and car park and coin return to incentivise the return of trolleys;
- (iii) in November 2022, the new Public Spaces (Unattended Property) Bill 2021 was introduced;
- (iv) the new offences associated with the new Public Spaces (Unattended Property) Act 2021 came into effect on 1 May 2023 following a six-month grace period;
- (v) the City has been working on developing and implementing new procedures and fines to collect and manage abandoned items in line with the new Public Spaces (Unattended Property) Act 2021;
- (vi) the Act refers to offences of unattended vehicles, trolleys, and shared devices;
- (vii) the Act legislated a three-hour collection time limit on trolleys (for large retailers), vehicles or other items causing a safety hazard, and a seven-day limit for others;
- (viii) under the new legislation, fines for offences range from \$660 per trolley for individuals to \$1320 per trolley for businesses who don't collect the abandoned property;
- (ix) the Act was introduced to help local governments clean up our public spaces, making them safer, more accessible and more enjoyable for our communities;
- (x) abandoned items (including trolleys) cost the community and councils \$17 million a year in picking up the unattended items;
- (xi) the new Act is designed to save councils time and money by deterring dumping; and
- (xii) the City of Sydney community has shown consistent frustration at the number of dumped trolleys around the City; and

(B) the Chief Executive Officer be requested to:

- (i) implement the new procedures required to enact the enforcement of abandoned trolley penalties in line with the new Public Spaces (Unattended Property) Act 2021;
- (ii) investigate how the City can improve the management of shopping trolleys in public spaces, including encouraging large retailers in our area to implement responsible trolley management solutions and ensure abandoned trolleys are collected in a timely manner; and
- (iii) report back to Council via the CEO Update.

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



### Procedural Motion

At this stage of the meeting, it was moved by Councillor Ellsmore, seconded by the Chair (the Lord Mayor) –

That Notices of Motion 12.8, 12.10, 12.15, 12.16, 12.17 and 12.18 be adopted in globo.

Carried unanimously.

### Item 12.8 Motion to Local Government NSW Annual Conference - Ending Fossil Fuel Sponsorship in Local Communities

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

It is resolved that

- (A) Council note that at its 22 August 2022 meeting, Council resolved to:
- (i) investigate implementing restrictions on advertising for fossil fuels for any Council controlled signage or property, as well as a ban on accepting sponsorships from companies whose main business is the extraction or sale of coal, oil or gas;
  - (ii) work with other councils, Local Government NSW and the Australian Local Government Association to encourage a consistent approach across local government to fossil fuel advertising; and
  - (iii) undertake a review of City policies or strategies that may allow for the promotion of fossil fuels; and
- (B) Council submit the following motion for consideration at the upcoming 2023 Local Government NSW Annual Conference:

#### **Topic: Ending fossil fuel sponsorship in local communities**

That Local Government NSW requests the federal government aid the energy transition by:

- (a) encouraging low emissions consumption nationally through public information campaigns, Australian Consumer Law, the Greenhouse and Energy Minimum Standards Act 2012 (Cth) (GEMS Act) or other relevant Commonwealth powers;
- (b) enacting policies or legislation to end or restrict the promotion of coal, petroleum or gas industries in local communities, including banning fossil fuel industries from sponsoring local education, sporting and cultural activities; and
- (c) establishing a fund to enable local councils to provide financial support, or otherwise sponsor, community, education, sporting, and cultural groups, that currently take funding from the coal, petroleum or gas industry.

Carried unanimously, as part of an in globo motion.

