

# Council

Meeting No 9

Monday 20 November 2023

Notice No 9/1657

Notice Date 16 November 2023

*minutes*

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## **Present**

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

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

At the commencement of business at 5.01 pm, those present were:

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

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

## **Acknowledgement of Country and Opening Prayer**

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

## **Webcasting Statement**

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

## **Order of Business**

At 5.52pm, Council agreed that the order of business be altered such that Item 15.1 be brought forward and addressed prior to Item 4, for the convenience of the public present.

Councillor Davis left the meeting of Council at 7.12pm, prior to discussion of Item 10.4 and returned at 7.14pm, following the vote on Item 10.5. Councillor Davis was not present at, or in sight of, the meeting of Council during discussion or voting on Items 10.4 and 10.5.

Councillor Chan left the meeting of Council at 7.15pm, prior to discussion of Item 11.4 and returned at 7.20pm, following the vote on Item 11.4. Councillor Chan was not present at, or in sight of, the meeting of Council during discussion or voting on Item 11.4.

At 7.58pm, Council agreed that the order of business be altered such that Item 15.6 be brought forward and addressed after Item 15.4, for the convenience of the public present.

**Item 1      Confirmation of Minutes**

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

That the Minutes of the meeting of Council of Monday, 23 October 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

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

### **Statement of Ethical Obligations**

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

### **Disclosures of Interest**

The Lord Mayor, Councillor Clover Moore AO, disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that she is a resident of Moore Park Gardens at 780 Bourke Street, Redfern – Strata Plan 51517. The Owners Corporation for Strata Plan 51517 applied for a Green Building Grant from the City of Sydney but was not recommended for funding.

The Lord Mayor considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the application is not recommended for funding.

Councillor HY William Chan made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that he has been involved with the following:
  - City2 Surf as a participant in 2022 and 2023;
  - University of New South Wales (UNSW) as a guest lecturer in 2023;
  - University of Sydney as a casual academic in 2022;
  - University of Technology Sydney (UTS) as a guest lecturer in 2022;
  - Social Enterprise Council of NSW & ACT (SECNA) Ltd in its activities in 2021;
  - Wheelchair Sports NSW/ACT as a race volunteer in 2021;
  - Spark Festival as a speaker in 2020 and 2021; and
  - Museum of Contemporary Art in the GeneratioNext program.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement in the organisations have been separate to the organisations' grant applications and he was not aware of their grant applications.

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that he has been involved in:
  - University of New South Wales (UNSW) as a guest lecturer in 2023;
  - University of Sydney as a casual academic in 2022;
  - University of Technology Sydney (UTS) as a guest lecturer in 2022; and
  - Remix Summit as a speaker in 2022.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement in these organisations has been separate to the organisations' grant applications and he was not aware of their grant applications.

- a pecuniary interest in Item 11.4 on the agenda, in that he is an employee of the University of Sydney.

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

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda in that:
  - she has engaged with Jodie Ann Choolburra from Broilga Dance Academy through her role as Chairwoman for Australian South Sea Islanders Port Jackson (ASSIPJ) for the Different Colours One People Festival event held on 22 May 2021. Broilga were engaged as the dance presentation for the event;
  - she has known and worked with Dan Munro (under the auspice of the Metropolitan Local Aboriginal Land Council: Biyanga (Father) Project – Healing Journey for our Men), and Tribal Warrior Aboriginal Corporation (as auspice for Redfern All Blacks Rugby League Football Club Incorporated: Redfern All Black RLFC Cultural Health and Wellbeing) through her capacity as Chairwoman for ASSIPJ and Councillor for the City of Sydney's Aboriginal and Torres Strait Islander Advisory Panel, She has also previously engaged with these organisations in grass roots, cultural and community engagement and various events; and
  - she has known and had professional interactions with: Australian Fashion Council as an acquaintance of Leila Naja Hibri (CEO); the University of Sydney as an interviewee of Professor Jude Philp and Director Museums and Cultural Engagement at Chau Chak Wing; Sydney Community Group Inc as a mentor having provided advice Manjua Viswanath and Indu Ponnusamy on cultural and community engagement; UCA – Wayside Chapel, having met Dr Lilon Bandler who runs the inhouse Medical Practice as the local General Practitioner and have been invited as a guest to tour the facilities; and University of Technology Sydney through her grass roots and community work. She has associated with staff from various departments at the university and completed her Masters with UTS.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because as a Councillor for the City of Sydney, she has not been involved in the grant application process or approval process for the City of Sydney's Aboriginal and Torres Strait Islander Collaboration Fund and Innovation and Ideas Grants.

- a significant interest in Item 10.4 on the agenda, in that this item recommends Council approve Blax Capital Pty Ltd's grant application to launch Indigenous Gender Lens fund supporting female-led Indigenous with a cash grant. ASSIPJ has engaged Blax Capital as a business and financial consultant.

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

- a significant interest in Item 10.5 on the agenda, in that she has engaged with Scarred Trees Ministries (Pastor Ray Minniecon and Larrisa Minniecon) in her capacity as Chair for ASSIPJ for various ASSI community events and festivals.

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

Councillor Sylvie Ellsmore made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that she has attended meetings or events, or exchanged emails, as part of her normal work as a Councillor, with, or at events organised by, applicants for the Cultural Grants, over the last 12 months. This includes with the Glebe Youth Service (recommended for one grant, and not recommended for another), Social Enterprise Council of NSW & ACT (SECNA) Ltd (recommended for a grant) and Counterpoint Community Services (recommended for a grant).

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she does not have any decision making or financial connection with any organisations applying for a grant, was not aware of the grant applications before they were made, and did not provide advice in relation to the grant applications.

- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that she has attended meetings or events, or exchanges emails, as part of her normal work as a Councillor, with applicants for the Innovation and Ideas Grants, over the last 12 months. This includes with End Street Sleeping Collaboration Ltd (not recommended for a grant), Glebe Youth Service (not recommended for a grant), OFFICE AU Ltd (not recommended for a grant), Shelter NSW (not recommended for a grant) and Wayside Chapel (not recommended for a grant).

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she does not have any decision-making or financial connection with any organisations applying for a grant, was not aware of the grant applications before they were made, and did not provide advice in relation to the grant applications.

Councillor Robert Kok made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda in that Seymour Nights were recommended for a grant.

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

- a less than significant non-pecuniary interest in Item 11.4 on the agenda, in that he is on the China Studies Board of Advisors for Sydney University.



Councillor Kok stated that he considers this non-pecuniary interest is not significant and does not require further action in the circumstances because he was not aware of the application for a planning proposal to rezone sites and the recommendations until the committee paper became available, and he has not discussed this item with the recipient, has not had any contact with the applicant and has not been contacted about the application.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Items 6.3 and 6.5 on the agenda, in that she is the Chair of CareSuper and Deputy President of ACSI. Members of City staff may be members of CareSuper, an industry superannuation fund, and ACSI undertakes environmental, social and governance (ESG) advice for their members, and whilst the City is not a member, the ESG work is notable.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as these roles do not pertain directly to these items on the agenda, and she applies her judgement to the decisions as a Councillor for the City of Sydney

- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that one of the hundreds of proposed outdoor alcohol restriction zones is adjacent to her home.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as she applies her judgement to the decisions as a Councillor for the City of Sydney.

Councillor Yvonne Weldon disclosed a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that she is a member of Metropolitan Local Aboriginal Land Council, one of the applicants recommended for funding.

Councillor Weldon considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as the Metropolitan Local Aboriginal Land Council are serving as an intermediary auspisor for the grant applicant. She has had no involvement in the submission or assessment of this grant application.

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that:

- the Sydney Film Festival was recommended for funding for Tier 2 – Major Festivals and Events. He has been attending and an active subscriber to the Sydney Film Festival for 12 years;
- New Life Media Pty Ltd was recommended for funding for Tier 2 – Major Festivals and Events for the Vogue American Express Fashion's Night Out 2024. Councillor Worling recently sat front row at Vogue FNO's 2023 event and represented the Lord Mayor at the trade launch. He has also worked in fashion for 30 years which has meant there has been a lot of cross over with his clients and this event; and
- the Australian LGBTIQ+ organisation, The Aurora Group – A Ruby Foundation Limited, has been recommended for funding. In 2023, he attended the fundraising event Aurora Ball at Sydney Town Hall and made a personal donation to this charity.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has no prior knowledge about these applications or their success until reading the Committee papers, and he did not discuss the application or grant in any ways with the organisations.

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

**Item 3 Minutes by the Lord Mayor****Item 3.1 Vale Helena Carr****Minute by the Lord Mayor**

To Council:

I wish to inform Council of the sudden passing of Helena Carr, an accomplished businesswoman and wife of former NSW Premier and Australian Foreign Minister Bob Carr, on 25 October 2023.

Helena was born in Perak, Malaysia. She was the youngest of six children from a multicultural family, her father, Lourdes was Indian and her mother, Regina was Chinese.

In 1965, at the age of 17, a fiercely independent Helena convinced her parents to allow her to come to Sydney to study at Our Lady of Mercy College, Parramatta. She then went on to major in economics at the University of Sydney, where she was a resident at Sancta Sophia College. This is where, as a fellow student and resident, I first met Helena and knew her as an intelligent and warm young woman.

In 1971 while on holiday in Tahiti, Helena met her future husband, Bob Carr, who noticed her sitting by the pool reading a book by JK Galbraith, while he was on a stop over from the United States. They married in February 1973. They often described their 50-year journey together as a partnership in both public and private life, which reflects the strength of their love and commitment to one another.

Helena was an accomplished and successful businesswoman. She joined Leigh Mardon in 1976, first as a market research officer and then as a product manager. She left in 1981 to join Amatil before returning to Leigh Mardon, as a business development manager and then a division manager, where she was responsible for a staff of 1,000. Later she recalled that some of her staff were "quite frightened of me". But the only people who really needed to be afraid, she added, were "those who didn't perform". By the mid-1980s, she was the Managing Director of Leigh Mardon.

Later, with business partner Max Turner, Helena bought Merritt Madden Printing and Advanced Graphics, a commercial printer producing prospectuses, annual reports, and trade magazines. In October 2004, she and Turner sold the business.

