

Council

Meeting No 7

Monday 18 September 2023

Notice No 7/1655

Notice Date 14 September 2023

minutes

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Present

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

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

At the commencement of business at 5.03 pm, those present were:

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

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

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillors Gannon and Scott were 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.

Order of Business

Following Item 3.4, Council agreed that the order of business be altered such that Item 12.1 be brought forward and dealt with prior to Item 4, for the convenience of the public present.

Councillor Jarrett left the meeting of Council at 6.40pm, after the vote on Councillor Scott's amendment, and before the vote on the substantive motion for Item 6.4, and did not return.

Councillor Gannon left the meeting of Council at 8.30pm, after the vote on Item 12.7, and did not return.

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, 21 August 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2 Statement of Ethical Obligations and Disclosures of Interest

Statement of Ethical Obligations

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

Disclosures of Interest

Councillor HY William Chan made the following disclosures:

- a less than significant, non-pecuniary interest in Item 3.1 on the agenda, in that he has previously served, in an appointed voluntary capacity, as a Young Ambassador for UNICEF Australia (the Australian Committee for UNICEF Limited) from 2014 to 2015. Currently Councillor Chan holds the following engagements with UNICEF Australia: he is an alumnus of the Young Ambassador program; an official supporter of the charity; and previously provided contractor services. Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not been providing contractor services to UNICEF Australia since 2003.
- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that he entered the City of Sydney's Alternative Housing Ideas Challenge in 2019. Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstance because the submission was entered in 2019, while he was in private practice.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that she is the President of the Australian Local Government Association (ALGA). 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 required relating to ALGA, rather noting information.
- a less than significant, non-pecuniary interest in Item 12.5 on the agenda, in that as per her published disclosures, she is a part-owner of a rental property. 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 this matter on this item.

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that he met with Nicolas Parkhill AM, Chief Executive Officer at ACON Health Limited, on Monday 24 July 2023 to discuss the recent homophobic attacks on Oxford Street and how he could best support the queer community in his role as a Councillor. Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because they did not discuss the ad-hoc grant of \$40,000 and Councillor Worling had no prior knowledge of the City's intention to provide this grant.

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 Catastrophic Events in North Africa****Minute by the Lord Mayor**

To Council:

In recent days, North Africa has suffered two catastrophic events, resulting in the loss of thousands of lives. An earthquake in south-west Morocco and floods in north-east Libya have devastated villages and towns, leaving many survivors injured and displaced.

Morocco

On 8 September 2023, a magnitude 6.8 to 6.9 earthquake struck Morocco's Marrakesh–Safi region with devastating effect. Tremors were also felt in Spain, Portugal, and Algeria. Almost 3,000 people are reported to have died and over 5,530 injured, with this number expected to rise. The United Nations estimates that around 300,000 people, including 100,000 children, are affected.

The earthquake is Morocco's most catastrophic since 1960, when the coastal city of Agadir, about 240 kilometres southwest of Marrakesh was destroyed and nearly 15,000 people died - a third of the city's population at that time.

The earthquake's epicentre was located 73.4 kilometres southwest of Marrakesh, in the High Atlas Mountains, with many of the worst affected areas being remote villages and towns. Several villages were completely flattened, leaving those who survived without homes. The steep and winding roads and narrow, dusty tracks which provide the only access were clogged with rubble. One village, Tafeghaghte, around 60 kilometres from Marrakesh had its population of 200 people nearly halved.

Survivors have had to cope with a lack of running water, stable electricity, internet access and telephone service. The lack of infrastructure such railways, roads, and hospitals has hampered aid efforts made more difficult by damage to roads and tracks. Traumatized village residents have been faced with trying to rescue people trapped in rubble and relying on each other for support. Some help has come from private organisations and citizens who had made the difficult journey into the mountainous region.

While Marrakesh was spared the wholesale destruction experienced in the mountains, the earthquake caused damage in the older parts of the city. Some homes and portions of the city walls collapsed, leaving families trapped beneath debris. Several buildings in the Medina of Marrakesh, a UNESCO World Heritage Site dating from the 12th century, also collapsed.

Hastily built tent cities are housing displaced people on the roads outside of Marrakesh, while in Marrakesh many are sleeping next to their cars in parking lots or on the roadside.

Recovery from this devastation could take many years, according to the International Red Cross.

Libya

On the weekend immediately following the Moroccan earthquake, Storm Daniel, recorded as the deadliest weather event this year, battered parts of Libya's north-east coast with 400 millimetres of rain over a 24-hour period. In the preceding days, it had moved through the Mediterranean Sea, swamping Greece, Turkey and Bulgaria causing extensive flooding.

On Sunday 10 September 2023, the storm's torrential rain destroyed several bridges and caused two dams to burst near Derna, a coastal city in northeast Libya with a population of about 90,000. The resulting floods washed away around a quarter of the city, with entire neighbourhoods, including homes, schools and mosques, swept into the sea. Streets which have not become rivers are covered in mud and rubble, littered with upturned vehicles.

The floodwaters were accompanied by strong winds of up to 80 kilometres per hour, which interrupted communications and brought down electricity towers and trees.

The devastation has cut off Derna from the west and east. The only access is from the south on an unpaved road, slowing the delivery of aid and the arrival of rescue teams.

As of 13 September 2023, over 6,800 people have died from the floods, while over 10,000 people were believed missing. However, numbers are expected to be much higher. The United Nations' International Organisation for Migration has estimated that at least 30,000 people have been displaced.

Disaster relief

Relief efforts in both Morocco and Libya have been severely hampered by their respective governments. The Moroccan Government is only willing to accept aid from a handful of countries, while government in Libya is divided. An internationally recognized government based in Tripoli controls Libya's western half. However, flood-stricken Derna is in a separately administered region in the east where the main authority is the Libyan National Army based in Tobruk. Tripoli and Tobruk are working together to some extent to address the crisis.

Despite these challenges, aid organisations are working on the ground in both Morocco and Libya. The City of Sydney should support these efforts.

I therefore propose we donate \$25,000 to Oxfam Australia's Morocco Earthquake Appeal subject to confirmation from Oxfam Australia that the Moroccan government is accepting international humanitarian aid. Oxfam Australia is collaborating with Oxfam Great Britain and local partners in Morocco to assess the needs of the impacted communities and define their response to this earthquake. Council's donation will support the provision of clean water, food, emergency shelter, sanitation facilities and health advice. Once the immediate danger has passed, Oxfam will work with local communities to rebuild lives and reduce the risk of future disasters.

I also propose we donate \$25,000 to UNICEF's Children's Emergency Appeal to support its work in Libya. UNICEF is working alongside its partners to deliver critical emergency supplies to children and their families affected by destruction caused by the floods. Council's donation will contribute to life-saving supplies including emergency food ration packs, water purification tablets and education supplies.

These donations comply with the City of Sydney's Support for Charities Policy adopted by Council on 21 November 2022, are in line with previous donations and align with objective 7.3.2 (2) of the City's Operational Plan 2023/24, which states that the City will support communities beyond our local area and international communities experiencing emergency situations.

Recommendation

It is resolved that:

- (A) Council donate:
- (i) \$25,000 to Oxfam Australia's Morocco Earthquake Appeal from the 2023/24 General Contingency Fund subject to confirmation from Oxfam Australia that the Moroccan government is accepting international humanitarian aid; and
 - (ii) \$25,000 to the Australian Committee for UNICEF Limited for their Children's Emergency Appeal for Libya from the 2023/24 General Contingency Fund; and
- (B) the Chief Executive Officer be requested to arrange a program for staff donations to the above appeals and for Council to match dollar for dollar any contributions until the end of October 2023 from the 2023/24 General Contingency Fund.

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

Item 3.2 Pets on Public Transport

Minute by the Lord Mayor

To Council:

Australia has one the highest rates of pet ownership in the world. According to 2021 research by Animal Medicine Australia, there are an estimated 30.4 million pets across the country. Sixty-nine per cent of Australian households now own a pet, up from 61 per cent in 2019. Pet registrations in the City of Sydney confirm there are 32,820 dogs and 26,815 cats living with their human companions in the Local Government Area.

Pets give pleasure and create joy, they teach responsibility, and they love and are loved in return. The research by Animal Medicine Australia also tells us that both dogs and cats helped to improve their owners' physical and mental well-being, particularly through the Covid-19 lockdowns or job losses during that period.

The City of Sydney's Companion Animals Policy promotes responsible pet ownership because we understand how important pets can be to people's wellbeing and quality of life. We educate pet owners and the community about responsible pet ownership. Residents with a pensioner or health care concession cards can access free microchipping and discounted registration. At our Pet Days, we offer social housing residents access to free pet health checks, microchipping, flea and worming treatments, and free desexing for their pets.

For years I have been advocating for changes to improve the welfare of companion animals and the rights of pet owners. We have seen positive reforms to strata laws which prevent owners' corporations establishing blanket bans on pets, and there are plans to make it easier for renters in NSW to have pets. But people with pets are still often made to feel like second-class citizens through unnecessarily restrictive policies about pets on public transport. The community wants this to change.

Taking a pet on public transport is a normal part of life in many cities, including San Francisco, Berlin, Paris and London. In Melbourne, pets can travel free of charge on trains, trams and buses, provided they are in a suitable container or on a lead and large dogs are muzzled.

Meanwhile in Sydney, pets are not allowed on trains or at stations including the Sydney Metro. On light rail, buses and ferries, pets are only allowed if staff or the driver agrees, and not if any of those services are nearing capacity.

Inner-city pet owners are particularly disadvantaged because they are less likely to own a car. Social housing tenants tell me they cannot get their pet to a vet because they do not have access to a car. Older people report that they have been unable to visit relatives because they could not leave their pets at home alone overnight and could not afford alternatives to public transport.

A city for walking, cycling and public transport must serve everyone's needs, including people who have pets. People and their pets are seriously disadvantaged because they cannot travel on public transport with their pets and are unwilling to risk being turned away by transport staff.

Transport for London recently said that allowing dogs on public transport helps their efforts to encourage active travel and reduce car dependency. They allow pets on all buses, trams and trains – free of charge, at all times – because they recognise that many passengers (including women travelling late at night) feel far safer with them. It also provides greater trip flexibility for people going out with their dog.

Allowing pets on public transport does not require legislative change. Instead, it can be achieved by amending the Passenger Transport (General) Regulation 2017 – a much quicker process.

There is a community-led petition before the Legislative Assembly calling for Transport for NSW to allow companion animals on public transport. Tails on Rails, a grass roots community organisation has also been advocating to the NSW Government and parliamentarians on this issue. The Member for Sydney, Alex Greenwich, supports the petition as does the Hon. Emma Hurst, MLC of the Animal Justice Party.

After the NSW Government elections, I raised this issue in a meeting with the Minister for Transport, the Hon. Jo Haylen, who responded positively.

Reducing our dependency on cars is critical to reducing carbon emissions and meeting our net zero target by 2035. This includes reducing our pet's dependency on cars too.

I urge the NSW Government to make this straightforward but meaningful change.

Recommendation

It is resolved that:

- (A) Council note:
 - (i) that in NSW, pets are not allowed on trains or at stations including the Sydney Metro. On light rail, buses and ferries, pets are only allowed if staff or the driver agrees, and not if any of those services are nearing capacity;
 - (ii) that inner-city pet owners are particularly disadvantaged because they are less likely to own or be able to afford access to a car, including social housing tenants and elderly people; and
 - (iii) the community-led petition, as shown at Attachment A to the subject Minute and endorse its request to the Legislative Assembly to allow companion animals on public transport in NSW;
- (B) the Chief Executive Officer be requested to inform the community about the petition through its various communication channels; and

- (C) the Lord Mayor be requested to write again to the Minister for Transport, and to the Minister for Roads and Minister for Regional Transport and Roads, with a copy of this Lord Mayoral Minute, calling on them to:
- (i) urgently remove current restrictions under the Passenger Transport (General) Regulation 2017, so that certainty is provided to passengers that their pets will be allowed to travel with them on all forms of public transport in NSW; and
 - (ii) match the regulation change with updated communications and training for Transport for NSW staff and contractors so that pets on public transport are actively supported and encouraged in NSW as a means to reducing dependence on cars and improving equity.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Attachments

Attachment A. Petition for Transport for NSW to Allow Companion Animals on Public Transport

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

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

Carried unanimously.

S051491

Item 3.3 Sydney Park Brick Kilns Activation

Minute by the Lord Mayor

To Council:

History

The brick kiln and chimney structures in Sydney Park are the largest remaining intact brick kilns in New South Wales. There are three other Sydney brickwork sites in Holroyd, Eastwood and Brookvale and others in New South Wales (Cessnock and Kalaru). These sites are generally not as well preserved or have as many structures as the Sydney Park site. The brick kilns in Sydney Park consist of the Hardy Patent Kiln, Hoffman Patent Kiln, Downdraught Kilns and other structures. The group of buildings are a locally listed heritage item of cultural and historical significance known as the *Former Brickworks Group*.

Various brick, pottery and tile works were established in the area from the early 1800s. Several brickworks operated on the site including Bedford Brick Works from 1893 and Austral Brick Company from 1936 until it ceased operating in 1983.

In 1948, the deep clay brick-pits became a major municipal waste depot for Sydney. It was known by several names including the St Peters tip and household rubbish was dumped there until 1976. When St Peters tip was finally closed, a final layer of soil and building rubble was placed over the former brick-pits to create a new regional park. In 1980, the site was sold to the NSW Government and in 1991, ownership was transferred to South Sydney Council, and then to the City of Sydney when the two councils merged in 2004.

Sydney Park is now a multi-award-winning regional park and includes a skate park, bike track, playground, water harvesting wetlands, a dog pool, Sydney City Farm and Alan Davidson Oval.

Restoration

The brick kilns and chimney structures are subject to an ongoing maintenance program. The City has been working on this program since 2007, when the conservation management plan was prepared. In 2013, the alcoves and internal arches were repaired and propped. In 2015, the roof membrane of the Hoffman kiln was upgraded. In 2017, chimneys 2 and 4 were remediated. In 2020, temporary fencing was erected around Downdraught Kilns 1, 2 and 3 to protect public safety.

The stormwater issues under the site are creating a lot of ground movement, water ingress and steel erosion and the latest condition report identified further works were required.

In August 2022, Council approved the project scope and concept design for the Sydney Park brick kilns heritage renewal works including stabilisation and preservation of the brick kilns, reinstating the roof structures, landscaping, signage, lighting, stormwater and improvements to the precinct as the entryway to Sydney Park. The scope and plan formed the basis for the development application and future tender for the renewal works.

Activation

Over the past year, the City's Design Advisory Panel and its sub-committee has reviewed the heritage renewal works project. The Panel strongly supports the renewal of the brick kilns and chimney structures to improve community access to them to appreciate the heritage significance of the site.

Feedback from the community consultation on the renewal works also indicated a desire to see the brick kilns precinct reactivated. For example, for markets, galleries, food services, live music and art installations. The precinct has historically hosted events such as *The Sound of Red Earth*, a public art installation by Stephen Vitiello and Kaldor Public Art Projects.

Preliminary investigations by staff into activation of the brick kilns revealed it would be a challenging project requiring more detailed consideration due to structural and safety concerns and the potential impacts to the heritage fabric. As a result, the heritage renewal works were pursued separately so they would not be delayed.

The City of Sydney's submission to the NSW Arts, Culture and Creative Industries Policy identifies a crisis in the availability of affordable spaces for creative and cultural activities. Activating the brick kilns would make a small contribution to addressing this shortage while providing unique spaces for our creatives to use and could lead to more projects like *The Sound of Red Earth*.

Next steps

Now that the work to commence the renewal and stabilisation of the brick kilns, chimneys and other structures is underway, further investigations into the feasibility of reactivating one or more of the buildings or structures can be revisited. This should include an assessment of structural stability, safety, building code requirements, heritage protections and financial implications to make the buildings accessible and available for community use.

Recommendation

It is resolved that:

(A) Council note:

- (i) the significance of the brick kilns in Sydney Park as the largest remaining intact brick making precinct in New South Wales;
- (ii) a Development Application for the stabilisation of the structures and renewal of the surrounding landscape areas has been lodged and will be publicly notified;
- (iii) consultation feedback revealed support for the stabilisation of the structures and renewal of the surrounding landscape areas and included requests for the City to also consider opportunities for activation of the structures; and
- (iv) preliminary investigations carried out by the City of Sydney indicated that due to structural and safety concerns the structures could not be permanently occupied without significant alterations to the heritage structures. However, further investigations would be required to determine if they can be made accessible and safe for temporary activations; and

- (B) the Chief Executive Officer be requested to:
- (i) carry out further investigations on the feasibility and financial implications of activation of the brick kiln structures including making them accessible and available for community and cultural uses; and
 - (ii) report back to Council on the outcomes of the investigation and next steps.

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

Item 3.4 City of Sydney Submission on a New Arts, Culture and Creative Industries Policy for NSW

Minute by the Lord Mayor

To Council:

This Minute places on record the City of Sydney's comprehensive submission to the consultation on a new Arts, Culture and Creative Industries Policy for NSW.

The submission responds to the discussion paper, A New Look at Culture, released by the Minister for the Arts, the Hon. John Graham MLC, in July 2023 and addresses questions developed from the Minister's priorities. These are:

- **A new look at people:** How can we create better more inclusive pathways and support for practitioners in the arts, culture and creative industries?
- **A new look at infrastructure:** How can we create and improve sustainable access to spaces, programs, and other support for all aspects of artistic and cultural activity?
- **A new look at audiences:** How can we grow local, national, and international audiences for cultural experiences, for the benefit of our community and the broader economy?

Establishing a whole-of-government framework will be crucial to implementing the new policy and addressing the Minister's priorities. Many of the submission's 32 recommendations point to the need for such a framework and the active involvement of NSW Government agencies other than Create NSW.

For example, the submission recommends that cultural infrastructure should be embedded in all NSW Government renewal and development projects. All NSW Government property-holding agencies need a coordinated, streamlined process for the use of their land for cultural purposes.

Changes to planning are also proposed. This includes increasing affordable work and live/work spaces as well as creating a pathway to better enable temporary and small-scale cultural events and make it easier for buildings to be used for creative and cultural activities.

Negotiating the complex planning system can be costly and challenging for many of our creatives. The submission suggests establishing a Planning Aid service, similar to Legal Aid, to provide free or low-cost planning advice. As a consent authority, local governments are not able to provide such advice and maintain probity.

Recommendations to support our creative practitioners include other actions to address the housing stress many of them face, along with actions relating to the impact of the gig economy and workplace issues.

Audiences would be better served by improving public transport connections to and between nightlife precincts and investing in accessibility upgrades for cultural venues. Destination NSW should have a focus on stronger support for local arts and cultural operators and promoting Sydney's year-round fine-grain cultural offer. NSW Government events should unlock employment opportunities for our local artists and support the activation of local precincts and fine-grain hospitality and creative businesses.

The new NSW policy will align with Revive, the new National Cultural Policy, launched earlier this year. Pillar 1 of that Policy is First Nations First. The City's submission suggests this provides an opportunity to align cultural policies at Federal, State and Local Government levels which acknowledge the world's oldest continuous cultures, those of the Aboriginal and Torres Strait Islander peoples.

The City is already doing this through our Eora Journey project and Yananurula, referred to in the City's submission. In keeping with the emphasis on a whole-of-government approach, the submission states:

“... the NSW Government is best placed to coordinate the local authorities, land holders, trusts and major cultural institutions of the greater Sydney Harbour foreshore to undertake a comprehensive plan for embedding Aboriginal culture, history and truth telling in the public domain and community infrastructure.”

The new cultural policy should not adopt a single approach for all of NSW. It should recognise that Sydney's cultural life and workforce faces pressures unlike the rest of the state, and, as the driver of the nation's cultural product, Sydney must be given specific and urgent attention.

This is underpinned by the compelling research of City staff which shows, inter alia:

- The number of people working in Sydney's cultural and creative industries is growing at a slower rate than the national average, with Sydney being the only capital city to have lost artists, musicians, writers, and performers.
- In one decade, Sydney's cultural infrastructure reduced by the equivalent of three Opera Houses or six Carriageworks, with the loss of productive land and building stock breaking creative industry supply-chains.

The City has long sought to staunch this loss of cultural infrastructure and cultural activity. In 2010, we converted the Riley Street works depot into artist studios, now managed by First Draft. Our Oxford Street Creative Spaces program, launched in early 2012, was soon expanded to other areas. In 2013, we opened the state of art Eternity Playhouse in the former Baptist Tabernacle with the Darlinghurst Theatre Company as the resident company. The Darlinghurst Theatre Company's former home in the former Reg Murphy Hall is now the Hayes Theatre, recognised Australia wide as a leading exponent of music theatre.

The City also provides many other cultural and creative spaces through our Accommodation Grants Program, including 107 Projects in Redfern, the City East Community and Arts Centre, the Joynton Avenue Creative Centre and the PACT Centre for Emerging Artists.

We look forward to the opening of the Museum of Chinese in Australia in the former Haymarket Library and the expansion of Gallery 4A also in the Haymarket.