X086659

**Item 12.9 Motion to Local Government NSW Annual Conference - Encouraging Local Government Super Funds to Support Ethical Investments**

Moved by Councillor Ellsmore, seconded by Councillor Worling –

It is resolved that Council:

- (A) note that superannuation funds across Australia are some of the largest investors in the fossil fuel industry;
- (B) note that Active Super (formerly Local Government Super) and Vision Super manage and invest superannuation for many local councils;
- (C) note that, while Active Super and Vision Super have ethical investment strategies, they continue to invest in some of the fossil companies with the largest environmental impact, including companies with plans to expand coal or gas projects in the future; and
- (D) submit the following motion for consideration at the upcoming 2023 Local Government NSW Annual Conference:

**Topic: Encouraging Local Government Super Funds to Support Ethical Investments**

That Local Government NSW:

- (a) actively encourage local government super funds Active Super and Vision Super to divest from companies engaging in the extraction of fossil fuels, native forest logging, in addition to gambling, weapons manufacturers, and tobacco, and
- (b) actively encourage local government super funds Active Super and Vision Super to refrain from the practice of 'greenwashing', requesting that they not promote their funds as being environmentally friendly or ethical investors if they continue to invest in companies engaging in the extraction of fossil fuels, native forest logging, gambling, weapons manufacturers, and tobacco.

The motion was carried on the following show of hands –

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

Noes (2)            Councillors Gannon and Jarrett.

Motion carried.

X086659

**Item 12.10 Motion to Local Government NSW Annual Conference - Affordable Housing in Perpetuity**

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

It is resolved that Council:

- (A) note that the NSW Government has announced its intention to introduce planning changes that will allow developers to build larger and denser buildings than would otherwise be permitted under planning rules, through a fast-tracked approval process that would by-pass local councils, in return for delivering some affordable housing for a temporary period of 15 years; and
- (B) submit the following motion for consideration at the upcoming 2023 Local Government NSW Annual Conference:

**Topic: State Planning Policy Changes Affordable Housing in Perpetuity**

That Local Government NSW:

- (a) calls on the NSW Government to develop affordable housing policies that prioritise delivering affordable housing in perpetuity, rather than only for a temporary period of 15 years;
- (b) calls on the NSW Government to develop affordable housing policies that deliver housing that is genuinely affordable. That is, policies which are based on delivering housing that a person can afford (no more than 30% of their income), not based on a discount from market rent only; and
- (c) calls on the NSW Government to work with local councils to develop strategies to protect and expand affordable and public housing cooperatively, which build on, rather than override, local planning rules and housing strategies.

Carried unanimously, as part of an in globo motion.

X086659

## **Item 12.11 Ending New Gas Connections in the City of Sydney**

### **Procedural Motion**

At this stage of the meeting, it was moved by Councillor Ellsmore, seconded by the Chair (the Lord Mayor) –

That Item 12.11 be withdrawn, as the matter had already been dealt with at Item 12.3.

Carried unanimously.

## Item 12.12 Reinstating Removed or Damaged Women's Artworks

Moved by Councillor Scott, seconded by Councillor Gannon –

It is resolved that:

(A) Council note:

- (i) in March 2023, Council voted unanimously to identify new opportunities to commemorate significant women and to support increased equality of gender, First Nations and cultural diversity within the public art realm;
- (ii) Anne Graham's 'Passage' fountain in Martin Place has a non-operational misting mechanism;
- (iii) City staff identified this work as needing to be reviewed and have plans for its reinstatement in the 2024/25 financial year;
- (iv) the following artworks by women have been removed from public display in the City of Sydney:
  - (a) Robyn Backen's 'Archaeology of Bathing' (1999-2019), as a part of the Sydney Sculpture Walk, which reflects the history of bathing from the original Domain Baths for Ladies;
  - (b) Debra Phillip's 'Viva Voce' (1999-2019), as a part of the Sydney Sculpture Walk, acknowledging the historical and contemporary importance of the area as a site of public oratory and celebrating the importance of free speech and public debate; and
  - (c) Lynne Roberts-Goodwin's 'Tankstream' (1999-2019) that marked the course of Sydney's first water supply;
- (v) these three works formed part of the Sydney Sculpture Walk, which consisted of ten public art works commissioned by the City in 1999 and mostly located on the Royal Botanic Gardens;
- (vi) it was an important collection of innovative, site-specific art works which addressed the social, cultural and historic aspects of each location, and all but two of the works were created by women;
- (vii) the City's collection of public art and cultural heritage is carefully managed and maintained, in addition to:
  - (a) regular basic cleaning;
  - (b) specialised maintenance;
  - (c) annual structural certification;
  - (d) carrying out repairs and corrective maintenance; and
  - (e) a comprehensive conservation program;