When her husband, Bob became Leader of the Opposition in 1988, I got to know Helena again, meeting both at official functions and regularly running into each other at Bill and Tony's on Stanley Street, where Helena and Bob, and my husband, Peter and I regularly had coffee and breakfast before we started our day. At this time, I came to know her again as a very intelligent and interesting person to talk to, a bright and warm personality, who was always there in support of her partner, Bob.

Helena famously avoided the spotlight. She was described by Edmund Capon, former director of the Art Gallery of NSW and friend as "a tower of strength" but also a tower of "discretion". Others described her as "the business brains of the [Carr family] operation" and Bob said she "resist[ed] very strongly any idea of [my] premature departure".

The public commitment to stand by Bob was made easier by her commitment to her own career. The most important decision she ever made was to avoid that dangerous intersection where her business life might have met his politics.

She told the Sydney Morning Herald in 1988: "A partner's interests must coincide with yours, but his occupation need not do so." Independent, self-confident, and financially secure, she was not reliant on Carr, or jealous of his limelight, but instead a steadfast partner and supporter.

Helena died suddenly after losing consciousness as a result of a brain aneurism while in Vienna, Austria, with her husband of 50 years at her side.

Together with many others, I will remember Helena for her charisma and charm, her ability to connect with people from all walks of life, and as someone who genuinely cared, and who was always ready to listen and offer support.

## **Recommendation**

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Helena Carr and her enduring legacy as an independent, intelligent, interesting and warm person, successful businesswoman and steadfast partner and supporter of former NSW Premier, Bob Carr;
- (B) Council express its condolences to Helena Carr's husband, Bob Carr and family; and
- (C) the Lord Mayor convey Council's condolences to Bob Carr and his family.

## **COUNCILLOR CLOVER MOORE AO**

Lord Mayor

Moved by the Chair (the Lord Mayor) –

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

Carried unanimously.

S051491

Note – the Lord Mayor acknowledged the presence of former NSW Premier Bob Carr, who was viewing the Council meeting via the webcast.

Note – all Councillors, staff and member of the public present stood in silence for one minute as a mark of respect to Helena Carr.

### **Item 3.2 Practical and Compassionate Action on Drugs Still Needed**

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

To Council:

The festival season is now underway. Australian Festivals Association members have already staged two festivals this month and will present a further 13 across greater Sydney and regional NSW between December 2023 and April 2024. There may be others.

Showcasing different music and dance genres, diverse, ranging from country and folk to electronic and dance music, they will attract well over 100,000 people. Many will be attracted by the music, the atmosphere and the opportunity to socialise with others sharing similar tastes. Some will seek to augment their experience by using drugs. This is despite politicians and others delivering simplistic and ineffective messages of “don’t take drugs”, the intimidating use of sniffer dogs and the threat of invasive and frequently illegal strip searches.

With this comes the risk of young people experiencing serious medical episodes, which in some cases, may result in young people dying. We know the risk is high because we have already seen this happen. We also know what we need to do to minimise this risk. Yet despite this, successive governments have failed to act.

On 6 November 2019, Deputy State Coroner Harriet Grahame released the results of her thorough and comprehensive inquiry into the MDMA drug-related deaths of six young people who had attended music festivals between December 2017 and January 2019. Ms Grahame described all six as “gifted, vibrant, well-connected and very much loved” and said the deaths were “completely unexpected and profoundly tragic”. In her final report, Ms Grahame wrote that their pattern of drug use was likely to be “typical”.

“They were keen to have new experiences. They used infrequently on special occasions or when socialising, were not addicted, and had never had reason to seek professional help in relation to their drug use. It appears that each had used MDMA before, without a having a significant negative consequence.”

During her three-week inquest, Ms Grahame took evidence from medical experts, the police, festival organisers and festival attendees, including friends of the six young people who had died. These young people talked candidly about the circumstances of their friend’s deaths, along with their drug use, their reasons for taking drugs and their knowledge, often limited, about the effects of drugs.

This was supported by extensive documentary material in 24 volumes, which included witness statements, medical records, photographs, and expert reports. Eight additional research volumes provided relevant background information.

What emerged from this evidence “was in some respects positive”, Ms Graham wrote in her final report.

“The evidence arising from this inquest clearly indicates that there is much that can be done to prevent MDMA deaths. There are practical solutions to some of the issues identified. However, the evidence draws into clear focus the need for the NSW Government to look with fresh eyes at the potential dangers associated with drug use at music festivals. There is a need to reframe our main priority from reducing drug use to reducing drug death.”

Her report contained 28 recommendations, directed towards the NSW Department of Premier and Cabinet, NSW Health, NSW Police the Department of Communities and Justice and festival organisers. They included introducing medically supervised pill testing/drug checking at NSW music festivals and funding the establishment of a permanent drug checking facility. Policing at music festivals should be directed towards providing support and comfort where needed, acting to reduce or minimise harm and concentrated on organised drug dealing, social disorder and other crimes. Drug detection dogs were not to be used and strip searches were only to be conducted in specifically defined circumstances.

Ms Graham also recommended that the Government hold a drug summit “to develop drug policy that is evidence-based and focused on minimising harm to users and the community repeated her recommendation from her earlier inquiry into opiate-related deaths”. This recommendation was not new. She had made a similar recommendation in March 2019 in the report of her inquiry into opiate-related deaths.

Other leading experts were also calling for a summit. On 11 February 2019, Council unanimously supported these calls, arising from my Minute, Practical and Compassionate Action on Drugs (Attachment A). Council also unanimously agreed to facilitate a practical demonstration of drug testing by medical professionals. That demonstration took place in Sydney Town Hall on 12 June 2019, attended by health, community and government representatives.

The demonstration was conducted by Pill Testing Australia, who had conducted two drug testing trials at the Canberra ‘Groovin’ The Moo’ festivals. Young people would provide a sample of their drugs to be tested for their content. This was only one step in the process. Of greater importance was their conversations with peer educators, who would discuss their drug use and explain that the test would not guarantee that the drug was “safe”. Once the test was completed, volunteer peer educators would explain the contents of the drugs and discuss options. Some people discarded their drugs in the amnesty bins provided. Others said they would reconsider taking their drugs or take less.

Despite the success of the pill testing trials, and the weight of evidence supporting Ms Grahame’s recommendations, successive governments have failed to act.

Immediately after her report was released, the then NSW Premier, Gladys Berejiklian denied that there was evidence to support a drug checking trial. Some months later, her Government delayed the release of a detailed inquiry into the drug, ice, and then delayed its response beyond its own deadline. When it finally responded, 15 months after receiving the report, it rejected five recommendations outright, including pill testing, and provision of a second medically supervised injecting centre. In the meantime, the ACT Labor-Greens Government has established a permanent drug checking facility and effectively decriminalised personal drug use, instead treating it as a health issue. In February, the Queensland Labor Government announced it will introduce drug checking at mobile and fixed sites.

In contrast, NSW’s new Labor Government has delayed reform action until after its proposed drug summit. Yet it has still to set a date for next year. The Sydney Morning Herald reported in September that no provision had been made for it in the NSW state budget.

Concerned about this inaction, last month a coalition of peak medical bodies released an open letter to the Premier calling on his Government to “immediately start drug checking with an implementation pilot this summer festival season”.

“This summer is forecast to be a hot one, and we know that high temperatures combined with unexpectedly high doses of MDMA is a dangerous combination that can be fatal. Without drug checking, there’s no way to identify high-risk drug samples before people consume them,” they wrote.

They suggested an “evaluated pilot program” would provide “vital information for further discussion” when it is held at the NSW Drug Summit next year.

“In drug checking services, health professionals provide expert harm reduction advice and help people manage the risks of taking drugs. Drug checking already operates in 28 countries around the world, including Australia and is supported by a strong evidence base that shows it helps people make better decisions for their own wellbeing,” they wrote.

The letter was signed by the Royal Australian College of General Practitioners, the Royal Australasian College of Physicians, the Australian Salaried Medical Officers' Federation, the NSW Nurses and Midwives Association and the Health Services Union.

I support their call. I also support calls for the Premier to set a date and timeline for the proposed drug summit. It will provide a valuable forum for evidence to be presented, considered and discussed and enable informed decisions to be made and worthwhile outcomes to be achieved.

This was my experience of the first drug summit held over five days at Parliament House in 1999. Significantly, the Carr Labor Government held it within months after that year's State election. It brought together Members of Parliament, experts in the medical and social aspects of drug use, community representatives, families who had lost their sons and daughters to overdosing and people with experience of drug use and its effects. We heard compelling and moving evidence about issues that were confronting to many of them. MPs engaged in serious discussions about these issues, often for the first time, and many of them changed their views.

While the medically supervised injecting room in Kings Cross was its most high-profile outcome, it achieved much more. It made 172 recommendations relating to young people and drugs, treatment services, drug education, law enforcement, breaking the drugs and crimes cycle and community action.

We now have new issues to address, not least the risks associated with casual drug use by people, particularly young people, who are not addicted or drug dependent and who otherwise live productive, happy, crime-free lives. This is in addition to the medical and social problems associated with drug addiction and the use of drugs such as ice.

A new drug summit could examine all the possible ideas that could contribute to minimising the harm from illicit drug use. It could consider whether existing approaches are working effectively or whether they are perversely increasing the risk of harm. This includes measures to ensure safety and reduce harm. While some may aim for the unrealistic ideal of a completely drug free world, a drug summit should aim to help people stay alive in this one.

## **Recommendation**

It is resolved that:

- (A) Council note the recommendations of the Inquest into the death of six patrons of NSW music festivals conducted by Deputy Coroner Harriet Grahame during 2019, as shown at Attachment B to the subject Minute;
- (B) Council endorse the open letter to the NSW Premier calling on his Government to "immediately start drug checking with an implementation pilot this summer festival season", as shown at Attachment C to the subject Minute; and
- (C) the Lord Mayor be requested to write to the Premier to:
  - (i) set a date and timeline for his proposed Drug Summit; and
  - (ii) ensure that the Summit:
    - (a) brings together Members of Parliament, experts in the medical and social aspects of drug use, including young people, police, community representatives, families, and people with experience of drug use and its effects; and
    - (b) has as its priority the development of recommendations for action that would reduce the risk of drug-related deaths and will contribute to reducing and ending the harm from illicit drug use, including drug checking/pill testing and the reform of the policing of drug use.

## **COUNCILLOR CLOVER MOORE AO**

Lord Mayor

Moved by the Chair (the Lord Mayor) –

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

Carried unanimously.

