

**18 September 2023**

At 5.00 pm

**Council**

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## Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Minutes by the Lord Mayor**
  - 3.1 Catastrophic Events in North Africa
  - 3.2 Pets on Public Transport
  - 3.3 Sydney Park Brick Kilns Activation
  - 3.4 City of Sydney Submission on a New Arts, Culture and Creative Industries Policy for NSW
- 4. Memoranda by the Chief Executive Officer**
  - 4.1 Election of Deputy Lord Mayor
  - 4.2 Council Committees - Functions, Membership, Election of Deputy Chairs
  - 4.3 Central Sydney Planning Committee - Election of Councillors
  - 4.4 Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures, Membership and Election of Chairperson
  - 4.5 Determination of Number of Councillors
  - 4.6 Proposed Schedule of Meetings and Briefings for 2024
- 5. Matters for Tabling**
- 6. Report of the Corporate, Finance, Properties and Tenders Committee**
  - 6.1 Confirmation of Minutes
  - 6.2 Statement of Ethical Obligations and Disclosures of Interest
  - 6.3 Investments Held as at 31 August 2023

## Agenda

- 6.4 Contract Variation - Future Management and Operation of Aquatic Leisure Centres and Belgravia Leisure
- 6.5 Tender - T-2023-1008 - City Recital Hall Refurbishment Works Stage 2
- 7. Report of the Housing For All Committee**
  - 7.1 Confirmation of Minutes
  - 7.2 Statement of Ethical Obligations and Disclosures of Interest
  - 7.3 Affordable and Diverse Housing - Opportunities for City Owned Land
- 8. Report of the Cultural and Creative Committee**
  - 8.1 Confirmation of Minutes
  - 8.2 Statement of Ethical Obligations and Disclosures of Interest
  - 8.3 Grants and Sponsorship - Ad Hoc Grant NSW LGBTIQ+ Local Government Seminar Series - ACON Health Limited
- 9. Report of the Transport, Heritage, Environment and Planning Committee**
  - 9.1 Confirmation of Minutes
  - 9.2 Statement of Ethical Obligations and Disclosures of Interest
  - 9.3 Public Exhibition - Outdoor Dining Guidelines Amendment
  - 9.4 Approved Variations to Development Standards Reported to the Department of Planning and Environment
  - 9.5 Fire Safety Reports
- 10. Questions on Notice**
- 11. Supplementary Answers to Previous Questions**

## Agenda

### 12. Notices of Motion

- 12.1 Vale Frank Elgar
- 12.2 Circular in the City
- 12.3 Ending Period Poverty in the City of Sydney
- 12.4 Vacant Homes in a Housing Crisis
- 12.5 No Net Dwelling Loss Provisions
- 12.6 Promotion of Fee Waiver of Council Community Facilities for Community Groups and Not-For-Profits
- 12.7 City North Men's Shed
- 12.8 Promoting Local Employment and Skills (in Waterloo and Beyond)
- 12.9 Ending Period Poverty in the City of Sydney
- 12.10 Increasing Gender Equality in Sport
- 12.11 Electrifying City of Sydney Kitchens

**Item 1**

**Confirmation of Minutes**

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

Meeting of 21 August 2023

## Item 2

### **Statement of Ethical Obligations**

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

### **Disclosures of Interest**

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

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

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

**Item 3.1**

**Catastrophic Events in North Africa**

Document to Follow

## Item 3.2

### Pets on Public Transport

File No: S051491

#### 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

# **Attachment A**

**Petition for Transport for NSW to Allow  
Companion Animals on Public Transport**

To the Speaker and Members of the Legislative Assembly, we the undersigned citizens would like companion animals to be allowed on trains in NSW. Currently companion animals in an enclosed container are only allowed on Sydney Ferries and Light Rail, and we would like this extended to rail services. We note that guidelines are in place in Victoria on Melbourne Metro trains and V Line trains that allow companion animals on these services. We ask the Legislative Assembly to call on the Government to work with Transport for NSW to allow companion animals on Sydney metro trains and Regional rail services in NSW.

### Item 3.3

#### Sydney Park Brick Kilns Activation

File No: S051491

#### 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

## Item 3.4

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

File No: S051491

#### 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

# **Attachment A**

**City of Sydney Submission – NSW Arts,  
Culture and Creative Industries Policy**

# Submission: NSW Arts, Culture and Creative Industries Policy



*'bara' by artist Judy Watson.*

*bara is a representation of the fishing hooks crafted and used by Gadigal women in Warrane (Circular Quay) for thousands of generations. It is a monument for ancient and enduring Eora culture.*

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## Introduction

The City of Sydney (The City) welcomes the NSW Government's intention to develop an Arts, Culture and Creative Industries Policy. The City supports the broad remit of the policy to consider both the distinctness and the interdependencies between Arts, Culture and Creative Industries.

Culture underpins all that is meaningful in our lives and our communities, likewise the Creative Industries are embedded throughout technology and innovation, tourism, retail and hospitality sectors, and the Arts have a significant role to play in health and education, as well as supporting a vibrant 24-hour economy.

For this reason, the City strongly recommends that the NSW Arts, Culture and Creative Industries Policy be more than a workplan for Create NSW, Screen NSW, Sound NSW and Destination NSW. It needs to be a framework for how the whole of government can contribute to, and benefit from, the Arts, Culture and Creative Industries, with responsibilities for the Department of Planning and Environment, Enterprise Investment and Trade, Education, Health, Police and the Office of the 24-Hour Economy Commissioner.

More than ever, in recovery from the impacts of the Covid-19 pandemic, and as the affordability crisis poses even greater risks to the sustainability of arts spaces and careers, a rich cultural life in NSW and thriving creative industries relies on the collaboration of all government departments and an all-of-government mandate to nurture and safeguard our creative and cultural future.

This submission is organised by the three priority areas outlined in the Minister's call for submissions, People, Infrastructure and Audience, with commentary and recommendations for each area. The call for submissions also asks for 'Big Ideas'. Attached are two of the ten ambitious projects the City of Sydney released as big ideas to support our Sustainable Sydney 2030-2050 vision. Ideas that will require support from the NSW Government to achieve.

In considering the research outlined in this paper, if there is one *big idea* the City of Sydney can offer to the development of this policy, it is that one approach to all of NSW will not deliver the results needed. 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.

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## Understanding Culture and centring First Nations experience, culture and knowledge in the policy

A NSW Cultural Policy must start by acknowledging the world's oldest continuous cultures, those of Aboriginal and Torres Strait Islander peoples. It must acknowledge that NSW is the first site of colonial contact and that colonisation is an ongoing process that continues to contribute to the erosion of culture and cultural practice.

UNESCO defines culture as "the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, that encompasses not only art and literature but lifestyles, ways of living together, value systems, traditions and beliefs."

In this understanding of culture, viewed through a First Nations lens, we cannot start a conversation about celebrating or "showcasing" culture until we have discussed how we will repair and protect it. Culture is something that needs to be healed and revitalised. Culture needs to be lived, freely and without impediment.

Article 11 of the UN Declaration on the Rights of Indigenous Peoples notes: *Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures; and States shall provide redress through effective mechanisms developed in conjunction with indigenous peoples.*

A NSW Cultural Policy needs to address the impacts of colonisation on relationships with community, country and kin, and in the pursuit of healing, explore ways we can reconnect community with country, and country with culture.

This is where a Cultural Policy must begin. With commitments to truth telling and investments in the revitalisation of Aboriginal languages and cultural practices, with a view to nurturing Aboriginal and Torres Strait Islander cultures so that we can all be enriched by the knowledge and arts of Aboriginal and Torres Strait Islands people, and a deep connection to place.

Now that we have a Federal Arts Policy with a clear priority to put First Nations first, there is an opportunity to align cultural policies at Federal, State and Local Government levels to coordinate and resource truth telling, place naming and language revitalisation projects at a local level with Aboriginal communities, existing organisations and governance structures like land councils, advisory panels and cultural leaders.

Recognising that Sydney Harbour, Eora, Dharawal and Dharug land and waters, is the first site of colonial contact and remains the arrival site for many visitors to Australia, 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. This might include a national Aboriginal Cultural Centre, cultural keeping places, dedicated sites for Aboriginal cultural practice and knowledge exchange, public art, land and water care, and places for reflection and mourning.

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## People

It is important for us to remember that culture is a product of people.

No matter how much we invest in infrastructure or events, our cultural life and our creative industries will underperform if we cannot provide cultural workers with suitable places to live and work. If we fail to achieve this, we will become cultural importers, reliant on the work of people interstate and overseas.

### **Sydney's creative workforce has declined significantly, the problem is urgent.**

The Australian census gives us a longitudinal picture of who is making culture in Sydney. Although the last census was impacted by Covid-19, it is still the best available source and, as a result, the City has undertaken detailed research into this data.

To do this, we have adapted a statistical standard developed by UNESCO to analyse Australian and Zealand Standard Industry (ANZSIC) codes gathered through the census.

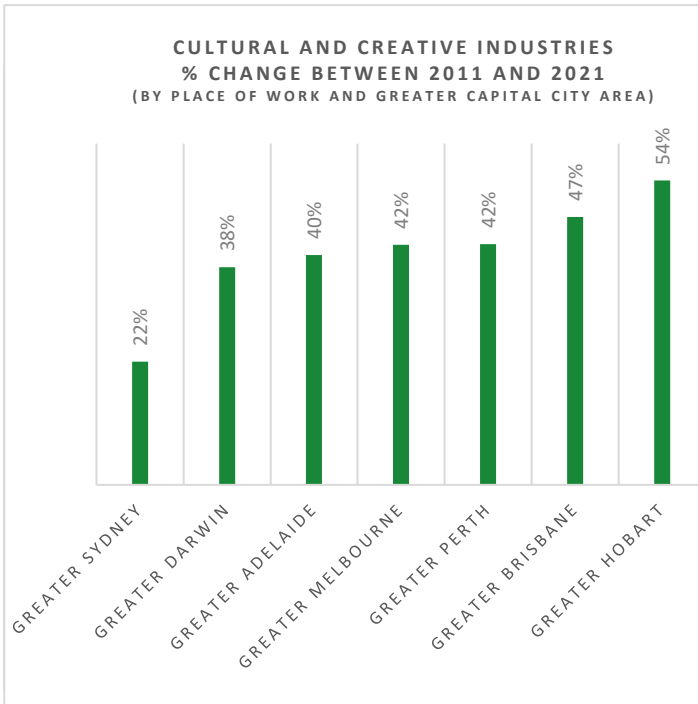
Our methodology analyses both Place of Work and Place of Enumeration data or, in simple terms, where people work, and where people live.