- (viii) since the establishment of the current public art program in 2005, the City has led the way in commissioning art works that reflect the great diversity of voices and stories in our communities;
  - (ix) this leadership is evident in the City's permanent collection (where, for example, 80 per cent of works commissioned since 2005 have been created by women), in temporary art commissioned by the City, and in work commissioned by others within the Local Government Area;
  - (x) the City ensures all public art commissions are open to all artist and genders, placing emphasis on specific cultural sensitivity and awareness where required;
  - (xi) staff conduct regular reviews to ensure works are properly cared for, and also identify works which may require deaccession;
  - (xii) Margel Hinder's Bronze Sculpture and Fountain in Denis Winston place, while not owned by the City, is also not operational; and
  - (xiii) Hinder's sculpture commemorates the legacy of Denis Winston and celebrates human scale, diversity in housing, landscaped spaces and sculpture as essential to the pleasures of urban living;
- (B) the Chief Executive Officer be requested to:
- (i) undertake an audit of the art around the City of Sydney to ensure it is operational and maintained; and
  - (ii) investigate opportunities to reinstate women's art, and ensure the City applies gender and diversity lenses to future City art projects commissioned.

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

It is resolved that:

- (A) Council note:
- (i) in March 2023, Council voted unanimously to identify new opportunities to commemorate significant women and to support increased equality of gender, First Nations and cultural diversity within the public art realm;
  - (ii) Anne Graham's 'Passage' fountain in Martin Place has a non-operational misting mechanism;
  - (iii) City staff identified this work as needing to be reviewed and have plans for its reinstatement in the 2024/25 financial year;
  - (iv) the conservation and maintenance of the City Art collection is governed by the City's Public Art Policy and City Art Public Art Strategy adopted by Council on 16 May 2011;
  - (v) the Public Art Policy states, inter alia, "The City will continue an ongoing collection management system to maintain and assess works in its collection involving conservation and refurbishment of many historical items on a carefully monitored basis";
  - (vi) the City's rigorous process for the removal of public art is set out in the Guidelines for Public Art Acquisitions and Deaccessions adopted by Council on 16 May 2011 and is consistent with Moral Rights legislation;

- (vii) an artwork may be deaccessioned if it meets one of the following criteria set out the Guidelines:
  - (a) it is not relevant or consistent with the purposes and objectives of the City of Sydney Public Art Policy or Council's Sustainable Sydney 2030 or Corporate Plans;
  - (b) it lacks physical integrity or authenticity or is a duplication;
  - (c) adequate care and maintenance required for its upkeep is unavailable or the cost required over a five-year period exceeds the original value of the object;
  - (d) it is located in the public domain and may cause risk to the public; or
  - (e) it is integrated into the fabric of City-owned buildings, streets or parks which are subject to redevelopment by the City where the object is not salvageable;
- (viii) the process for deaccessioning artworks set out in The Guidelines includes:
  - (a) informing the artist or artist's representative of the intention to deaccession their artwork;
  - (b) consulting with the artist in good faith about the deaccession; and
  - (c) providing the artist with access to the artwork to document it and/or remove it;
- (ix) in 1999, the City of Sydney commissioned ten public artworks with the artworks being mostly located in the Royal Botanic Gardens as part of the Sydney Sculpture Walk;
- (x) given the expected lifespan of the Sydney Sculpture Walk was ten years, the City reviewed all ten artworks in 2016 in accordance with the Guidelines which resulted in the following three artworks by women being deaccessioned:
  - (a) Robyn Backen's 'Archaeology of Bathing' (1999-2019), as a part of the Sydney Sculpture Walk, which reflects the history of bathing from the original Domain Baths for Ladies;
  - (b) Debra Phillip's 'Viva Voce' (1999-2019), as a part of the Sydney Sculpture Walk, acknowledging the historical and contemporary importance of the area as a site of public oratory and celebrating the importance of free speech and public debate; and
  - (c) Lynne Roberts-Goodwin's 'Tankstream' (1999-2019) that marked the course of Sydney's first water supply;
- (xi) these artworks were an important collection of innovative, site-specific art works which addressed the social, cultural and historic aspects of each location, and all but two of the works were created by women;