S051491

### **Item 3.3 Support for Waterloo South Relocations**

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

To Council:

Since the redevelopment of the Waterloo Estate was finally announced by the former NSW Government in 2015, residents of Waterloo have endured years of uncertainty. Many in the community are fatigued by consultation, confused by the iterations of masterplans and planning decisions. Community need certainty about the project to feel secure about their future.

Over the past seven years, the City has worked with the community to improve the plans including to achieve more Social and Affordable Housing on the Waterloo Estate. We also urged the Department of Planning and Environment (the Department) to ensure a Human Services Plan as well as a Social Impact Assessment and Management Plan are developed and implemented alongside the planning process.

In August 2023, the NSW Premier and Minister for Housing announced their commitment to provide 50 per cent of the housing at Waterloo South as Social and Affordable Housing (with a minimum 15 per cent of this housing dedicated to Aboriginal and Torres Strait Islander peoples). This comes after years of our steadfast advocacy.

Residents were recently told they will begin to receive formal relocation letters from mid-2024. This announcement brings heightened anxiety for many in the community, particularly about how their relocations will be managed.

The Land and Housing Corporation (LAHC) has committed to providing residents with six months' written notice of their relocation, up to two offers of housing and they will have the right to return to Waterloo South.

#### **Support for residents**

In the lead up to, during and after relocations, residents will need access to various forms of support. The NSW Government has committed to bringing LAHC, the Aboriginal Housing Office and the Department of Communities and Justice (DCJ) under one agency called Homes NSW in February 2024.

DCJ, NSW Health and GroundSwell Redfern Waterloo have developed the Waterloo Human Services Action Plan and LAHC has separately developed an overarching People and Place Guiding Framework that proposes to develop a Human Services Plan and a relocations plan.

The NSW Government must holistically assess the needs of the Waterloo community, now and in the future and provide ongoing services (such as health, social, legal and cultural services) that respond to and support vulnerable residents and promote a harmonious community.

The NSW Government must also listen to and work with the community to implement the Waterloo Human Services Action Plan. In 2017, Shelter NSW, Tenants' Union of NSW and UNSW undertook research with Social Housing residents to understand the human impact of government redevelopment projects. They reported back with guiding principles for governments to follow to support residents through redevelopment projects. These principles must be incorporated into a comprehensive Waterloo-specific relocations policy due to the scale and impact of this project.



## City of Sydney support

The City has a history of funding local organisations to support residents in NSW Government redevelopment projects. For example, we have supported community organisations by:

- Funding Redfern Legal Centre to provide tenancy support and legal advice to Millers Point residents.
- Funding Counterpoint Community Services to support Waterloo residents through the redevelopment process.
- Funding Redfern Legal Centre to provide tenancy support and legal services for residents impacted by current and future NSW Government redevelopment projects.
- Supporting the Redfern Waterloo Aboriginal Affordable Housing Alliance to build the capacity of Aboriginal community-controlled organisations and community advocate for increased provision of Social and Affordable Housing.

Community development and capacity building will ensure residents are prepared for the relocation process, know what to expect and have access to resources to support self-advocacy. Individual legal case management may be required to help them understand their options, rights and how to respond. Culturally appropriate community support is also a priority, which should be managed by an Aboriginal Community Controlled organisation.

The City's grants programs could again help Waterloo South residents through local community organisations, for example through our Community Services Grants Program and the Aboriginal and Torres Strait Islander Collaboration Fund.

As part of the City's consultation for Sustainable Sydney 2030-2050 - Continuing the Vision, the community told us they want a place where everyone feels welcome, where everyone has a home, a place people can afford to live in if they choose and that Social, Affordable and supported housing is available for those who need it.

The City of Sydney is committed to supporting the Waterloo Estate community and local organisations through the relocations process.

## Recommendation

It is resolved that:

- (A) Council note the Land and Housing Corporation's relocations process for Waterloo South residents will commence in mid-2024;
- (B) the Chief Executive Officer be requested to:
  - (i) consult with local community organisations including Aboriginal and Torres Strait Islander organisations in the Waterloo area about what support residents will require during relocations and advise them about the City's available grant programs; and
  - (ii) report back to Council (if required); and
- (C) the Lord Mayor be requested to write to the Minister for Housing calling on the NSW Government to:
  - (i) develop a Waterloo-specific relocations policy;
  - (ii) adequately resource ongoing support services for Waterloo Estate residents as part of the NSW Government's redevelopment;

- (iii) listen to and work with the whole Waterloo Estate community to finalise and implement the Human Services Plan in the lead up to, during and after the redevelopment;
- (iv) confirm when Homes NSW will be created and how it will address the social impact of relocations as well as how the current Waterloo Human Services Action Plan will link to the Human Services Plan being developed under LAHC's People and Place Framework; and
- (v) work with local Aboriginal and Torres Strait Islander communities and organisations to ensure that the 15 per cent of housing allocated for Aboriginal and Torres Strait Islander households is culturally appropriate with mix of studio, one, two, three and four bedroom apartments.

### **COUNCILLOR CLOVER MOORE AO**

Lord Mayor

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

Moved by the Lord Mayor –

It is resolved that:

- (A) Council note the Land and Housing Corporation's relocations process for Waterloo South residents will commence in mid-2024;
- (B) the Chief Executive Officer be requested to:
  - (i) consult with local community organisations including Aboriginal and Torres Strait Islander organisations in the Waterloo area about what support residents will require during relocations and advise them about the City's available grant programs; and
  - (ii) report back to Council (if required); and
- (C) the Lord Mayor be requested to write to the Minister for Housing calling on the NSW Government to:
  - (i) develop a Waterloo-specific relocations policy and ensure that all residents who wish to return to Waterloo South have a genuine right to do so;
  - (ii) adequately resource ongoing support services for Waterloo Estate residents as part of the NSW Government's redevelopment;
  - (iii) listen to and work with the whole Waterloo Estate community to finalise and implement the Human Services Plan in the lead up to, during and after the redevelopment;
  - (iv) confirm when Homes NSW will be created and how it will address the social impact of relocations as well as how the current Waterloo Human Services Action Plan will link to the Human Services Plan being developed under LAHC's People and Place Framework; and
  - (v) work with local Aboriginal and Torres Strait Islander communities and organisations to ensure that the 15 per cent of housing allocated for Aboriginal and Torres Strait Islander households is culturally appropriate with mix of studio, one, two, three and four bedroom apartments.

Variation. At the request of Councillor Scott, and by consent, the Minute was varied such that clause (C)(i) read as follows:

- (C) the Lord Mayor be requested to write to the Minister for Housing calling on the NSW Government to:
  - (i) develop a Waterloo-specific relocations policy and mandate that all residents who wish to return to Waterloo South can be assured that they will be able to do so in accordance with the Minister for Housing's undertaking.

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

S051491

### **Item 3.4 More Publicly Accessible Parkland at Moore Park**

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

To Council:

When parkland at Moore Park was allocated for a nine-hole golf course back in 1913 and later extended to 18 holes in 1922, the surrounding land uses were predominantly industrial.

It has been the policy of successive State Governments since 1995 to convert the former South Sydney industrial area into the Green Square Urban Renewal area, and by 2040, up to 80,000 more people will be living in the area within two kilometres of Moore Park.

The City is creating 40 parks and playgrounds as part of Green Square Urban Renewal, but small parks don't provide the same opportunity for people living in high-density apartments to stride out, de-stress, renew or commune with nature.

For generations, much of the land originally set aside for parkland at Moore Park has been alienated for other purposes. Large areas have been dedicated to professional sporting codes. This is in addition to sports and athletic fields, tennis courts, outdoor fitness areas, a cricket centre and pitches and the 18-hole golf course. Parkland was also lost to the Eastern Distributor and the Supacentre and there has been ongoing alienation from car parking on parkland.

The City of Sydney's strategic plan Sustainable Sydney 2030-2050 Continuing the Vision includes The Green City project idea of unlocking existing Crown Land at Moore Park for wider public use.

In built-up inner-city areas where land is expensive, is an 18-hole golf course the best use of precious public parkland? The question is fundamentally one of equity and putting public land to its best use in the community interest.

The City's proposal to convert the existing 18-hole Moore Park Golf Course to a nine-hole facility retains the popular driving range, club house, and maintenance depot and requires minimal reconfiguration of the fairway and greens.

When we asked the community what they thought of our proposal in 2020, unsurprisingly, people living immediately to the west of the course in areas like Redfern, Waterloo and Zetland were overwhelming supportive of reconfiguring the course to create public parkland.

Golfers, especially from the eastern suburbs, opposed the change despite that there are 12 other courses within 10km of Moore Park and that the proposal retains nine-holes and the popular driving range.

On 22 October 2023, following the City's advocacy supported by Business Sydney and former Premier of NSW, Bob Carr, the NSW Premier Chris Minns announced plans to convert up to 20 hectares of the Moore Park Golf Course into publicly accessible parkland when the current operating agreement expires in 2026.

I thank and congratulate the Premier for accepting the City's fair proposal. It is important for growing, densely populated communities to have access to parkland.

The NSW Government will conduct public consultation and release a discussion paper to guide that consultation, including with the current operator of Moore Park Golf Course on the future of the remaining holes and the operation of the clubhouse and driving range.

It is imperative that the City of Sydney encourages local residents to get involved in this consultation and have their say on the future of this public parkland.

## **Recommendation**

It is resolved that:

- (A) Council commend the NSW Government's announcement on 22 October 2023 that it will convert up to 20 hectares of the Moore Park Golf Course into publicly accessible parkland when the current operating agreement expires in 2026; and
- (B) the Chief Executive Officer be requested to:
  - (i) communicate the successful outcome of the City's advocacy to convert up to 20 hectares of the Moore Park Golf Course to accessible public parkland and encourage the community to participate in the NSW Government's public consultation process on the future of this important parkland; and
  - (ii) make a submission to the NSW Government in response to the Discussion Paper and participate in any other consultative process in relation to the parkland conversion.

## **COUNCILLOR CLOVER MOORE AO**

Lord Mayor

Moved by the Chair (the Lord Mayor) –

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

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

That the Minute be amended such that clause (B)(i) read as follows -

- (B) the Chief Executive Officer be requested to:
  - (i) encourage the community to participate in the NSW Government's public consultation process on the future of this important parkland;

The amendment was lost on the following show of hands –

Ayes (1) Councillor Scott

Noes (9) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Weldon\* and Worling.