We have used voluntary planning agreements to leverage new creative space, most notably the City of Sydney Creative Studios. Our Late Night Trading Development Control Plan includes incentives for live entertainment and aims to encourage a new 24-hour cultural precinct in North Alexandria.

These initiatives are the result of different units of the City organisation working together and demonstrate what a whole-of-government approach can achieve. They also provide practical examples for the various NSW Government agencies and the importance of a broad approach to cultural and creative industries policy.

The City of Sydney has long championed the transformation of Sydney as a place for people, human-scale experiences, nature, amenity, public space, public art and cultural connection in the public domain. To quote our submission, “When the City is an artwork, everyone is the audience and every day is a cultural event”.

I acknowledge that many of our most significant urban rejuvenation projects have been made possible through collaboration with the NSW Government and look forward to further collaboration in advancing Sydney's creative and cultural life.

Recommendation

It is resolved that:

- (A) Council note the City of Sydney's comprehensive submission to the consultation on a new Arts, Culture and Creative Industries Policy as shown at Attachment A to the subject Minute;
- (B) Council commend City staff for their excellent work in preparing the City's submission; and
- (C) the Lord Mayor be requested to write to the Premier requesting he establish a whole-of-government framework to implement the new Arts, Culture and Creative Industries Policy when it is finalised.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Attachments

Attachment A. City of Sydney Submission – NSW Arts, Culture and Creative Industries Policy

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

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

Carried unanimously.

S051491

Item 4 Memoranda by the Chief Executive Officer

Item 4.1 Election of Deputy Lord Mayor

Memorandum by the Chief Executive Officer

To Council:

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

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

Council may elect a Deputy Lord Mayor for the new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council, scheduled to be held in September 2024.

At the Council meeting of 19 September 2022, Councillor Sylvie Ellsmore was elected Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately and ending on 30 September 2023.

Payment of Fees

Section 249(5) of the Act provides:

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

On 5 June 2000, Council resolved to:

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

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

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

Call for Nominations

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

Conduct of Election

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

Recommendation

It is resolved that:

- (A) Council elect a Deputy Lord Mayor for a term effective immediately and ending on the day appointed for the next ordinary election of Council;
- (B) the method of voting be by open, exhaustive voting; and
- (C) the Chief Executive Officer conduct the election forthwith.

MONICA BARONE

Chief Executive Officer

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

It is resolved that:

- (A) Council elect a Deputy Lord Mayor for a term effective immediately and ending on the day appointed for the next ordinary election of Council;
- (B) the method of voting be by open, exhaustive voting; and
- (C) the Chief Executive Officer conduct the election forthwith.

Carried unanimously.

S062388

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

The Manager OCEO announced that one duly completed, written nomination had been received, namely –

Councillor Robert Kok (nominated by the Chair (the Lord Mayor), seconded by Councillor Chan).

Councillor Kok indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Robert Kok duly elected to the office of Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

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

Item 4.2 Council Committees - Functions, Membership, Election of Deputy Chairs**Memorandum by the Chief Executive Officer**

To Council:

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

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

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

Committee Structure

Following a review of the administrative arrangements associated with Council's existing Committee structure, a number of amendments are recommended:

- the functions of the Business and Economic Development Committee and the Resilient Communities Committee be combined to create the Resilient Communities and Economy Committee;
- the establishment of a new Environment Committee (previously part of the Transport, Heritage, Environment and Planning Committee); and
- the functions of the proposed Transport, Heritage and Planning Committee are revised to accommodate the establishment of the proposed Environment Committee.

The administrative arrangements associated with Council's committees are detailed in the "Functions, Delegations, Policies and Procedures of Council Committees" (refer Attachment A). This document has been amended to reflect the changes in Committee structure detailed above.

Election of Deputy Chairpersons

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

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

At the Council meeting of 19 September 2022, Council elected Deputy Chairpersons for each of Council's Committees for a term commencing immediately and ending on 30 September 2023, with the Lord Mayor chairing all Committees.

Council will be required to elect a Deputy Chairperson for each of the following Committees for the new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council,

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

Recommendation

It is resolved that:

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

MONICA BARONE

Chief Executive Officer

Attachments

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

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

It is resolved that:

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

Carried unanimously.

S062388

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

The Manager OCEO invited nominations from Councillors for the positions of Deputy Chairs of Committees.

Nominations were made and accepted as follows.

Elections were then conducted, with the results as follows –

(1) Corporate, Finance, Properties and Tenders Committee

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

Councillor Robert Kok (nominated by the Chair (the Lord Mayor), seconded by Councillor Chan).

Councillor Kok indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Robert Kok duly elected to the position of Deputy Chairperson of the Corporate, Finance, Properties and Tenders Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council.

(2) Environment Committee

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

Councillor Adam Worling (nominated by Councillor Kok, seconded by Councillor Davis).

Councillor Worling indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Adam Worling duly elected to the position of Deputy Chairperson of the Environment Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council.

(3) Housing For All Committee

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

Councillor Sylvie Ellsmore (nominated by Councillor Ellsmore, seconded by Councillor Kok).

Councillor Ellsmore indicated acceptance of her nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Sylvie Ellsmore duly elected to the position of Deputy Chairperson of the Housing For All Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council.

(4) Cultural and Creative Committee

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

Councillor Lyndon Gannon (nominated by Councillor Worling, seconded by Councillor Jarrett).

Councillor Gannon indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Lyndon Gannon duly elected to the position of Deputy Chairperson of the Cultural and Creative Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council.

(5) Resilient Communities and Economy Committee

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

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

Councillor Davis indicated acceptance of her nomination.

There were no other nominations.

The Manager OCEO then declared Councillor (Waskam) Emelda Davis duly elected to the position of Deputy Chairperson of the Resilient Communities and Economy Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council.

(6) Transport, Heritage and Planning Committee

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

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

Councillor Chan indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor HY William Chan duly elected to the position of Deputy Chairperson of the Transport, Heritage and Planning Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council.

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

CORPORATE, FINANCE, PROPERTIES AND TENDERS COMMITTEE

- Meeting Time: Monday 2.00pm
- Venue: Council Chamber
- Chairperson: The Lord Mayor – Councillor Clover Moore AO
- Deputy Chairperson: Councillor Robert Kok
- Members: Councillor HY William Chan
Councillor (Waskam) Emelda Davis
Councillor Sylvie Ellsmore
Councillor Lyndon Gannon
Councillor Shauna Jarrett
Councillor Robert Kok
Councillor Linda Scott
Councillor Yvonne Weldon AM
Councillor Adam Worling
- Quorum: A majority of the members of the Committee
- Functions: To deal with all matters relating to:
- (a) Finance
 - (b) Consideration of budgets and quarterly budget performance
 - (c) Information technology policy
 - (d) Asset management
 - (e) Internal and external audit
 - (f) Fees and charges
 - (g) Rating matters
 - (h) City vehicles and fleet management
 - (i) City operational and property investment facilities
 - (j) Industrial relations
 - (k) Organisational policy
 - (l) City property management, including management, maintenance, leasing, licensing and sale of Council property
 - (m) Tenders valued at over \$5 million

ENVIRONMENT COMMITTEE

- Meeting Time: At the conclusion of the meeting of the Corporate, Finance, Properties and Tenders Committee
- Venue: Council Chamber
- Chairperson: The Lord Mayor – Councillor Clover Moore AO
- Deputy Chairperson: Councillor Adam Worling
- Members: Councillor HY William Chan
Councillor (Waskam) Emelda Davis
Councillor Sylvie Ellsmore
Councillor Lyndon Gannon
Councillor Shauna Jarrett
Councillor Robert Kok
Councillor Linda Scott
Councillor Yvonne Weldon AM
Councillor Adam Worling
- Quorum: A majority of the members of the Committee
- Functions: To deal with all matters relating to:
(a) Environmental management
(b) Parks and open spaces
(c) City greening
(d) Cleansing, waste and recycling
(e) Urban infrastructure, including roads, footpaths, lighting, stormwater and drainage
(f) Cycleways
(g) Grants and sponsorships related to the above

HOUSING FOR ALL COMMITTEE

Meeting Time: At the conclusion of the meeting of the Environment Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore AO

Deputy Chairperson: Councillor Sylvie Ellsmore

Members:

- Councillor HY William Chan
- Councillor (Waskam) Emelda Davis
- Councillor Sylvie Ellsmore
- Councillor Lyndon Gannon
- Councillor Shauna Jarrett
- Councillor Robert Kok
- Councillor Linda Scott
- Councillor Yvonne Weldon AM
- Councillor Adam Worling

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

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

CULTURAL AND CREATIVE COMMITTEE
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Meeting Time: At the conclusion of the Housing For All Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore AO

Deputy Chairperson: Councillor Lyndon Gannon

Members: Councillor HY William Chan
Councillor (Waskam) Emelda Davis
Councillor Sylvie Ellsmore
Councillor Lyndon Gannon
Councillor Shauna Jarrett
Councillor Robert Kok
Councillor Linda Scott
Councillor Yvonne Weldon AM
Councillor Adam Worling

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Arts, culture, film, creative industries and creative practice City events, programs and activities
- (b) Cultural and social diversity
- (c) Cultural, social and economic disadvantage
- (d) Cultural venue management
- (e) Grants and sponsorships related to the above

RESILIENT COMMUNITIES AND ECONOMY COMMITTEE

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

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore AO

Deputy Chairperson: Councillor (Waskam) Emelda Davis

Members:

- Councillor HY William Chan
- Councillor (Waskam) Emelda Davis
- Councillor Sylvie Ellsmore
- Councillor Lyndon Gannon
- Councillor Shauna Jarrett
- Councillor Robert Kok
- Councillor Linda Scott
- Councillor Yvonne Weldon AM
- Councillor Adam Worling

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Assistance to community and cultural organisations
- (b) Community services
- (c) Recreation services
- (d) Child care services
- (e) Library services
- (f) City community facilities
- (g) City playground facilities
- (h) Innovation
- (i) Economic development and strategy
- (j) Global city relationships, trade and marketing
- (k) Local economies
- (l) Small business
- (m) City retailing
- (n) Hospitality and visitor economy
- (o) Grants and sponsorships related to the above

TRANSPORT, HERITAGE AND PLANNING COMMITTEE

Meeting Times: At the conclusion of the Resilient Communities and Economy Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore AO

Deputy Chairperson: Councillor HY William Chan

Members: Councillor HY William Chan
Councillor (Waskam) Emelda Davis
Councillor Sylvie Ellsmore
Councillor Lyndon Gannon
Councillor Shauna Jarrett
Councillor Robert Kok
Councillor Linda Scott
Councillor Yvonne Weldon AM
Councillor Adam Worling

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Planning instruments, ie, LEPS, DCPs, Policies
- (b) Transport and access initiatives and issues
- (c) Parking policy
- (d) Traffic and the Local Pedestrian, Cycling and Traffic Calming Committee
- (e) Referrals from other authorities for comment on any of the above matters
- (f) All applications for footway usage approvals
- (g) Grants and sponsorships related to the above

POLICIES AND PROCEDURES OF COMMITTEES

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

Item 4.3 Central Sydney Planning Committee - Election of Councillors

Memorandum by the Chief Executive Officer

To Council:

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

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

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

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

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

At the Council meeting of 19 September 2022, Council elected then Councillor Jess Scully and Councillor HY William Chan to the two positions on the Central Sydney Planning Committee, for a term commencing immediately and ending on 30 September 2023.

The Act provides that Council may appoint an alternate for each of the elected members. At the Council meeting of 19 September 2022, Council appointed Councillor Robert Kok as alternate to then Councillor Scully and Councillor (Waskam) Emelda Davis as alternate to Councillor Chan until 30 September 2023.

As elections are scheduled to be held in September 2024, it is recommended that Councillors be elected to the Central Sydney Planning Committee for the new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council.

Recommendation

It is resolved that:

- (A) Council elect two Councillors to be members of the Central Sydney Planning Committee effective immediately and ending on the day appointed for the next ordinary election of Council;
- (B) the method of voting be open, exhaustive voting;
- (C) the Chief Executive Officer conduct the election forthwith; and
- (D) Council appoint alternates for each member elected.

MONICA BARONE

Chief Executive Officer

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

It is resolved that:

- (A) Council elect two Councillors to be members of the Central Sydney Planning Committee effective immediately and ending on the day appointed for the next ordinary election of Council;
- (B) the method of voting be open, exhaustive voting;
- (C) the Chief Executive Officer conduct the election forthwith; and
- (D) Council appoint alternates for each member elected.

Carried unanimously.

S062388

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

The Manager OCEO invited nominations from Councillors for the first position on the Central Sydney Planning Committee.

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

Councillor HY William Chan (nominated by the Chair (the Lord Mayor), seconded by Councillor Kok), noting the alternate member is to be Councillor Sylvie Ellsmore.

Councillor Chan indicated acceptance of his nomination.

The Manager OCEO then declared Councillor HY William Chan duly elected to the first position on the Central Sydney Planning Committee effective immediately and ending on the day appointed for the next ordinary election of Council.

The Manager OCEO invited nominations from Councillors for the second position on the Central Sydney Planning Committee.

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

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

Councillor Worling indicated acceptance of his nomination.

The Manager OCEO then declared Councillor Adam Worling duly elected to the second position on the Central Sydney Planning Committee effective immediately and ending on the day appointed for the next ordinary election of Council.

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

Memorandum by the Chief Executive Officer

To Council:

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

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

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

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

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

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

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

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

- Transit Systems representative;

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

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

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

At the Council meeting of 19 September 2022 Councillor HY William Chan and Councillor (Waskam) Emelda Davis were appointed Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee respectively for a term commencing immediately and ending on 30 September 2023.

Council is now required to appoint a Chairperson and alternate Chairperson for the new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council, scheduled to be held in September 2024.

Recommendation

It is resolved that:

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

MONICA BARONE

Chief Executive Officer

Attachments

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

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

It is resolved that:

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

Carried unanimously.

S062388

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

LOCAL PEDESTRIAN, CYCLING AND TRAFFIC CALMING COMMITTEE

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

Chairperson Councillor HY William Chan

Alternate Chairperson Councillor (Waskam) Emelda Davis

Members

There are four formal members of the Traffic Committee:

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

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

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

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

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

Administration

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

Function

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

Meetings/Attendance

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

Item 4.5 Determination of Number of Councillors**Memorandum by the Chief Executive Officer**

To Council:

Section 224 of the Local Government Act 1993 requires that:

- (1) A council must have a least five and not more than 15 councillors (one of whom is the mayor).
- (2) Not less than 12 months before the next ordinary election, the council must determine the number, in accordance with subsection (1), of its councillors for the following term of office.
- (3) If the council proposes to change the number of councillors, it must, before determining the number, obtain approval for the change at a constitutional referendum.

Council is therefore required by section 224 of the Local Government Act 1993 to determine the number of councillors for the term of office to follow the elections to be held in September 2024.

I am not aware of any reason why Council would wish to increase or decrease the number of councillors.

Accordingly, it is not proposed to take any action in respect of the holding of a constitutional referendum to seek approval for such a change.

Recommendation

It is resolved that Council determines that the number of councillors be maintained at 10 for the following term of office of the City of Sydney Council, expected to commence in late 2024.

MONICA BARONE

Chief Executive Officer

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

It is resolved that Council determines that the number of councillors be maintained at 10 for the following term of office of the City of Sydney Council, expected to commence in late 2024.

Amendment. Moved by Councillor Ellsmore –

It is resolved that:

- (A) Council determines that the number of councillors be maintained the following term of office of the City of Sydney Council, expected to commence in late 2024;
- (B) Council commits in principle that the number of councillors increase from 10 to a total of 15, for the term of office of the City of Sydney Council expected to commence in late 2028; and
- (C) The Chief Executive Officer be requested to progress necessary steps in respect of a constitutional referendum to be conducted with the election of councillors in 2024 to seek approval to increase the number of councillors to 15 (one of whom is the Lord Mayor).

The amendment lapsed for want of a seconder.

Substantive motion carried unanimously.

X001937

Item 4.6 Proposed Schedule of Meetings and Briefings for 2024

Memorandum by the Chief Executive Officer

To Council:

This memorandum requests that Council approve the draft Schedule of Meetings and Briefings for 2024.

The draft Schedule of Meetings and Briefings for 2024 (Attachment A) has been prepared on the basis of a three-week meeting cycle (Council Briefings, Committees and Council), consistent with the meeting arrangements adopted by Council in previous years. The draft schedule proposes 10 meeting cycles for 2024.

Section 365 of the Local Government Act 1993 states that "the council is required to meet at least 10 times each year, each time in a different month", with "year" meaning the period from 1 July to the following 30 June (the financial year).

To ensure compliance with the provisions of section 365, the draft Schedule of Meetings and Briefings for the calendar year 2024 provides for:

- (a) five meetings in the first half of 2024 (making a total of 10 meetings for the 2023/24 financial year, inclusive of the five meetings of Council which will have been held in the second half of 2023); and
- (b) five meetings of Council held in the second half of 2024 (making a total of 10 meetings for the 2024/25 financial year, on the basis that a further five meetings of Council will be scheduled for the first half of 2025).

It is noted that:

- (a) in drafting the schedule, the Local Government Election scheduled for 14 September 2024 has been taken into account (with an extraordinary meeting of Council to take place following the election); and
- (b) the 2024 Annual Conference of Local Government NSW is currently scheduled to be held Sunday 17 November to Tuesday 19 November 2024; and
- (c) if considered necessary, additional "tentative" briefings dates, intended to accommodate such matters as external presentations, workshops and other non-meeting agenda items, will be separately distributed to Councillors, following approval of the draft schedule.

It would be appropriate for Council to now determine a program of meetings and briefings for next year to enable all interested parties to plan their commitments.

The City's website will be updated with the 2024 meeting dates if endorsed by Council.

Recommendation

It is resolved that Council adopt the draft schedule of meetings and briefings for 2024, as shown at Attachment A to the subject memorandum.

MONICA BARONE

Chief Executive Officer

Attachments

Attachment A. Draft Schedule of Meetings and Briefings for 2024

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

It is resolved that Council adopt the draft schedule of meetings and briefings for 2024, as shown as Attachment A to the subject memorandum.

Carried unanimously.

S063444-02

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

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

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

Carried unanimously.

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

PRESENT

The Lord Mayor Councillor Clover Moore AO

(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 2.03pm those present were -

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

Hybrid Meeting Arrangements

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

Apologies

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

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

That the apology of Councillor Davis be accepted and leave of absence from the meeting of the Corporate, Finance, Properties and Tenders Committee be granted.

Carried unanimously.

Closed Meeting

At 2.10pm, the Corporate, Finance, Properties and Tenders Committee resolved to close the meeting to the public to discuss Item 6.4 on the agenda.

Open Meeting

At 2.36pm, the meeting of the Corporate, Finance, Properties and Tenders Committee was reopened to the public.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.39pm.

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 11 September 2023 be received, with Items 6.1 and 6.2 being noted, the recommendations set out below for Items 6.3 and 6.5 being adopted in globo, and Item 6.4 being dealt with as shown immediately following that item.

Carried unanimously.

Item 6.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 14 August 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 6.2

Statement of Ethical Obligations and Disclosures of Interest

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

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

Item 6.3

Investments Held as at 31 August 2023

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

Carried unanimously.

X020701

Item 6.4

Contract Variation - Future Management and Operation of Aquatic Leisure Centres and Belgravia Leisure

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 18 September 2023.

At the meeting of Council, the Officer's Recommendation was moved by the Chair (the Lord Mayor), seconded by Councillor Kok -

It is resolved that:

- (A) Council note the confidential Aquatic Leisure Services Management Options Evaluation and Research Report recommendations as outlined in Confidential Attachment A to the subject report;
- (B) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the extension of the current contracts for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools; and the contract for Gunyama Park Aquatic and Recreation Centre;
- (C) Council note that a satisfactory result would not be achieved by inviting tenders for the following reasons:
 - (i) a suitable provider will not be able to be sourced, transitioned into operating and provide value for money in the 15-month period;
 - (ii) extending the term of the current provider will allow the continuation of service to the community while staff conduct an expression of interest and select tender to ensure the best commercial and community service outcomes; and
 - (iii) extending the term of the current provider will also allow staff to incorporate the final recommendations of the Aquatic Leisure Services Management Options Evaluation - Evaluation Summary into the future tender contract and deliverables;
- (D) Council approve the extension of the current contracts for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools; and the contract for Gunyama Park Aquatic and Recreation Centre for 15 months to 30 June 2025;
- (E) Council approve a variation to the two current contracts with Belgravia Health and Leisure Group Pty Limited as Trustee for The Belgravia Unit Trust to change the term and total contract value of both contracts;
- (F) Council approve the additional operational funds requested until the end of the contract term on 30 June 2025 as outlined in Confidential Attachment C to the subject report. Sufficient funds are allocated within the approved 2023-2024 operating budget and future years' forward estimates;
- (G) Council note the development of an Asset Renewal and Upgrade Plan will be undertaken as part of ongoing asset management work; and
- (H) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation with Belgravia Health and Leisure Group Pty Limited as Trustee for The Belgravia Unit Trust to give effect to the clauses above.