- (xii) the City's collection of public art and cultural heritage is carefully managed and maintained, in addition to:
    - (a) regular basic cleaning;
    - (b) specialised maintenance;
    - (c) annual structural certification;
    - (d) carrying out repairs and corrective maintenance; and
    - (e) a comprehensive conservation program;
  - (xiii) since the establishment of the current public art program in 2005, the City has led the way in commissioning art works that reflect the great diversity of voices and stories in our communities;
  - (xiv) this leadership is evident in the City's permanent collection (where, for example, 80 per cent of works commissioned since 2005 have been created by women), in temporary art commissioned by the City, and in work commissioned by others within the Local Government Area;
  - (xv) the City ensures all public art commissions are open to all artists and genders, placing emphasis on specific cultural sensitivity and awareness where required;
  - (xvi) staff conduct regular reviews to ensure works are properly cared for, and also identify works which may require deaccession;
  - (xvii) Margel Hinder's Bronze Sculpture and Fountain in Denis Winston place, while not owned by the City, is also not operational; and
  - (xviii) Hinder's sculpture commemorates the legacy of Denis Winston and celebrates human scale, diversity in housing, landscaped spaces and sculpture as essential to the pleasures of urban living; and
- (B) the Chief Executive Officer be requested to ensure:
- (i) that Anne Graham's 'Passage' fountain in Martin Place is fully operational including the misting mechanism; and
  - (ii) the City applies gender and diversity lenses to future City art projects commissioned.

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

X086655



### Item 12.13 Public and Affordable Housing Gains in International Cities

Moved by Councillor Ellsmore, seconded by Councillor Worling –

It is resolved that Council note:

- (A) Sydney has now become a more expensive city to live, in terms of housing costs, than comparable international cities Paris and London;
- (B) in July 2023, Deputy Mayor Sylvie Ellsmore met with the Deputy Mayor for Housing for Paris Council, Councillor Ian Brossat, the Deputy Mayor for Housing and Development for London Council, Councillor Tom Copley, and a range of other Paris and London Council representatives, to discuss public, social and affordable housing strategies;
- (C) Paris Council:
  - (i) implements a range of strategies to protect and increase affordable, social and public housing which include: significant direct investment in new public housing (\$500M Euros per annum); purchasing private housing and converting it to social housing; construction of new public housing on public land including converting car parks; strong requirements that developers build affordable housing on site; and rent caps;
  - (ii) requires private development to deliver a minimum of 25 per cent affordable or social housing on private sites; and
  - (iii) has recently achieved its target of 25 per cent social (including public and community) housing, up from 13 per cent in 2003;
- (D) London Council implements a range of strategies in partnership with local borough councils to increase council-owned public housing, social housing and affordable housing. Strategies include: infilling existing public housing estates; buying back council housing previously privatised; buying private housing from distressed developers and turning it into social housing; and strong affordable housing contributions from development;
- (E) the Mayor of London Sadiq Khan:
  - (i) requires developments determined by the Mayor on private land to include a minimum of 25 per cent affordable, public or social housing, and developments on public land to include a minimum of 50 per cent public, social or affordable housing. Some local borough councils have set higher targets than this; and
  - (ii) increased the London-wide target for construction of new City Hall-funded council homes (to be underway) from 10,000 to 20,000 by 2024, after the 10,000 target was met earlier than projected, in 2022;
- (F) requires proposals to renovate or develop public housing estates to be subject to a binding ballot of tenants, with tenants retaining a right of return if development is undertaken, and demolition only as a last resort. The policy has led to an increase in co-designed, staged projects for the rejuvenation of council estates, many of which have old and poor quality housing. Since introduction of the policy in 2018 there have been 20 ballots, 19 of which have been passed;