The amendment was lost.

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

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

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

Noes (3) Councillors Gannon, Jarrett and Weldon.

Substantive Minute carried.

S051491

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

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

## **Item 5 Matters for Tabling**

### **5.1 Disclosures of Interest**

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

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

Carried unanimously.

### **5.2 Petition**

#### **Reverse Sydney Mayor's Decision to Prohibit the Town Hall being Lit with White and Blue**

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

After an aborted attempt on October 9th to light up the Sydney Opera House due to the unauthorised mass of aggressive anti Israel protesters the mayor Clover Moore has prohibited a further attempt to have a public, peaceful and inclusive solidarity event at an illuminated Town Hall in Israel's colours.

I have written to the lord mayor but as yet have not received any response.

This is my letter to the mayor, Clover Moore.

Thank you for signing this petition.

Dear Lord Mayor,

I am a long term Sydney resident of Jewish Israeli heritage. My parents, grandparents and great-grandparents got married in the Great Synagogue in Elizabeth Street and my great uncle David electrified the beautiful lights there.

I am writing to you as I am somewhat distressed at the news that you will forbid the Israeli colours to be projected onto the Town Hall despite the fact that this has been done in most other Australian cities and many cities around the world.

What an embarrassing moment for the City of Sydney.

Not only embarrassing but very upsetting to the Jewish and Israeli communities both in COS and suburbs.

On a personal level I have been heartbroken by the events in Israel including the loss of my children's beautiful 27 year old cousin.

My sister, brother and 92 year old mother have spent most of the past two weeks in their safe rooms. Fortunately they are not in the south or north of the country where most of the Hamas rockets are landing.



I did believe at the time that projecting the flag onto the Opera House was a heartfelt and comforting gesture. I unwittingly went to the Opera House on that fateful evening. I was by myself and unaware of the warnings for members of the Jewish community to stay away for our own safety. It was one of the most frightening experiences in my sixty five years! It was extremely disappointing to see the projection of the SOH sails fizzle out before they even began as the crowd grew more and more aggressive.

I note in the Council's mission statement that you purportedly "celebrate our diversity, finding ways for everyone to belong" and that you "listen to the voices of others".

In denying a community that acts with dignity and respect; a community that has contributed in endless ways since white settlement and a community that has demonstrated that even at times of heightened emotions we proceed both privately and publicly in a peaceful and appropriate manner, you deny the Jewish and Israel communities the right to be fully participating members of the City of Sydney.

I urge you to reconsider this very brash and insulting decision and allow us to respectfully show our solidarity and pain.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore AO  
(Chair)

Deputy Lord Mayor Councillor Robert Kok  
(Deputy Chair)

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

At the commencement of business at 2.02pm those present were -

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

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.54pm.

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

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 6 November 2023 be received, with Items 6.1 and 6.2 being noted, the recommendations set out below for Items 6.4 to 6.6 and 6.8 inclusive being adopted in globo, and Items 6.3 and 6.7 being dealt with as shown immediately following those Items.

Carried unanimously.

## **Item 6.1**

### **Confirmation of Minutes**

Moved by Councillor Kok, seconded by Councillor Ellsmore –

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 16 October 2023, as circulated to Councillors, be confirmed.

## **Item 6.2**

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

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Items 6.3 and 6.5 on the agenda, in that she is the Chair of CareSuper and Deputy President of ACSI. Members of City staff may be members of CareSuper, an industry superannuation fund, and ACSI undertakes environmental, social and governance (ESG) advice for their members, and whilst the City is not a member, the ESG work is notable.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as these roles do not pertain directly to these items on the agenda, and she applies her judgement to the decisions as a councillor for the City of Sydney.

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

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

### **Item 6.3**

#### **City of Sydney 2022/23 Annual Reporting and Public Presentation of the 2022/23 Financial Statements and Audit Reports to Council**

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

It is resolved that:

- (A) Council present the 2022/23 Annual Financial Statements and auditor's reports to the public as shown at Attachment A to the subject report;
- (B) Council adopt the 2022/23 Annual Financial Reports subject to the receipt of any submissions over the ensuing seven day period;
- (C) Council endorse the 2022/23 Annual Report, including the Statutory Returns, Financial Statements and Delivery Program 2022-26 Progress Report for 2022/23 as shown at Attachments A, B and C to the subject report;
- (D) Council note the 2022/23 annual report on the City's Inclusion (Disability) Action Plan 2021–2025 as shown at Attachment D to the subject report;
- (E) Council note the 2022/23 Green Report as shown at Attachment E to the subject report; and
- (F) authority be delegated to the Chief Executive Officer to make any minor amendments to the reports to correct any drafting errors and finalise design, artwork and accessible formats for publication.

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

It is resolved that:

- (A) Council present the 2022/23 Annual Financial Statements and auditor's reports to the public as shown at Attachment A to the subject report;
- (B) Council adopt the 2022/23 Annual Financial Reports subject to the receipt of any submissions over the ensuing seven day period;
- (C) Council endorse the 2022/23 Annual Report, including the Statutory Returns, Financial Statements and Delivery Program 2022-26 Progress Report for 2022/23 as shown at Attachments A, B and C to the subject report, including the following amendment:
  - that the reporting on the progress against Council's affordable and social housing targets be updated to also report the amount of affordable and social housing that has been built (that is, completed) as a percentage, if possible, for the 2022/23 financial year;
- (D) Council note the 2022/23 annual report on the City's Inclusion (Disability) Action Plan 2021–2025 as shown at Attachment D to the subject report;

- (E) Council note the 2022/23 Green Report as shown at Attachment E to the subject report; and
- (F) authority be delegated to the Chief Executive Officer to make any minor amendments to the reports to correct any drafting errors and finalise design, artwork and accessible formats for publication.

The amendment was carried unanimously.

Amended motion carried unanimously.

X084202

## **Item 6.4**

### **2023/24 Quarter 1 Review – Delivery Program 2022-2026**

It is resolved that:

- (A) Council note the financial performance of Council for the first quarter, ending 30 September 2023, including a Quarter 1 Operating Result (before depreciation, interest, capital related costs and income) of \$30.7M and the full year forecast of \$115.3M and a Net Operating Result of \$19.9M and a full year forecast of \$106.8M as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) Council note the Quarter 1 Capital Works expenditure of \$46.1M and a revised full year forecast of \$218.8M, and approve the proposed adjustments to the adopted budget, including bringing forward \$5.0M of funds into the 2023/24 capital budget, \$0.6M from the capital works contingency, and to reallocate funds within relevant programs within capital budget as detailed in Attachment B to the subject report;
- (C) Council note the Technology and Digital Services Capital Works expenditure of \$5.3M, net of disposals, and a full year forecast of \$19.2M, approve \$0.3M allocation from the capital works contingency, and approve bringing forward \$0.2M of funds into the 2023/24 capital budget as detailed in Attachment B to the subject report;
- (D) Council note the Quarter 1 Plant and Equipment expenditure of \$1.7M, net of disposals, and a revised full year forecast of \$14.7M as detailed in Attachment B to the subject report;
- (E) Council note that there were no Property Acquisitions or Disposal transactions in Quarter 1, and the full year forecast for net Property Acquisitions of \$194.1M;
- (F) Council note the supplementary reports, which detail major legal issues, the quick response, street banner and venue hire support grants and sponsorship programs, fee-waived and discounted community facilities hire, international travel, property and land use matters approved under delegation and contracts over \$50,000 in Quarter 1, as detailed in Attachment C to the subject report;
- (G) Council approve the write-off of a commercial property debt of \$251,086.33 (including GST), for Ion Training Pty Ltd, as their appointed liquidator is in the final phases of submitting a report to the Australian Securities and Investments Commission (ASIC) to wind up the company with little prospect of returning any future dividend to its registered unsecured creditors including the City;
- (H) Council note the attached letter from the Office of Local Government pertaining to 2023/24 Financial Assistance Grants - Advice to Councils at shown at Attachment D to the subject report; and

- (I) Council note the Global Cooksafe Coalition Statement of Intent signed by the Chief Executive Officer on 17 October 2023 as shown at Attachment E to the subject report and note that any related activities will be explored for inclusion in the next review of the City's Operational Plan and budget.

Carried unanimously.

X094861

## **Item 6.5**

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

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

Carried unanimously.

X020701

## **Item 6.6**

### **Sale of Heritage Floor Space - City Owed Property**

It is resolved that:

- (A) Council endorse the sale of approximately 1,241.25 square metres of Heritage Floor Space awarded to the City in its capacity as a landowner of the heritage listed Corporation Building;
- (B) authority be delegated to the Chief Executive Officer to manage the sale of Heritage Floor Space for the Corporation Building, including supporting valuations, negotiations and executing all documentation to effect and complete the sale; and
- (C) Council note that it will be updated on the progress of the sale of Heritage Floor Space for the Corporation Building through CEO Updates as and when the sale of the Heritage Floor Space is completed.

Carried unanimously.

X026460.023

## **Item 6.7**

### **Tender - T-2022-906 - Tree Maintenance and Urban Forest Services**

Moved by Councillor Kok, seconded by Councillor Weldon -

It is resolved that:

- (A) Council accept the tender offer of Tenderer B for the Northern Area and Tenderer A for the Southern Area of the Tree Maintenance and Urban Forest Services Tender for a period of six years, with the option of an extension of two further terms, of two years each, if appropriate;
- (B) Council note that the total contract sum and contingency for the Tree Maintenance and Urban Forest Services Tender project is outlined in Confidential Attachment B to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and

- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in (A), if appropriate, and negotiate the price to extend the contract accordingly.

The motion was carried on the following show of hands:

Ayes (7) The Lord Mayor, Councillors Chan, Davis, Gannon, Jarrett, Kok, Worling

Noes (3) Councillors Ellsmore, Scott and Weldon.

Motion carried.

X094916

## **Item 6.8**

### **Tender - T-2023-1028 - Loftus Street Upgrade**

It is resolved that:

- (A) Council note the changes to project scope as set out in Attachment A to the subject report;
- (B) Council accept the tender offer of Tenderer D for the design and construction of the Loftus Street Upgrade project;
- (C) Council note the total contract sum and contract contingency for the Loftus Street Upgrade project as outlined in Confidential Attachment B to the subject report;
- (D) Council note the tendered rates provided in Confidential Attachment C to the subject report;
- (E) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender; and
- (F) Council approve the additional funding for the project, as outlined in Confidential Attachment B to the subject report.