In this way, we can understand long term changes in the number of cultural workers living in Greater Sydney, and how those changes compare to other parts of the country.



Dharug artist, Billy Bain, in his City of Sydney Live/Work apartment

**The number of people working in Sydney’s cultural and creative industries is growing at a slower rate than the national average.**



The City compared Place of Work data within the 2011 and 2021 census.

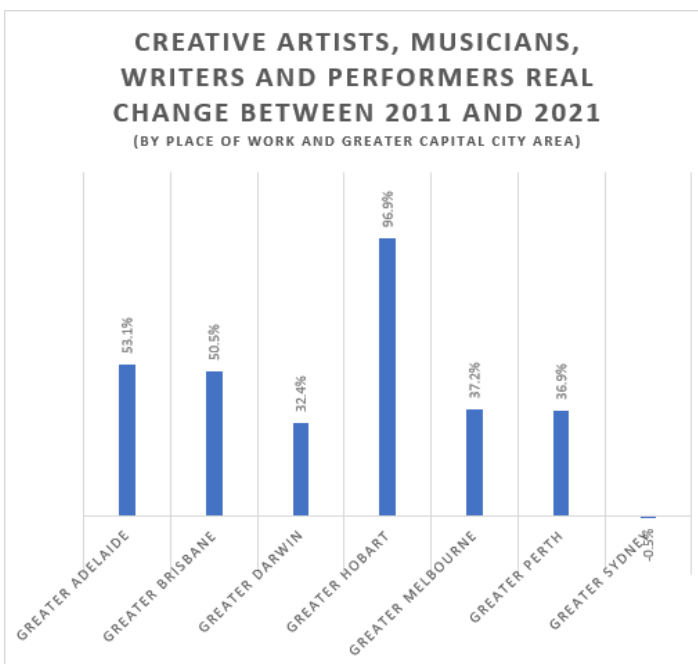
We found that national employment across all industries grew by 20%, and at a higher rate of 27% within Greater Sydney.

However, within the Cultural and Creative industries the situation is different.

Cultural employment nationally grew at a rate of 36%, but **Greater Sydney’s Creative and Cultural Industries grew by only 22%, slower than every other capital city in the country.**

Moreover, much of the growth within Greater Sydney has occurred within industries like advertising, those areas focused less on the development of new cultural goods.

**Sydney is the only capital city to have lost artists, musicians, writers, and performers.**



When we focus on the core of the cultural workforce – captured within the ANZSIC code ‘Creative Artists, Musicians, Writers and Performers’, the issue facing Greater Sydney becomes clearer.

Sydney is the only capital city to have seen a decline in the number of ‘core creatives’ working in the city since 2011.

This is an issue of national importance. Even with substantial growth in Greater Melbourne, Sydney still employs the largest number of artists, musicians and performers in the country. In 2011, Greater Sydney was the place of work for 25% of the nation’s creative artists, musicians, writers and performers, and continues to host around 21%. A slowing of growth in Sydney has implications for the whole of the national cultural product.

**Unaffordable housing and workspace have reduced cultural workers in Greater Sydney.**

Our research also analysed Place of Residence and Place of Enumeration data from the Australian Census, capturing where people were living on census night. We’ve done this because our *Making Space for Culture* study strongly indicated housing costs have reduced Greater Sydney’s ability to attract and retain creative workers.



Submission:  
NSW Arts, Culture and Creative Industries Policy

This is now evident when we compare the 2011 and 2021 census figures.

Greater Sydney is now home to fewer cultural workers than it was in 2011.

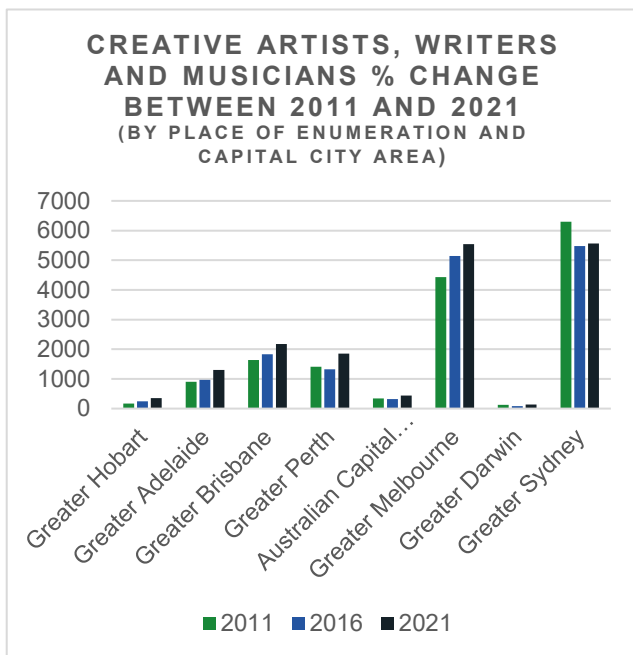
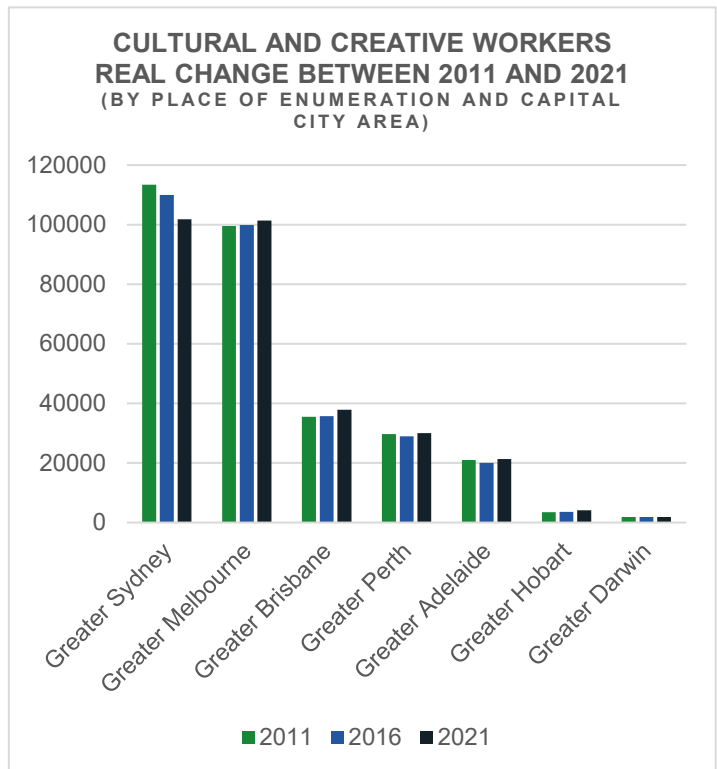
It's tempting to write this decline off as an impact of Covid-19, and to assume it will gradually correct as the impact of the pandemic fades. However, if this was the case, we would expect to see the same trends in other capital city areas. On the contrary, every other capital city has seen an increase in the number of cultural workers based on Place of Enumeration data. Even Greater Melbourne, with its harsher lockdowns, saw an increase of 1.79%.

Greater Sydney is the only capital city region in the country to have seen an overall decline in the number of cultural workers living within it.

That decline is significant: -10.30%.

Again, as Greater Sydney has traditionally housed the largest portion of Australia's cultural workers, the decline has national implications.

The disparity between Place of Work and Place of Enumeration data also suggests Sydney's historical strength in the Cultural and Creative Industries is increasingly reliant on workers based elsewhere. This raises the prospect that Greater Sydney is losing the capacity to produce its own cultural products and is instead becoming an importer of culture made elsewhere, such as Melbourne and Brisbane.



We see this in the difference between the number of Creative Artists, Writers and Musicians listed as being in Greater Sydney on census night, and the numbers in the rest of the country.

Between 2011 and 2021, the national figure rose by 17.87%, roughly in line with overall employment growth. In Greater Sydney it dropped by 11.64%.

Again, this phenomenon is unique to Greater Sydney, with all other areas – particularly Greater Melbourne – seeing growth.

This workforce retraction may, in part, be due to the inevitable impact of regulations like the lock-out laws and music festival licensing scheme issued under the previous NSW Government, or NSW recording the lowest per capita arts investment by state from 2015 to 2018.

These policy choices will have had negative impacts on creative employment in NSW, however, the majority of impacts occurred between 2011 and 2016. The City's earlier research suggests this period is when housing in Sydney became unaffordable for core creative workers.

### **Sydney's creative workforce is in housing stress.**

Professor David Throsby's studies for the Australia Council found mean weekly artist income had remained essentially static for the 27-year period between 1990 and 2017. Meanwhile, median rent for a single bedroom dwelling increased by 52% in Greater Sydney, and 60% within the City of Sydney.



Fijian artist, Shivanjani Lal, in her City of Sydney Live/Work apartment

In simple dollar terms, average weekly artist incomes went from \$882 in 1990 to \$930 in 2017, while average rent for a one bedroom apartment in Sydney went from \$150 to \$550 a week, or 60% of the average weekly pre-tax income of artists. And this research was undertaken prior to the recent well documented rental crisis in Sydney.

The increasing issue of housing affordability poses the most significant and urgent risk to the creative industries in our major cities and needs an urgent intervention before the talent losses are unrecoverable. We already know, anecdotally, that the loss of cultural workers is heavily impacting production in the events and entertainment industries.

As the NSW Government considers rental reforms to address housing affordability, there is an opportunity to include Sydney's creative workforce as a priority cohort.

### **Sydney's creative workforce has been underrepresented in arts policy.**

80% of the cultural and creative industries operators in the City of Sydney are classifiable as "Small to Medium Enterprise" and are largely small for-profit businesses, venues, creative spaces and sole traders. The small to medium sector employs the majority of the workforce in the creative industries but has traditionally sat outside the remit and reach of arts policy and funding, with many funding programs offered exclusively to non-profit organisations, and the bulk of investment directed to major festivals and institutions in service of a trickle-down approach.

In 2018, the City of Sydney funded research undertaken by Economists at Large into the small to medium arts sector. This followed cost benefit studies, commissioned by the City, showing small to medium visual arts, music venues and performance venues created a return on investment of around 3:1. The Economists at Large study found the small to medium sector "facilitates the production of four times as many new works as the major galleries commission and acquire" with roughly one quarter of the government subsidy.