- (G) the City of Sydney has a range of strategies to increase affordable housing including an Local Government Area wide affordable housing levy. The 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. In a selected number of areas (including some sites in the Botany Road corridor) where rezoning results in a residential floor space uplift, a higher affordable housing contribution applies;
- (H) the City of Sydney has targets of 7.5 per cent social (including public housing) and 7.5 per cent affordable housing, by 2030; and
- (I) at its 26 June 2023 meeting, Council requested that the Chief Executive Officer review the City's Affordable Housing contribution rates, including what changes could deliver more Affordable Housing in our area such as rate increases, changes to City policies, planning controls and rezoning proposals; and report back to Council via the CEO Update.

Carried unanimously.

X086659

**Item 12.14 Community Recognition Statement - Marlon Sevehon - Woolloomooloo Boxing Team**

Moved by Councillor Gannon, seconded by Councillor Jarrett –

It is resolved that Council:

- (A) congratulate Marlon 'Big Red' Sevehon for his sterling efforts at the 2024 Paris Olympics Boxing Qualifiers;
- (B) acknowledge that despite losing on points to the top seed in his second bout of the tournament in the 80kg division, Mr Sevehon fought with broken ribs displaying remarkable determination;
- (C) commend Mr Sevehon's dedication and commitment over the years in his pursuit of representing Australia, which has been truly inspiring. He plans to compete in his second NSW State Title in September;
- (D) thank the Woolloomooloo Boxing Team lead coach, Adam Thompson, and the other members of the Team for the support and mentorship they provided Marlon as he pursued this outstanding achievement;
- (E) note the Woolloomooloo Boxing Team regularly train at PCYC City of Sydney-Woolloomooloo, and that over the past few years the club has evolved into one of the leading amateur boxing clubs in the country;
- (F) acknowledge the significant benefits this boxing club bestows upon young people, fostering physical fitness, mental well-being, and a sense of community; and
- (G) encourage 'Big Red', and other competitors from the club, to continue their pursuit of representing Australia on the world stage.

Carried unanimously.

X086658

**Item 12.15 Motion to Local Government NSW Annual Conference- Support for Drag Story Time Events in Local Government**

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

It is resolved that Council:

(A) note that:

- (i) the City of Sydney community is a proudly LGBTIQIA+ inclusive community;
- (ii) as demonstrated in the City of Sydney, pride and visibility should not just be something that LGBTIQIA+ residents experience just once per year, and Council facilities such as public libraries, swimming pools, sporting facilities and community centres are ideal venues for local inclusive events; and
- (iii) there has been a recent rise in homophobia and hate speech targeted at the LGBTIQIA+ communities, including organised disruption of 'Drag Story Time' programs; and

(B) submit the following motion for consideration at the upcoming 2023 Local Government NSW Annual Conference:

**Topic: Support for Drag Story Time and LGBTIQIA+ community activities by local councils**

That Local Government NSW:

- (a) encourages and facilitates member councils to organise local events that are inclusive for LGBTIQIA+ residents year-round;
- (b) supports councils to facilitate community-driven safety solutions to ensure that drag story time and similar events can take place at council facilities safely for performers and attendees; and
- (c) encourages member councils to ensure that drag performers receive payment in full for events that are cancelled.

Carried unanimously, as part of an in globo motion.