Carried unanimously.

X089947.006

## **Item 7 Report of the Environment Committee**

### **PRESENT**

The Lord Mayor Councillor Clover Moore AO  
(Chair)

Councillor Adam Worling  
(Deputy Chair)

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

At the commencement of business at 2.55pm those present were -

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

The meeting of the Environment Committee concluded at 2.59pm.

### **Report of the Environment Committee**

Moved by Councillor Worling, seconded by Councillor Kok –

That the report of the Environment Committee of its meeting of 6 November 2023 be received, with Items 7.1 and 7.2 being noted, and Item 7.3 being dealt with as shown immediately following that item.

Carried unanimously.

### **Item 7.1**

#### **Confirmation of Minutes**

There are no Minutes for confirmation for this meeting of the Environment Committee.

### **Item 7.2**

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

The Lord Mayor, Councillor Clover Moore AO, disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that she is a resident of Moore Park Gardens at 780 Bourke Street, Redfern – Strata Plan 51517. The Owners Corporation for Strata Plan 51517 applied for a Green Building Grant from the City of Sydney but was not recommended for funding.

The Lord Mayor considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the application is not recommended for funding.

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

The Environment Committee recommended the following:

### **Item 7.3**

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

Moved by Councillor Worling, seconded by Councillor Kok -

It is resolved that:

- (A) Council approve the cash recommendations for the Green Building Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant for the Green Building Grant program as shown at Attachment B to the subject report;
- (C) Council note that all grant amounts are exclusive of GST;
- (D) Council note \$40,759 in savings from the Green Building Grant program within the 2023/24 financial year will be made available for the Innovation and Ideas grant program currently being considered by Council;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676



**Item 8 Report of the Housing For All Committee**

PRESENT

The Lord Mayor Councillor Clover Moore AO  
(Chair)

Councillor Sylvie Ellsmore  
(Deputy Chair)

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

At the commencement of business at 3pm those present were -

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

The meeting of the Housing For All Committee concluded at 3.11pm.

**Report of the Housing For All Committee**

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

That the report of the Housing For All Committee of its meeting of 6 November 2023 be received, with Items 8.1 and 8.2 being noted, and Item 8.3 being dealt with as shown immediately following that item.

Carried unanimously.

**Item 8.1**

**Confirmation of Minutes**

Moved by Councillor Ellsmore, seconded by Councillor Gannon –

That the Minutes of the meeting of the Housing For All Committee of Monday 11 September 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

**Item 8.2**

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

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

The Housing For All Committee recommended the following:

### **Item 8.3**

#### **Grants and Sponsorship - Amended Grant Application - Affordable and Diverse Housing Fund - RJ Williams Redevelopment, Glebe**

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

It is resolved that:

- (A) Council note its resolution on 14 December 2020 to approve a \$3 million (excluding GST) cash grant to Wesley Community Services Limited to support the redevelopment of the RJ Williams building located at 274-276 Glebe Point Road, Glebe for the purpose of affordable housing provided that if the project changed from the proposal reported at that time Council reserved the right to withdraw the grant offer;
- (B) Council note the modification of consent approval for the RJ Williams property located at 274-276 Glebe Point Road, Glebe to develop 56 new rooms for the purposes of affordable housing;
- (C) Council confirm the \$3 million (excluding GST) cash grant through the Affordable and Diverse Housing Fund to Wesley Mission for the development of the RJ Williams building located at 274-276 Glebe Point Road, Glebe for the purpose of affordable housing in accordance with information contained in Attachment C to the subject report;
- (D) Council note that the grant amount is exclusive of GST;
- (E) Council confirm that the resolutions made on 14 December 2020 continue to apply;
- (F) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the agreement with Wesley Mission approved for a grant under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (G) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

#### **Speaker**

Reverend Stu Cameron (CEO and Superintendent, Wesley Mission) addressed the meeting of the Housing For All Committee on Item 8.3.

#### **Adjournment**

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

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 6.47pm.

**Item 9 Report of the Cultural and Creative Committee**

PRESENT

The Lord Mayor Councillor Clover Moore AO  
(Chair)

Councillor Lyndon Gannon  
(Deputy Chair)

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

At the commencement of business at 4.07pm those present were -

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

The meeting of the Cultural and Creative Committee concluded at 4.37pm.

**Report of the Cultural and Creative Committee**

Moved by Councillor Gannon, seconded by Councillor Kok –

That the report of the Cultural and Creative Committee of its meeting of 6 November 2023 be received, with Items 9.1 and 9.2 being noted, and Item 9.3 being dealt with as shown immediately following that item.

Carried unanimously.

**Item 9.1**

**Confirmation of Minutes**

Moved by Councillor Gannon, seconded by Councillor Worling –

That the Minutes of the meeting of the Cultural and Creative Committee of Monday 11 September 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

## Item 9.2

### Statement of Ethical Obligations and Disclosures of Interest

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that he has been involved with the following:

- City2 Surf as a participant in 2022 and 2023;
- University of New South Wales (UNSW) as a guest lecturer in 2023;
- University of Sydney as a casual academic in 2022;
- University of Technology Sydney (UTS) as a guest lecturer in 2022;
- Social Enterprise Council of NSW & ACT (SECNA) Ltd in its activities in 2021;
- Wheelchair Sports NSW/ACT as a race volunteer in 2021;
- Spark Festival as a speaker in 2020 and 2021; and
- Museum of Contemporary Art in the GeneratioNext program.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement in the organisations have been separate to the organisations' grant applications and he was not aware of their grant applications.

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that she has attended meetings or events, or exchanged emails, as part of her normal work as a Councillor, with, or at events organised by, applicants for the Cultural Grants, over the last 12 months. This includes with the Glebe Youth Service (recommended for one grant, and not recommended for another), Social Enterprise Council of NSW & ACT (SECNA) Ltd (recommended for a grant) and Counterpoint Community Services (recommended for a grant).

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she does not have any decision-making or financial connection with any organisations applying for a grant, was not aware of the grant applications before they were made, and did not provide advice in relation of the grant applications.

Councillor Robert Kok disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that Seymour Nights were recommended for a grant.

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

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that:

- the Sydney Film Festival was recommended for funding for Tier 2 – Major Festivals and Events. He has been attending and an active subscriber to the Sydney Film Festival for 12 years;
- New Life Media Pty Ltd was recommended for funding for Tier 2 – Major Festivals and Events for the Vogue American Express Fashion's Night Out 2024. Councillor Worling recently sat front row at Vogue FNO's 2023 event and represented the Lord Mayor at the trade launch. He has also worked in fashion for 30 years which has meant there has been a lot of cross over with his clients and this event; and
- the Australian LGBTIQ+ organisation, The Aurora Group – A Ruby Foundation Limited, has been recommended for funding. In 2023, he attended the fundraising event Aurora Ball at Sydney Town Hall and made a personal donation to this charity.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he had no prior knowledge about these applications or their success until reading the Committee papers, and he did not discuss the application or grant in any way with the organisations.

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

### **Item 9.3**

#### **Grants and Sponsorship – Cultural Grants**

Note – the recommendation of the Cultural and Creative Committee was not adopted. The following motion was adopted.

Moved by Councillor Gannon, seconded by Councillor Kok -

It is resolved that:

- (A) Council approve the cash and value-in-kind recommendations for the Festivals and Events Sponsorship program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Festivals and Events Sponsorship program as shown at Attachment B to the subject report;
- (C) Council approve the amendment to the Creative Grant to Elizabeth Margaret Muldoon for \$25,000 in cash funding, which was approved by Council on 19 June 2023 to include Auspicious Arts Projects Inc as the auspicing organisation;
- (D) Council note that all grant amounts are exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and

- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution; and
- (G) the Chief Executive Officer be requested to:
  - (i) conduct a Councillor workshop that:
    - (a) provides an overview of the grants application and assessment process; and
    - (b) outlines the current grant programs, funding priorities, relationship to City of Sydney Strategic Plans and Priorities; and
  - (ii) review the grants and sponsorship policy as part of the mid-term policy review process, taking into account feedback from Councillors and any potential systemic barriers and bias in the application and assessment process.

Carried unanimously.

S117676

**Speakers**

Christopher Tooher (Sydney Festival) and Cr Michael Mijatovic (Serbian Festival and Fairfield City Councillor) addressed the meeting of the Cultural and Creative Committee on Item 9.3.

**Item 10 Report of the Resilient Communities and Economy Committee**

PRESENT

The Lord Mayor Councillor Clover Moore AO  
(Chair)

Councillor (Waskam) Emelda Davis  
(Deputy Chair)

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

At the commencement of business at 3.12pm those present were -

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

**Adjournment**

At 3.42pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Gannon –

That the meeting of the Resilient Communities and Economy Committee be adjourned for approximately 15 minutes.

Carried unanimously.

At the resumption of the meeting of the Resilient Communities and Economy Committee at 4pm, all Councillors were present.

Councillor Davis left the meeting of the Resilient Communities and Economy Committee at 4pm, prior to discussion on Item 10.4 and returned at 4.06pm, after the vote on Item 10.5. Councillor Davis was not present at, or in sight of, the meeting during discussion or voting on Items 10.4 and 10.5.

The meeting of the Resilient Communities and Economy Committee concluded at 4.06pm.

**Report of the Resilient Communities and Economy Committee**

Moved by Councillor Davis, seconded by Councillor Ellsmore –

That the report of the Resilient Communities and Economy Committee of its meeting of 6 November 2023 be received, with Items 10.1 and 10.2 being noted and the recommendations set out below for Items 10.3 to 10.5 inclusive being dealt with as shown immediately following those Items.

Carried unanimously.

## **Item 10.1**

### **Confirmation of Minutes**

Moved by Councillor Davis, seconded by Councillor Kok –

That the Minutes of the meeting of the Resilient Communities Committee of Monday 14 August 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 10.2**

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

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that he has been involved with:

- University of New South Wales (UNSW) as a guest lecturer in 2023;
- University of Sydney as a casual academic in 2022;
- University of Technology Sydney (UTS) as a guest lecturer in 2022; and
- Remix Summit as a speaker in 2022.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement with these organisations has been separate to the organisations' grant applications and he was not aware of their grant applications.