The NSW Arts, Culture and Creative Industries Policy needs to look broadly at the whole multi-sectoral ecosystem and complex mix of supply chains that supports our cultural life and arts products. Importantly, a more holistic investment should not simply redirect the arts budget to under-represented areas. The major institutions and festivals still have an important role to play. We need to balance the investment across the sector through increasing the budget.

### **Recommendations**

1. Through a coordinated approach across NSW Government agencies, work with the councils of Greater Sydney to deliver immediate, emergency short-term measures to stabilise Sydney's cultural workforce. This could include cash subsidies and temporary adaptive reuse of vacant government owned assets for use by the cultural and creative sector at affordable rates.
2. Immediately provide additional funding to practitioner development, new work development, research and residencies, rather than project delivery and audience development, to help retain our core creative workers.
3. Ensure funding programs are open to for-profit creative industries operators, to reach more of the creative workforce and the individual artists we need to retain.

4. Ensure the Policy addresses the gig economy, fair pay and artist work conditions, noting that mandating minimum wages or an increase in artists' fees can only be met through increasing grant sizes and grant funding budgets across all relevant agencies.
5. Undertake consistent, reliable research into core cultural workers to understand how the supply of housing, workspace, and income sources impacts their ability to live and work in Greater Sydney.
6. Invest in and support affordable housing throughout Sydney by expanding affordable housing levies in local environmental plans to all council areas across Greater Sydney.
7. Make an active effort to strengthen Community Housing Providers to maximise their contribution to the supply of affordable housing.
8. Undertake research to understand how Community Housing Providers can better reach core creative workers and the need for artist housing.
9. Include core creative workers as a priority group to benefit from interventions to address rental affordability in any NSW Government rental reforms, policies or projects.

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## Infrastructure

The availability of affordable, suitable workspace for arts and creative industries is the primary issue facing the cultural life of rapidly urbanising global cities. Sydney, with one of the hottest property markets in the world, is particularly impacted by the global loss of creative space.

### **In one decade, Sydney's cultural infrastructure reduced by the equivalent of three Opera Houses or six Carriageworks.**

The City of Sydney's Floor Space and Employment Survey counts commercial floorspace and its use across our LGA every 5 years. Our 2017 survey recorded a large-scale loss of creative space amounting to 117,000m<sup>2</sup>. Roughly half of this was the types of spaces used for cultural production, rehearsal, studio spaces and warehouses for manufacturing sets, props and cultural goods.

The prime driver of this loss of space was the conversion of former light industrial buildings into residential housing. This occurred because of a 23% increase in the City's population between 2011 and 2016. The impacts of this inner-city residential boom on cultural and creative industries were underestimated. As just one example, the space occupied by Creative Artists, Musicians, Writers and Performers dropped by 28%.

### **The loss of productive land and building stock breaks the supply-chains of creative industry.**

It is easy to think of cultural production – prop making, set-building, wigs and wardrobe – as a handful of specialists taking up a small workshop at the back of a theatre, when in truth, cultural production deals in large scale industrial fabrication, design and mechanical engineering that employs thousands of people over a complex supply chain of jobs and skills. Sydney, a UNESCO City of Film, has been an attractive location for film and TV productions of the highest scale, and the engine room for major festivals and events staged across NSW. Without the necessary industrial zoning and building stock in proximity to where these cultural products are produced or presented the whole system is compromised. We cannot rely on land in the outer-west or regions to fill the gap. The supply-chain won't stretch, it will break.

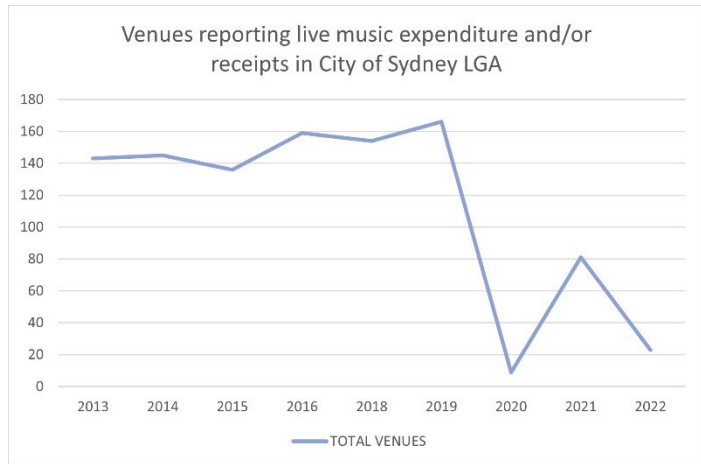
The scale of the loss of space and workforce is far too great for local governments to tackle alone. A NSW Government led, multi-departmental approach to identifying, retaining and growing creative productive spaces and land zoning across Greater Sydney in proximity to affordable housing supply must be an urgent priority for the Policy.

**Since the pandemic, live music programming in Sydney has dropped by 85%.**

Sydney has a well-documented issue with retaining music venues. Guided by the City of Sydney’s Live Music and Performance Action Plan, we have advocated for legislation and regulation reform and made targeted investments in retaining and increasing live performance venues in our area.

This included over \$1million invested in capital works and equipment to improve existing venues and create new venues.

We have been monitoring APRA AMCOS reporting from venues in our area for a decade. In 2019, we could see the impact of our work, when the number of venues reporting live performance activity peaked at 166 in our LGA. Then the Covid-19 pandemic hit and in 2020, venues reporting live programs reduced to just 8.



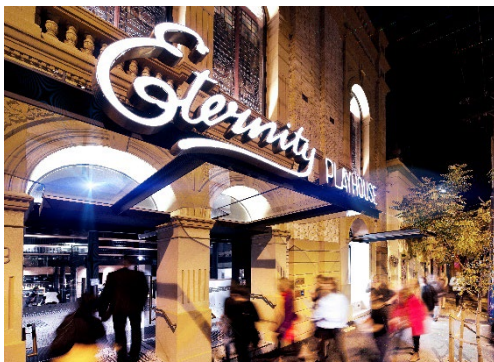
We have seen targeted stimulus measures recover some of that

programming in subsequent years (23 venues reported live music receipts in 2022), but our music venues have returned to nowhere near pre-pandemic levels of programming.

The City welcomes the establishment of Sound NSW and the announcement of \$8million in new funding for live music venues. The City urgently calls for a substantial tranche of this funding to be focused on the Sydney local government area, which represents the state's largest night time economy and where the situation is notably the most urgent. Funding programs should address capital works and acoustic attenuation, as well as support programming of local artists.

**There is a shortage of small to mid-sized cultural venues in Sydney.**

Further to increasing the supply of live music programming in licensed venues, our Live Music and Performance Action Plan identified a need to increase the number of small-to-medium sized performance venues in Sydney, suitable for music, dance, theatre and a broad range of performing arts and cultural activity. The lack of mid-sized venues in Sydney has resulted in an under-developed performing arts market in which emerging and independent productions have little opportunity to graduate from fringe venues to main stages, and local bands and productions find it easier to tour than perform in their home town.



The City of Sydney built Eternity Playhouse, a 200 seat theatre repurposing the Burton Street Tabernacle in Darlinghurst.

The City of Sydney acknowledges and welcomes the former State Government’s investment in Sydney’s major cultural assets, including the significant upgrades to the Walsh Bay performing arts precinct, however, these investments have not increased the supply of mid-sized venues available to emerging and independent producers.

Suzie Millar’s *Prima Facie* is one of Australia’s most internationally celebrated plays of the past five years. The work was developed by Griffin Theatre Company in the 105 seat Stables Theatre in Kings Cross. These are the types of spaces in which Australia’s story begins to be woven out into the world, yet in recent years the NSW Government’s advocacy for new theatres has focused exclusively on securing more sites for international mainstage musical productions.

At a fraction of the cost we could be building spaces to adequately nurture local culture and develop our own theatrical exports.

### **Human resource is essential infrastructure.**

The creative spaces, rehearsal rooms and artist studios that are operating in Sydney are maintained by a small cohort of individuals and organisations. This field of expertise is increasingly essential to Sydney and under increasing pressure and market-forces, risking burn-out or even bankruptcy. The Policy must consider resourcing core staff and costs for these operators, succession planning and skills exchange, so that we maintain the vital contribution of creative space operators.

### **Recommendations**

Broad-based intervention is required to improve and increase the delivery of cultural infrastructure. The intervention needs to go beyond planning and development considerations and look to employ the full range of legislative and other tools available to government. Likewise, the policy needs to take in the full range of government departments that could contribute to delivering cultural infrastructure.

Priority actions could include:

10. Work in partnership with the City of Sydney and the private sector to achieve the target of 40,000m<sup>2</sup> of new creative production space by 2036 through new property vehicles.

This target was set in *Sustainable Sydney 2030-2050 Continuing the Vision*, recognising it can only be achieved through partnerships between state and local government and the private sector. This collaboration is needed to investigate and pilot new property vehicles that remove priority building stock from the market, such as creative land trusts, like those developed in London, San Francisco and Austin.

11. Formalise a planning pathway to allow for combined live/work arrangements for creative industries.

State Planning Policy has quite strict delineations between zoning for housing and zoning for industrial purposes, this limits the opportunity to develop combined live/work spaces. One approach could be to clarify that housing attached to creative production space can be considered as an ancillary dwelling. This could allow for housing in connection with creative spaces without threatening the long-term supply of land for industry and other productive purposes. To allow live/work housing, there may also be a need to review aspects of the National Construction Code to ensure that there are no building classification barriers to combined live and work productive spaces.

12. Develop a program modelled on the affordable housing framework to provide affordable creative workspaces.

This could be based on a small levy on development to go towards the inclusion of affordable workspaces in development, or for its provision elsewhere. An affordable workspace provider, similar to an affordable housing provider, could be established to deliver and manage the workspaces and ensure affordability.

13. Incentivise the delivery of creative spaces through affordable workspace initiatives.

There is significant overlap between the skills and expertise needed to support the government's innovation agenda and the creative industries. The Policy should consider expanding the affordable workspace initiative developed in the Tech Central project to the creative industries more broadly.

14. Explore opportunities to protect existing cultural production land and building stock.

This could include the development of cultural production zoning, building acquisitions, and funding programs for existing spaces.