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 confidential Aquatic Leisure Services Management Options Evaluation and Research Report recommendations as outlined in Confidential Attachment A to the subject report;
- (B) Council prepare and release a summary of the Aquatic Leisure Services Management Options Evaluation and Research Report to the public. Confidential information is to be removed or redacted from the public version of the report only where, consistent with the City of Sydney's Access to Information policy, there is an overriding public interest against disclosure;
- (C) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the extension of the current contracts for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools; and the contract for Gunyama Park Aquatic and Recreation Centre;
- (D) Council note that a satisfactory result would not be achieved by inviting tenders for the following reasons:
 - (i) a suitable provider will not be able to be sourced, transitioned into operating and provide value for money in the 15-month period;
 - (ii) extending the term of the current provider will allow the continuation of service to the community while staff conduct an expression of interest and select tender to ensure the best commercial and community service outcomes; and
 - (iii) extending the term of the current provider will also allow staff to incorporate the final recommendations of the Aquatic Leisure Services Management Options Evaluation - Evaluation Summary into the future tender contract and deliverables;
- (E) Council approve the extension of the current contracts for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools; and the contract for Gunyama Park Aquatic and Recreation Centre for 15 months to 30 June 2025;
- (F) Council approve a variation to the two current contracts with Belgravia Health and Leisure Group Pty Limited as Trustee for The Belgravia Unit Trust to change the term and total contract value of both contracts;
- (G) Council approve the additional operational funds requested until the end of the contract term on 30 June 2025 as outlined in Confidential Attachment C to the subject report. Sufficient funds are allocated within the approved 2023-2024 operating budget and future years' forward estimates;
- (H) Council note the development of an Asset Renewal and Upgrade Plan will be undertaken as part of ongoing asset management work; and
- (I) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation with Belgravia Health and Leisure Group Pty Limited as Trustee for The Belgravia Unit Trust to give effect to the clauses above.

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

It is resolved that:

- (A) Council note the confidential Aquatic Leisure Services Management Options Evaluation and Research Report recommendations as outlined in Confidential Attachment A to the subject report;
- (B) Council prepare and release a summary of the Aquatic Leisure Services Management Options Evaluation and Research Report to the public. Confidential information is to be removed or redacted from the public version of the report only where - consistent with the City of Sydney's Access to Information policy - there is an overriding public interest against disclosure;
- (C) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the extension of the current contracts for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools; and the contract for Gunyama Park Aquatic and Recreation Centre;
- (D) Council note that a satisfactory result would not be achieved by inviting tenders for the following reasons:
 - (i) a suitable provider will not be able to be sourced, transitioned into operating and provide value for money in the 15-month period;
 - (ii) extending the term of the current provider will allow the continuation of service to the community while staff conduct an expression of interest and select tender to ensure the best commercial and community service outcomes; and
 - (iii) extending the term of the current provider will also allow staff to incorporate the final recommendations of the Aquatic Leisure Services Management Options Evaluation - Evaluation Summary into the future tender contract and deliverables;
- (E) Council approve the extension of the current contracts for management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools; and the contract for Gunyama Park Aquatic and Recreation Centre for 15 months to 30 June 2025;
- (F) Council approve a variation to the two current contracts with Belgravia Health and Leisure Group Pty Limited as Trustee for The Belgravia Unit Trust to change the term and total contract value of both contracts;
- (G) Council include, as part of the variation of the contracts at (D) and (E), in-principle support for a requirement that staff employed at City of Sydney Aquatic Leisure Centres are provided minimum wages and conditions equivalent to the State Award. That is, going forward that staff employed in the City of Sydney Aquatic Centres are to be paid an equivalent rate to staff employed at other Council-run pools in Sydney;
- (H) Council approve the additional operational funds requested until the end of the contract term on 30 June 2025 as outlined in Confidential Attachment C to the subject report. Sufficient funds are allocated within the approved 2023-2024 operating budget and future years' forward estimates;
- (I) the Chief Executive Officer be requested to provide further information on the additional funding required to cover the increase in wages and conditions for staff (estimated to be between 15 per cent and 30 per cent) as part of the variation of the contracts and report back to Council identifying the source of funding for the additional expenditure and seeking approval for the revised budget if required;

- (J) Council be provided with updated financial modelling and advice which reflects an ongoing commitment to pay staff at City of Sydney Aquatic Leisure Centres the same as staff at other Council-run pools in Sydney;
- (K) Council note the development of an Asset Renewal and Upgrade Plan will be undertaken as part of ongoing asset management work; and
- (L) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation with Belgravia Health and Leisure Group Pty Limited as Trustee for The Belgravia Unit Trust to give effect to the clauses above.

The amendment was lost on the following show of hands:

Ayes (3) Councillors Ellsmore, Scott and Weldon

Noes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok, Gannon, Jarrett* and Worling.

Amendment lost.

*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.

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

It is resolved that:

- (A) the Chief Executive Officer be requested to undertake an audit of the City of Sydney's potential exposure to legal and financial risk due to outsourcing arrangements;
- (B) Council note:
 - (i) the decision by the High Court to uphold the Federal Court decision that Qantas illegally outsourced 1,700 jobs in 2020, and the "mammoth compensation bill" (as per the Guardian) this exposes Qantas to;
 - (ii) the High Court judgement found that commercial reasons for outsourcing decisions were not enough to render them legal if they were also targeted at the illegal purpose of undermining workplace rights, including by taking outsourcing decisions in the period before those rights became active;
 - (iii) that this judgement has been argued to apply to a broader array of workplace rights than those at issue in this specific case, such as paid parental leave and other workplace rights and entitlements;
 - (iv) the introduction into the Federal Parliament the Albanese Labor Government's Closing Loopholes Bill, which includes same job, same pay provisions to prevent the use of outsourcing to reduce wages and conditions;
 - (v) that the provisions of this Bill have been widely canvassed and publicised, including remarks from the Minister for Industrial Relations, Tony Burke, that these provisions are targeted at the use of outsourcing to undercut the wages that would be paid to, and conditions that would be enjoyed by, workers under enterprise bargaining agreements; and
 - (vi) that outsourcing undertaken after the provisions of the Bill were known, but before its passage through Parliament, could be construed as outsourcing jobs to prevent workplace rights from becoming active, which the High Court has held to be illegal;

- (C) the Chief Executive Officer be requested to present a revised set of business cases to Council on all outsourced City services prior to the end of the year, including all features to be considered; and
- (D) Council note the confidential Aquatic Leisure Services Management Options Evaluation and Research Report recommendations as outlined in Confidential Attachment A to the subject report.

The amendment was lost on the following show of hands:

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

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

Amendment lost.

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

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

Noes (3) Councillors Ellsmore, Scott and Weldon.

Substantive motion carried.

X018951.008

Point of Order

During discussion of Item 6.4, Councillor Scott raised a point of order, stating that she believed Councillor Chan's comments were factually incorrect.

The Chair (the Lord Mayor) did not uphold the Point of Order.

Item 6.5

Tender - T-2023-1008 - City Recital Hall Refurbishment Works Stage 2

It is resolved that:

- (A) Council accept the tender offer of Tenderer P for City Recital Hall Refurbishment Works Stage 2 for the price and contingency outlined in Confidential Attachment A to the subject report;
- (B) Council note that the total contract sum and contingency for City Recital Hall Refurbishment Works Stage 2 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) Council approve additional funds for the City Recital Hall Refurbishment Works Stage 2 as outlined in Confidential Attachment A to the subject report.

Carried unanimously.

X030208.001

Adjournment

At the meeting of Council, at 6.45pm, following discussion and voting on Item 6.4, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 15 minutes.

Motion carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 7.01pm.

Item 7 Report of the Housing For All Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

Deputy Lord Mayor Councillor Sylvie Ellsmore

(Deputy Chair)

Councillors HY William Chan, Lyndon Gannon, Shauna Jarrett, Robert Kok, Linda Scott, Yvonne Weldon AM and Adam Worling.

At the commencement of business at 2.40pm those present were -

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

Hybrid Meeting Arrangements

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

Apologies

Councillor Davis extended her apologies for her inability to attend the meeting of the Housing For All Committee.

Moved by Councillor Ellsmore, seconded by Councillor Gannon –

That the apology of Councillor Davis be accepted and leave of absence from the meeting of the Housing For All Committee be granted.

Carried unanimously.

The meeting of the Housing For All Committee concluded at 2.53pm.

Report of the Housing For All Committee

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

That the report of the Housing For All Committee of its meeting of Monday 11 September 2023 be received, with Items 7.1 and 7.2 being noted, and Item 7.3 being dealt with as shown immediately following that Item.

Carried unanimously.

Item 7.1

Confirmation of Minutes

Moved by Councillor Ellsmore, seconded by Councillor Chan –

That the Minutes of the meeting of the Housing For All Committee of Monday 19 June 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 7.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that he entered into the City of Sydney's Alternative Housing Ideas Challenge in 2019. Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the submission was entered in 2019 while he was in private practice.

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

The Housing For All Committee recommended the following:

Item 7.3

Affordable and Diverse Housing - Opportunities for City Owned Land

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

It is resolved that:

- (A) Council endorse conducting an Expression of Interest for suitable organisations to acquire one or more of the properties listed herein subject to the terms and conditions detailed in Confidential Attachment F to the subject report:
 - (i) 169 Victoria Street, Beaconsfield (Lot C DP 310434);
 - (ii) Units 7 and 8, "Springfield Palms", No. 12 Springfield Avenue, Potts Point (Lot 7 and 8 in Strata Plan 21921); and
 - (iii) 5-17 Norman Street Darlinghurst (Lot 1 in Deposited Plan 576799);
- (B) authority be delegated to the Chief Executive Officer to administer the Expression of Interest process in accordance with the principles set out in this report and Confidential Attachment F to the subject report; and
- (C) Council note that a further report will be brought to Council following evaluation of the Expression of Interest against the criteria in Confidential Attachment F to the subject report for endorsement of the final outcome.

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

It is resolved that:

- (A) Council endorse conducting an Expression of Interest for suitable organisations to acquire one or more of the properties listed herein subject to the terms and conditions detailed in Confidential Attachment F to the subject report:
 - (i) 169 Victoria Street, Beaconsfield (Lot C DP 310434);
 - (ii) Units 7 and 8, "Springfield Palms", No. 12 Springfield Avenue, Potts Point (Lot 7 and 8 in Strata Plan 21921); and
 - (iii) 5-17 Norman Street Darlinghurst (Lot 1 in Deposited Plan 576799);
- (B) authority be delegated to the Chief Executive Officer to administer the Expression of Interest process in accordance with the principles set out in this report and Confidential Attachment F to the subject report;
- (C) Council note that a further report will be brought to Council following evaluation of the Expression of Interest against the criteria in Confidential Attachment F to the subject report for endorsement of the final outcome; and
- (D) Council note that as a result of motions moved by Councillor Scott:
 - (i) in May 2023, Council resolved that the Chief Executive Officer be requested to undertake a new audit of vacant City of Sydney properties that may be utilised for the purposes of affordable housing or community use; and
 - (ii) in May 2023, Council resolved that the Chief Executive Officer be requested to investigate creating a public register accessible via the City of Sydney website, detailing the City-owned properties including part of whole vacancy status.

Amendment carried unanimously.

The amended motion was carried unanimously.

X099483

Item 8 Report of the Cultural and Creative Committee**PRESENT**

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor Lyndon Gannon

(Deputy Chair)

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

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

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

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillor Worling 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

Councillor Davis extended her apologies for her inability to attend the meeting of the Cultural and Creative Committee.

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

That the apology of Councillor Davis be accepted and leave of absence from the meeting of the Cultural and Creative Committee be granted.

Carried unanimously.

The meeting of the Cultural and Creative Committee concluded at 3.05pm.

Report of the Cultural and Creative Committee

Moved by Councillor Gannon, seconded by Councillor Kok –

That the report of the Cultural and Creative Committee of its meeting of Monday 11 September 2023 be received, with Items 8.1 and 8.2 being noted, and Item 8.3 being dealt with as shown immediately following that item.

Carried unanimously.

Item 8.1

Confirmation of Minutes

Moved by Councillor Gannon, seconded by Councillor Chan –

That the Minutes of the meeting of the Cultural and Creative Committee of Monday 14 August 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 8.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that he with Nicolas Parkhill AM, Chief Executive Officer at ACON Health Limited on Monday 24 July 2023 to discuss the recent homophobic attacks on Oxford Street and how he could best support the queer community in his role as Councillor. Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because they did not discuss the ad-hoc grant of \$40,000 and he had no prior knowledge of the City's intention to provide this grant.

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

Item 8.3

Grants and Sponsorship – Ad Hoc Grant – NSW LGBTIQ+ Local Government Seminar Series – ACON Health Limited

Note - The Cultural and Creative Committee decided that consideration of this matter shall be deferred to the meeting of Council on 18 September 2023.

At the meeting of Council, the Officer's Recommendation was moved by Councillor Gannon, seconded by Councillor Kok -

It is resolved that:

- (A) Council note the 26 June 2023 Resolution of Council put forward via a Lord Mayor Minute, requesting the Chief Executive Officer consider what support the City can provide to ACON Health Limited for an NSW LGBTIQ+ Local Government Safety Summit;
- (B) Council note that the Lord Mayor will host an LGBTIQ+ Summit for community organisations, including ACON and other government agencies. The summit will be held in late 2023 or early 2024 and will provide an opportunity to identify LGBTIQ+ community issues and concerns;
- (C) Council approve an ad-hoc grant of \$40,000 in cash funding for ACON Health Limited to deliver the NSW LGBTIQ+ Local Government Safety Seminar Series;
- (D) Council note that the grant amount is exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the grant agreement with ACON Health Limited under terms consistent with this resolution and the Grants and Sponsorship Policy; and

- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

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

It is resolved that:

- (A) Council note that Councillor Scott, as the Australian Local Government Association (ALGA) President, has:
- (i) written to the Australian Federal Police Commissioner; and
 - (ii) requested state and territory Local Government Associations write to state and territory Police Commissioners to invite them to meet with us to share intelligence across borders about increasing right wing extremism including hate crimes against councils, council staff and drag queen story time community events;
- (B) Council note that in August 2023, Council resolved that:
- (i) the Lord Mayor be requested to write to the Minister for Police to condemn the Oxford Street stabbing and request that the City and NSW Government work together to address the violence;
 - (ii) the Lord Mayor be requested to write to the Police Commissioner, noting their increased patrols in the area and inquire about additional measures that can be taken to reduce the violence; and
 - (iii) the Chief Executive Officer 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;
- (C) Council note the 26 June 2023 Resolution of Council put forward via a Lord Mayoral Minute, requesting the Chief Executive Officer consider what support the City can provide to ACON Health Limited for an NSW LGBTIQ+ Local Government Safety Summit;
- (D) Council note that the Lord Mayor will host an LGBTIQ+ Summit for community organisations, including ACON and other government agencies. The summit will be held in late 2023 or early 2024 and will provide an opportunity to identify LGBTIQ+ community issues and concerns;
- (E) Council approve an ad-hoc grant of \$40,000 in cash funding for ACON Health Limited to deliver the NSW LGBTIQ+ Local Government Safety Seminar Series;
- (F) Council note that the grant amount is exclusive of GST;
- (G) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the grant agreement with ACON Health Limited under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (H) 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, as varied by consent, was carried unanimously.

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 3.05pm those present were -

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

Hybrid Meeting Arrangements

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

Apologies

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

Moved by Councillor Chan, seconded by Councillor Gannon –

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

Carried unanimously.

The meeting of the Transport, Heritage, Environment and Planning Committee concluded at 3.14pm.

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 11 September 2023 be received, with Items 9.1 and 9.2 being noted and the recommendations set out below for Items 9.3 to 9.5 inclusive being adopted in globo.

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 14 August 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

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

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

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

Item 9.3**Public Exhibition - Outdoor Dining Guidelines Amendment**

It is resolved that:

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

Carried unanimously.

S060627-02.023

Item 9.4**Approved Variations to Development Standards Reported to the Department of Planning and Environment**

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

Carried unanimously.

S040864

Item 9.5

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 M of the subject report;
- (C) note the contents of Attachment B and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 429-429A Pitt Street, Haymarket;
- (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 7 Potter Street, Waterloo at this time;
- (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 115-119 Macquarie Street, Sydney at this time;
- (F) note the contents of Attachment E and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 32-38 Rothschild Avenue, Rosebery at this time;
- (G) note the contents of Attachment F and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 87-93 Abercrombie Street, Chippendale at this time;
- (H) note the contents of Attachment G and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 695-699 George Street, Haymarket at this time;
- (I) note the contents of Attachment H and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2 Roslyn Street, Potts Point at this time;
- (J) note the contents of Attachment I and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 30-34 Chalmers Street, Surry Hills at this time;
- (K) note the contents of Attachment J and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 75 Crown Street, Woolloomooloo at this time;
- (L) note the contents of Attachment K and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 1-21 Bay Street, Glebe at this time;

- (M) note the contents of Attachment L and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 38 Chalmers Street, Surry Hills at this time; and
- (N) note the contents of Attachment M and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 281-285 Broadway, Glebe at this time.

Carried unanimously.

S105001.002

Item 10 Questions on Notice

1. Tree Management

By Councillor Ellsmore

Question

1. What does the City require in terms of specialist reports or evidence to remove a tree, if a resident thinks a tree is difficult to manage and/or causing damage to their property?
2. In what circumstances is an arborist report required?
3. Who is responsible for paying for the specialist reports, arborist inspections, and/or other evidence?

What policies guide this? Please include location and page number.

4. Are there any circumstances when the City would organise its own arborist to undertake review of trees that might be causing damage:
 - (a) To public property;
 - (b) To private property.
5. Has the City considered whether additional support is needed for low-income households who apply for the removal of a tree?

What policies guide this? Please include location and page number.

6. How does the City collaborate with private owners to facilitate the retention of trees that are difficult to manage and/or causing damage?

What policies guide this? Please include location and page number.

7. Does the City undertake tree management plans with private owners?

If so, what is the City's role? Please provide details, including any resources and support provided.

X086664

Answer by the Chief Executive Officer

1. A property owner (or applicant with the owner's permission) can apply to the City under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to remove a tree on their land. The fee for a tree pruning and removal application is \$95.

Importantly, as the City is the consent authority, it is the responsibility of the applicant to provide the City with accurate detailed evidence to support their application. This may include an arborist report.

To reduce the overall expense of the application process, the City does not require an arborist report to accompany these applications in the first instance. We will receive the application, and only request a report immediately if there is a large number of trees with a range of work being applied for (e.g. 15 or more trees, with pruning specifications, removals etc).

Once the application is received, our qualified arborists will inspect the tree. Their inspection is limited to an above ground visual assessment only. Aerial inspection, root or soil analysis, exploratory root trenching and internal diagnostic testing is not undertaken by Council as part of this assessment. The inspection considers the proposed work (tree pruning/removal) only.

If further information is required (such as an aerial inspection, internal diagnostic testing to test for decay, root mapping or other tree health / structure issues), we will request the applicant to provide an arborist report.

The City's guidelines for these reports are available here:

<https://www.cityofsydney.nsw.gov.au/property-tree-maintenance/apply-prune-remove-tree>

2. As outlined above, arborist reports are requested if a tree needs further analysis such as aerial inspection, resistance/internal diagnostic testing, pathology assessment or root investigations. The City outlines the requirements in writing to help with the arborist's report, and to assist with the determination being made.
3. The applicant is responsible.

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 outlines in section 2.11 *Miscellaneous provisions relating to permits*

(1) An application for a permit—

(a) is to be made in the form and manner required by the council, and

(b) is to be accompanied by the application fee (if any) determined by the council.

(2) The council may request an applicant for a permit to provide the council with such further information about the proposed clearing as the council considers necessary for its proper consideration of the application (including information about previous clearing of vegetation in the area or surrounding area). (emphasis added)

A link to the relevant legislation is here:

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0722#sec.2.6>

4. In relation to public property, the City's arborists would only become involved if the damage was evident and presented a safety issue, or if there was a high likelihood of future damage to a high value City asset.

In relation to private property, no we are never involved. The Trees (Disputes Between Neighbours) Act 2006 (managed through the Land and Environment Court of NSW) is there to assist private property owners resolve such matters.

5. The City has purposely kept the application fees to a minimum to reduce the costs of applications, especially for low income-households. For example, our \$95 application fee (with no limit on the number of trees applied for) is lower than Inner West Council's \$154 or \$234 (dependent on value of work).

The City's Fees and Charges Policy applies and shows that partial costs (defined page 1) have been applied (page 23) and also the ability to waive fees due to hardship (page 2).

6. As outlined above, the City's role is as the consent authority. We regulate tree pruning and tree removal through the relevant planning controls. This includes the State Environmental Planning Policy Biodiversity and Conservation 2021 (SEPP) and the City's Development Control Plan (DCP). This is outlined in the Tree Management and Donation Policy (page 3).