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda in that:
  - she has engaged with Jodie Ann Choolburra from Brolga Dance Academy through her role as Chairwoman for Australian South Sea Islanders Port Jackson (ASSIPJ) for the Different Colours One People Festival event held on 22 May 2021. Brolga were engaged as the dance presentation for the event;
  - she has known and worked with Dan Munro (under the auspice of Metropolitan Local Aboriginal Land Council: Biyanga (Father) Project – Healing Journey for our Men), and Tribal Warrior Aboriginal Corporation (as auspice for Redfern All Blacks Rugby League Football Club Incorporated: Redfern All Black RLFC Cultural Health and Wellbeing) through her capacity as Chairwoman for ASSIPJ and Councillor for the City of Sydney's Aboriginal and Torres Strait Islander Advisory Panel. She has also previously engaged with these organisations in grass roots, cultural and community engagement and various events; and



- she has known and had professional interactions with: Australian Fashion Council as an acquaintance of Leila Naja Hibri (CEO); the University of Sydney as an interviewee of Professor Jude Philp and Director Museums and Cultural Engagement at Chau Chak Wing; Sydney Community Group Inc as a mentor having provided advice to Manjua Viswanath and Indu Ponnusamy on cultural and community engagement; UCA – Wayside Chapel, having met Dr Lilon Bandler who runs the inhouse Medical Practice as the local General Practitioner and she has been invited as a guest to tour the facilities; and University of Technology Sydney through her grass roots and community work. She has associated with staff from various departments at the university and completed her Masters with UTS.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because as a Councillor for the City of Sydney, she has not been involved in the grant application process or approval process for the City of Sydney's Aboriginal and Torres Strait Islander Collaboration Fund and Innovation and Ideas Grant.

- a significant interest in Item 10.4 on the agenda, in that this item recommends Council approve Blax Capital Pty Ltd's grant application to launch Indigenous Gender Lens fund supporting female-led Indigenous with a cash grant. ASSIPJ has engaged Blax Capital as a business and financial consultant.

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

- a significant interest in Item 10.5 on the agenda, in that she has engaged with Scarred Trees Ministries (Pastor Ray Minniecon and Larrisa Minniecon) in her capacity as Chair for ASSIPJ for various ASSI community events and festivals.

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

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that she has attended meetings or events, or exchanged emails, as part of her normal work as a Councillor, with applicants for the Innovation and Ideas Grants, over the last 12 months. This includes with End Street Sleeping Collaboration Ltd (not recommended for a grant), Glebe Youth Service (not recommended for a grant), OFFICE AU Ltd (not recommended for a grant), Shelter NSW (not recommended for a grant) and Wayside Chapel (not recommended for a grant).

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she does not have any decision-making or financial connection with any organisations applying for a grant, was not aware of the grant applications before they were made, and did not provide advice in relation to the grant applications.

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that one of the hundreds of proposed outdoor alcohol restriction zones is adjacent to her home.

Councillor Yvonne Weldon disclosed a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that she is a member of the Metropolitan Local Aboriginal Land Council, one of the applicants recommended for funding.

Councillor Weldon considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as the Metropolitan Local Aboriginal Land Council are serving as an intermediary auspisor for the grant applicant. She has had no involvement in this grant application.

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

## Item 10.3

### Outdoor Alcohol Restrictions

The Resilient Communities and Economy Committee decided that consideration of this matter shall be deferred to the meeting of Council on 20 November 2023.

At the meeting of Council, it was moved by Councillor Davis, seconded by Councillor Ellsmore -

It is resolved that:

- (A) Council note the public exhibition process for proposed alcohol-free zones and alcohol prohibited areas undertaken in accordance with the Local Government Act 1993, and the matters raised in submissions as summarised in Attachment C to the subject report;
- (B) Council approve the establishment of alcohol-free zones and alcohol-prohibited areas listed in Attachment A to the subject report for a nine-month period, except for those noted at (E);
- (C) Council approve the establishment of the timed areas as outlined in Attachment A to the subject report;
- (D) Council approve the establishment of temporary alcohol-free zones outlined in Attachment A to the subject report; and
- (E) Council not approve the following proposed alcohol-free zones and alcohol prohibited areas at:
  - (i) Harris Street, from Fig Street to Quarry Street, Ultimo;
  - (ii) High Street Gardens, Millers Point;
  - (iii) Strickland Park, Chippendale;
  - (iv) Bartley Lane, Chippendale;
  - (v) Buckland Lane, Newtown;
  - (vi) Egan Street, Newtown;
  - (vii) Watkin Street from King Street to Wilson Street;
  - (viii) Whateley Lane, Newtown;
  - (ix) King Street, from Newman Street to Sydney Park Road, Newtown;
  - (x) Bay Street, from Parramatta Road to Greek Street, Glebe;
  - (xi) Greek Street, Glebe;
  - (xii) Grose Street, Glebe;
  - (xiii) Francis Street, Glebe;
  - (xiv) Franklyn Street, Glebe;

- (xv) Bourke Street from Danks Street to Phillip Street, Waterloo;
  - (xvi) Danks Street from Young Street to Bourke Street, Waterloo;
  - (xvii) Blackburn Street, Surry Hills; and
  - (xviii) Towns Place, Millers Point;
- (F) the Lord Mayor be requested to write to the Minister for Local Government to request an evaluation of alcohol-free zones and alcohol prohibited areas in preventing alcohol-related crime and anti-social behaviour without exacerbating disproportionate impacts on Aboriginal and Torres Strait Islander communities, social housing residents and people experiencing homelessness; and
- (G) the Chief Executive Officer be requested to:
- (i) continue to work with local residents and Aboriginal community-controlled organisations to co-design person-centred approaches to address alcohol-related harm alongside NSW Health, NSW Land and Housing Corporation, NSW Police and the NSW Department of Communities and Justice; and
  - (ii) during the nine-month period approved in (B), comprehensively review all existing alcohol free zones and alcohol prohibited areas in broad consultation with local residents, communities in social housing estates, neighbourhood advisory boards, community services – including Aboriginal community-controlled organisations, Torres Strait Islander and culturally and linguistically diverse organisations – and business and relevant NSW Government agencies, to determine which specific restrictions have broad community support and should be retained, and which can be lifted, and report back to Council with revised recommendations.

Carried unanimously.

X099118

**Speaker**

Detective Brant James (A/Inspector at South Sydney Police) addressed the meeting of the Resilient Communities and Economy Committee on Item 10.3.

## **Item 10.4**

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

The Resilient Communities and Economy Committee decided that consideration of this matter shall be deferred to the meeting of Council on 20 November 2023.

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

It is resolved that:

- (A) Council approve the cash recommendations for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment B to the subject report;
- (C) Council approve the cash and value-in-kind recommendations for the Innovation and Ideas Grant program as shown at Attachment C to the subject report;
- (D) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Innovation and Ideas Grant program as shown at Attachment D to the subject report;
- (E) Council note that all grant amounts are exclusive of GST;
- (F) Council note additional funding of \$87,111 for the Innovation and Ideas grant program has been made available in the 2023/24 financial year as a result of an underspend in the Business Sector Support and Green Building grant programs and an approved Creative grant not being accepted by the grant applicant;
- (G) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (H) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

The Resilient Communities and Economy Committee recommended the following:

### Item 10.5

#### Grants and Sponsorship - Accommodation Grant Program - Beehive Industries and Scarred Trees Ministries

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

It is resolved that:

- (A) Council approve an increased rental subsidy for Beehive Industries for 137 Palmer Street Darlinghurst for its current lease for the period of 1 December 2023 to 30 June 2026 on the following rental subsidy:

	Market Rental Value	Grant Subsidy	Grant Amount	Rent to be paid
Year 3 (pro rata) 01/12/2023 - 30/06/2024 (213 days)	\$198,112.18	\$198,112.18	100%	\$0.00
Year 4 01/07/2024 - 30/06/2025	\$349,672.64	\$349,672.64	100%	\$0.00
Year 5 01/07/2025 - 30/06/2026	\$360,162.82	\$360,162.82	100%	\$0.00

- (B) Council approve an ad-hoc grant to Larissa Minecon representing Scarred Trees Ministries to licence Meeting Room 1 and Meeting Room 2, Ground Floor, Glebe Town Hall, 160 St John's Road, Glebe from 1 December 2023 to 30 June 2024 in accordance with section 356 of the Local Government Act 1993 on the following rental subsidy which incorporates outgoings and utilities:

Year	Market Rental Value (approximate)	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 1 (pro rata) 01/12/2023 - 30/06/2024 (213 days)	\$9,915.88	100%	\$9,915.88	\$0.00

- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer any amendments to the lease to Beehive Industries required to incorporate the terms of this approval;

- (D) authority be delegated to the Chief Executive officer to negotiate, execute and administer the licence agreement to Larissa Minnecon representing Scarred Trees Ministries for Meeting Room 1 and Meeting Room 2, Ground Floor, Glebe Town Hall, 160 St John's Road, Glebe on the terms consistent with this report and in accordance with the Grants and Sponsorship Policy; and
- (E) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipients will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

## **Item 11 Report of the Transport, Heritage and Planning Committee**

### **PRESENT**

The Lord Mayor Councillor Clover Moore AO  
(Chair)

Councillor HY William Chan  
(Deputy Chair)

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

At the commencement of business at 4.38pm those present were -

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

Councillor Chan left the meeting of the Transport, Heritage and Planning Committee at 5.00pm, prior to discussion on Item 11.4, and returned at 5.14pm, after the vote on Item 11.4. Councillor Chan was not present at, or in sight of, the meeting during discussion or voting on Item 11.4.

The meeting of the Transport, Heritage and Planning Committee concluded at 5.26pm.

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

Moved by Councillor Chan, seconded by Councillor Kok –

That the report of the Transport, Heritage and Planning Committee of its meeting of 6 November 2023 be received, with Items 11.1 and 11.2 being noted, the recommendations set out below for Items 11.3 and 11.5 to 11.7 inclusive being adopted in globo, and Item 11.4 being dealt with as shown immediately following that item.

Carried unanimously.