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15. Ensure the previously announced \$5 million theatre and film strategy considers increasing the supply of production and fabrication space used by these industries, and a diverse portfolio of small-to-mid sized hireable theatres that allow access to independent producers and for successful productions to transfer beyond their original seasons.
16. Develop a clear planning pathway, as exempt development wherever possible, for outdoor events, temporary and small-scale cultural events, and changes of use to a creative or cultural use.

While the Fun SEPP has made some progress on this, there is still considerable work to do to make those pathways clear and easy to understand and practical for the types of cultural activities they seek to support. An improved planning pathway should also consider how to streamline other related approvals such as for road closures for temporary events, and liquor licences.

17. Develop a policy that differentiates entertainment sound from industrial and commercial noise and provides consistent criteria and guidance for operators.

This will allow operators to invest in and plan for entertainment venues with confidence, and better protect the venues we still have. The policy could be supplemented with design guidance for venues on how to manage entertainment sound, an approach to monitoring and compliance that provides clear responsibilities with fewer overlapping regulators, and resources to help mitigate sound-bleed from venues when issues arise.

18. Establish a Planning Aid service for cultural operators.

Recognising that planning pathways and approvals are complex and costly for the creative industries, the NSW Government could establish a Planning Aid service, similar to Legal Aid, to provide free or low-cost advice and consultant referrals for cultural and creative operators. As a consent authority, local governments are not able to provide such advice and maintain probity.

19. Invest in fit out and compliance costs for new creative spaces.

Recognising that the costs of establishing a creative space (including more expensive compliance obligations in relation to accessibility, acoustic performance, and fire safety) are a disincentive for creative operators, the NSW Government could introduce a creative spaces start-up grant to assist with the necessary consultant reports, fit-out costs and certification.

20. Invest in creative space operators as key service providers to the cultural and creative industries.

Funding programs that support staffing and core operational costs for creative space providers will ease the pressure of property costs on this vital sub-sector. Any funding program should recognise these businesses come in a range of models and entity types.

21. Embed cultural infrastructure in all NSW Government renewal and development projects.

Government sites, transport hubs and state-built precincts should include a minimum amount of creative space and should be designed to anticipate cultural production, entertainment and late-night uses. Temporary uses can be used to test and activate precincts while they are in the transition and development phase.

## Audiences

Given the critical loss of our cultural workforce and the lack of affordable creative space, it is unreasonable to think NSW could be entering a period of audience or market growth. Whereas contemporary arts policy has generally focused on audience development and new commercial markets, the immediate focus for Greater Sydney must be on retaining workforce and rebuilding capacity within our core cultural sector. There are, however, systemic issues that could be addressed to both rebuild strength in our local creative workers, and better connect with under-engaged audiences.

### **Ensuring Sydney's cultural offer reflects Sydney's cultural diversity will increase audience.**

Roughly half of the residential population of the City of Sydney and one third of the population of Greater Sydney were born overseas. In our local area, over 40% of the population speak a language other than English. Increasing audiences in Sydney will be achieved by increasing the cultural diversity and relevance of our cultural offer.

The City of Sydney's Residential Wellbeing Survey helps us track a number of key community wellbeing indicators including personal health, community connectedness, perceptions of safety, civic engagement, concerns or confidence in the future, and overall satisfaction. The 2018 survey found that those who participated in one or more cultural activities were almost twice as likely to consider themselves 'very satisfied' with their life as a whole as those who did not. At the other extreme, those who didn't take part in any cultural activities were four times more likely to register as 'very unsatisfied.' From this, we can see a clear correlation between access to and engagement with arts and cultural activities and personal wellbeing.

The survey also found markedly lower rates of satisfaction in specific demographics: Aboriginal and Torres Strait Islanders, those affected by socioeconomic disadvantage, residents aged 16 to 29, students, and those who speak languages other than English at home.

These specific demographics have shown to be those least likely to engage with local cultural and arts activity. Research undertaken by the City of Sydney and detailed in our Making Space for Culture study, indicates the barriers to engagement with culture for these groups are partly socio-economic, but are more likely due to the homogeneity of available cultural content. It is possible that the bulk of our arts and cultural experiences do not reflect the broad and increasingly diverse and multi-cultural identity and interests of our communities.

Put simply, we will grow audiences for cultural and creative works by having a more inclusive, diverse, and locally produced cultural offer. This is best achieved by ensuring diversity in the leadership of our cultural and creative industries – those who are making decisions over our cultural outputs. From the boards of our cultural institutions to the staff working in our arts organisations, we need to actively work towards better representation of Aboriginal and Torres Strait Islander people, and people from diverse cultural backgrounds.

### **Equity and inclusion builds better audiences.**

Likewise, a lack of accessible and disability inclusive events and venues is limiting Sydney's cultural audience profile.

Inclusive and accessible events provide equitable opportunities for everyone to enjoy and participate in social and cultural activities. They are an investment in a just and equitable community, and they are also good for the business of culture. Events and venues that are inclusive and accessible build broader audiences by catering to more diverse people, fostering a sense of belonging and community, and building more loyal, engaged audiences. More inclusive and accessible events and venues make our cultural life more meaningful as we can engage with the unique perspectives and stories of diverse communities, particularly people with disability, which contributes significantly to our creative wealth and innovation.

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In 2020, the City engaged with our community to develop our Disability (Inclusion) Action Plan. As part of this engagement, people with disability and carers told us that they had differing experiences when participating in cultural activities in the city. Key areas for improvement included: employee attitudes and awareness towards people with disability, especially for people with autism, an intellectual disability, a mental health condition and other less visible disabilities; the provision of better quality information before the event about access, so people can prepare and attend with confidence; improvements to transport and accessible parking as well as dedicated set-down points outside venues; improved accessibility in venues; more captioning or Auslan at events; where possible, options to book priority disability seating, and access to quiet spaces and sensory adjusted performances to increase participation for people with autism.



Audience at the Auslan Poetry Slam, a program at Green Square Library.

In the year prior to March 2020, the Sydney tourism region hosted 16 million overnight visitors from Australia and overseas. According to Tourism Research Australia, approximately 7 per cent of international visitors have a disability and, nationally, people with disability account for 17 per cent of all tourism expenditure. This is a market our cultural sector could better service.

The City has developed its own *Inclusive and Accessible Event Guidelines*, that outline minimum standards and best practice, but we know for many smaller venues and community events, the perceived complexity and costs of accessibility can seem overwhelming. We need to invest in practical solutions for cultural operators to maximise their accessibility.

### **A culture led nightlife and experience economy will build new audiences.**

Pattern Makers' *Audience Outlook Monitor* has charted audience sentiment through the Covid-19 pandemic and the return to attendance at cultural activity. The data demonstrates an increasingly entrenched hesitancy amongst audiences post-pandemic, in particular a trend toward last minute ticket purchases and a preference for informal, unusual and surprising cultural activity attached to other entertainment pursuits such as dining.

This emphasises a heightened importance of the experience economy in supporting culture and the arts, and the need to ensure that the wrap-around services such as transport, hospitality offer, public realm, public art, wayfinding, safety, placemaking and activation add to the overall experience for audiences.

As the role of our city centres shifts away from a primary focus on full-time in-office workplace and 'central business districts' and becomes more about 'central experience districts' a quantum of diverse, fine-grain, cultural and creative offerings will be essential to attracting an evolving audience. We need to be thinking of our cities' cultural offer both inside and outside of the institutions, museums, galleries and theatres that have traditionally received the bulk of government investment. Increasingly, small retailers, bars, restaurants, laneways, public squares and multi-purpose hospitality and creative spaces will drive core creative arts employment and engage new audiences, as well as attract office workers back to the city centre.

Consideration, coordination, and curation of wrap-around service offerings, across NSW Government and in partnership with local government and industry, is critical in creating and reinforcing a distinct cultural identity and brand, including defining precincts and micro-precincts, such as those supported through the NSW Government's Uptown Accelerator program.



Fundamental to supporting this vision of Sydney's night-time economy as a series of vibrant, culturally rich local precincts, is a strong, efficient transport network with links across Greater Sydney. As the residential population, the evening workforce and visitor economy grow, night-time transport must keep pace. Providing integrated, accessible, clean, safe and frequent public transport is essential to unlock Sydney's night-time economy.



Sydney Streets, on Stanley Street Darlinghurst during Sydney WorldPride.

The City of Sydney's late trading controls incentivise nightlife businesses to program cultural activity by offering an additional hour of late trade to businesses who program live performance or cultural events. A similar approach could be considered state-wide.

The NSW Government's Culture Up Late initiative provided funding for 10 major cultural institutions to open later and provide night-time programming. The City recommends this initiative be continued and expanded to include smaller and independently operated cultural venues in local neighbourhoods, with a priority to fund fees for local artists to present work.

The recent exceptional success of Sydney WorldPride is a great example of what can be achieved through inter-agency collaboration and putting the focus on community participation and safety, rather than regulation and compliance. The City welcomes opportunities to increase the number of street festivals and outdoor events in our local area through coordination across NSW Government departments, the Police and the City.

### **A culture-led tourism offer could be better defined and communicated.**

The City of Sydney supports stronger links between the arts with cultural heritage tourism and destination promotion.

Culture and Heritage tourism is a market segment based around arts, historical and cultural experiences and includes activities such as attending performing arts, visiting galleries and museums, attending art and craft workshops and studios, visiting historical buildings or monuments, and visiting Aboriginal cultural sites or attending First Nations' performances.

In 2022 the cultural and heritage tourism segment attracted 9.1 million domestic visitors (overnight and daytime) to NSW, adding over \$7.3 billion to the state economy<sup>1</sup>. Yet, this layer of story-telling and destination promotion is hard to see in Sydney and could be better connected to the diverse character and offerings of our local neighbourhoods and smaller creative operators.



Sydney Streets, in Haymarket.

To support the visitor economy and promote the many great cultural experiences a visitor can have in Sydney, there is an opportunity to consider how our local visitor information services, hotel concierges, shopping centre concierges, business events sector, major event producers, cultural institutions, transport operators (including Uber and Taxis) and Airbnb super hosts can be informed of all of the rich cultural experiences a visitor can have while in Sydney. These are the front-line people talking to visitors on a daily basis who can be the greatest of advocates to promote our cultural offerings and experiences.

1. National Visitor Survey, Tourism Research Australia, Dec 2022.

**When the City is an artwork, everyone is audience and every day is a cultural event.**

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. Many of our most significant urban rejuvenation projects have been made possible through collaboration with the NSW Government.