X086659

**Item 12.16 Motion to Local Government NSW Annual Conference - Support for Gender Affirmation Leave for Council Workers**

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

It is resolved that Council:

(A) note that:

- (i) workers who are undergoing gender transition through surgeries and other gender affirmation procedures can require six weeks or more recovery time;
- (ii) very few employees have sufficient leave stored up for these processes - particularly in the wake of Covid-19. A lack of access to leave can effectively force trans, non-binary, and otherwise gender-diverse employees to leave their employment to undergo gender transition procedures; and
- (iii) gender affirmation leave is not commonly available for workers, including local government; and

(B) submit the following motion for consideration at the upcoming 2023 Local Government NSW Annual Conference:

**Topic: Support for Gender Affirmation Leave for Council Workers**

That Local Government NSW consult with the union and trans health providers to develop a policy for paid annualised gender affirmation leave for employees of local government.

Carried unanimously, as part of an in globo motion.

X086659

**Item 12.17 Motion to Local Government NSW Annual Conference - Support for Early Childhood Education in the Local Government Sector**

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

It is resolved that Council:

(A) note that:

- (i) local government is the largest provider of public early childhood education. Access to public early childhood education is vital to support working families, and the economic independence of families, and particularly women;
- (ii) the sector is currently undergoing a crisis, with 74 per cent of the workforce planning on leaving within the next three years due to low wages and high workloads, and relatively few students entering the sector to replace them;
- (iii) unpaid placements currently require students to sacrifice thousands of dollars in pay, in order to enter into a sector they are likely to ultimately leave;
- (iv) child-care fees are rising substantially and there are large parts of the state, especially in regional NSW, where families cannot access any services for their children; and
- (v) the costs of addressing this crisis should be borne by state and federal governments, not by councils who face increasing financial pressure, or early childhood educators who are some of the lowest paid essential workers in our communities; and

(B) submit the following motion for consideration at the upcoming 2023 Local Government NSW Annual Conference:

**Topic: Support for Early Childhood Education in the Local Government Sector**

That Local Government NSW commits to supporting councils to recruit and retain early childhood educators by:

- (a) calling on the NSW Government to:
  - (i) increase support for public early childhood education services, including extending the paid placement funding offered to ECT students to Diploma and Certificate III students; and
  - (ii) support councils to expand high-quality early childhood education and care through long daycare, out-of-hours care, pre-school, and occasional care; and
- (b) bargaining with the United Services Union and its members in good faith to achieve an increase to wages for early childhood educators above inflation, as well as leave provisions and hazard pay that reflect the risk of infection associated with work in early childhood education.

Carried unanimously, as part of an in globo motion.

X086659

**Item 12.18 Motion to Local Government NSW Annual Conference - Ban on Local Government NSW using Race Clubs for Conference Venues**

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

It is resolved that Council:

- (A) note that the Local Government NSW Annual Conference will be held from Sunday 12 to Tuesday 14 November 2023 at the Grand Pavilion, Rosehill Gardens Racecourse, Rosehill; and
- (B) submit the following motion for consideration at the upcoming 2023 Local Government NSW Annual Conference:

**Topic: Local Government NSW Conferences not to be held at Racetracks**

That Local Government NSW commit that Local Government NSW events not be held at venues that promote gambling, including race tracks or casinos.

Carried unanimously, as part of an in globo motion.