### **Item 11.1**

#### **Confirmation of Minutes**

Moved by Councillor Chan, seconded by Councillor Kok –

That the minutes of the meeting of the Transport, Heritage and Planning Committee of 16 October 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 11.2**

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

Councillor Chan disclosed a pecuniary interest in Item 11.4 on the agenda, in that he is an employee of Sydney University.

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

Councillor Kok disclosed a less than significant non-pecuniary interest in Item 11.4 on the agenda, in that he is on the China Studies Board of Advisors for Sydney University.

Councillor Kok stated that he considers this non-pecuniary interest is not significant and does not require further action in the circumstances because he was not aware of the application for a planning proposal to rezone sites and the recommendations until the committee paper became available, and he has not discussed this item with the recipient, has not had any contact with the applicant and has not been contacted about the application.

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

The Transport, Heritage and Planning Committee recommended the following:

## **Item 11.3**

### **Post Exhibition - Access Strategy and Action Plan - Continuing the Vision**

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition period as shown at Attachment C to the subject report;
- (B) Council adopt the Access Strategy and Action Plan - Continuing the Vision incorporating amendments, as shown at Attachments A and B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make amendments to the Access Strategy and Action Plan – Continuing the Vision in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

Carried unanimously.

X095505



## **Item 11.4**

### **Post Exhibition - Planning Proposal - 2, 2A-8 Arundel Street and 6-12 Parramatta Road, Forest Lodge - Sydney Local Environmental Plan 2012 Amendment**

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

It is resolved that:

- (A) Council note the three submissions received in response to the public exhibition of the Planning Proposal: 2, 2A-8 Arundel Street and 6-12 Parramatta Road, Forest Lodge as described in this report;
- (B) Council approve the Planning Proposal: 2, 2A-8 Arundel Street and 6-12 Parramatta Road, Forest Lodge, shown at Attachment A to the subject report, to be made as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make minor variations to the Planning Proposal: 2, 2A-8 Arundel Street and 6-12 Parramatta Road, Forest Lodge to correct any minor errors prior to finalisation.

The motion was carried on the following show of hands:

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

Noes (2) Councillors Ellsmore and Weldon.

Motion carried.

X082392

### **Speaker**

Ian Stephenson (Glebe Society) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 11.4.

**Item 11.5****Post Exhibition - Planning Proposal - 85-93 Commonwealth Street, Surry Hills - Sydney Local Environmental Plan 2012 Amendment**

The Transport, Heritage and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 20 November 2023.

At the meeting of Council, the following alternative recommendation was adopted as part of an in globo motion (as contained in the Information Relevant To Memorandum dated 16 November 2023 from the Director City Planning, Heritage and Transport, circulated prior to the meeting).

It is resolved that:

- (A) Council note the issues raised in the Summary of Submissions as shown at Attachment A to the subject report and in the subject Information Relevant To Memorandum;
- (B) Council approve the Planning Proposal – 85-93 Commonwealth Street, Surry Hills (as amended) as shown at Attachment B to the subject report to be made as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979, subject to replacing the first dot point on page 12 of the Planning Proposal with the following site-specific provisions that:
  - (i) allow a maximum floor space ratio of 4.5:1 subject to:
    - (a) a provision that removes the application of cl. 6.21D of the Sydney LEP, so that the requirement for a competitive design process and any additional design excellence bonus for either height or floor space does not apply; and
    - (b) development utilising the additional floor space under the clause being restricted to alterations and/or additions to the existing building; and
    - (c) development utilising the additional floor space under the clause not being used for residential or serviced apartments; and
- (C) authority be delegated to the Chief Executive Officer to make amendments and minor variations to the Planning Proposal – 85-93 Commonwealth Street, Surry Hills (as amended) ensure consistency with the matters in the subject Information Relevant to Memorandum and resolution clause B, and to correct any minor errors prior to finalisation.

Carried unanimously.

X096329.003

**Speaker**

Michael Baker (SBJ) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.5.

## **Item 11.6**

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

It is resolved that Council:

- (A) endorse the reappointment of four existing expert members beyond 29 February 2024 to the City of Sydney Local Planning Panel, being Megan Jones, Brendan Randles, Marcus Trimble and Annelise Tuor, for a further period of three years;
- (B) endorse the reappointment of four existing expert members beyond 29 February 2024 to the City of Sydney Local Planning Panel, being Paul Berkemeier, Tony Caro, Helena Miller and Penny Murray until 8 April 2025;
- (C) endorse the appointment of six additional expert members from the Minister for Planning's pool of experts to the City of Sydney Local Planning Panel, being Melonie Bayl-Smith, John Bilmon, Michael Harrison, Vanessa Holtham, Jocelyn Jackson and Stephen Pearse, for a period of three years from the date of appointment;
- (D) endorse the appointment of four additional community representatives to the City of Sydney Local Planning Panel, being Julie Armour; Jayden Bregu; Peter Tzannes; and Judy MacGraw (subject to probity checks), for a period of three years from the date of appointment; and
- (E) endorse the use of the appointed expert members and community representatives for the independent role on Council's Review of Determinations Panel, subject to their acceptance of the invitation.

Carried unanimously.

X095150

## **Item 11.7**

### **Fire Safety Reports**

It is resolved that Council note:

- (A) the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report; and
- (B) the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2-8 Dixon Street, Sydney at this time.

Carried unanimously.

S105001.002

**Item 12      Property Matter (Confidential)**

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

It is resolved that Council approve the recommendation contained within Confidential Attachment A to the subject report.

Carried unanimously.

X097253

## **Item 13      Questions on Notice**

### **1.      Jan Gehl's Sydney Visit**

By Councillor Jarrett

#### **Question**

1. Did the City of Sydney fund Mr Gehl's trip to Sydney for his upcoming November 2023 visit?
2. And if so, what was the cost and from which fund was it drawn?

X086666

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

1. Jan Gehl's trip is part of the Gehl consultancy to develop the concept design for the upgrade of Sydney Square. Council resolved on 15 May 2023 to undertake this work. Gehl have been engaged given their previous detailed knowledge of Sydney Square and the precinct to undertake this work.
2. The value of the design consultancy is \$240,000. This covers the professional urban design services required to develop the concept design over the next two years and also for Jan Gehl to visit Sydney to review the site and participate in a workshop as part of the stakeholder engagement process outlined in the Council resolution. This is funded from the capital allocation in the Long-Term Financial Plan for the upgrade of Sydney Square.

### **2.      City of Sydney Grants Assessment**

By Councillor Jarrett

As per the City of Sydney's Grants and Sponsorship Policy, all grant applications are assessed by at least three relevant City of Sydney employees, including those with knowledge and experience relevant to the grant application. Recommendations are then made to Council for approval.

#### **Question**

1. Are the City of Sydney employees chosen to assess grants taken only from the designated grants team or from a wider sector of staff?
2. Are the relevant employees required to make declarations of interests?
3. If so, how often?
4. What are the criteria to be selected as a City of Sydney grants assessor?
5. How does the City of Sydney ensure there are no inherent biases occurring during the grants assessment process from the assessors considering they are employees of the City and not an independent panel?

X086666

**Answer by the Chief Executive Officer**

1. The grants team do not assess applications. Assessors are chosen from across the organisation, based on their position, team and their knowledge and experience relevant to the grant application.
2. Yes, in accordance with the City of Sydney Code of Conduct and the City's Conflict of Interest Policy, assessors are required to make a conflict-of-interest declaration on each application.
3. In accordance with the City of Sydney Code of Conduct and the City's Conflict of Interest Policy all assessors are required to make a conflict-of-interest declaration on each application as part of the assessment process.
4. Assessors are chosen based on their position and team within the organisation, and their knowledge and experience relevant to the grant application.
5. Assessors individually review and score applications against the published assessment criteria, and then meet to discuss the consolidated scores. Assessment meetings are chaired by a Senior Manager with knowledge and experience relevant to the grant program. Employing an independent or external panel to review grants is challenging as many industry experts have conflicts with many grants submitted due to their connections within the industry.

**3. Use of the Sydney Town Hall by NSW Police**

By Councillor Ellsmore

**Question**

1. On 21 October 2023, the NSW Police were provided with access to the Marconi Room, Town Hall House. Councillors were advised that this was for policing in relation to the Palestinian solidarity march that was moving from Town Hall to Belmore Park. Please provide details regarding the following:
  - (a) For what purpose did the Police seek access to the Marconi Room, Town Hall House?
  - (b) For how long and on what terms did the Police use the Marconi Room, Town Hall House?
  - (c) Were the Police granted access to use any other spaces in the Sydney Town Hall? If yes, please provide details.
  - (d) How did the request come to the City of Sydney? For example, who did it come from, was it in the form of a letter, email or a verbal request, and who did the request come to?
  - (e) Who made the decision to grant the Police access to the Marconi Room, Town Hall House?
  - (f) Within Council, who was consulted before the decision was made to grant the Police access to the Marconi Room, Town Hall House? Were any elected Councillors consulted prior to the decision being made?
  - (g) Under what policies and delegations was the decision made to grant the Police access to Council facilities?
  - (h) Under what policies and delegations was the decision made to permit use of the Marconi Room, Town Hall House for policing activities?

- (i) Under what policies and delegations was the decision made to permit use of the Marconi Room, Town Hall House for policing of protests?
  - (j) Did the Police pay a fee for the use of the Marconi Room, Town Hall House?
  - (k) What would it normally cost to hire or use the room Marconi Room, Town Hall House space used by the Police? Under what policies and delegations were decisions made about whether or not to charge Police fees for use of the Marconi Room, Town Hall House?
2. Since 21 October 2023, the NSW Police have used the Marconi Room, Town Hall House on a number of occasions during protests. Please provide details regarding the following, for the period after 21 October 2023:
  - (a) How many times have the Police been given access to the Marconi Room, Town Hall House?
  - (b) On what dates and for what reasons have the Police been given access to the Marconi Room, Town Hall House?
  - (c) What rooms and for what periods have the Police been given access to the Marconi Room, Town Hall House?
  - (d) What fees or payments have the Police made to the City of Sydney for use of the Marconi Room, Town Hall House? If fees were not paid, what is the value of the fees waived.
3. Does the City of Sydney have a policy regarding use of Council facilities by the Police?
4. Does the City of Sydney have a policy regarding use of Council facilities to police democratic protests?
5. What recent Council decisions have been made regarding protecting the right to peaceful protest?
6. What policies or procedures does the Council have in place in relation to encouraging and protecting the right to peaceful and democratic protest in or near Council facilities including the Sydney Town Hall?
7. In the last three years:
  - (a) When have the Police been given access to the Sydney Town Hall or other Council facilities for police activities? Please provide details.
  - (b) When have the Police been given access to the Sydney Town Hall or other Council facilities for activities relating to policing protests? Please provide details.