Through the application process, City staff discuss tree matters with the tree owner/neighbour, explaining the relevant sections of legislation (depending on the particulars of the issue) and how they can best resolve the matter.

7. No, as private trees remain the full responsibility of the property owner.

2. Status of State Government Redevelopment Projects in the City of Sydney - September 2023 Update

By Councillor Ellsmore

Question

1. In answers to questions on notice tabled at the August 2023 Council meeting, about current state significant planning proposals within the City of Sydney Local Government Area, Council advised that it is assessing the rezoning proposal from the Transport Asset Holding Entity (TAHE) for the Central Station Precinct.
 - (a) What is the City's role in assessing the planning proposal for the rezoning of the Central Station precinct?
 - (b) What is the timeline for the assessment of the rezoning proposal for the Central Station precinct?
 - (c) Where can the public access details about the rezoning proposal?
 - (d) How does the rezoning proposal relate to the City of Sydney's current consultation to 'help plan the emerging Camperdown health, education and innovation precinct in Tech Central' which was launched in September 2023?
2. Since the answers to questions on notice in August, are there any additional state significant planning proposals on public land within the City of Sydney Local Government Area, that the Council is aware of?

If yes, please provide details.

3. In answers to questions tabled at the August 2023 Council meeting, about which development applications, modifications or other form of planning proposals the City of Sydney is currently assessing where the NSW Government is the landowner of proponent, a summary was provided in the form of a table of 52 projects.

Since the last Council meeting:

- (a) Are there any updates on the status of these 52 projects?
- (b) Are there any additional development applications, modifications or other form of planning proposals?

If yes, please provide details or updates to the table.

4. Since August 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

1.

- (a) The assessment of the planning proposal is carried out by the Department of Planning and Environment. The City is invited by the Department to participate on the Project Working Group and Project Review Panel.
- (b) Transport for NSW is preparing their Response to Submissions which will be submitted to the Department of Planning and Environment for assessment and determination. The timeframe is dependent on Transport for NSW's Response and the Department's Assessment.
- (c) Please see <https://www.planning.nsw.gov.au/plans-for-your-area/state-significant-precincts/central-sydney-precinct>
- (d) Both projects are located within the Tech Central precinct which runs from Surry Hills to Camperdown and includes parts of Ultimo, Haymarket, Eveleigh, Darlington, Chippendale, Glebe, Forest Lodge and Camperdown.

2. No.

3.

- (a) Of the 52 applications listed for the Question on Notice in August 2023; 16 have been approved, one submission of advice for a State Significant Development was completed, and one Development Application was withdrawn. 34 of 52 applications remain under assessment. Below is the updated table as at 12 September 2023.
- (b) Since August 2023 there have been further lodgements of applications where a state body is either the landowner or a proponent. Please see updated table below.

4. No.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
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.
Development Application	D/2023/21	NEW SOUTH WALES LAND AND HOUSING CORPORATION	NEW SOUTH WALES LAND AND HOUSING CORPORATION	82 Wentworth Park Road	GLEBE	Re-notification of amended application for demolition of existing buildings, tree removal, and construction of a four storey residential flat building for 43 affordable housing dwellings for use as social housing.
Development Application	D/2023/97	THE COUNCIL of THE CITY of SYDNEY and TRANSPORT ASSET HOLDING ENTITY of NEW SOUTH WALES	THE TRUSTEE FOR LANDREAM PYRMONT UNIT TRUST	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.
Development Application	D/2023/292	THE STATE of NEW SOUTH WALES	Giovanni Cirillo	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.
Development Application	D/2023/392	SYDNEY METRO	WL DEVELOPER PTY LTD	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

Development Application	D/2023/475	PLACE MANAGEMENT NSW	WDS HOTELS PTY LTD	137 George Street	THE ROCKS	Alterations and additions to existing pub and hotel
Development Application	D/2023/534	BARANGAROO DELIVERY AUTHORITY and INFRASTRUCTURE NSW and LENDLEASE MILLERS POINT PTY LTD	LENDLEASE (MILLERS POINT) PTY LTD	51A Hickson Road	BARANGAROO	Signage Strategy and new signage
Development Application	D/2023/546	TRANSPORT FOR NSW and THE OWNERS - STRATA PLAN NO 68959 and THE COUNCIL of THE CITY of SYDNEY	MARKHAM REAL ESTATE PARTNERS (KSW) PTY LTD	21 Lime Street	SYDNEY	Signage strategy and new signage for tenancies facing King Street Wharf Promenade.
Development Application	D/2023/613	WATERWAYS AUTHORITY	MULTIPLEX CONSTRUCTION PTY LTD	1A Bridge Road	GLEBE	Re- Notification - New signage associated with new Sydney Fish Market
Development Application	D/2023/617	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARSINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	New signage and food preparation area within the outdoor dining area of the existing Mary's Burgers.
Development Application	D/2023/626	TRANSPORT ASSET HOLDING ENTITY of	DEXUS PROPERTY SERVICES PTY LTD	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.

		NEW SOUTH WALES				
Development Application	D/2023/593	SYDNEY METRO	MACQUARIE BANK LIMITED	8 Castlereagh Street	SYDNEY	New signage
Development Application	D/2023/666	LANDCOM	MIRVAC GREEN SQUARE PTY LTD	77-93 Portman Street	ZETLAND	Signage Strategy for Site 15 comprising building identification, retail and wayfinding signage zones
Development Application	D/2023/664	TRANSPORT FOR NSW	D R DESIGN (NSW) PTY LTD	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.
Development Application	D/2023/667	TRANSPORT FOR NSW	THE TRUSTEE FOR MARITIME TRADE TOWERS TRUST	201-217 Kent Street	SYDNEY	Alterations to the commercial building including end of journey facilities, signage and external lift
Development Application	D/2023/702	PLACE MANAGEMENT NSW	Giovanni Cirillo	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.
Development Application	D/2023/699	INFRASTRUCTURE NSW	ST PROJECTS PTY LTD	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.
Development Application	D/2023/708	SYDNEY METRO	THE TRUSTEE FOR WL DEVELOPER TRUST	49 Botany Road	WATERLOO	Crane and jump from signage
Development Application	D/2023/706	THE STATE of NEW SOUTH WALES	SQUASH AUSTRALIA LTD	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)

Development Application	D/2023/717	PLACE MANAGEMENT NSW	Glenn Johnson	107-109 George Street	THE ROCKS	Alterations to the commercial premises including drainage works and replacement of the roof
Development Application	D/2023/738	PLACE MANAGEMENT NSW	MILESTONE (AUST) PTY LIMITED	2-10 Darling Drive	SYDNEY	Use of and erection of temporary structures and signage at the southern end of Cockle Bay, Tumbalong Park, Chinese Gardens of Friendship Forecourt, Tumbalong Park Boulevard, the public space north of Novotel Sydney Darling Square, the pedestrianised road of Quay Street and The Goods Line for temporary event known as 'SXSW Sydney' between 15 October and 22 October 2023, with bump in to start on 4 October 2023 and bump out concluding on 26 October 2023. The proposed event hours are between 10am to 10pm, with the bump in/out hours between 7am and 6pm (except for 14 October when the hours will be 7am to 11pm).
Development Application	D/2023/732	SYDNEY METRO	MACQUARIE CORPORATE HOLDINGS PTY LTD	37-51 Martin Place	SYDNEY	New Signage
Development Application	D/2023/769	PLACE MANAGEMENT NSW	CERNO MANAGEMENT PTY LTD	201-239 Sussex Street	SYDNEY	Alterations/additions to commercial development to infill internal stair between Level 7 and Level 8 of Tower 1 in Darling Park complex
Development Application	D/2023/771	PLACE MANAGEMENT NSW	Mr Nigel White	70 Hay Street	HAYMARKET	Extension of operating hours at Shop SW04. Proposed hours are 7.00am-2.00am seven days a week, outdoor hours 9.00am-10.00pm Sunday to Thursday, 9.00am-11.00pm Friday to Saturday
Development Application	D/2023/798	THE STATE of NEW SOUTH WALES	CITY of SYDNEY	2 Watson Road	MILLERS POINT	Continue use of all three buildings as a Community facility
Development Application	D/2023/779	PLACE MANAGEMENT NSW	Brian Trkulja	70-84 George Street	THE ROCKS	Ceiling works
Development Application	D/2023/809	TRANSPORT ASSET HOLDING ENTITY of NEW SOUTH WALES	DEXUS PROPERTY SERVICES PTY LTD	8-10 Lee Street	HAYMARKET	Signage - Temporary business identification signage on the building jump form during the construction of the Atlassian Central development

Development Application	D/2023/807	CENTENNIAL PARK & MOORE PARK TRUST	SYDNEY SWANS PTY LTD	1 Driver Avenue	MOORE PARK	Replacement digital signage
Development Application	D/2023/820	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARSINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	Replacement and upgrade existing business identification signage Shop 212
Development Application	D/2023/819	WATERWAYS AUTHORITY	BLACKWATTLE BAY MARINE OPERATIVES	1B Bank Street	PYRMONT	Excavation and installation of conduits to facilitate the upgrade of power to the Marina
S4.55 Modification	D/2021/665/F	MIRVAC COMMERCIAL SUB SPV PTY LIMITED and TELSTRA CORPORATION LTD and ALPHA DISTRIBUTION MINISTERI	MIRVAC COMMERCIAL SUB SPV PTY LIMITED	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/2016/1557/A	LANDCOM and MINISTER FOR PUBLIC WORKS & SERVICES	MIRVAC GREEN SQUARE PTY LTD	411 Botany Road	ZETLAND	S4.55(2) - Modification of consent to amend the approved building envelopes
S4.55 Modification	D/2021/493/C	NEW SOUTH WALES LAND AND HOUSING CORPORATION	LAND 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/2021/909/B	TRANSPORT FOR NSW and THE OWNERS - STRATA PLAN NO 68959 and THE COUNCIL OF THE CITY OF SYDNEY	MARKHAM REAL ESTATE PARTNERS (KSW) PTY LTD	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/2019/1254/B	PLACE MANAGEMENT NSW	THE TRUSTEE FOR SIMON GOH FAMILY TRUST	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.
S4.55 Modification	D/2021/665/G	MIRVAC COMMERCIAL SUB SPV PTY LIMITED and TELSTRA CORPORATION LTD and ALPHA DISTRIBUTION MINISTERI	MIRVAC COMMERCIAL SUB SPV PTY LIMITED	55 Pitt Street	SYDNEY	S4.55(1A) - Modification of consent
S4.55 Modification	D/2021/895/C	NEW SOUTH WALES LAND AND HOUSING CORPORATION	CREATE NSW	43-51 Cowper Wharf Roadway	WOOLLOOMOOLOO	Section 4.55(1A) Modification of consent for alterations and additions to existing building 'The Gunner', amendments to include changes to Condition 1 to allow for updated architectural drawings, Condition 55 to allow for changes to the fire engineering upgrade strategy and updates to Schedule 3: HNSW GTA's to include void ceiling updated.
S4.55 Modification	D/2020/1135/B	PLACE MANAGEMENT NSW	88 GEORGE PTY LTD	86-88 George Street	THE ROCKS	Section 4.55(1A) modification of consent to delete Condition 33(c)(ii) for additional railing

S4.55 Modification	D/2022/305/A	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARSINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	S4.55(1A) - Modification of consent
S4.55 Modification	D/2020/1331/B	LANDCOM	MIRVAC GREEN SQUARE PTY LTD	960A Bourke Street	ZETLAND	Section 4.55(1A) modification of consent to continue use of the site for a temporary through-site link and public activation for a further 18 months.
S4.55 Modification	D/2021/1245/D	THE COUNCIL of THE CITY of SYDNEY	DEPARTMENT of EDUCATION AND TRAINING	3 Joynton Avenue	ZETLAND	S4.55(1A) - Modification of consent for minor internal and external design changes
S4.55 Modification	D/2021/585/A	TRANSPORT ASSET HOLDING ENTITY of NSW and THE STATE of NEW SOUTH WALES	Mr Giovanni Cirillo	1 Eddy Avenue	HAYMARKET	S4.55(1A) application to modify plans of approved commercial development and delete Condition 2 'Design Modifications'.
S4.55 Modification	D/2023/703/A	PLACE MANAGEMEN T NSW	Caitie Jefferies	1A Harbour Street	SYDNEY	S4.55(2) Modification of consent
S65 Heritage Act application delegated to Council	HCS/2023/46	THE STATE of NEW SOUTH WALES	MARINE & CIVIL MAINTENANCE	96-108 Kent Street	MILLERS POINT	State Heritage Modification Approval - 4 additional stones identified by the heritage architect added to scope drawings due to stone being in poor condition. These are stone numbers A27-A30 on plans attached (now Rev D). Buttress pinning detail changed from 2 x M16 threaded rods to 1 x M24 on the Engineering drawing due to impracticality of installation, no heritage impact.
S65 Heritage Act application delegated to Council	HCS/2023/47	MINISTER FOR THE DEPARTMEN T of PUBLIC WORKS	Marnie Davies	102 Elizabeth Street	SYDNEY	Strengthening of chimneys and masonry gables and tying down the roof frame

S65 Heritage Act application delegated to Council	HCS/2023/48	NSW GOVERNMENT	Marnie Davies	98 Liverpool Street	SYDNEY	External catch up maintenance, replacement of deteriorated fabric like for like. installation of bird proofing and lead weathering, biocide treatment.
S65 Heritage Act application delegated to Council	HCS/2023/49	PLANNING MINISTERIAL CORPORATION	Marnie Davies	156 Forbes Street	DARLINGHURST	Inspect and remove loose, drummy and cracked stone from stone caps and rendered window reveals
S65 Heritage Act application delegated to Council	HCS/2023/50	HEALTH ADMINISTRATION CORPORATION	OTOPIA SYDNEY	301 Forbes Street	DARLINGHURST	The proposal entails the removal of non-original, non-significant internal partition walls, carpet, lightweight ceiling fitout associated with the recent office use and accessibility upgrades to the DDA WC.
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/2016/41/H	PLACE MANAGEMEN T NSW	MIRVAC CAPITAL PTY LIMITED	2-10 Darling Drive	SYDNEY	Advice on RtS - SSD - 7874 Mod 3 Amend Tower Height and podium - Harbourside Shopping Centre redevelopment
SSD Advice	R/2023/8/A	PLACE MANAGEMEN T NSW	MIRVAC RETAIL SUB SPV PTY LIMITED	2-10 Darling Drive	SYDNEY	Harbourside Shopping Centre Redevelopment – SSD 49295711 – Advice on RtS
SSD Advice	R/2022/25/A	PLACE MANAGEMEN T NSW	MIRVAC RETAIL SUB PTY LTD	2-10 Darling Drive	SYDNEY	Harbourside Bridges and Public Domain – SSD 49653211 – Advice on EIS
SSD Advice	R/2022/15/C	TRANSPORT ASSET HOLDING ENTITY of NEW SOUTH	TOGA CENTRAL DEVELOPMENTS PTY LTD	2 Lee Street	HAYMARKET	2 Lee Street, Haymarket – TOGA Central – SSD 33258337 – Advice on RRTS

		WALES and TRANSPORT FOR NSW				
SSD Advice	R/2020/16/C	BARANGAROO DELIVERY AUTHORITY and INFRASTRUCTURE NSW and LENDLEASE MILLERS POINT PTY LTD	LENDLEASE MILLERS POINT PTY LTD	51A Hickson Road	BARANGAROO	Stage 1B (Stage 5) Subdivision Barangaroo South – SSD 11564741 Mod 2 – Advice on Modification
Subdivision application	S/2023/7	TRANSPORT ASSET HOLDING ENTITY of NSW	BROOKFIELD OFFICE PROPERTIES ONE CARRINGTON	3 Wynyard Lane	SYDNEY	Subdivision of land into 1 lot DP1214642 Lot 16
Subdivision application	S/2023/12	LANDCOM	COLLIERS INTERNATIONAL ENGINEERING & DESIGN (NSW)	77-93 Portman Street	ZETLAND	Stratum subdivision
Subdivision application	S/2023/17	LANDCOM	COLLIERS INTERNATIONAL ENGINEERING & DESIGN (NSW)	77-93 Portman Street	ZETLAND	Torrens title subdivision
Subdivision application	S/2023/19	DEPARTMENT of HEALTH and HER MOST GRACIOUS MAJESTY QUEEN	LAND TITLE SOLUTIONS PTY LIMITED	42-50 Parramatta Road	FOREST LODGE	Torrens title subdivision

		ELIZABETH THE 2ND				
Subdivision application	S/2023/23	NEW SOUTH WALES LAND AND HOUSING CORPORATION	NEW SOUTH WALES LAND AND HOUSING CORPORATION	2A-2D Wentworth Park Road	GLEBE	Torrens title 4 lot subdivision road widening

3. Status of Public Housing Redevelopment Plans in the City of Sydney - September 2023 Update

By Councillor Ellsmore

Question

1. In answers to questions on notice tabled at the August 2023 Council meeting, about what development applications including modification applications or planning proposals relating to public housing in the City of Sydney Local Government Area are currently underway, Council advised the following:
 - (a) Explorer Street South Eveleigh - Draft planning controls are under preparation for a rezoning led by the NSW Land and Housing Corporation (LAHC).
 - (b) 14-36 Wentworth Park Road Glebe - a pre-DA discussion had been held.

- (c) 82 Wentworth Park Rd Glebe - a development application for demolition of existing housing and construction of replacement housing was under assessment.
- (d) 17-31 Cowper St Glebe - a modification application for an affordable housing development to reduce balcony sizes and other amendments was under assessment.

Since August, have there been any additional development applications relating to public housing in the City of Sydney, including modification applications, or planning proposals?

If yes, please provide details.

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

- (a) Waterloo South.
- (b) 600 Elizabeth St Redfern.

3. Of the sites listed above, what is the current status of their development applications, planning proposals, modifications or pre-DA discussions?

4. In answers to questions on notice in August, it was advised that the LAHC had pre-DA discussions with the Council in relation to 14-36 Wentworth Park Road, Glebe.

Please detail the nature of these discussions, including the proposed development, and the City's advice.

5. Since August 2023, have City staff had any further 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. 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?

7. In answers to questions on notice tabled at the August 2023 Council meeting, about public housing sites in Pyrmont that have been identified for potential planning changes through the City of Sydney's strategic review of the area, Council advised that eight (8) sites were under consideration.

- (a) What are the addresses of these sites?
- (b) Are these sites proposed for planning changes, for example identified as sites 'capable of change'?

8. Since August 2023, 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.

9. Since August 2023, 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. No.
2.
 - (a) The recently distributed CEO Update on 8 September 2023 noted the announcement of the Land and Housing Corporation's (LAHC) development partner for the redevelopment of Waterloo Estate (South) is now expected late 2023, or more likely early in 2024. A concept development application is likely to be lodged some time in 2024.
 - (b) Bridge Housing is leading this development of this vacant site and has worked with the Government Architect NSW (GANSW) and the Department of Planning and environment (DPE) to commence the design competition. The Director City Planning, Development and Transport is a Panel member for the three design excellence processes arranged by Bridge Housing for the redevelopment of 600-660 Elizabeth Street, Redfern, from September 2023 until February 2024.
3.
 - (a) Explorer Street South Eveleigh - No change from August 2023.
 - (b) 14-36 Wentworth Park Road Glebe - Pre-DA advice has been provided and the pre-DA application has been closed. A development application has not been lodged for the site.
 - (c) 82 Wentworth Park Road Glebe - Development application remains under assessment.
 - (d) 17-31 Cowper St Glebe - Modification application remains under assessment.
 - (e) 600 Elizabeth Street Redfern - Design excellence procurement stage.
4. Pre-DA advice sought for 14-36 Wentworth Park Road Glebe relates to a proposal for demolition of the existing buildings containing 12 dwellings and construction of a four storey residential flat building for 40 affordable housing dwellings for use as social housing.

The City provided pre-DA advice related to matters including Floor Space Ratio and Height controls, design related feedback, and information that should be submitted with a development application.
5. No.
6. 82 Wentworth Park Road Glebe is planned to be reported to a Local Planning Panel meeting prior to the end of the year.
7.
 - (a) The addresses of the eight sites were provided in the Question on Notice on 12 December 2022.

- (b) Six of the eight sites were identified by the NSW Government as “Capable of Change” under the Pyrmont Peninsula Place Strategy. Two of the sites (12-20 Point Street and 282-318 Jones Street, Pyrmont) were not.

8. No.

9. No.

4. Residential Properties in the City of Sydney

By Councillor Jarrett

Question

1. How many residential properties does the City of Sydney act as a landlord for within our property portfolio?
2. What are the addresses of these residential properties that are owned by the City of Sydney within our property portfolio?
3. What are the conditions and state of repair of each of these properties?
4. What are the City’s processes for upgrading and renovating these properties if required to attract tenants and/or meet current housing standards?
5. How many of the City’s residential properties have tenants currently occupying the property?
6. How many of the City’s residential properties are currently leased to affordable and social housing tenants?