X086659

**Item 12.19 Condemning the Oxford Street Stabbing**

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) on Saturday, 29 July 2023, just after 3am, a 25-year-old man and a 34-year-old man, stepping in to help, were stabbed by a man armed with a machete just outside Noir Sydney Nightclub;
- (ii) NSW Police are still looking for the armed man who fled the scene with seven other men;
- (iii) this crime is still under investigation and NSW Police hold no information to suggest that this was a hate crime targeted at the LGBTIQIA+ community;
- (iv) an incident of this nature occurring within the Oxford Street precinct is a serious concern to our residents and the LGBTIQIA+ community;
- (v) recently, Oxford Street has seen an increase in anti-LGBTQIA+ sentiment, with queer communities reporting they are facing both verbal and physical abuse;
- (vi) in April 2023 alone, there were three violent attacks on Oxford Street;
- (vii) NSW Police have increased high-visibility patrols in the area in response to the increase in violence;
- (viii) the community is very concerned that what was once known as a safe and inclusive space is now frightening;
- (ix) local LGBTQIA+ safe businesses in the area will be impacted by the decrease in crowds due to immense safety concerns;
- (x) as the Australian Local Government Association President, Councillor Scott has:
  - (a) written to the Australian Federal Police Commissioner; and
  - (b) requested state and territory Local Government Associations write to state and territory Police Commissioners to invite them to meet with the Australian Local Government Association to share intelligence across borders about increasing right wing extremism including hate crimes against councils, council staff and drag queen story time community events;
- (xi) the Lord Mayor has stated that later this year, the City will be co-hosting a State-wide LGBTQIA+ Local Government Safety Summit with ACON and Local Government NSW;

- (B) the Chief Executive Officer be requested to explore increasing support for Wear it Purple Day and any other community safety initiatives following the summit;



(C) the Lord Mayor be requested to write to:

- (i) the Minister for Police to condemn the Oxford Street stabbing and request that the City and NSW Government work together to address the violence; and
- (ii) the Police Commissioner, noting their increased patrols in the area and inquire about additional measures that can be taken to reduce the violence.

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

It is resolved that:

(A) Council note:

- (i) on Saturday, 29 July 2023, just after 3am, a 25-year-old man and a 34-year-old man, stepping in to help, were stabbed by a man armed with a machete just outside Noir Sydney Nightclub;
- (ii) NSW Police are still looking for the armed man who fled the scene with seven other men;
- (iii) this crime is still under investigation and NSW Police hold no information to suggest that this was a hate crime targeted at the LGBTIQIA+ community;
- (iv) an incident of this nature occurring within the Oxford Street precinct is a serious concern to our residents and the LGBTIQIA+ community;
- (v) recently, Oxford Street has seen an increase in anti-LGBTQIA+ sentiment, with queer communities reporting they are facing both verbal and physical abuse;
- (vi) in April 2023 alone, there were three violent attacks on Oxford Street;
- (vii) NSW Police have increased high-visibility patrols in the area in response to the increase in violence;
- (viii) the community is very concerned that what was once known as a safe and inclusive space is now frightening;
- (ix) local LGBTQIA+ safe businesses in the area will be impacted by the decrease in crowds due to immense safety concerns;
- (x) as the Australian Local Government Association President, Councillor Scott has:
  - (a) written to the Australian Federal Police Commissioner; and
  - (b) requested state and territory Local Government Associations write to state and territory Police Commissioners to invite them to meet with the Australian Local Government Association to share intelligence across borders about increasing right wing extremism including hate crimes against councils, council staff and drag queen story time community events; and
- (xi) the Lord Mayor has stated that later this year, the City will be co-hosting a State-wide LGBTQIA+ Local Government Safety Summit with ACON and Local Government NSW;

(B) Council also note that King Street and the surrounding area of Newtown, which is also a proudly LGBTQIA+ pride precinct, has been the target of recent increases in transphobic activities;

- (C) the Chief Executive Officer be requested to explore increasing support for Wear it Purple Day and any other community safety initiatives following the summit;
- (D) the Lord Mayor be requested to write to:
  - (i) the Minister for Police to condemn the Oxford Street stabbing and request that the City and NSW Government work together to address the violence; and
  - (ii) the Police Commissioner, noting their increased patrols in the area and inquire about additional measures that can be taken to reduce the violence; and
- (E) the CEO be requested to liaise with Inner West Council representatives, to discuss opportunities to support community-led actions to respond to the recent incidents in and around Newtown, and report back to Council via the CEO Update.

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

X086655

At 7.35 pm the meeting concluded.

Chair of a meeting of the Council of the City of Sydney held on Monday 18 September 2023 at which meeting the signature herein was subscribed.