For Sydney to tell its story to the world, the City centre must reflect us: who we are, what we value, how we live, and the rich culture that is woven through our community and city. Public spaces and public art are essential to making cities meaningful and memorable, and there is still more we can do to strengthen the cultural substance of our public places.

The interface between cultural institutions and adjacent public space could be reimaged, making the entrances to our major galleries, museums and theatres feel like living rooms for Sydneysiders. Consideration should be given to how we can assist these institutions to spill out into these public spaces, inviting cultural excellence into the everyday experience of the city.

The rejuvenation of city centre laneways is a great example of how artist-led interventions can transform our connection to place. Since 2007, the City of Sydney's laneways project has seen 26 laneways brought to life with bars, restaurants, retail outlets and public art installations. During the Covid-19 pandemic, we invested in artist-led initiatives to rethink our relationship with these lanes, working with State Government agencies, business owners and community to generate new cultural life in these spaces.

Yananurala (Walking on Country) is a nine-kilometre walk that highlights Aboriginal history and culture at places along the Sydney harbour foreshore. It is one of our most ambitious public art plans and will be delivered through a series of projects over the coming years.

We need better coordination of the many land-holders responsible for approving and delivering these types of projects, including multiple Trusts, Placemaking NSW, Infrastructure NSW, Transport for NSW and the City of Sydney. Importantly, we need to resource and elevate the role of the Metropolitan Local Land Council in guiding Aboriginal community engagement and cultural approvals. As our cultural awareness and commitment to designing with country and truth-telling projects develops in sophistication, the land councils need dedicated resources to help them process an increasing demand for their knowledge and cultural authority.

**Recommendations**

22. Increase investment in locally produced cultural offerings by Aboriginal and Torres Strait Islander people, and artists from culturally diverse backgrounds, to increase the relevance of cultural content for Sydney's diverse communities.
23. Ensure audience development initiatives and investments address barriers to participation for culturally diverse and Aboriginal and Torres Strait Islander people, and people with a disability.
24. Increase targeted investments in works by artists with a disability.
25. Invest in accessibility upgrades for cultural venues, including capital works, operational procedures, staff training and dedicated human resources to deliver inclusion programs.
26. Continue funding programs like the Uptown Accelerator that support inner city precincts to invest in programming, collaboration, collective branding and place activation projects.
27. Ensure NSW Government produced major events support the activation of local precincts and fine-grain hospitality and creative businesses.
28. Improve night-time public transport connections to and between nightlife precincts.

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29. Work with the City of Sydney to install cultural wayfinding signage and 'what's on' information at State owned major cultural institutions, to connect visitors to these institutions with the programming in smaller, independently operated local venues and inner-city neighbourhoods.
30. Provide additional funding to Aboriginal land councils to establish dedicated staff positions for reviewing and advising on urban rejuvenation and planning proposals.
31. Lead a coordinated, streamlined approvals process for property-holding agencies, such as the Trusts, Placemaking NSW, Infrastructure NSW, and other relevant stakeholders.
32. Review the role of Destination NSW, with a focus on stronger support for local arts and cultural operators, promotion of Sydney's year-round fine-grain cultural offer, and unlocking employment opportunities for our local artists through major events produced by the NSW Government.

## Summary of Recommendations

### People

1. Through a coordinated approach across NSW Government agencies, work with the councils of Greater Sydney to deliver immediate, emergency short-term measures to stabilise Sydney's cultural workforce. This could include cash subsidies and temporary adaptive reuse of vacant government owned assets for use by the cultural and creative sector at affordable rates.
2. Immediately provide additional funding to practitioner development, new work development, research and residencies, rather than project delivery and audience development, to help retain our core creative workers.
3. Ensure funding programs are open to for-profit creative industries operators, to reach more of the creative workforce and the individual artists we need to retain.
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6. Invest in and support affordable housing throughout Sydney by expanding affordable housing levies in local environmental plans to all council areas across Greater Sydney.
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9. Include core creative workers as a priority group to benefit from interventions to address rental affordability in any NSW Government rental reforms, policies or projects.

### Infrastructure

10. Work in partnership with the City of Sydney and the private sector to achieve the target of 40,000m<sup>2</sup> of new creative production space by 2036 through new property vehicles.
11. Formalise a planning pathway to allow for combined live/work arrangements for creative industries.
12. Develop a program modelled on the affordable housing framework to provide affordable creative workspaces.
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15. Ensure the previously announced \$5 million theatre and film strategy considers increasing the supply of production and fabrication space used by these industries, and a diverse portfolio of small-to-mid sized hireable theatres that allow access to independent producers and for successful productions to transfer beyond their original seasons.

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16. Develop a clear planning pathway, as exempt development wherever possible, for outdoor events, temporary and small-scale cultural events, and changes of use to a creative or cultural use.

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17. Develop a policy that differentiates entertainment sound from industrial and commercial noise and provides consistent criteria and guidance for operators.

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18. Establish a Planning Aid service for cultural operators.

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19. Invest in fit out and compliance costs for new creative spaces.

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21. Embed cultural infrastructure in all NSW Government renewal and development projects.

## Audience

22. Increase investment in locally produced cultural offerings by Aboriginal and Torres Strait Islander people, and artists from culturally diverse backgrounds, to increase the relevance of cultural content for Sydney's diverse communities.

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32. Review the role of Destination NSW, with a focus on stronger support for local arts and cultural operators, promotion of Sydney's year-round fine-grain cultural offer, and unlocking employment opportunities for our local artists through major events produced by the NSW Government.



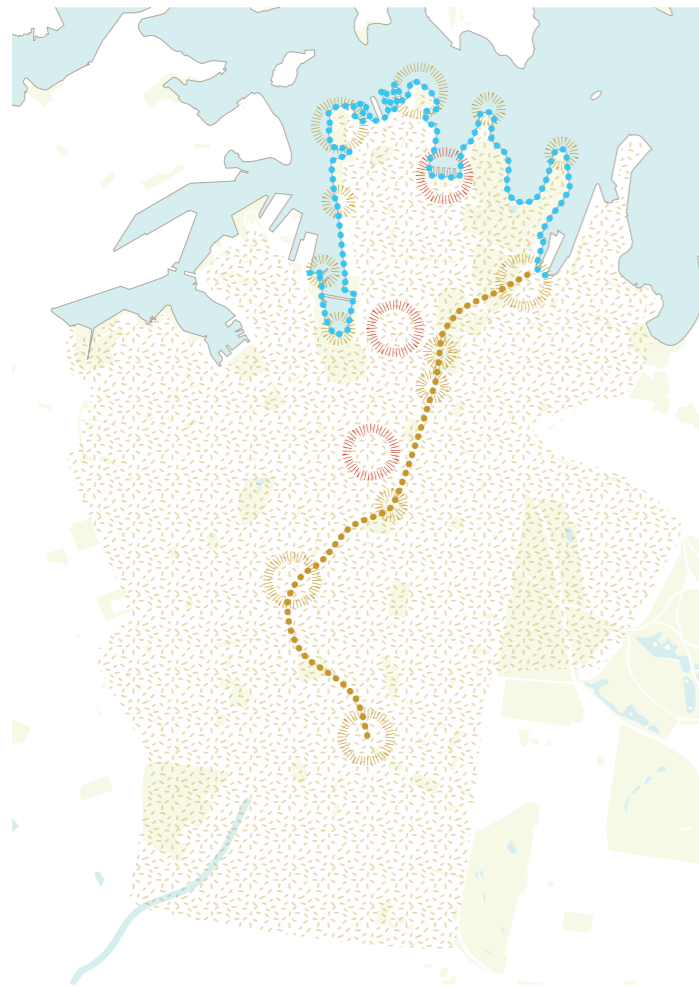
PROJECT IDEA 1

# Eora Journey – Yananurala



# 1 Eora Journey – Yananurala

## The harbour walk



- Yananurala
- Harbour to Redfern and Green Square
- ☀ Focal points
- ☀ City Squares
- ☀ Citywide initiatives

**Eora Journey**  
Figure: City of Sydney

In response to the Aboriginal and Torres Strait Islander communities request to recognise, empower and celebrate Aboriginal and Torres Strait Islander peoples and their cultures in the City of Sydney area, architect Dillon Kombumerri, a Yugembari Goori man, conceived the Eora Journey as a walk from the site of first contact on Sydney Harbour to the home of Aboriginal activism in Redfern.

One of the key project ideas in Sustainable Sydney 2030, the Eora Journey was the vision's major cultural project. The 4 components of the Eora Journey are:

1. a public art program entitled recognition in the public domain
2. a significant event
3. an economic development plan
4. a knowledge and cultural centre.

Over the past decade, the City of Sydney has produced public art projects and events that recognise and celebrate Aboriginal and Torres Strait Islander arts and culture. We purchased the former Redfern Post Office building for future use as a local knowledge and culture centre.

Collaborating with community, Aboriginal curators, artists and other Aboriginal knowledge holders, we will continue to develop new projects. The Eora Journey - recognition in the public domain program has seven public art projects of which Yananurala is one. These will recognise the living cultures of Aboriginal peoples and reflect the natural systems that have shaped and continue to shape Aboriginal cultural practices.

### Yananurala

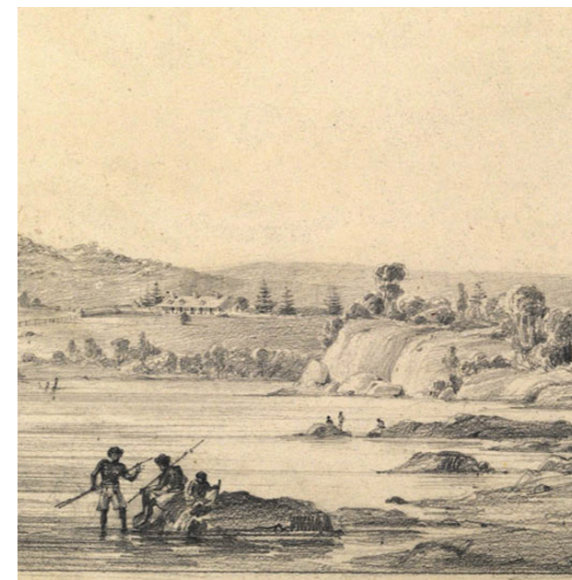
Yananurala (Walking on Country) will share and celebrate new and old stories of Aboriginal and Torres Strait Islander peoples along the Sydney harbour foreshore. Harbour walk curator, Emily McDaniel, is working with the Eora Journey curator, Hetti Perkins, to curate a series of interconnected stories from Pirrama (Australian National Maritime Museum) to Bayinguwa (Garden Island). These will form the basis for exhibitions, events, public art and interpretation.