X086666

Answer by the Chief Executive Officer

1. 14 properties.
2. Ten of the 14 properties are the subject of the [Affordable and Diverse Housing - Opportunities for City Owned Land](#) report for Council consideration on 18 September 2023. The remaining four properties are as below:

Property
Units 1-6/113 William Street, Darlinghurst
Waterloo Library Residence, 770 Elizabeth Street
Creative Hub Residence 119 Bathurst Street, Sydney
247-257 Bulwara Road, Ultimo

3. Information on the condition of the 10 properties proposed for the Expression of Interest process has been provided as part of the report for Council consideration. The remaining four properties are in good condition.

4. The City would engage with residential leasing agents to inform preparation of a brief and specification to refurbish the properties to be competitive in the market.

Depending on the value of works that City would seek quotes or tenders and project manage the works to completion with handover to the property managers for leasing and on-going management.

5. Four properties. Noting that:

- 113 William Street is not strata titled and is counted as one property with six tenants.
- of the tenanted properties three are currently managed under the creative live/work program, which provides these properties to tenants at a subsidised rate:
 - Units 1-6/113 William Street, Darlinghurst
 - Waterloo Library Residence, 770 Elizabeth Street
 - Creative Hub Residence, 119 Bathurst Street, Sydney
- the property 'First Floor, 247-257 Bulwara Road, Ultimo' is a residential tenancy that is on the same title as the Ultimo Child Care Centre, it would require sub-division to sell and is currently rented at market rates.

6. There are no properties owned by the City that are leased to affordable and social housing tenants, however three are currently managed under the creative live/work program.

5. Council Investments and Financial Position - August 2023

By Councillor Ellsmore

Question

1. In answers to questions on notice about the City of Sydney Council's investments, which were tabled at the August 2023 Council meeting, the value of the Council's property investment portfolio, excluding strategic holdings, was \$509.6M.

What is the current value of the City of Sydney's commercial property investment portfolio? If unchanged from August 2023 please note this.

2. 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 August 2023 was \$817.51M.
- (a) Of the total cash investments currently held by the City of Sydney, how much in total is considered 'unrestricted'?
- (b) Of the total cash investments currently held by the City of Sydney, how much of the 'restricted' revenue will be needed for projects or operations:
- (i) in the current four years 2023/24 to 2027/28?
 - (ii) from 2028/29 onwards?

3. In answers to questions on notice tabled at the August 2023 Council meeting, it was reported that developer contributions (including but not limited to affordable housing development contributions) made up \$46.7M of City's cash and investments (as of 30 June 2023). Within this (as of 1 July 2023) approximately \$1.92M were affordable housing contributions.

- (a) What is the current estimate of development contributions held by the Council?
- (b) What is the current estimate of how much of the Council's cash and investments are affordable housing contributions?

If an updated figure from August 2023 is not yet available, please note this.

4. In answers to questions on notice tabled at the August 2023 Council meeting, the estimated revenue from the City's commercial portfolio (on a gross basis) for the financial year 2023/24 was projected to be \$68.9M.

What is the projected return on investment, as a percentage, for the City's commercial property portfolio, for the financial year 2023/24?

5. In answers to questions on notice tabled at the August 2023 Council meeting, the estimated revenue from the City's cash and investment for the financial year 2023/24 was projected to be \$20.4M.

What is the projected return on investment, as a percentage, from the City's cash investments, for the financial year 2023/24?

6. In answers to questions on notice tabled at the August 2023 Council meeting, it was reported that the scope of the City's cash investments and the wider NSW local government sector are limited.

- (a) What limits exist on Councils to invest in commercial property?
- (b) What limits exist on Councils to invest in residential property?
- (c) What regulations, policy documents or guidelines outline these limitations?

7. What rules guide when Council can:

- (a) Lease, sell or transfer commercial properties it owns as a discount or below market rate?
- (b) Lease, sell or transfer residential properties it owns as a discount or below market rate?

8. What policies and procedures guide whether or not the City considers long term borrowing, to finance investments or other activities?

X086664

Answer by the Chief Executive Officer

1. There is no update at August. These figures are subject to finalisation as part of the preparation of the Annual Financial Statements which will be presented to Council in October. Additionally, revaluations of these properties are undertaken annually, to meet financial reporting requirements.

2.

- (a) As noted in page one of the report, the City's cash and investments portfolio is substantially restricted in both internal (\$235.5M) and external (\$90.8M) cash reserves. The unrestricted portion of the portfolio is therefore \$491.2M. Note that "unrestricted" does not mean uncommitted.
- (b) Based on anticipated expenditure per the City's 10 year Long Term Financial Plan (LTFP), restricted cash and investments are to be utilised by projects/operations in the following timeframes:
- Four years from 2023/24 to 2026/27 (inclusive): \$220.2M
 - 2028/29 to 2032/33 (inclusive): \$53.1M
 - The following restricted amounts are held in support of liabilities, and therefore not "utilised" in conventional sense:
 - Employee leave entitlements
 - Public Liability
 - Workers compensation
 - Performance cash bonds and retentions

These liabilities will require payments, but are also expected to be replenished; the LTFP projects ongoing balances for these restrictions.

Note that the City's 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 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.

In addition, recent unplanned and emerging projects such as the future of Haymarket and Chinatown, may also place significant additional demands for funding dependent on Council endorsement.

3. There is no further update to the developer contributions figure provided in August 2023. This figure is subject to finalisation as part of the preparation of the Annual Financial Statements which will be presented to Council in October, and are updated quarterly and included in reporting to Council. The \$1.92M of affordable housing contributions noted above was in addition to the developer contributions total of \$46.7M. The balance of affordable housing contributions yet to be forwarded to community housing providers (CHPs) at the end of August is \$2.2M. These amounts are typically paid to CHPs on a quarterly basis, for administrative simplicity.
4. The commercial property portfolio includes the commercial property investment portfolio and buildings held for operational and strategic purposes that also generate commercial rent, incidental to the City's strategic purposes. Each category generates income.

Return on investment is not readily available for the entire income generating portfolio, as annual valuations are currently obtained only for the commercial property investment portfolio. The commercial property investment portfolio, comprises commercial and industrial properties held for long-term rental yield and capital appreciation and is not occupied by the Council. It is valued at \$509.6M. Budgeted income from this portfolio is \$19.6M for 2023/24 or 3.8 per cent. Note that this does not include any likely growth in the capital value of the properties.

5. It is anticipated that cash and investments will return 5.2 per cent. The return is subject to changes in the cash rate, economic conditions and what is offered in the market. The forecast has been developed as part of the preparation of the next iteration of the City's Investment Strategy that will be presented to Council in October. Due to changed market conditions since the preparation of the budget for 2023/24 in March/April 2023 this forecast has increased.
6. Section 8B of the Local Government Act 1993 sets out the principles for sound financial management that apply to councils. Section 625 of the Act governs how a council may invest its money and requires councils to comply with orders made by the Minister for Local Government. These orders are contained in government gazettes and communicated to Council through the City's Investment Policy and Investment Strategy and reported on monthly to Council in the Investment Report.
7. The Local Government Act 1993, section 55 does not require a tender to be undertaken in relation to these transactions. Under section 377 of the Local Government Act 1993 a sale or transfer of land can only be determined by resolution of Council and cannot be delegated. There are limits on what leases can be dealt with under delegation contained within the delegations by Council to the Chief Executive Officer. All recommendations made to Council by staff are in accordance with Council's adopted policies and strategies.
8. The City's Long Term Financial Plan and the Investment Policy and Investment Strategy guide whether or not the City considers long term borrowing, to finance investments or other activities. These 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.

6. Ultimate Fighting Championship

By Councillor Gannon

Question

1. On Wednesday 6 September 2023, the Ultimate Fighting Championship (UFC) held an “Open Workouts” event at Town Hall. Does the City of Sydney provide any direct or in-kind financial support to the UFC?
 - (a) If so, what amount, per last five financial years?
 - (b) If so, for what reasons?
2. Does the City of Sydney provide any non-financial support to the UFC? If so, what?
3. Have City of Sydney Council staff received complimentary tickets?
 - (a) If so, how many staff?
 - (b) If so, what was the value of those tickets?
4. Has the City of Sydney provided Tourism NSW with any cash or value in kind supports?
5. Was the UFC event afforded any value in kind production fee waivers? If so, what is the value?

X086665

Answer by the Chief Executive Officer

1. No cash or value-in-kind support was provided to the Ultimate Fighting Championship (UFC) for their event at Sydney Town Hall. The organisers of the event paid commercial rates. This is the first year the City has received a booking for this event.
2. No support, financial or other, was provided to the organisers of the event.
3. No. The event at the Sydney Town Hall was a free unticketed event open to the public.
4. The City has not provided any cash or value in kind support to Destination NSW or any other entity supporting the event.
5. No.

7. Banning Gas

By Councillor Gannon

Question

1. As part of the City’s plan to investigate opportunities to phase out gas in new developments, is the City considering prohibiting the following:
 - (a) barbecues that use gas cylinders;
 - (b) external heaters that use gas cylinders?
2. When is the City’s review into banning gas expected to be completed by?

X086665

Answer by the Chief Executive Officer

1. The City is investigating changes to its planning controls to prevent new gas connections. Planning controls do not affect someone's ability to purchase and use gas cylinders with items such as barbeques and external heaters.
2. A detailed program and scope involving research and consultation is being developed and Councillors will be updated by CEO Update.

8. Koi Fish Deaths at Arthur McElhone Reserve

By Councillor Gannon

Question

Elizabeth Bay residents have raised concerns about recent Koi Fish deaths at Arthur McElhone Reserve, Elizabeth Bay.

5. What actions has the City of Sydney taken to address Koi Fish deaths?
6. Has a review of the water quality been undertaken by the City?
 - (a) If so, when?
 - (b) If not, why not?
3. Does the City of Sydney plan to install CCTV cameras at Arthur McElhone Reserve to prevent theft or disposal of fish from this site?

X086665

Answer by the Chief Executive Officer

Arthur McElhone Reserve pond is a hot spot where sick and unwanted fish are unfortunately dumped. The City tries to rehabilitate any new animals, where possible. Several weeks ago, new fish were dumped in the pond that were suffering from a bacterial infection which spread to approximately 12 fish. This was treated at the time to prevent spreading to other fish in the pond (there were about 30 fish in the pond at the time). The sick fish were temporarily relocated to an aquarium to carry out daily monitoring and treatment. The fish are not recovering as expected, so we are investigating options to arrange veterinary fish diagnostics and further treatment for the sick fish.

On Saturday 2 September 2023, the City received another report of two more fish deaths. The City removed the two dead fish and carried out water chemistry testing with results showing high quality water conditions and no signs of contamination. The City will continue to assess the fish population and diagnose and treat any sick fish as needed. City Rangers have been notified that several times per year sick fish are released within the ponds. The City will conduct a review of the parks signage and look at options to include text stating 'Please do not release fish into the ponds as it may impact the health of the current fish population'.

The City's public place CCTV program operates under a Code of Practice that defines where cameras can be installed and how they are used. Camera locations are based on advice from NSW Police and are installed in areas that are experiencing high levels of serious criminal offences, such as assaults, affray, and robbery. The Code ensures that there is an appropriate balance between needs of police and the community's right to privacy. Under the Code it would not be possible to install CCTV cameras to monitor for the situation with the fish.

9. Penalty Notices Issued to Council-owned Vehicles

By Councillor Gannon

Question on Notice

1. Has the City of Sydney paid any of the fines in relation to the 163 penalty notices issued during use of council-owned vehicles?
 - (a) If so, how many fines?
 - (b) If so, what was the total value of fines paid?
2. Were any of the fines issued to staff of the Lord Mayor's Office? If so, what type of fines, and how many?

X086665

Answer by the Chief Executive Officer

7. No.
8. No.

10. State Government Consultation and the City of Sydney

By Councillor Gannon

Question

Has the NSW Local Government Minister, or his Department, sought feedback from the City of Sydney in relation to:

1. Any changes to legislation? If so, how many draft Bills?
2. Any changes to regulations? If so, how many draft regulation changes?

X086665

Answer by the Chief Executive Officer

The Minister for Local Government sought feedback in relation to non-residential voting and the City of Sydney Act 1988.

11. Compliance with Provisions of the GIPA Act

By Councillor Weldon

Question

1. What is the total number of requests for access to documents the City of Sydney has received from members of the public in the period 2018 to present?
2. Of these requests, how many have been processed:
 - (a) under the provisions of the GIPA legislation with review rights?
 - (b) informally without review rights?

3. In relation to 2 (a), how many decisions by the City regarding applications for information under a formal GIPA application have been appealed by applicants in the period 2018-2023?
4. Has the Information and Privacy Commission contacted the City about its procedures for processing requests for documents by the public in the period 2018-2023?
5. If the answer to 4 is yes:
 - (a) On what date(s) was the City contacted by the Information and Privacy Commissioner?
 - (b) What issues did the Information and Privacy Commissioner draw to the City's attention?
 - (c) At any time was the City informed by the Information and Privacy Commissioner it was operating contrary to the provisions of the GIPA legislation?
6. If the answer is to 5 (c) is yes:
 - (a) What were the particular provisions of the GIPA legislation the City was informed it was not complying with, or in breach of?
 - (b) Since being notified, what action has the City taken to comply with its obligations under of the GIPA legislation?

X086670

Answer by the Chief Executive Officer

1. For the period 2017/18 to 2022/23, 23,946 requests for access to documents were received by City's Information Access and Archives units. Refer table below.
2.
 - (a) For the period 2017/18 to 2022/23, there were 275 requests. Refer table below.
 - (b) For the period 2017/18 to 2022/23, there were 23,671 requests. Refer table below.

3. For the period 2017/18 to 2022/23, there were 25. Refer table below.

Table: Information access requests and applications 2017/18 to 2022/23

Note - this data is publicly reported in the statutory annual returns in the City's Annual Report.

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total
Without review rights - information access requests (informal) received	4,833	4,333	3,946	3,751	3,545	3,263	23,671
With review rights - section 41 access applications (formal) received	91	48	48	33	27	28	275
Total number of requests received	4,924	4,381	3,994	3,784	3,572	3,291	23,946
Access application decisions reviewed	14	1	2	2	3	3	25

4. Yes, the City was contacted by the Information and Privacy Commission (IPC) once in relation to its procedures for processing requests for information. This is the only enquiry the City has received from the IPC in response to a complaint about our procedures since the GIPA Act commenced in 2010.

5.

- (a) The IPC contacted the City initially on 28 February 2023. The City received a copy of the IPC's outcome letter to the complainant on 11 May 2023.
- (b) The IPC outlined a complaint it had received from an individual. The complainant alleged "the Agency is bypassing and possibly breaching the GIPA legislation as there is no information on how to lodge a formal access application online, but rather access applications are treated informally and an applicant is required to contact the Agency for further details for a formal access application."
- (c) No, however in the outcome letter to the complainant the IPC officer stated:

A consequence of how information is displayed on the Agency website, has created an unintentional impediment to citizens being able to exercise their enforceable rights because they cannot easily navigate the website to submit an access application.

...in its current form the information available is not sufficient to satisfy the obligations under the GIPA Act.

The IPC officer did not identify a specific part of the GIPA Act that, in their view, the City was not sufficiently meeting.

6.

- (a) Not applicable
- (b) The City has continued to fully comply with its obligations in dealing with information access requests and applications under the GIPA Act. It took the following actions in response to the complaint:
- updated the website with additional instructions on how to submit a formal application
 - wrote to the complainant again about the process for submitting a formal access application.

Additionally, the IPC officer also recommended that, at the next scheduled review, the City's Agency Information Guide (AIG) should be changed to include additional information on how to make a section 41 access application, which the City has agreed to do.

12. City of Sydney Community Polling

By Councillor Scott

In the past few weeks, community members have been reached out to via phone to discuss their satisfaction with the Cleanaway and City services, level waste production, view on the city's sustainability, potential involvement in city focus groups and more.

Question

1. Since 2008, how much money has the City allocated to focus groups per year?
2. Since 2008, how much money has the City allocated to polling per year?
3. How many focus groups has the city run in the past year?
 - (a) What was the topic of these focus groups?
 - (b) How were community members recruited for the focus groups?
4. How many separate polls has the city undertaken in the past year? What were these polls related to?
5. Can all Councillors be provided with the information resulting from these investigations? If so, how will Councillor access this information or be notified?

X086668

Answer by the Chief Executive Officer

The City consults extensively with the community through its regular community engagement work and reports are made available through Council reports and on the City of Sydney's website in accordance with City's community engagement strategy. The City also conducts research that contributes to understanding community behaviour, experience of living and working in the city, community wellbeing or to test the user experience as part of the development of a specific service or program.

A variety of methods are utilised in our consultation and research including surveys, online comments, community meetings, one on one interviews, workshops and very occasionally, focused group discussions if an issue requires deeper exploration.

The City does not allocate an annual budget for focus groups or surveys per se. It is not possible to itemise costs associated with surveys or focus groups since 2008 as these costs are often embedded in broader project consultation and communications costs and activities. By far the majority of consultation and surveying is done utilising in house resources and expertise. This is occasionally supplemented through engaging consultants or when the approach requires external facilitation or participant recruitment.

Some recent examples of different types of engagement/research include:

- A current behavioural research project to inform the development of the waste education campaign that Council requested. The research includes a survey that is designed to understand residents' behaviours and attitudes, particularly around food waste as we prepare our service model for FOGO, plastic packaging and reducing landfill. The research is being conducted by an external research company. Two thirds of the surveys are being conducted via telephone with randomly selected residents aged 18+ years and the remainder conducted online with participants of research panels. If required, two focus group discussions will be held to explore issues raised in the quantitative survey. The cost of this project is \$44,290.
- The Community Wellbeing Survey is an online and hard copy survey conducted every three to four years to understand how the community is tracking across a range of wellbeing indicators. The 2023 survey recently closed and will be analysed alongside a range of other datasets and reported via the wellbeing indicators report. The survey is run in-house and participants are invited to complete the survey through our standard communications channels to ensure we reach a representative sample. The cost of this project is \$73,371.
- During the community engagement for Sustainable Sydney 2030-2050 Continuing the Vision, a citizen's jury of people representative of the local community was recruited by an external agency to participate in a series of deep dive workshops and discussions. The outcomes were published via an engagement report. The total cost of this project was \$140,000.

13. City of Sydney Offset Purchasing

By Councillor Scott

Question

1. What other projects made up the remaining 91 per cent of purchased offsets? Include project name and location.
2. By year since 2004, what has been the increase in the per cent of high quality Australian regenerative offsets that make up the City's total offset purchases?
3. By year since 2004, by what percent has the City decreased its total CO² emissions?
4. What strategies and investigations are the City undertaking to ensure it meets its 2025 target of 100 per cent high quality Australian regenerative offsets?

X086668

Answer by the Chief Executive Officer

1. For FY21, nine per cent of offsets for the City's operational emissions were Australian. The other 91 per cent were Verified Carbon Units (VCUs) purchased from the [Three Gorges New Energy Jiuquan Co., Ltd](#), Guazhou 100MW Solar Power Project located in Guazhou County, China. The co-benefits include (short and long term) employment, stable power, and increased investment in local education from the project operator. (This information is publicly available in the City's Public Disclosure Statement on the [Climate Active website](#))
2. The City has been purchasing offsets for 100 per cent of its operational emissions since 2007. Purchase of high quality Australian regenerative offsets began in FY2020. The proportion of Australian offsets purchased for each year is: FY20 – 5 per cent, FY21 – 9 per cent, FY22 – 21 per cent.
3. Since the baseline year of FY2006, the City's operational emissions had reduced by 77 per cent by end of FY22. FY23 emissions are currently being calculated and will be reported to Council in the Green Report in the November 2023.
4. The City's Environmental Strategy 2021-2025 states that the City aims to transition to 100 per cent high quality Australian regenerative offsets by 2025. The City is currently conducting procurement for a multi-year offset purchase to support this aim. More importantly, the City has a range of projects in place to reduce operational emissions, so that the quantity of offsets that are required is minimised. For more detail on this work, Councillors are advised to review the 28 July 2023 CEO Update - Electrify Sydney.

14. Cleanaway Fines for Unregistered Product Movement

By Councillor Scott

EPA Victoria has issued three fines to Cleanaway Pty Ltd totalling nearly \$30,000 for transporting waste hand sanitizer without properly logging its movement.

Question

1. How many breaches has Cleanaway had in total, broken down by year since the start of the contract?
2. Which of these breaches took place within the City of Sydney LGA? Include the type of breach.
3. Have any fines been issued to Cleanaway within NSW for this type of offence? (transporting goods without logging it)
4. Has the City investigated breaches of this kind within our LGA? If so, what were the results of these investigations?
5. What actions have the City taken in response to Cleanaway's breaches? Including the breach in Victoria.
6. What rights and obligations do the City have to take action and penalise contractors for breaches? Can the City order contractors to take certain actions?
7. How is the City notified about contractor breaches? Has the City been notified regarding Cleanaway's breaches in Victoria?

8. How does the City work with contractors after a breach to ensure that the breach does not occur again? How has this been employed in the case of Cleanaway?
9. What assurances does the City have in regards to their liability for the breaches?