Yananurala will assist local people and visitors understand the concept of Country in the way that Aboriginal people understood and experienced their land for millennia – by walking Country on the edge of our spectacular harbour.

We will also broadly implement the concept of designing with Country, including a specific focus on Aboriginal and Torres Strait Islander artists and cultural expression.



**Nawi (Sydney tied-bark canoe) with fire at Nawi 2012**  
Photo: Andrew Frolows



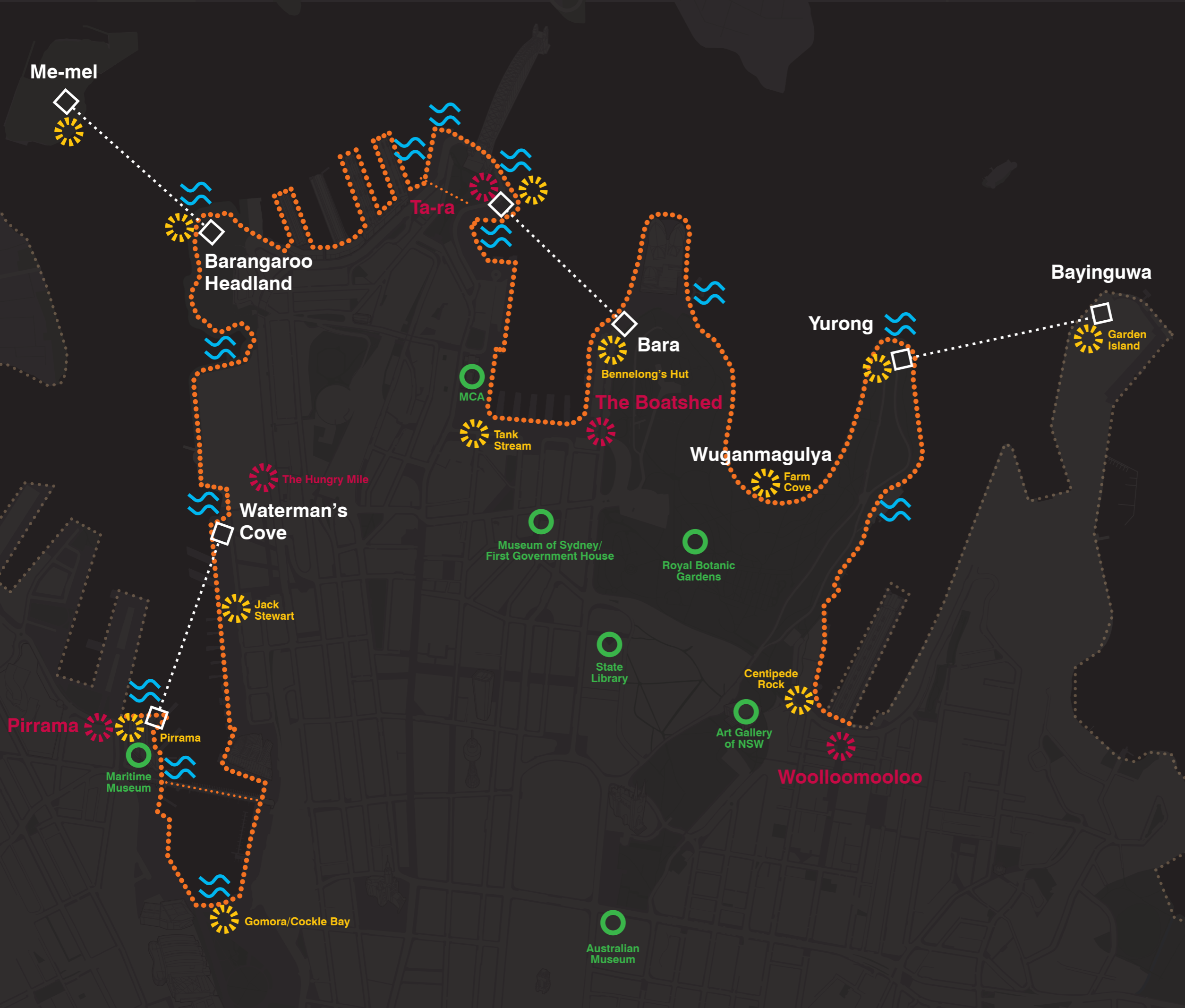
**View of Government Domain Sydney, Charles Rodius 1833**  
Image: Mitchell Library, State Library of NSW



**Portraits of Biddy Salamander of Broken Bay Tribe, Bulkabra Chief of Botany, Gooseberry Queen of Bungaree, Charles Rodius 1834**  
Image: Mitchell Library, State Library of NSW

**Image on previous page: bara, Judy Watson 2021**  
Monument for the Eora above Dubbagullee (Bennelong Point)





# Yananurala

## Sitelines □--□

Eight visual devices that frame and articulate 'siteline' relationships.

## Conversations ☀

Text and/or audio-based installations that respond to the intimate, hidden histories of the harbour at 12 locations.

## Badu (water) 〰

An environmental project in partnership with universities and marine institutes led by an artist team building on research to acknowledge Country as land, water and sky.

## Sites ☀

- 1. Pirrama**  
A major public artwork adjacent to the Australian National Maritime Museum recognising the connection between Aboriginal people and the harbour.
- 2. The Hungry Mile**  
A major public art project recognising Aboriginal people in Sydney's maritime history.
- 3. Ta-ra (Dawes Point)**  
A major public art project that highlights the site where Patyegarang gifted the Sydney language to William Dawes.
- 4. The Boatshed**  
A major public art project at Circular Quay exploring the connection between the boatshed and the La Perouse community.
- 5. Woolloomooloo**  
A collaborative community-based public art project recognising the history and enduring presence of Aboriginal people in Woolloomooloo.

PROJECT IDEA 9

# Making space for culture



## 9 Making space for culture

Making space for culture is a 2-part strategy for creating and preserving cultural and creative space in Sydney. It involves revitalising precincts and establishing a creative land trust.

Sydney is home to major national and local cultural institutions. Its consumption of arts, cultural and creative products is strong. But spaces for creativity and culture are disappearing. The supply of affordable production spaces, such as studios, workshops and warehouses, and accommodation has plummeted.

A City of Sydney survey found that in the 5 years to 2017, about 2,000 fewer people were employed in the creative industries and about 110,000m<sup>2</sup> of creative and cultural employment space was lost. We have yet to determine the impact of Covid-19.

Cultural capital and infrastructure and creative workers make global cities more attractive. They attract investment, talent and visitors. As Sydney grows and leasing costs rise, so will demand for subsidised cultural floor space. The City of Sydney cannot meet future demand alone. We already subsidise just over 10,000m<sup>2</sup> of cultural floor space, such as the new City of Sydney Creative Studios.

New models that create, provide and operate cultural space need to be based on partnerships between all tiers of government, the private sector, not-for-profit organisations and the community. Cultural policies and priorities need to be refreshed and integrated with supportive planning and taxation systems. Culture needs to be an integral component of urban development.

Image on previous page: Art Month workshop at Pine Street Creative Arts Centre  
Image: City of Sydney

**The precinct revitalisation approach** protects and grows existing clusters of cultural space across Sydney. This approach advocates for enhancing existing cultural precincts and new cultural space on government-owned land and seeks to change planning controls to create incentives to co-locate creative industries and enterprises in certain areas. Cultural precincts can build economies of scale, collaboration, visitation, employment, local character and amenity.

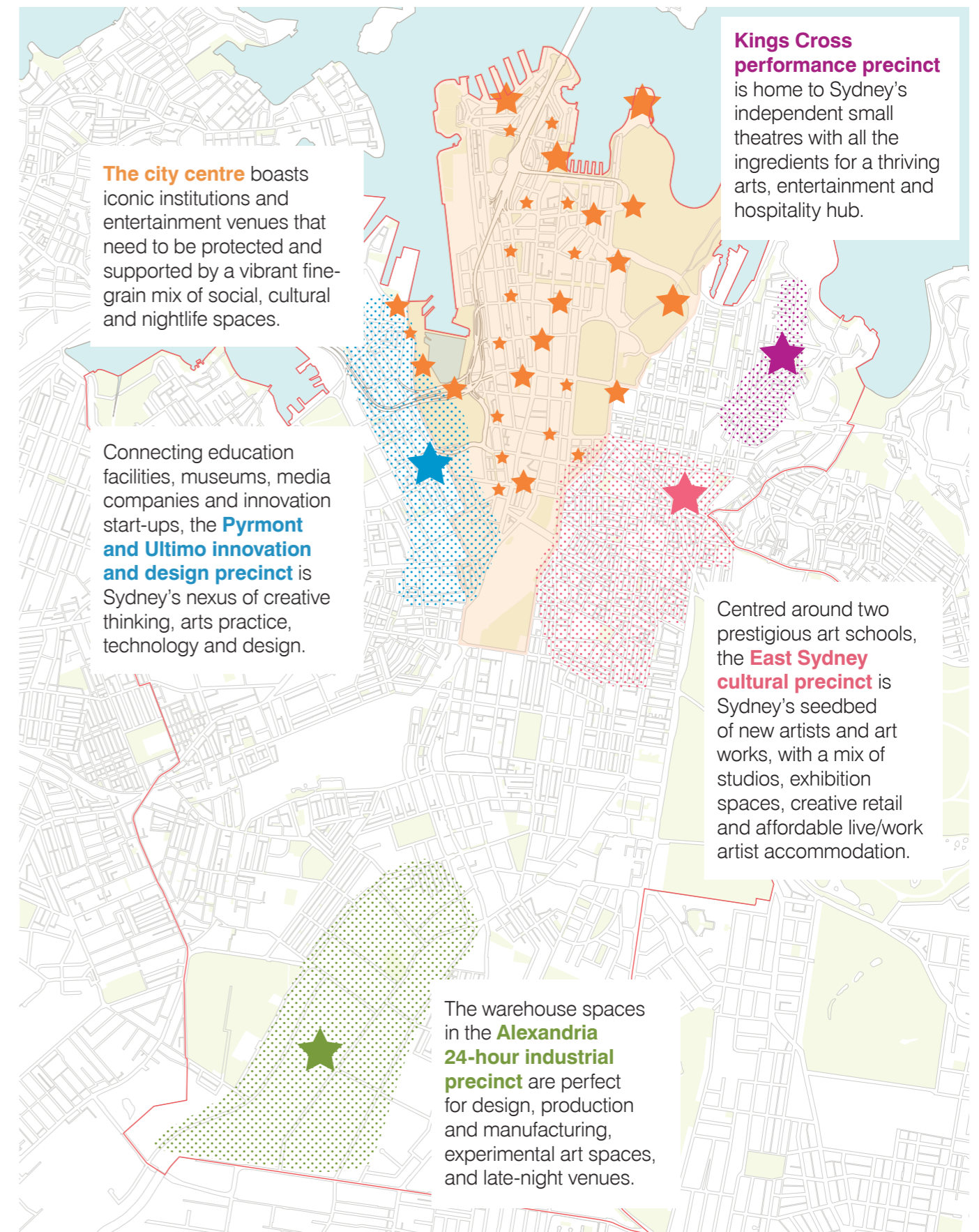
**The creative land trust approach** provides Sydney with an alternative model that helps cultural and creative industries access equity in the Sydney property market, to ensure long-term affordability and security of tenure.

**“Unless we take a proactive and innovative approach to making space for culture and creativity that is affordable for the sector in the long term and creates security of tenure for creative industries, we are at risk of losing the cultural vibrancy that makes Sydney a globally relevant city.”**

**Aileen Sage Architects & Left Bank Co.**  
Sydney-based architects and urban strategists.

### The revitalisation approach

Sydney's Precincts



The precinct revitalisation approach – Sydney's precincts

Figure: City of Sydney

## 9 Making space for culture

### Precinct revitalisation: East Sydney

An example of the precinct revitalisation approach in East Sydney is amplification of the National Art School as a key cultural institution for the area. Current commitments by the NSW Government identified the area as an important cultural asset for Sydney.

Relocating the law courts away from Taylor Square would open the historic Darlinghurst Courthouse complex for public and cultural use and open the National Art School to Oxford Street, the public and our communities.

Opening the frontage to Oxford Street and Taylor Square would connect this major cultural hub to the wider precinct and elevate it as a major cultural destination.

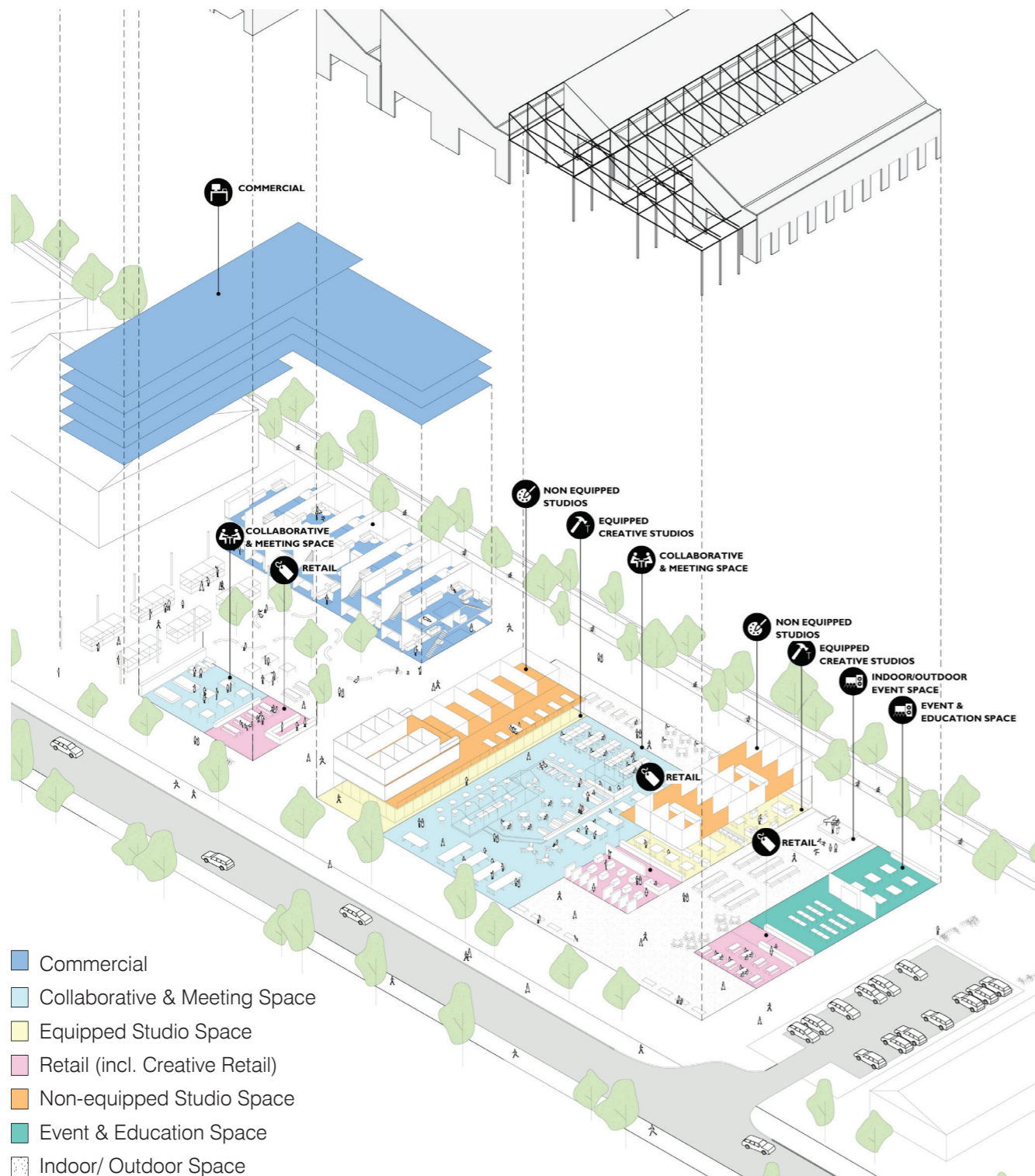
#### Moves for culture in East Sydney

- 1 **Rearrange** the courthouse's eastern wing to allow access from Oxford Street into the National Art School along its eastern edge.
- 2 **Open** the service land that runs from Forbes Street to Darlinghurst Road between the National Art School and the courthouse complex to facilitate greater permeability and public access.
- 3 **Fragment** the courthouse's front fence to open the forecourt lawn for public use.
- 4 **Introduce** a canopy structure at the junction of Forbes and Oxford streets to provide protected public space for cultural events and initiatives.
- 5 **Locate** an urban marker over the Taylor Square toilets to demarcate the cultural precinct from distant vantage points.
- 6 **Expand** and **unify** the public domain by reducing road widths on Oxford and Flinders streets and adding new vegetation and uniform paving treatments (Project Idea 2a – Green Avenues: Oxford and Flinders streets).
- 7 **Realign** Flinders Street to create a more usable public space and unify disparate sections of Taylor Square.
- 8 **Adapt** the former Darlinghurst Police Station as the new home for Qtopia, an LGBTIQA+ museum for Sydney.



## 9 Making space for culture

### The creative land trust approach: Alexandria 24-hour industrial precinct



**Potential mix of cultural and commercial uses on a creative land trust site**  
Concept by Aileen Sage & Left Bank Co.

A creative land trust acquires, creates and secures affordable floor space for cultural uses. The trust is a not-for-profit landholder that retains property for creative and cultural purposes, taking the land out of the market and placing it in the hands of the cultural sector. These models have successfully protected and created new cultural assets in Toronto, San Francisco and London with support from government and the private sector.

In this model, cultural infrastructure is subsidised by the development opportunity of market-rate commercial space, hospitality, retail and rent-to-own accommodation. Examples include arts studios, production and event spaces that are co-located on the creative lands trust site.

By building a hub in an emerging creative precinct like Alexandria, on land held by the cultural sector, we can ensure that studios, makerspaces and tenure can be secured. The hub is planned to derive different income streams that are sustainable and at scale. Subsidised rates for cultural tenancies will help sustain the management of this mixed commercial-creative hub.

#### The creative land trust opportunity



#### International case study Artscape, Toronto

Artscape is a not-for-profit organisation that brokers, develops and operates affordable creative spaces. These include performance venues, galleries and arts studios. Artscape works with developers to build long-term, affordable work and living space for creative workers in new property projects. The partnerships create sustainable community assets that are owned by the creative sector, rather than relying on public resources.

This type of for-purpose development model can be harnessed to activate a creative lands trust site in Sydney.



**Daniels Spectrum**  
Toronto, Canada

Source: [artscape.ca/portfolio-item/danielsspectrum](https://artscape.ca/portfolio-item/danielsspectrum)

**Item 4.1****Election of Deputy Lord Mayor****File No: S062388****Memorandum by the Chief Executive Officer**

To Council:

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

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

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

## Item 4.2

### **Council Committees - Functions, Membership, Election of Deputy Chairpersons**

**File No: S062388**

#### **Memorandum by the Chief Executive Officer**

To Council:

In accordance with the provisions of section 360 of the Local Government Act 1993, the Local Government (General) Regulation 2021 and clause 18.2 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 18.15 and 18.16 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 commencing immediately following the election 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

# **Attachment A**

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

## **CORPORATE, FINANCE, PROPERTIES AND TENDERS COMMITTEE**

- Meeting Time: Monday 2.00pm
- Venue: Council Chamber
- Chairperson: The Lord Mayor – Councillor Clover Moore AO
- Deputy Chairperson: [To be confirmed]
- 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: [To be confirmed]
- 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: [To be confirmed]

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

- Meeting Time: At the conclusion of the Housing For All Committee
- Venue: Council Chamber
- Chairperson: The Lord Mayor – Councillor Clover Moore AO
- Deputy Chairperson: [To be confirmed]
- 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: [To be confirmed]

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: [To be confirmed]
- 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****File No: S062388****Memorandum by the Chief Executive Officer**

To Council:

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

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

- (a) the Lord Mayor of Sydney;
- (b) two councillors of the City of Sydney elected by the City Council; and
- (c) four persons (two of whom are senior State government employees and two of whom are 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

## Item 4.4

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

File No: S062388

#### Memorandum by the Chief Executive Officer

To Council:

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

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

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

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

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

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

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

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

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

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

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

At the Council meeting of 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

# **Attachment A**

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



## **LOCAL PEDESTRIAN, CYCLING AND TRAFFIC CALMING COMMITTEE**

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

**Chairperson** To be determined

**Alternate Chairperson** To be determined

### **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****File No: X001937****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