X086668

Answer by the Chief Executive Officer

City staff are not aware of any breaches by Cleanaway for unlogged product movements and is not aware of any fines issued in NSW for unlogged product movements.

The contract requires Cleanaway to comply with all applicable laws and Australian standards. The City's rights in relation to any identified breach would depend on the nature, cause and extent of the breach, including any consequential impact on key performance indicators under the contract. The City can request compliance with the contract and remediation of any situation which is non-compliant with the contract.

The City is indemnified in relation to any loss associated with a breach of the law by Cleanaway in certain circumstances under the contract.

15. Cost of Vacant City Owned Land

By Councillor Scott

Item 3 on the agenda for the September Housing For All committee meeting is 'Affordable and Diverse Housing - Opportunities for City Owned Land'. The motion requests Council's endorsement to the sale of four surplus properties with the potential to yield a minimum of 15 bedrooms from the sale of these properties.

Question

1. Broken down by each property, when was the date of last occupation?
2. Broken down by year since 2004 and by property, please detail the earning provided by the property to the City.
3. Broken down by year since 2004 and by property, please detail the cost of management fees paid to managing agents.
4. Detail by property, the cost of the maintenance requirements to be safely re-occupied.
5. Detail by property, the estimated worth of one month in rent.

X086668

Answer by the Chief Executive Officer

1.

Property	Tenancy Status
169 Victoria Street, Beaconsfield	Vacated 30.06.19
Unit 7/12 Springfield Ave, Potts Point	Tenanted
Unit 8/12 Springfield Ave, Potts Point	Vacated 28.02.22
5 Norman Street, Darlinghurst	Vacated 17.12.21
7 Norman Street, Darlinghurst	Vacated 27.01.22
9 Norman Street, Darlinghurst	Vacated 01.02.22
11 Norman Street, Darlinghurst	Vacated 06.02.22
13 Norman Street, Darlinghurst	Vacated 06.11.20
15 Norman Street, Darlinghurst	Vacated 12.07.21
17 Norman Street, Darlinghurst	Vacated 30.08.21

2. The annual revenue from the properties above is shown below:

	169 Victoria Street, Beaconsfield	7 & 8/12 Springfield Avenue, Potts Point	5-17 Norman St Darlinghurst
2004/05	\$ -	\$ 15,541	\$ 49,136
2005/06	\$ -	\$ 14,677	\$ 67,396
2006/07	\$ -	\$ 24,898	\$ 78,647
2007/08	\$ -	\$ 23,045	\$ 74,302
2008/09	\$ -	\$ 23,045	\$ 71,742
2009/10	\$ -	\$ 23,045	\$ 91,178
2010/11	\$ -	\$ 23,045	\$ 108,259
2011/12	\$ -	\$ 23,045	\$ 118,591
2012/13	\$ -	\$ 23,045	\$ 128,026
2013/14	\$ -	\$ 23,045	\$ 121,376

	169 Victoria Street, Beaconsfield	7 & 8/12 Springfield Avenue, Potts Point	5-17 Norman St Darlinghurst
2014/15	\$ -	\$ 23,045	\$ 145,715
2015/16	\$ -	\$ 20,861	\$ 144,834
2016/17	\$ -	\$ 36,900	\$ 166,451
2017/18	\$ -	\$ 34,800	\$ 171,375
2018/19	\$ -	\$ 34,800	\$ 162,053
2019/20	\$ -	\$ 34,800	\$ 172,279
2020/21	\$ -	\$ 32,362	\$ 168,582
2021/22	\$ -	\$ 29,600	\$ 64,184
2022/23	\$ -	\$ 21,189	\$ -

3. The management fee as prorated from the contracts with service providers:

	169 Victoria Street, Beaconsfield	Unit 7 & 8 Springfield Ave Potts Point	5-17 Norman St Darlinghurst
2004/05	\$ -	\$ -	\$ 2,100
2005/06	\$ -	\$ -	\$ 2,205
2006/07	\$ -	\$ -	\$ 2,260
2007/08	\$ -	\$ -	\$ 2,317
2008/09	\$ -	\$ -	\$ 2,375
2009/10	\$ -	\$ -	\$ 2,434
2010/11	\$ 2,133	\$ 862	\$ 3,131
2011/12	\$ 2,256	\$ 2,004	\$ 6,552
2012/13	\$ 2,328	\$ 2,064	\$ 6,744
2013/14	\$ 3,028	\$ 2,116	\$ 7,577
2014/15	\$ 3,202	\$ 2,239	\$ 8,005
2015/16	\$ 3,168	\$ 2,220	\$ 7,932
2016/17	\$ 3,383	\$ 2,371	\$ 8,470
2017/18	\$ 3,188	\$ 2,238	\$ 7,981
2018/19	\$ 2,268	\$ 1,584	\$ 5,664
2019/20	\$ 1,690	\$ 2,184	\$ 9,285
2020/21	\$ 2,402	\$ 469	\$ 2,645
2021/22	\$ 4,191	\$ 826	\$ 4,609
2022/23	\$ 4,838	\$ 954	\$ 5,321

4. The properties that require upgrading prior to further occupation are inspected regularly and where required repairs are made to properties where the matter prevents damage to the property.

The properties require renewal for comfortable occupation. The indicative costs excluding GST to renew are provided below:

169 Victoria Street, Beaconsfield

This property requires a new kitchen and bathroom, and modifications to the interior layout to return it to use as a residential property. The last use of this property was as a community accommodation grant space which required modification and removal of internal walls.

Indicative costs are between \$50,000 to \$70,000 plus GST and approximately six to nine months to complete.

Unit 8/12 Springfield, Avenue Potts Point

This unit requires new carpet, painting throughout, and a new kitchen and bathroom.

Indicative costs are between \$40,000 to \$60,000 plus GST and approximately five to six months to complete.

5-17 Norman Street, Darlinghurst

These terraces require varying levels of refurbishment and, in some cases additions, to improve functionality.

Indicative costs are between \$1.5 million to \$2.4 million plus GST and approximately two years plus to complete.

5. The weekly rent by property at time of occupation follows:

Property	Rent / Week
169 Victoria Street, Beaconsfield	N/A
Unit 7/12 Springfield Ave, Potts Point	\$500
Unit 8/12 Springfield Ave, Potts Point	\$184
5 Norman Street, Darlinghurst	\$279
7 Norman Street, Darlinghurst	\$560
9 Norman Street, Darlinghurst	\$110
11 Norman Street, Darlinghurst	\$600
13 Norman Street, Darlinghurst	\$501

Property	Rent / Week
15 Norman Street, Darlinghurst	\$550
17 Norman Street, Darlinghurst	\$725

16. Fire Safety Compliance in Boarding Houses

By Councillor Scott

Due to a recent fire safety compliance blitz in the Inner West, low-cost accommodation options such as boarding houses have opted to sell rather than address the costly compliance orders. The conditions with the boarding houses are often terrible and unsafe, but many people are left with no other option.

Question

1. When was the last time the city investigated the fire safety of boarding houses within the Local Government Area? What were the findings and actions taken as a result of these investigations?
2. Has the City observed an increasing number of boarding houses being sold within the Local Government Area? If so, what actions are the City taking to rectify this?
3. How is the City supporting low-cost accommodation and affordable housing services with issues relating to fire safety compliance?

X086668

Answer by the Chief Executive Officer

1. The City undertakes a proactive annual fire safety inspection program for all registered boarding houses. There are 315 premises registered with Council. Last financial year, 400 inspections of boarding houses were undertaken, with only seven inspections identifying high-risk non-compliances.
2. Local governments are not required to keep records of boarding house sales. City records show that in 2022 there were 311 boarding houses registered in the City's Local Government Area and now there are 315 registered.
3. Whilst there is no legislative requirement to do so, the City inspects boarding houses annually. The City does not charge for these inspections and the inspections are focused on assisting owners ensure that their premises meet both health and fire safety requirements. In the rare event a boarding house requires evacuation, City staff will ensure that residents of boarding houses are provided with appropriate referrals and support where relevant.

Item 11 Supplementary Answers to Previous Questions

Supplementary Answers to Questions on Notice are as follows:

Question on Notice – Council 21 August 2023**16. Parking Fines Issued to City Vehicles**

By Councillor Gannon

Supplementary Answer

The answer to the Question on Notice published on 21 August 2023 incorrectly reported that there had been unidentified employees for fines.

In each instance where a fine has been issued, the City has identified the driver. All fines have been paid directly by the identified drivers.

Item 12 Notices of Motion

Item 12.1 Vale Frank Elgar

By Councillor Worling

It is resolved that:

(A) Council note:

- (i) the passing of Frank Austin Wallace Elgar, on Wednesday 23 August 2023, nine days short of his 81st birthday;
- (ii) Frank was a warm, genuine, and caring gentleman who was dedicated to making Sydney a better place. His diverse and colourful career spanned marketing and public relations, fashion design, production, and urban planning;
- (iii) in 1985, he established Creative Marketing Services (CMS Group) with the goal of collaborating with like-minded professionals to help Sydney's residents connect and thrive;
- (iv) Frank's professional work called upon an extensive knowledge and love for art, culture and history. He was best known for his hard work in the '90s establishing a "collectors' market" and taskforce with Sydney Cove Authority, "Extending the Vision for The Rocks Precinct." The success of this project, which became The Rocks Market, led to commissions from city councils around Australia and overseas – including City of Perth, City of Melbourne, Newcastle, and Adelaide;
- (v) Frank was a devotedly passionate collaborator and tireless organiser. He was the Chairman of the Paddington Chamber of Commerce, and the Heritage Committee of the Business Council of Sydney, which saw him meeting monthly in the Council Chamber to brief City of Sydney Councillors and staff as part of a public/private relationship with business, residential and retailers;
- (vi) in 1992, Frank founded his own company, City Strategies. He was behind key projects including the development of the Public Realm of the Bennelong Project, which involved workshopping various concepts with Sydney Opera House, Royal Botanic Gardens, Institute of Architects, and later, the Walsh Bay Precinct Arts development; and
- (vii) even in retirement, Frank continued to advise community groups in Potts Point. His innate strength was in connecting people and celebrating the best a place had to offer. He will be sorely missed;

(B) all persons attending the meeting of Council observe one minute's silence to honour the life of Frank Elgar; and

(C) the Lord Mayor convey Council's sincere condolences to Frank Elgar's family.

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

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

It is resolved that:

(A) Council note:

- (i) the passing of Frank Austin Wallace Elgar, on Wednesday 23 August 2023, nine days short of his 81st birthday;
- (ii) Frank was a warm, genuine, and caring gentleman who was dedicated to making Sydney a better place. His diverse and colourful career spanned marketing and public relations, fashion design, production, and urban planning;
- (iii) in 1985, he established Creative Marketing Services (CMS Group) with the goal of collaborating with like-minded professionals to help Sydney's residents connect and thrive;
- (iv) Frank's professional work called upon an extensive knowledge and love for art, culture and history. He was best known for his hard work in the '90s establishing a "collectors' market" and taskforce with Sydney Cove Authority, "Extending the Vision for The Rocks Precinct." The success of this project, which became The Rocks Market, lead to commissions from city councils around Australia and overseas – including City of Perth, City of Melbourne, Newcastle, and Adelaide;
- (v) Frank was a devotedly passionate collaborator and tireless organiser. He was the Chairman of the Paddington Chamber of Commerce, and a member of the Sydney District Business Association (SDBA), which saw him meeting monthly in the Council Chamber to brief City of Sydney Councillors and staff as part of a public/private relationship with business, residential and retailers;
- (vi) in 1992, Frank founded his own company, City Strategies. He was behind key projects including the development of the Public Realm of the Bennelong Project, which involved workshopping various concepts with Sydney Opera House, Royal Botanic Gardens, Institute of Architects, and later, the Walsh Bay Precinct Arts development; and
- (vii) even in retirement, Frank continued to advise community groups in Potts Point. His innate strength was in connecting people and celebrating the best a place had to offer. He will be sorely missed;

(B) all persons attending the meeting of Council observe one minute's silence to honour the life of Frank Elgar; and

(C) the Lord Mayor convey Council's sincere condolences to Frank Elgar's family.

Carried unanimously.

X099886

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

Item 12.2 Circular in the City

Moved by Councillor Worling, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) the City of Sydney collects and manages around 65,000 tonnes of waste each year from more than 115,000 households and around 11,000 tonnes from City-managed assets, parks and public places. By 2030, this waste is forecast to grow to more than 100,000 tonnes a year;
- (ii) currently, more than half of our household and commercial waste goes to landfill with no further opportunity for reuse or recycling, and limited recovery of energy;
- (iii) according to the *NSW Waste and Sustainable Materials Strategy* published by the Department of Planning, Industry and Environment in 2021, there will be no capacity at existing landfill sites in NSW by 2036;
- (iv) the City's current waste strategy, *Leave nothing to waste: Waste strategy and action plan 2017-2030*, was adopted by Council (following public exhibition) in October 2017. It set the target to divert 70 per cent of residential waste away from landfill (with a minimum of 35 per cent as source-separated recycling). The strategy is currently being reviewed and will be updated to reflect recent federal and state policy changes in waste and the circular economy;
- (v) in February 2023, Council resolved to develop additional ways to manage and monitor residential waste; and to encourage activities to reduce waste and improve recycling, including the development of a community education campaign, which is currently underway;
- (vi) as part of a long-term community strategic plan, the City has committed to support the development of a circular economy through business support programs, community workshops, library services and grants;
- (vii) in May 2023, the Lord Mayor hosted Greater Sydney and Metropolitan Councils, NSW Government agencies and other key stakeholders for the Metropolitan Sydney Mayoral Summit on Waste and has since written to the Premier and relevant NSW Ministers highlighting the urgency for all councils and other levels of government to work together to better manage waste; and
- (viii) since 2014, the City has provided more than \$400,000 in kind grants for circular economy related projects; and

(B) as part of the development of the community education campaign, the Chief Executive Officer be requested to:

- (i) investigate how the City could support the development and creation of a digital information hub to promote businesses across the Local Government Area who are actively fighting the war on waste and championing a more circular economy;
- (ii) explore ways to further improve our communication with residents, tenants, real estate agents and other stakeholders across the City on how to dispose of unwanted items responsibly;

- (iii) investigate strategic partnerships with existing organisations to assist in the redistribution and rehoming of quality furniture and other household items that could otherwise go to landfill if left out for bulky waste pick-ups;
- (iv) explore opportunities for expanded waste and recycling drop-off services across the Local Government Area;
- (v) develop initiatives to improve recycling, reuse and repair within multi-unit dwellings and investigate incentivising the uptake of dedicated onsite reuse spaces or share rooms through partnerships with community groups and neighbourhood sharing services;
- (vi) explore and develop a dedicated circular economy grant scheme that prioritises supporting and promoting reduce, reuse, repair and recycle innovators and ideas; and
- (vii) facilitate discussions with key stakeholders and strategic partners about waste and the circular economy, and the need to work collaboratively to educate and change behaviours at a local and State level.

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

That the motion be amended such that it read as follows –

It is resolved that:

(A) Council note:

- (i) through the National Waste Policy, the Commonwealth Government has introduced the following targets:
 - (a) reduce total waste generated by 10 per cent per person by 2030;
 - (b) recover 80 per cent of all waste by 2030. Significantly increase the use of recycled content by governments and industry; and
 - (c) phase out problematic and unnecessary plastics by 2025;
- (ii) in 2018/19, the Sydney metropolitan area councils sent 993,381 tonnes to landfill (51 per cent of the state);
- (iii) the largest volume of material was collected from the Sydney metropolitan region, although only 25 per cent was recycled. Conversely, the rest of the state collected the least weight, but recycled the greatest proportion of the material;
- (iv) in 2018/19, the Sydney metropolitan area generated 1.84 million tonnes of kerbside waste, of which 847,000 (46 per cent) was diverted from landfill. This was a decrease from 48.8 per cent in 2017/18;
- (v) the City of Sydney collects and manages around 65,000 tonnes of waste each year from more than 115,000 households and around 11,000 tonnes from City-managed assets, parks and public places. By 2030, this waste is forecast to grow to more than 100,000 tonnes a year;
- (vi) currently, more than half of our household and commercial waste goes to landfill with no further opportunity for reuse or recycling, and limited recovery of energy;
- (vii) according to the *NSW Waste and Sustainable Materials Strategy* published by the Department of Planning, Industry and Environment in 2021, there will be no capacity at existing landfill sites in NSW by 2036;

- (viii) the City's current waste strategy, Leave nothing to waste: Waste strategy and action plan 2017-2030, was adopted by Council (following public exhibition) in October 2017. It set the target to divert 70 per cent of residential waste away from landfill (with a minimum of 35 per cent as source-separated recycling). The strategy is currently being reviewed and will be updated to reflect recent federal and state policy changes in waste and the circular economy;
 - (ix) in February 2023, Council resolved to develop additional ways to manage and monitor residential waste; and to encourage activities to reduce waste and improve recycling, including the development of a community education campaign, which is currently underway;
 - (x) as part of a long-term community strategic plan, the City has committed to support the development of a circular economy through business support programs, community workshops, library services and grants;
 - (xi) in May 2023, the Lord Mayor hosted Greater Sydney and Metropolitan Councils, NSW Government agencies and other key stakeholders for the Metropolitan Sydney Mayoral Summit on Waste and has since written to the Premier and relevant NSW Ministers highlighting the urgency for all councils and other levels of government to work together to better manage waste; and
 - (xii) since 2014, the City has provided more than \$400,000 in kind grants for circular economy related projects; and
- (B) as part of the development of the community education campaign, the Chief Executive Officer be requested to:
- (i) investigate how the City could support the development and creation of a digital information hub to promote businesses across the Local Government Area who are actively fighting the war on waste and championing a more circular economy;
 - (ii) explore ways to further improve our communication with residents, tenants, real estate agents and other stakeholders across the City on how to dispose of unwanted items responsibly;
 - (iii) investigate strategic partnerships with existing organisations to assist in the redistribution and rehoming of quality furniture and other household items that could otherwise go to landfill if left out for bulky waste pick-ups;
 - (iv) explore opportunities for expanded City-run waste and recycling drop-off services across the Local Government Area;
 - (v) develop initiatives to improve recycling, reuse and repair within multi-unit dwellings and investigate incentivising the uptake of dedicated onsite reuse spaces or share rooms through partnerships with community groups and neighbourhood sharing services;
 - (vi) explore and develop a dedicated circular economy grant scheme that prioritises supporting and promoting reduce, reuse, repair and recycle innovators and ideas; and
 - (viii) facilitate discussions with key stakeholders and strategic partners about waste and the circular economy, and the need to work collaboratively to educate and change behaviours at a local and State level.

The amendment was carried unanimously.

The substantive motion was carried unanimously.

X099886

Item 12.3 Ending Period Poverty in the City of Sydney

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) period poverty refers to the inability to access menstrual products or hygiene facilities, and education about menstruation. There are social, economic, and cultural barriers to menstrual products, sanitation, and education;
- (ii) research about period poverty is limited, however evidence shows that poor menstrual management can affect people's emotional and physical health and influence their behaviour such as school and work attendance, participation in sports and socialising in public places;
- (iii) the cost of living crisis is making it more difficult for many to afford basic items, such as sanitary products;
- (iv) a 2023 YouGov survey reported that over 57 per cent of respondents were finding it more difficult to buy period products such as sanitary pads and tampons;
- (v) Period Pride Report: Bloody Big Survey Findings, Australia's largest survey on attitudes and experiences of periods commissioned by Share the Dignity reported that 22 per cent of respondents had to improvise on period products due to cost. As well as that 48 per cent at least sometimes missed class due to their periods, 65 per cent missed sport due to their periods, 40 per cent at least sometimes called in sick to work due to their periods and 51 per cent missed out on socialising with their friends because of their periods;
- (vi) period poverty disproportionately affects LGBTQIA+ and First Nations peoples;
- (vii) every state and territory government has rolled out free period products to public high schools in order to alleviate period poverty; and
- (viii) Inner West Council and Melbourne City Council have recently installed free period product dispensaries in a number of council facilities. These initiatives have been low cost, and very well received;

(B) Council:

- (i) commits to end period poverty;
- (ii) commits to launch an initial 12-month pilot of free period care product services and dispensaries across no less than ten council locations within the Local Government Area; and
- (iii) as part of the trial, commits to work with relevant community groups and advocates to rollout a public education program aimed at removing stigmas and taboos towards periods; and

(C) the Chief Executive Officer be requested to:

- (i) provide advice to the Council about suitable locations for the trial and the cost of the trial. This should include locations in Council buildings, public toilets, and near areas of low-income housing, including public housing estates;
- (ii) consult with relevant community, school, sports, advocates for ending period poverty and or health organisations about developing the pilot; and
- (iii) include in the advice opportunities to extend the trial, through the development of a rebate scheme to incentivise households to purchase reusable sanitary products.