**Item 4.6****Proposed Schedule of Meetings and Briefings for 2024****File No: S063444-02****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

# **Attachment A**

**Draft Schedule of Meetings and Briefings  
for 2024**

## SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2024

DATE	MEETING
<b>SCHOOL HOLIDAYS – Wednesday 20 December 2023 to Wednesday 31 January 2024, inclusive</b>	
MONDAY 5 FEBRUARY	• BRIEFINGS
MONDAY 12 FEBRUARY	• COMMITTEES
MONDAY 19 FEBRUARY	• COUNCIL
MONDAY 26 FEBRUARY	• BRIEFINGS
MONDAY 4 MARCH	• COMMITTEES
MONDAY 11 MARCH	• COUNCIL
MONDAY 18 MARCH	• BRIEFINGS
MONDAY 25 MARCH	• COMMITTEES
FRIDAY 29 MARCH	• (Good Friday Public Holiday)
MONDAY 1 APRIL	• (Easter Monday Public Holiday)
MONDAY 8 APRIL	• COUNCIL
<b>SCHOOL HOLIDAYS – Monday 15 April to Friday 26 April 2024, inclusive</b>	
MONDAY 29 APRIL	• BRIEFINGS
MONDAY 6 MAY	• COMMITTEES
MONDAY 13 MAY	• COUNCIL
MONDAY 20 MAY	• RECESS
MONDAY 27 MAY	• RECESS
MONDAY 3 JUNE	• RECESS
MONDAY 10 JUNE	• King's Birthday Public Holiday
TUESDAY 11 JUNE	• BRIEFINGS
MONDAY 17 JUNE	• COMMITTEES

## SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2024

DATE	MEETING
MONDAY 24 JUNE	<ul style="list-style-type: none"> <li>• COUNCIL</li> </ul>
MONDAY 1 JULY	<ul style="list-style-type: none"> <li>• RECESS</li> </ul>
<b>SCHOOL HOLIDAYS - Monday 8 July to Friday 19 July 2024, inclusive</b>	
MONDAY 15 JULY	<ul style="list-style-type: none"> <li>• BRIEFINGS</li> </ul>
MONDAY 22 JULY	<ul style="list-style-type: none"> <li>• COMMITTEES</li> </ul>
MONDAY 29 JULY	<ul style="list-style-type: none"> <li>• COUNCIL</li> </ul>
MONDAY 5 AUGUST	<ul style="list-style-type: none"> <li>• BRIEFINGS</li> </ul>
MONDAY 12 AUGUST	<ul style="list-style-type: none"> <li>• COMMITTEES</li> </ul>
MONDAY 19 AUGUST	<ul style="list-style-type: none"> <li>• COUNCIL</li> </ul>
MONDAY 19 AUGUST	<ul style="list-style-type: none"> <li>• Start of Caretaker Period (commences 4 weeks prior to the date of an ordinary election - Reg 393B)</li> </ul>
SATURDAY 14 SEPTEMBER	<ul style="list-style-type: none"> <li>• LOCAL GOVERNMENT ELECTIONS</li> </ul>
MONDAY 16 SEPTEMBER	<ul style="list-style-type: none"> <li>• RECESS</li> </ul>
MONDAY 23 SEPTEMBER	<ul style="list-style-type: none"> <li>• RECESS</li> </ul>
<b>SCHOOL HOLIDAYS - Monday 30 September to Friday 11 October 2024, inclusive</b>	
MONDAY 30 SEPTEMBER	<ul style="list-style-type: none"> <li>• RECESS</li> </ul>
MONDAY 7 OCTOBER	<ul style="list-style-type: none"> <li>• Labour Day Public Holiday</li> </ul>
TUESDAY 8 OCTOBER TO FRIDAY 11 OCTOBER	<ul style="list-style-type: none"> <li>• TENTATIVE EXTRAORDINARY COUNCIL (Post Election) / ANTICIPATED COUNCILLOR INDUCTION</li> </ul>
MONDAY 14 OCTOBER	<ul style="list-style-type: none"> <li>• BRIEFINGS</li> </ul>
MONDAY 21 OCTOBER	<ul style="list-style-type: none"> <li>• COMMITTEES</li> </ul>
MONDAY 28 OCTOBER	<ul style="list-style-type: none"> <li>• COUNCIL</li> </ul>



<b>SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2024</b>	
<b>DATE</b>	<b>MEETING</b>
MONDAY 4 NOVEMBER	• BRIEFINGS
MONDAY 11 NOVEMBER	• COMMITTEES
SUNDAY 17 NOVEMBER to TUESDAY 19 NOVEMBER	• LGNSW Annual Conference
MONDAY 25 NOVEMBER	• COUNCIL
MONDAY 2 DECEMBER	• BRIEFINGS
MONDAY 9 DECEMBER	• COMMITTEES
MONDAY 16 DECEMBER	• COUNCIL
<b>SCHOOL HOLIDAYS – Monday 23 December 2024 to Thursday 30 January 2025, inclusive</b>	

The recess continues until the first Committee meetings of 2025.

## **Item 5**

### **Matters for Tabling**

#### **5.1 Disclosures of Interest**

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

#### **Recommendation**

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

**Item 6**

**Report of the Corporate, Finance, Properties and Tenders Committee - 11 September 2023**

**Item 6.1**

**Confirmation of Minutes**

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

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 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.

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

**Officer's Recommendation**

The officer's recommendation to the Corporate, Finance, Properties and Tenders Committee was 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 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.

## **Officer's Report**

The officer's report on this matter can be found at Item 4 on the agenda of the meeting of the Corporate, Finance, Properties and Tenders Committee on 11 September 2023.

X018951.008

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

### **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.

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

X030208.001



**Item 7**

**Report of the Housing For All Committee - 11 September 2023**

**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**

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.

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

X099483

**Item 8**

**Report of the Cultural and Creative Committee - 11 September 2023**

**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 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 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 Cultural and Creative Committee.

**Item 8.3****Grants and Sponsorship - Ad Hoc Grant - NSW LGBTIQA+ Local Government Seminar Series - ACON Health Limited**

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

**Officer's Recommendation**

The officer's recommendation to the Cultural and Creative Committee was as follows -

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 LGBTIQA+ Local Government Safety Summit;
- (B) Council note that the Lord Mayor will host an LGBTIQA+ 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 LGBTIQA+ 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 LGBTIQA+ 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.

**Officer's Report**

The officer's report on this matter can be found at Item 3 on the agenda of the meeting of the Cultural and Creative Committee on 11 September 2023.

S117676

**Item 9**

**Report of the Transport, Heritage, Environment and Planning Committee - 11 September 2023**

**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 recommends 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.

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

S060627-02.023

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

**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.

S040864

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

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

## 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.

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

S105001.002

## 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

## 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

### 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

#### **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

## 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

## **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

## **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

## **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.

1. What actions has the City of Sydney taken to address Koi Fish deaths?
2. 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

## 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

## 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

## 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

## 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 Cleanaway and City services, level waste production, for views 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

### 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 CO<sup>2</sup> 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

### 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 Local Government Area? 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 Local Government Area? 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 does 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

## **15. Cost of Vacant City Owned Land**

By Councillor Scott

Item 3 on the agenda for the 11 September 2023 Housing For All Committee meeting is 'Affordable and Diverse Housing - Opportunities for City Owned Land'. The report requests Council's endorsement of 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

## **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



## 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 12.1****Notices of Motion****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.

X099886

## Item 12.2

### Notices of Motion

#### Circular in the City

By Councillor Worling

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.

X099886

## Item 12.3

### Notices of Motion

#### 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.

X086659

## Item 12.4

### Notices of Motion

#### Vacant Homes in a Housing Crisis

By Councillor Ellsmore

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.

X086659



## Item 12.5

### Notices of Motion

#### 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
- (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; and
  - (iii) report back to Council.

X086659

## Item 12.6

### Notices of Motion

#### **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.

X086659

**Item 12.7****Notices of Motion****City North Men's Shed**

By Councillor Gannon

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.

X086658

**Item 12.8****Notices of Motion****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.

X086653

## Item 12.9

### Notices of Motion

#### Ending Period Poverty in the City of Sydney

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) period poverty refers to a lack of access to menstrual products, education, hygiene facilities, waste management, or a combination of these;
- (ii) more than one in five Australians can't access sanitary products, resulting in the use of make-shift products made of toilet paper, socks and other alternatives;
- (iii) close to half of Australians report having missed at least one day of school due to their period;
- (iv) a recent survey found that 57 per cent of people reported that it was more difficult to pay for sanitary products compared to previous years;
- (v) one in five said they also changed single-use products less frequently than recommended due to the cost, making them more vulnerable to health complications;
- (vi) as inflation and Australia's cost-of-living crisis continue, women are increasingly forced to choose between meals and medication or sanitary products;
- (vii) the inaccessibility of sanitary products puts women at disproportionate risk of poverty;
- (viii) period poverty particularly affects victims of domestic violence, those suffering homelessness and Indigenous peoples;
- (ix) the stigma surrounding menstruation and period poverty denies women equal access to education, participation in society and dignity;
- (x) the City has recently established Food Support Grants which are targeted at increasing access and improving the supply of healthy food for our communities;
- (xi) the City plays an important role in increasing community access to basic necessities, which includes menstruation products;
- (xii) 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;

- (xiii) 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;
  - (xiv) drop in centres such as Wayside Chapel also have period products available and provide these as needed;
  - (xv) many of these organisations acquire these products through funding, donations or via brokerage;
  - (xvi) 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;
  - (xvii) Kirketon Road Centre in Kings Cross (NSW Health) also have information and products available as needed;
  - (xviii) the Department of Communities and Justice (DCJ) funded women only crisis services will also have them available;
  - (xix) DCJ Homelessness Services provide information and period products as required on outreach; and
  - (xx) 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; and
- (B) the Chief Executive Officer be requested to:
- (i) undertake community consultation with community members and organisations to understand how the City can best address period poverty;
  - (ii) establish a free period care product service for a 12-month trial period that services Council-run facilities such as libraries, pools, community centres, sporting ground change rooms, and highly utilised public toilets; and
  - (iii) commence work on this program in September 2023, with a report back at the December 2023 Council meeting.

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## Item 12.10

### Notices of Motion

#### 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.

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## Item 12.11

### Notices of Motion

#### 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.

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