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

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that:

(A) Council note:

- (i) period poverty refers to the inability to access menstrual products or hygiene facilities, and education about menstruation. There are social, economic, and cultural barriers to menstrual products, sanitation, and education;
- (ii) research about period poverty is limited, however evidence shows that poor menstrual management can affect people's emotional and physical health and influence their behaviour such as school and work attendance, participation in sports and socialising in public places;
- (iii) the cost of living crisis is making it more difficult for many to afford basic items, such as sanitary products;
- (iv) a 2023 YouGov survey reported that over 57 per cent of respondents were finding it more difficult to buy period products such as sanitary pads and tampons;
- (v) Period Pride Report: Bloody Big Survey Findings, Australia's largest survey on attitudes and experiences of periods commissioned by Share the Dignity reported that 22 per cent of respondents had to improvise on period products due to cost. As well as that 48 per cent at least sometimes missed class due to their periods, 65 per cent missed sport due to their periods, 40 per cent at least sometimes called in sick to work due to their periods and 51 per cent missed out on socialising with their friends because of their periods;
- (vi) period poverty disproportionately affects LGBTQIA+ and First Nations peoples;
- (vii) every state and territory government has rolled out free period products to public high schools in order to alleviate period poverty; and
- (viii) Inner West Council and Melbourne City Council have recently installed free period product dispensaries in a number of council facilities. These initiatives have been low cost, and very well received;

(B) Council further note:

- (i) the City has recently established Food Support Grants which are targeted at increasing access and improving the supply of healthy food for our communities;
- (ii) the City plays an important role in increasing community access to basic necessities, which includes menstruation products;
- (iii) as part of the response for vulnerable communities during Covid-19, the City provided flexibility in grant programs and donations for essential products including funding voucher programs and funding low cost and free supermarkets in the local area who provide sanitary products;
- (iv) outreach services, mobile voluntary services and homelessness drop in centres working with vulnerable communities in the City of Sydney Local Government Area all have period products available which they provide to communities as needed;
- (v) drop in centres such as Wayside Chapel also have period products available and provide these as needed;
- (vi) many of these organisations acquire these products through funding, donations or via brokerage;
- (vii) NSW Health and St Vincent Homeless Health have period products available during clinics and assertive outreach on a needs basis. Clinics and outreach occur daily across the City of Sydney Local Government Area;
- (viii) Kirketon Road Centre in Kings Cross (NSW Health) also have information and products available as needed;
- (ix) the Department of Communities and Justice (DCJ) funded women only crisis services will also have them available;
- (x) DCJ Homelessness Services provide information and period products as required on outreach; and
- (xi) the NSW Department of Education, earlier this year, installed 4,600 units in NSW public schools (including schools in the City of Sydney Local Government Area) providing access to free sanitary products to students;

(C) Council:

- (i) commits to end period poverty;
- (ii) commits to launch an initial 12-month pilot of free period care product services and dispensaries across no less than ten council locations within the Local Government Area; and
- (iii) as part of the trial, commits to work with relevant community groups and advocates to rollout a public education program aimed at removing stigmas and taboos towards periods; and

(D) the Chief Executive Officer be requested to:

- (i) provide advice to the Council about suitable locations for the trial and the cost of the trial. This should include locations in Council buildings, public toilets, libraries, pools, community centres and sporting ground change rooms, and near areas of low-income housing, including public housing estates;
- (ii) consult with relevant community, school, sports, advocates for ending period poverty and or health organisations about developing the pilot;
- (iii) include in the advice opportunities to extend the trial, through the development of a rebate scheme to incentivise households to purchase reusable sanitary products; and
- (iv) commence work on this program in September 2023, with a report back at the December 2023 Council meeting.

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

It is resolved that:

(A) Council note:

- (i) period poverty refers to the inability to access menstrual products or hygiene facilities, and education about menstruation. There are social, economic, and cultural barriers to menstrual products, sanitation, and education;
- (ii) research about period poverty is limited, however evidence shows that poor menstrual management can affect people's emotional and physical health and influence their behaviour such as school and work attendance, participation in sports and socialising in public places;
- (iii) the cost of living crisis is making it more difficult for many to afford basic items, such as sanitary products;
- (iv) a 2023 YouGov survey reported that over 57 per cent of respondents were finding it more difficult to buy period products such as sanitary pads and tampons;
- (v) Period Pride Report: Bloody Big Survey Findings, Australia's largest survey on attitudes and experiences of periods commissioned by Share the Dignity reported that 22 per cent of respondents had to improvise on period products due to cost. As well as that 48 per cent at least sometimes missed class due to their periods, 65 per cent missed sport due to their periods, 40 per cent at least sometimes called in sick to work due to their periods and 51 per cent missed out on socialising with their friends because of their periods;
- (vi) period poverty disproportionately affects LGBTQIA+ and First Nations peoples;
- (vii) single use period products such as pads and tampons can have a significant cost and environmental impact over a lifetime;
 - (a) a 2022 analysis by Choice estimated that over a lifetime, single use period products can cost more than \$9,000 and add between 5,000 to 15,000 pads or tampons into landfill; and
 - (b) Global Citizen estimates that it can take 500 to 800 years for the most popular single use period product to break down;

- (viii) switching to reusable period care products can reduce waste in landfill and the amount of plastic in the environment and uses far fewer resources and chemicals in the production and transportation of the products;
 - (ix) every state and territory government has rolled out free period products to public high schools in order to alleviate period poverty; and
 - (x) Inner West Council and Melbourne City Council have recently installed free period product dispensaries in a number of council facilities. These initiatives have been low cost, and very well received;
- (B) Council further note:
- (i) the City has recently established Food Support Grants which are targeted at increasing access and improving the supply of healthy food for our communities;
 - (ii) the City plays an important role in increasing community access to basic necessities, which includes menstruation products;
 - (iii) as part of the response for vulnerable communities during Covid-19, the City provided flexibility in grant programs and donations for essential products including funding voucher programs and funding low cost and free supermarkets in the local area who provide sanitary products;
 - (iv) outreach services, mobile voluntary services and homelessness drop in centres working with vulnerable communities in the City of Sydney Local Government Area all have period products available which they provide to communities as needed;
 - (v) drop in centres such as Wayside Chapel also have period products available and provide these as needed;
 - (vi) many of these organisations acquire these products through funding, donations or via brokerage;
 - (vii) NSW Health and St Vincent Homeless Health have period products available during clinics and assertive outreach on a needs basis. Clinics and outreach occur daily across the City of Sydney Local Government Area;
 - (viii) Kirketon Road Centre in Kings Cross (NSW Health) also have information and products available as needed;
 - (ix) the Department of Communities and Justice (DCJ) funded women only crisis services will also have them available;
 - (x) DCJ Homelessness Services provide information and period products as required on outreach; and
 - (xi) the NSW Department of Education, earlier this year, installed 4,600 units in NSW public schools (including schools in the City of Sydney Local Government Area) providing access to free sanitary products to students;
- (C) Council:
- (i) call on all levels of government to commit to ending period poverty in collaboration with relevant organisations;
 - (ii) commits to launch an initial 12-month pilot of free period care product services and dispensaries across no less than ten council locations within the Local Government Area; and

- (iii) as part of the trial, commits to work with relevant community groups and advocates to rollout a public education program aimed at removing stigmas and taboos towards periods;
- (D) the Lord Mayor be requested to write to the State and Federal Ministers for Women and Ministers for Health, calling for greater investment and collaboration with relevant community groups and advocates to roll out a public education program aimed at removing stigmas and taboos towards periods; and
- (E) the Chief Executive Officer be requested to:
 - (i) provide advice to the Council about suitable locations for the trial and the cost of the trial. This should include locations in Council buildings, public toilets, libraries, pools, community centres and sporting ground change rooms, and near areas of low-income housing, including public housing estates;
 - (ii) consult with relevant community, school, sports, advocates for ending period poverty and/or health organisations about community education campaigns and developing programs or pilots addressing period poverty;
 - (iii) include in the advice opportunities to extend the trial, through the development of a rebate scheme to incentivise households to purchase reusable sanitary products; and
 - (iv) commence work on this program in September 2023, with a report back at the December 2023 Council meeting.

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

That the motion be amended such that it read as follows –

It is resolved that:

- (A) Council note:
 - (i) period poverty refers to the inability to access menstrual products or hygiene facilities, and education about menstruation. There are social, economic, and cultural barriers to menstrual products, sanitation, and education;
 - (ii) research about period poverty is limited, however evidence shows that poor menstrual management can affect people's emotional and physical health and influence their behaviour such as school and work attendance, participation in sports and socialising in public places;
 - (iii) the cost of living crisis is making it more difficult for many to afford basic items, such as sanitary products;
 - (iv) a 2023 YouGov survey reported that over 57 per cent of respondents were finding it more difficult to buy period products such as sanitary pads and tampons;
 - (v) Period Pride Report: Bloody Big Survey Findings, Australia's largest survey on attitudes and experiences of periods commissioned by Share the Dignity reported that 22 per cent of respondents had to improvise on period products due to cost. As well as that 48 per cent at least sometimes missed class due to their periods, 65 per cent missed sport due to their periods, 40 per cent at least sometimes called in sick to work due to their periods and 51 per cent missed out on socialising with their friends because of their periods;
 - (vi) period poverty disproportionately affects LGBTQIA+ and First Nations peoples;

- (vii) single use period products such as pads and tampons can have a significant cost and environmental impact over a lifetime;
 - (a) a 2022 analysis by Choice estimated that over a lifetime, single use period products can cost more than \$9,000 and add between 5,000 to 15,000 pads or tampons into landfill; and
 - (b) Global Citizen estimates that it can take 500 to 800 years for the most popular single use period product to break down;
 - (viii) switching to reusable period care products can reduce waste in landfill and the amount of plastic in the environment and uses far fewer resources and chemicals in the production and transportation of the products;
 - (ix) every state and territory government has rolled out free period products to public high schools in order to alleviate period poverty; and
 - (x) Inner West Council and Melbourne City Council have recently installed free period product dispensaries in a number of council facilities. These initiatives have been low cost, and very well received;
- (B) Council further note:
- (i) the City has recently established Food Support Grants which are targeted at increasing access and improving the supply of healthy food for our communities;
 - (ii) the City plays an important role in increasing community access to basic necessities, which includes menstruation products;
 - (iii) as part of the response for vulnerable communities during Covid-19, the City provided flexibility in grant programs and donations for essential products including funding voucher programs and funding low cost and free supermarkets in the local area who provide sanitary products;
 - (iv) outreach services, mobile voluntary services and homelessness drop in centres working with vulnerable communities in the City of Sydney Local Government Area all have period products available which they provide to communities as needed;
 - (v) drop in centres such as Wayside Chapel also have period products available and provide these as needed;
 - (vi) many of these organisations acquire these products through funding, donations or via brokerage;
 - (vii) NSW Health and St Vincent Homeless Health have period products available during clinics and assertive outreach on a needs basis. Clinics and outreach occur daily across the City of Sydney Local Government Area;
 - (viii) Kirketon Road Centre in Kings Cross (NSW Health) also have information and products available as needed;
 - (ix) the Department of Communities and Justice (DCJ) funded women only crisis services will also have them available;
 - (x) DCJ Homelessness Services provide information and period products as required on outreach; and

- (xi) the NSW Department of Education, earlier this year, installed 4,600 units in NSW public schools (including schools in the City of Sydney Local Government Area) providing access to free sanitary products to students;
- (C) Council call on all levels of government to commit to ending period poverty in collaboration with relevant organisations;
- (D) the Lord Mayor be requested to write to the State and Federal Ministers for Women and Ministers for Health, calling for greater investment and collaboration with relevant community groups and advocates to roll out a public education program aimed at removing stigmas and taboos towards periods; and
- (E) the Chief Executive Officer be requested to:
 - (i) assess the need for and costs associated with a pilot or program providing free or subsidised period care products (including reusable period care products) in Council buildings, public toilets, libraries, pools, community centres and sporting ground change rooms, and near areas of low-income housing, including public housing estates;
 - (ii) consult with relevant community, school, sports, advocates for ending period poverty and/or health organisations about community education campaigns and developing programs or pilots addressing period poverty; and
 - (iii) report back to Council via CEO Update.

The amendment was carried on the following show of hands –

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

Noes (3) Councillors Ellsmore, Scott and Weldon.

Amendment carried.

The substantive motion was carried unanimously.

X086659

Item 12.4 Vacant Homes in a Housing Crisis

Moved by Councillor Ellsmore, seconded by Councillor Weldon –

It is resolved that:

(A) Council note:

- (i) the City of Sydney is in the midst of a housing affordability crisis. While much of the public debate has focused on how to build new homes, failure to use vacant homes that exist and loss of existing affordable, public and social homes, are part of the problem;
- (ii) on 29 August 2023, the Australian Bureau of Statistics released new research using administrative and electricity data to estimate how many homes showed no sign of recent use. The ABS research found that there are 3,568 dwellings not in use in Sydney, making up 3.1 per cent of the Local Government Area;
- (iii) the NSW Government has been progressively reducing the number of public housing dwellings in the City of Sydney Local Government Area. According to the most recent Housing Audit conducted by the City of Sydney (2022), there were 158 less social (including public) housing dwellings in the Local Government Area in June 2022, compared to ten years ago (9,849 dwellings in 2012);
- (iv) the NSW Government announcement for the redevelopment of Waterloo South is estimated to only deliver 150 new social housing homes, over the next five to 10 years. This would not even make up what has been lost;
- (v) public housing dwellings are being left vacant, including because basic maintenance has not been done, or because it is common for tenants to be moved out years before redevelopment or renovation is to be undertaken;
- (vi) for example, apartments in the 40-year-old public housing complex at 82 Wentworth Park Road have been left vacant for extended periods, including apartments that recently received new carpets and painting. Two remaining households are currently facing eviction, although no development approval has yet been granted for the property;
- (vii) increased vacancies in public housing is a national and state trend. The Australian Productivity Commission's Report on Government Services reports on the number of public housing vacancies. Data included in this report shows that since 2018 public housing vacancies in NSW have more than doubled, with an average vacancy rate of four per cent;
- (viii) the City of Sydney has also identified the loss of boarding houses, and the increasing number of dwellings being used for short term rental accommodation (such as AirBnB) as potential issues impacting housing availability and affordability; and
- (ix) Council supports stronger regulation of short-term rental accommodation. In May 2023, Council resolved to investigate commissioning a study on the impact that short-term rental accommodation is having on rental affordability and availability and tourist accommodation in the Sydney Local Government Area, and report back to the City's Housing for All Working Group with the findings and recommendations. Council is also currently reviewing boarding house policies; and

- (B) the Lord Mayor be requested to write to the NSW Minister for Housing and Homelessness:
- (i) expressing concern about reports that public housing is being kept untenanted for extended periods;
 - (ii) requesting information in relation to the number of vacant public housing dwellings in the City of Sydney Local Government Area; and
 - (iii) seeking urgent advice as to what action is being taken by the NSW Government to ensure public housing is not being left vacant, including when a potential renovation or redevelopment will take place at some future period.

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

That the motion be amended such that it read as follows –

It is resolved that:

- (A) Council note:
- (i) the City of Sydney is in the midst of a housing affordability crisis. While much of the public debate has focused on how to build new homes, failure to use vacant homes that exist and loss of existing affordable, public and social homes, are part of the problem;
 - (ii) on 29 August 2023, the Australian Bureau of Statistics released new research using administrative and electricity data to estimate how many homes showed no sign of recent use. The ABS research found that there are 3,568 dwellings not in use in Sydney, making up 3.1 per cent of the Local Government Area;
 - (iii) the NSW Labor Government has frozen the sale of all public housing in acknowledgement that the model of selling off public homes to pay for maintenance does not work. According to the most recent Housing Audit conducted by the City of Sydney (2022), there were 158 less social (including public) housing dwellings in the Local Government Area in June 2022, compared to ten years ago (9,849 dwellings in 2012);
 - (iv) the NSW Labor Government announcement for the redevelopment of Waterloo South is that there will be 50 per cent social and affordable housing at the site. The NSW Government does not support the old models of concentrating disadvantaged in towers and suburbs. Rather, they support a mixed tenure where social, affordable and private houses are built together and government support genuine community building;
 - (v) public housing dwellings are being left vacant, including because basic maintenance has not been done, or because it is common for tenants to be moved out years before redevelopment or renovation is to be undertaken;
 - (vi) for example, apartments in the 40-year-old public housing complex at 82 Wentworth Park Road have been left vacant for extended periods, including apartments that recently received new carpets and painting. Two remaining households are currently facing eviction, although no development approval has yet been granted for the property;
 - (vii) the NSW Labor government is doubling the number of 100 per cent public homes at the Wentworth Park Road site – they are making it accessible, sustainable and modern to suit the needs of the community and get people off the wait list;

- (viii) the NSW Labor Government has taken bold steps to cancel projects like Franklyn Street when they don't stack up, however, they must act when projects are ensured to double the number of public homes;
 - (ix) increased vacancies in public housing is a national and state trend. The Australian Productivity Commission's Report on Government Services reports on the number of public housing vacancies. Data included in this report shows that since 2018 public housing vacancies in NSW have more than doubled, with an average vacancy rate of four per cent;
 - (x) the NSW Labor Government is taking steps to ensure vacant homes are reoccupied – one prime example is in Glebe where 35 vacant homes are being reoccupied – and are continuing to do this across the state;
 - (xi) the City of Sydney has also identified the loss of boarding houses, and the increasing number of dwellings being used for short term rental accommodation (such as AirBnB) as potential issues impacting housing availability and affordability; and
 - (xii) Council supports stronger regulation of short-term rental accommodation. In May 2023, Council resolved to investigate commissioning a study on the impact that short-term rental accommodation is having on rental affordability and availability and tourist accommodation in the Sydney Local Government Area, and report back to the City's Housing for All Working Group with the findings and recommendations. Council is also currently reviewing boarding house policies; and
- (B) the Lord Mayor be requested to write to the NSW Minister for Housing and Homelessness:
- (i) expressing concern about reports that public housing is being kept untenanted for extended periods;
 - (ii) requesting information in relation to the number of vacant public housing dwellings in the City of Sydney Local Government Area; and
 - (iii) seeking urgent advice as to what action is being taken by the NSW Government to ensure public housing is not being left vacant, including when a potential renovation or redevelopment will take place at some future period.

The amendment was carried on the following show of hands –

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

Noes (2) Councillors Ellsmore and Gannon.

Amendment carried.

The substantive motion was carried unanimously.

X086659

Item 12.5 No Net Dwelling Loss Provisions

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) Sydney is amid a housing affordability crisis, affecting both renters and aspiring homeowners;
- (ii) despite housing supply issues, there have been reports that developers are redeveloping multi-dwelling apartment buildings that have traditionally been affordable due to their age and size to make way for fewer luxury apartments;
- (iii) recently, both Woollahra and Waverley Councils resolved to update their Local Environment Plans (LEPs) to prevent new developments that result in a reduction of dwellings; and
- (iv) for example, Waverley Council recently inserted a new objective into its Local Environmental Plan (LEP) 'to increase or preserve residential dwelling density', and require a Social Impact Statement for where a development proposes a 'reduction in dwelling numbers on site'; and

(C) the Chief Executive Officer be requested to:

- (i) advise Council on any available data about the 'net dwelling loss' in the City of Sydney Local Government Area;
- (ii) investigate preparing a planning proposal to include objectives and controls in the Sydney Local Environmental Plan 2012 to protect against the net reduction of dwellings on a development site; and
- (iii) report back to Council.

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

Moved by Councillor Ellsmore, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) Sydney is amid a housing affordability crisis, affecting both renters and aspiring homeowners;
- (ii) despite housing supply issues, there have been reports that developers are redeveloping multi-dwelling apartment buildings that have traditionally been affordable due to their age and size to make way for fewer luxury apartments;
- (iii) recently, both Woollahra and Waverley Councils resolved to update their Local Environment Plans (LEPs) to prevent new developments that result in a reduction of dwellings; and

- (iv) for example, Waverley Council recently inserted a new objective into its Local Environmental Plan (LEP) 'to increase or preserve residential dwelling density', and require a Social Impact Statement for where a development proposes a 'reduction in dwelling numbers on site'; and
- (B) the Chief Executive Officer be requested to:
- (i) advise Council on any available data about the 'net dwelling loss' in the City of Sydney Local Government Area;
 - (ii) investigate preparing a planning proposal to include objectives and controls in the Sydney Local Environmental Plan 2012 to protect against the net reduction of dwellings on a development site;
 - (iii) note that the City of Sydney Council resolved on 3 April 2023 to consider the cumulative loss of housing from 'change of use' of boarding houses, and also to investigate strengthening protection against the loss or reduction of dwellings within boarding houses; and
 - (iv) report back to Council.

Carried unanimously.

X086659

Item 12.6 Promotion of Fee Waiver of Council Community Facilities for Community Groups and Not-For-Profits

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) Council included in the 2022/23 and 2023/24 budgets that venue hire be waived, and public liability insurance coverage be provided for free, for local community groups. This provided free use of community halls, meeting rooms and other community spaces for not-for-profit groups, where a group resides in or provides services largely to communities in the City of Sydney;
- (ii) the fee waiver aims to encourage use of Council's community spaces by community groups together when the costs would otherwise have been prohibitive;
- (iii) there have been some promotions of the fee waiver including in some of the City's newsletters. The City of Sydney's website has recently been updated to include some information about the fee waiver;
- (iv) however, the Office of Deputy Lord Mayor has received numerous reports that the fee waiver, along with the coverage of public liability insurance, is not being accessed by some groups, including because:
 - (a) groups are not advised that the fee waiver is available when liaising with City staff over the phone or via email and asking about community venue hire costs; and
 - (b) the website pages for the community centres and spaces hire do not include information about the fee waiver in the 'Cost to Hire' section – that is, the free option is not noted in the section where the fees are listed. The existing format of the pages suggests that a 50 per cent discount (but not a fee waiver) only is available to community groups; and

(B) the Chief Executive Officer be requested to:

- (i) add the information about the fee waiver to all parts of the City's website where the 50 per cent discount for community groups is listed;
- (ii) update community venue hire forms to note an option for a fee waiver for local community groups as per the Council decision, including online forms;
- (iii) review current procedures and training for staff tasked with assisting with community bookings, to ensure they are informing groups of the fee waiver; and
- (iv) report back to Council.

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

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that Council note:

- (A) Council included in the 2022/23 and 2023/24 budgets that venue hire be waived, and public liability insurance coverage be provided for free, for local community groups. This provided free use of community halls, meeting rooms and other community spaces for not-for-profit groups, where a group resides in or provides services largely to communities in the City of Sydney;
- (B) the fee waiver aims to encourage use of Council's community spaces by community groups as part of the recovery from Covid-19;
- (C) however, the Office of Deputy Lord Mayor has received numerous reports that the fee waiver, along with the coverage of public liability insurance, is not being accessed by some groups, including because:
 - (i) groups are not advised that the fee waiver is available when liaising with City staff over the phone or via email and asking about community venue hire costs; and
 - (ii) the website pages for the community centres and spaces hire do not include information about the fee waiver in the 'Cost to Hire' section – that is, the free option is not noted in the section where the fees are listed. The existing format of the pages suggests that a 50 per cent discount (but not a fee waiver) only is available to community groups;
- (C) the City has promoted the fee waiver opportunity through City of Sydney eNews (5,941 subscribers), posters displayed in libraries and community centres, and multiple articles in community newsletters (7,043 subscribers) since October 2022;
- (D) information about the fee waiver is included in the online booking form and has been available on the City's website since it was introduced - it is listed on every single page about community venues for hire directly under the cost to hire section of the webpage; and
- (E) City of Sydney staff will continue to promote the fee waiver to eligible organisations, including in response to email and phone enquiries, and regularly review and update relevant information as required to ensure that it is easy to find.

Carried unanimously.

X086659

Item 12.7 City North Men's Shed

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

It is resolved that Council:

- (A) note that Councillor Gannon visited the City North Men's Shed at Millers Point on Wednesday 9 August 2023;
- (B) acknowledge the Men's Shed is a not-for-profit whose membership is open to the men and women who reside or work in the northern end of the Sydney Central Business District;
- (C) commend the Men's Shed for its dedication to enhancing the mental and physical well-being of its members by creating a space that facilitates social interaction, and active engagement in activities such as woodworking;
- (D) thank the City of Sydney for supporting this organisation by providing a space for them to meet, on a for hire-basis;
- (E) encourage the City of Sydney to continue its work in investigating options to enable the Men's Shed to use facilities at Abraham Mott Community Space on a leasing arrangement, which would expand the organisation's ability to meet the changing needs of its members; and
- (F) invite City of Sydney Councillors to visit this organisation to gain further insights into the how the City North Men's Shed is making a valuable contribution to our community.

Carried unanimously.

X086658

Item 12.8 Promoting Local Employment and Skills (in Waterloo and Beyond)

By Councillor Weldon

It is resolved that:

(A) Council note:

- (i) the recent NSW Government announcement that the Waterloo South redevelopment will comprise 50 per cent social and affordable homes, 15 per cent of which will be reserved for Aboriginal residents;
- (ii) the increase in social and affordable housing for the Waterloo South redevelopment has come about as a result of concerted resistance and advocacy led by the local community (with support from the City);
- (iii) in addition to the inclusion of Aboriginal housing, the Redfern Waterloo Aboriginal Affordable Housing Alliance have called for targets for Aboriginal employment in both the construction of and ongoing service provision in all government redevelopments in the Redfern Waterloo area;
- (iv) London Borough Councils promote local employments and skills opportunities through agreements (referred to as s106 agreements) with developers. Agreements generally involve obligations for developers to provide a number of employment and skills initiatives that benefit the local community. For major projects, this includes requirements that a certain proportion of people working on the construction of the development are local residents or that they create and fill a set number of jobs or apprenticeships for local residents as a proportion of development costs or area;
- (v) in the redevelopment of public housing estates in London, s106 agreements have provided return to work and youth employment pathways for tenants. Agreements generally include provisions for skills development and ongoing training as well as supported employment for local residents with accessibility needs and/or learning difficulties; and
- (vi) following this meeting, Councillor Weldon intends to write to relevant NSW Government Ministers regarding opportunities to implement local jobs initiatives as part of the proposed Waterloo Estate redevelopment; and

(B) the Chief Executive Officer be requested to update Councillors via a CEO Update:

- (i) on how the City promotes local employment and skills opportunities, particularly with reference to community members who face barriers to ongoing employment;
- (ii) outlining options for the City to implement local employment and skills initiatives/targets through planning mechanisms for development on both public and private land and directly through the City's capital works projects; and
- (iii) with recommendations for the City to promote local employment and skills opportunities through engagement (partnership and advocacy) with relevant NSW Government departments.

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

Moved by Councillor Weldon, seconded by Councillor Ellsmore –

It is resolved that:

- (A) Council affirm its ongoing commitment to promoting local jobs and training, noting:
- (i) one of the ten strategic directions in Sustainable Sydney 2050: Continuing the Vision is 'an equitable and inclusive city', which aims to ensure people can flourish and fully participate in the social, cultural and economic life the city has to offer, including through equitable access to education and learning opportunities;
 - (ii) the City's Eora Journey Economic Development Plan delivers a range of initiatives to create and maintain the conditions for Aboriginal and Torres Strait Islander people in our area to thrive as students, employees or business owners;
 - (iii) the City's Inclusion (Disability) Action Plan 2021-2025 sets out practical ways we can continue to create a more inclusive city, including by providing people with disability opportunities for participation and access to meaningful employment opportunities;
 - (iv) the City supports the direct employment of people who face barriers to employment because of disability or cultural background through targeted positions for Aboriginal and Torres Strait Islander job seekers, job seekers with a disability and refugee job seekers;
 - (v) in June 2023, the Lord Mayor launched the City's new Aboriginal Workforce Strategy, which is a deliverable from the City's Stretch Reconciliation Action Plan that aims to make the City of Sydney an attractive workplace where Aboriginal and Torres Strait Islander people feel welcome and encouraged to apply for roles; and
 - (vi) Councillor Scott's adopted motion for the City to employ more apprentices and trainees, promote opportunities for apprenticeships and traineeships within the Local Government Area and for the Chief Executive Officer to report biannually on the progress the City has made in this endeavour;
- (B) Council acknowledge the opportunity to implement local employment and skills opportunities and initiatives as part of the proposed Waterloo Estate redevelopment, noting:
- (i) the recent NSW Government announcement that the Waterloo South redevelopment will comprise 50 per cent social and affordable homes, 15 per cent of which will be reserved for Aboriginal residents;
 - (ii) the increase in social and affordable housing for the Waterloo South redevelopment has come about as a result of concerted resistance and advocacy led by the local community (with support and planning from the City);
 - (iii) in addition to the inclusion of Aboriginal housing, the Redfern Waterloo Aboriginal Affordable Housing Alliance have called for targets for Aboriginal employment in both the construction of, and ongoing service provision in, all government redevelopments in the Redfern Waterloo area. Council resolved to support this campaign in 2020;
 - (iv) in the redevelopment of public housing estates abroad, local governments have established return to work and youth employment pathways for tenants;

- (v) in London, for example, Borough Councils promote local employments and skills opportunities through agreements (referred to as s106 agreements) with developers. The Agreements set obligations for developers to provide employment and skills initiatives that benefit the local community and generally include provisions for skills development and ongoing training and supported employment for local residents with accessibility needs and/or learning difficulties. For major projects, this includes requirements that a certain proportion of people working on the construction of the development are local residents, or that they create and fill a set number of jobs or apprenticeships for local residents as a proportion of development costs or area; and
 - (vi) following this meeting, Councillor Weldon intends to write to relevant NSW Government Ministers regarding opportunities to implement local employment and skills initiatives and/or targets as part of the proposed Waterloo Estate redevelopment; and
- (C) the Chief Executive Officer be requested to update Councillors via CEO Update:
- (i) on how the City promotes local employment and skills opportunities, particularly with reference to community members who face barriers to ongoing employment;
 - (ii) outlining options for the City to implement local employment and skills initiatives/targets for development on both public and private land and directly through the City's capital works projects; and
 - (iii) with recommendations for the City to promote local employment and skills opportunities through engagement (partnership and advocacy) with relevant NSW Government departments.

Carried unanimously.

X086653

Item 12.9 Ending Period Poverty in the City of Sydney

Procedural Motion

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

That Item 12.9 be withdrawn as the matter had already been dealt with at Item 12.3.

Carried unanimously.

Item 12.10 Increasing Gender Equality in Sport

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) women are under-represented in organised sport—as participants, coaches, officials, administrators, and board members—when compared to their male cohort;
- (ii) outside the period of major sporting festivals, sports receive only around four per cent of all sports media coverage;
- (iii) AusPlay data indicated that overall, girls are almost as likely as boys to play sport, however, when they grow up women are less likely;
- (iv) an AusPlay study recorded that women aged over 18 participated less than half as much as men in sport-related activities and even less so in team sports;
- (v) participation in sport is important to the physical, social and mental health of individuals, a benefit currently not equally provided to women;
- (vi) it has often been accepted in the past that women's and girls' teams will be given inconvenient training times, lower standard grounds and facilities that are not designed for females;
- (vii) the Women's World Cup 2023 set viewing records around the world, including here in Australia where it attracted more viewers across all platforms than the most recent AFL and NRL grand finals and the State of Origin;
- (viii) the recent World Cup generated a \$7.6 billion economic boost for retail and travel industries across Australia;
- (ix) Lake Macquarie City Council has announced the upgrade of eight sports facilities to make them more inclusive for women and girls;
- (x) Moorabool Shire has introduced the Female Friendly Sport and Recreation Participation and Infrastructure Strategy, which aims to create, facilitate and recognise the importance of women and girls' involvement in physical activity;
- (xi) the Federal Government recently announced the \$200 million Play our Way program to improve sporting facilities and equipment specifically for women and girls; and
- (xii) the NSW Government has committed up to \$25 million to the Female Friendly Community Sport Facilities and Lighting Upgrades Grant Program, which invests in developing or renovating sport facility bathrooms and change rooms and upgraded lighting; and

(B) the Chief Executive Officer be requested to:

- (i) undertake an audit to assess the level of gender equality present across all sporting facilities in the City of Sydney;

- (ii) produce a strategy paper addressing the City of Sydney's plans to support and increase female participation and safety in sport, addressing gender equality in:
 - (a) sport and recreation facilities including changerooms, playing and training time allocations and lighting;
 - (b) sport and recreation opportunities for participation;
 - (c) funding allocated by the City; and
 - (d) promotion by the City on all advertising platforms; and
- (iii) work alongside Babana Aboriginal to identify a City owned or other Redfern site for a mural of Australian Indigenous rugby league women.

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

Moved by Councillor Scott, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) women are under-represented in organised sport—as participants, coaches, officials, administrators, and board members—when compared to their male cohort;
- (ii) outside the period of major sporting festivals, female sports receive only around four per cent of all sports media coverage;
- (iii) AusPlay data indicated that overall, girls are almost as likely as boys to play sport, however, when they grow up women are less likely;
- (iv) an AusPlay study recorded that women aged over 18 participated less than half as much as men in sport-related activities and even less so in team sports;
- (v) participation in sport is important to the physical, social and mental health of individuals, a benefit currently not equally provided to women;
- (vi) it has often been accepted in the past that women's and girls' teams will be given inconvenient training times, lower standard grounds and facilities that are not designed for females;
- (vii) the Women's Football World Cup 2023 set viewing records around the world, including here in Australia where it attracted more viewers across all platforms than the most recent AFL and NRL grand finals and the State of Origin;
- (viii) the recent World Cup generated a \$7.6 billion economic boost for retail and travel industries across Australia;
- (ix) Lake Macquarie City Council has announced the upgrade of eight sports facilities to make them more inclusive for women and girls;
- (x) Moorabool Shire has introduced the Female Friendly Sport and Recreation Participation and Infrastructure Strategy, which aims to create, facilitate and recognise the importance of women and girls' involvement in physical activity;

- (xi) the Federal Government recently announced the \$200 million Play our Way program to improve sporting facilities and equipment specifically for women and girls;
- (xii) the NSW Government has committed up to \$25 million to the Female Friendly Community Sport Facilities and Lighting Upgrades Grant Program, which invests in developing or renovating sport facility bathrooms and change rooms and upgraded lighting;
- (xiii) at the City-owned Perry Park and Getiela Synthetic Sportsfield:
 - (a) Expression of Interest processes for regular court and field hire prioritises groups and organisations that promote women's participation in sports;
 - (b) regular court hire to several Roller Derby organisations that facilitate weekly programs mostly attended by women;
 - (c) inside sports competitions includes mixed-gender in the sports of futsal, volleyball and netball; and
 - (d) a women's drop-in/casual football program was trialled at Perry Park this past winter. Although participation levels varied, the initiative was promising and will be trialled again with the aim for it to become a regular program;
- (xiv) in relation to the City's pools and tennis facilities:
 - (a) creche club exercise group is run weekly from the Gunyama Sportsfield to support parents and guardians, allowing them access to the centre while building social connections within the community;
 - (b) hosted the inaugural Trans and Gender Diverse Swim Event at Cook + Phillip Park Pool in recognition of the International Transgender Day of Visibility. This will be an annual event;
 - (c) Rainbow Tennis is delivered weekly at Prince Alfred Park promoting physical activity and social interaction for the LGBTQIA+ community;
 - (d) tennis centres host weekly women's clinics and women's doubles tennis competitions at various locations;
 - (e) Gunyama Sportsfield continued to host the Sydney University Women's Football Club for practice and play; and
 - (f) the Waterloo Rugby League U15 Girls used Gunyama Sportsfield for training in the lead up to the Koori Knockout Cup;
- (xv) the City's ovals and sports facilities are increasingly well used by female and mixed gender sports including Oztag at Wentworth Park, Redfern All Blacks and South Sydney Rabbitohs' all female teams at Redfern, Waterloo and Erskineville Ovals, Dunbar Rovers women's soccer at Waterloo and Alexandria Ovals, women's hockey teams at Jubilee Oval and Sydney University Women's Football Club at Gunyama;
- (xvi) the City's parks, sportsfields and recreational facilities are planned and designed for people of all ages, genders and ability, with an emphasis on safety with appropriate lighting and passive surveillance to ensure a welcoming and accessible environment;
- (xvii) the City's Open Space, Sports and Recreation Needs Study provides a series of directions and recommendations for the future planning, provision, development and management of public open space and recreation facilities in the City of Sydney area. A key focus of the Strategy is inclusion and accessibility;

- (xviii) the City of Sydney's 'A City for All' social sustainability strategy includes an action on inclusive sport and recreation through program delivery in our community facilities;
 - (xix) in 2022, Council resolved to request the City's Chief Executive Officer to work with gender-diverse organisations to ensure our facilities are inclusive; and
 - (xx) Council has resolved on a number of occasions to investigate recognising culturally-diverse and Aboriginal and Torres Strait Islander figures in the public domain through public art; and
- (B) the Chief Executive Officer be requested to:
- (i) undertake an audit to assess the level of gender equality present across all sporting facilities in the City of Sydney as part of the next review of the City's Open Space, Sports and Recreation Needs Study;
 - (ii) ensure the City's relevant policies, strategies and plans continue to support and increase female participation and safety in sport, addressing gender equality in:
 - (a) sport and recreation facilities including changerooms, playing and training time allocations and lighting;
 - (b) sport and recreation opportunities for participation;
 - (c) funding allocated by the City; and
 - (d) promotion by the City on all advertising platforms; and
 - (iii) continue to work with the City's Public Art Advisory Panel and other stakeholders (including Babana Aboriginal) to recognise important Aboriginal women through public artwork.

Carried unanimously.

X086655

Item 12.11 Electrifying City of Sydney Kitchens

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the World Health organisation says climate change is the single biggest health threat facing humanity;
- (ii) methane leakage from more than 40 million gas stoves is comparable to the climate pollution from half a million cars on the road;
- (iii) in homes and buildings, while renewable energy became the fastest-growing energy source between 2010-18, gas use rose eight per cent during the same period. In fact, despite its dangers, it is still the most common cooking fuel globally, used by around half of the world's population in 2019;
- (iv) energy efficient cooking appliances, powered by distributed renewable energy, can help countries quickly transition to clean energy, which can be produced locally;
- (v) cooking with gas releases several toxic pollutants, notably nitrogen dioxide and carbon monoxide, directly into our kitchens and homes;
- (vi) American research shows that, on average, householders with a gas stove are regularly exposed to nitrogen dioxide levels that would be illegal under outdoor air quality standards and exceed acute health-based standards and guidelines;
- (vii) the Global Cooksafe Coalition exists to promote universal access to safe and sustainable cooking in new kitchens by 2030 and existing kitchens by 2040. That means fossil fuel-free cooking on energy efficient electric appliances, powered by renewable energy; and
- (viii) a partnership with the Global Cooksafe Coalition demonstrated support for their core mission which is to promote safe, fossil fuel-free cooking, for everyone; and

(B) the Chief Executive Officer be requested to:

- (i) investigate options to transition the kitchens in City-owned buildings to electric power and report back to Council with specific targets for this transition;
- (ii) investigate options within the City's planning controls to transition kitchens in new commercial and residential developments to electric power and report back to Council with specific targets for this transition;
- (iii) make information available on the City's website for property owners who wish to retrofit their buildings with electric power; and
- (iv) involve the Global Cooksafe Coalition in the process of setting targets and distributing information.

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

Moved by Councillor Scott, seconded by Councillor Davis –

It is resolved that:

(A) Council note:

- (i) the World Health organisation says climate change is the single biggest health threat facing humanity;
- (ii) methane leakage from more than 40 million gas stoves is comparable to the climate pollution from half a million cars on the road;
- (iii) in homes and buildings, while renewable energy became the fastest-growing energy source between 2010-18, gas use rose eight per cent during the same period. In fact, despite its dangers, it is still the most common cooking fuel globally, used by around half of the world's population in 2019;
- (iv) energy efficient cooking appliances, powered by distributed renewable energy, can help countries quickly transition to clean energy, which can be produced locally;
- (v) cooking with gas releases several toxic pollutants, notably nitrogen dioxide and carbon monoxide, directly into our kitchens and homes;
- (vi) American research shows that, on average, householders with a gas stove are regularly exposed to nitrogen dioxide levels that would be illegal under outdoor air quality standards and exceed acute health-based standards and guidelines;
- (vii) the Global Cooksafe Coalition exists to promote universal access to safe and sustainable cooking in new kitchens by 2030 and existing kitchens by 2040. That means fossil fuel-free cooking on energy efficient electric appliances, powered by renewable energy;
- (viii) on 1 October 2023, the City of Sydney's Net Zero performance standards will come into effect, requiring large offices, hotels and shopping centre developments to reduce energy use through efficiency and renewable energy or be capable of achieving net zero energy prior to commencing use;
- (ix) in August 2023, Council resolved to investigate 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;
- (x) the Lord Mayor recently wrote to the NSW Minister for Climate Change, Energy, Environment and Heritage and the NSW Premier urging the NSW Government to develop a plan to incentivise or provide rebates to help transition homes and businesses from gas to renewable energy;
- (xi) there is information on the City's website to guide commercial and residential building owners to transition to net zero carbon emissions through our Green Building grants and in partnership with the Better Buildings Partnership, Smart Green Apartments, Sustainable Destination Partnership, and CitySwitch; and
- (xii) a partnership with the Global Cooksafe Coalition could demonstrate support for their core mission which is to promote safe, fossil fuel-free cooking, for everyone; and

- (B) the Chief Executive Officer be requested to:
- (i) investigate options to transition the kitchens in City-owned buildings to electric power and report back to Council with milestones to achieve this transition in line with our net zero emissions by 2035 target;
 - (ii) investigate opportunities for the City of Sydney to work with the Global Cooksafe Coalition; and
 - (iii) report back to Councillors via the CEO Update.

Carried unanimously.

X086655

At 8.54 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 23 October 2023 at which
meeting the signature herein was subscribed.