X086664

**Answer by the Chief Executive Officer**

1.

- (a) NSW Police requested use of the Marconi Room for briefings, meals/standdown, and to leave/access their belongings throughout the day.
- (b) NSW Police were on site from 6:30am until 4:30pm on 21 October 2023.
- (c) No.
- (d) The Commander for NSW Police Major Events requested access to a room for logistics on 21 October 2023.
- (e) The Manager Security and Emergency Management.
- (f) As this room is available within Town Hall House, Venue Management, who manage the space, were consulted about the availability of the room. Councillors were not consulted.
- (g) This City has previously provided NSW Police access to the Marconi Room when major events are taking place in the George Street vicinity or across the City such as Mardi Gras, Vivid, and New Years Eve.
- (h) This booking was considered an internal meeting room booking for security and management purposes on a day requiring support for the general public within the vicinity.
- (i) The Marconi Room is available for internal bookings, similar to all venues for hire.
- (j) No.
- (k) The standard venue hire fee for the Marconi Room would have been \$3,360. As this was an internal booking for a meeting room, no fee applied.

2.

- (a) Since 21 October 2023, NSW Police have used the Marconi Room once only, on 29 October 2023.
- (b) On 29 October 2023, NSW Police used the Marconi Room for their briefings, meals/standdown, and to leave/access their belongings throughout the day due to protests taking place in/around Town Hall.
- (c) They were not provided with any other spaces other than the Marconi Room. Refer to previous responses for dates used.
- (d) No payment was made. The value of the booking for the Marconi Room on the 29 October 2023 was \$3,520.

3. No.

4. No.

5. Council have endorsed the following Notices of Motion regarding peaceful protests:

- (a) 21 November 2022 - [Protecting the Right to Peaceful Non-Violent Protest in NSW](#);



- (b) 12 December 2022 - [Supporting Peaceful Protest in the City](#);
- (c) 13 March 2023 - [Recent Police Intimidation of Peaceful Protesters in the City of Sydney](#); and
- (d) 13 March 2023 - [Restriction of Peaceful Protests at Sydney Town Hall](#).

6. There is no specific policy.

7.

- (a) This City has previously provided NSW Police access to the Marconi Room when major events are taking place to support the general public in the George Street vicinity or across the City such as Mardi Gras, Vivid, and New Years Eve.
- (b) Refer previous responses.

#### **4. Future Rates Income**

By Councillor Gannon

##### **Question**

What consideration has been made with respect to future rates income in light of falling CBD commercial property values?

X086665

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

Legislation protects the Council's total rates income by enabling it to grow by the rate peg each year, regardless of changes in land value. Individual land rates for each rateable property are calculated based on its unimproved land value (provided to councils by the NSW Government every three years), which serves as a factor determining what proportion of the total rates income each property is required to pay.

The City of Sydney received new land values for its properties in 2022, which were first used for rating purposes in the 2023/24 rating year. The 2022 land valuations revealed a decline in the Business CBD values relative to business values outside of the CBD and residential land values, as shown in the 2023/24 budget briefings. This resulted in the average rates and charges increase for the Business CBD rating category being only 2.2 per cent, compared with 4.7 per cent for residential and 8 per cent for Business ordinary (outside of the CBD). The declining CBD land values did not impact the total rates income the City of Sydney could achieve through rates.

Council has the opportunity to further vary the income split between rating categories, in years, without new land valuations, through the adoption of differential ad valorem rates within the annual Operational Plan.

## **5. Status of State Government Redevelopment and Rezoning Projects in the City of Sydney - November 2023 Update**

By Councillor Ellsmore

### **Question**

1. In answers to Questions on Notice tabled at the September 2023 Council meeting, about current state significant planning proposals within the City of Sydney Local Government Area, a detailed table was provided. Since the answers to Questions on Notice in September 2023, could the Chief Executive Officer please advise:
  - (a) Are there updates on the status of these projects?
  - (b) Are there any additional development applications, modifications or other form of planning proposals?

If yes, please provide details or updates in text or in the form of an updated table.
2. Since September 2023, have City staff had discussions with any NSW Government representatives about any new, future or additional development applications or state significant proposals on public land in the LGA, including pre-DA discussions?
3. If yes:
  - (a) Which NSW Government agencies or representatives sought information or attended and meetings?
  - (b) What sites were discussed?
  - (c) What did the NSW Government advise was its intention in relation to each site?
  - (d) What advice or information did Council provide?

X086664

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

1. Of the 60 applications previously reported in September 2023, 11 were approved, one withdrawn and one submission of advice for a State Significant Development was completed. Since that time there have been further lodgements of applications where a state body is either the landowner or a proponent. Please see updated table below.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Development Application	D/2023/983	OVOLO WOOLLOOMOOLOO WHARF PTY LIMITED	TRANSPORT FOR NSW	6 Cowper Wharf Roadway	WOOLLOOMOOLOO	Structural repairs and maintenance to two gantry cranes. This application is Integrated Development requiring approval from Heritage NSW (or their delegates) under the Heritage Act 1977.
Development Application	D/2023/886	NEW SOUTH WALES LAND AND HOUSING CORPORATION	SHAKEUP ARCHITECTURE	23-25 Pyrmont Bridge Road	CAMPERDOWN	PAN-368431 - Alterations and additions to residential development involving the demolition of the existing staircase and replacement with a lift and new staircase.
Development Application	D/2023/819	WATERWAYS AUTHORITY	BLACKWATTLE BAY MARINE OPERATIVES	1B Bank Street	PYRMONT	Excavation and installation of conduits to facilitate the upgrade of power to the Marina at 37 Bank Street, Pyrmont.
Development Application	D/2023/996	MINISTER of EDUCATION TRAINING & YOUTH AFFAIRS	CEO DESIGN 7 CONSULT PTY LTD	421 Oxford Street	PADDINGTON	Installation of signage panel
Development Application	D/2023/960	PLACE MANAGEMENT NSW	Miss Sophie Wilson	130-144 Cumberland Street	THE ROCKS	Subdivision of the Longs Lane Precinct Area into 18 lots

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Development Application	D/2023/1044	PLACE MANAGEMENT NSW	AUSTRALIAN NATIONAL MARITIME MUSEUM	2 Murray Street	SYDNEY	The demolition of existing structures; upgrade of the existing timber boardwalk and performance space including new accessibility ramps; new paving finishes and domain upgrades; new balustrades; new landscape planters; interface works to Ben Lexcen terrace steps including new timber seating,
Development Application	D/2023/1040	HEALTH ADMINISTRATION CORPORATION	HEALTH ADMINISTRATION CORPORATION	301 Forbes Street	DARLINGHURST	Remediation works to remove hazardous materials present within the existing building, to facilitate future use for the purpose of the Sydney Queer Museum
Development Application	D/2023/972	THE STATE of NEW SOUTH WALES	AMUSEMATTE AUSTRALIA PTY LTD	2001 Martin Place	SYDNEY	Installation of temporary structure to host Santa photos and Christmas experience. The structure will be located on the site between 26 November and 24 December 2023.
Development Application	D/2023/908	CENTENNIAL PARK & MOORE PARK TRUST	OFA SHOWSTAR PTY LTD	116 Lang Road	MOORE PARK	Use of temporary structures at the Entertainment Quarter Moore Park for an event The Sydney Family Show 2024
Development Application	D/2023/897	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARSINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	Fit out works and ongoing use on Level 5 of the Entertainment Quarter car park for electric go-karting and associated entertainment activities.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Development Application	D/2023/21	NEW SOUTH WALES LAND AND HOUSING CORPORATION	NEW SOUTH WALES LAND AND HOUSING CORPORATION	82 Wentworth Park Road	GLEBE	Demolition of existing buildings, tree removal, and construction of a four storey residential flat building for 43 affordable housing dwellings for use as social housing.
Development Application	D/2023/1029	HEALTH ADMINISTRATION CORPORATION	Janice Dart	301 Forbes Street	DARLINGHURST	Temporary use of the building for the purpose of an information and education facility, with ancillary office premise, entertainment facility, and shop, for the establishment of the Qtopia Sydney Centre.
Development Application	D/2023/1028	PLACE MANAGEMENT NSW	MILESTONE (AUST) PTY LIMITED	1-5 Wheat Road	SYDNEY	Alterations and new signage to Admissions Entry of Sea Life Sydney Aquarium
Development Application	D/2023/1001	THE STATE of NEW SOUTH WALES	Thomas Ellwood	2002 Martin Place	SYDNEY	New signage
Development Application	D/2023/976	SYDNEY METRO	THE TRUSTEE FOR ETYMON PROJECTS TRUST	8 Castlereagh Street	SYDNEY	Alterations to two retail tenancies including cafe tenancy at LG floor (N80.RT03) and restaurant and bar across GF and LG floor levels (N00.RT03 & N80.RT02). Associated seating and signage.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Development Application	D/2023/971	PLACE MANAGEMENT NSW	THE TRUSTEE FOR FOUNDATION THEATRES TRUST	20-80 Pyrmont Street	PYRMONT	Alterations and additions to the existing back of house of the Sydney Lyric Theatre to create a new secondary performance space with a capacity of up to 630 patrons. Proposed hours of operation of 10am to 3am the next day Monday to Saturday and 10am to 1am the next day on Sundays. Proposed loading and bump in/out operations will occur 24 hours, daily.
Development Application	D/2023/928	CENTENNIAL PARK & MOORE PARK TRUST	MINTO PLANNING SERVICES PTY LTD	116 Lang Road	MOORE PARK	Alterations to use Shop 212 and 220 as childcare centre
Development Application	D/2023/881	PLACE MANAGEMENT NSW	PLACE MANAGEMENT NSW	41 George Street	THE ROCKS	Alterations and additions to courtyard including paving upgrade works, lighting and landscaping, and associated drainage works.
Development Application	D/2023/930	TRANSPORT FOR NSW	Mr Muhammad Qureshi	201-217 Kent Street	SYDNEY	Alterations to office premises Suite 2.01

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Development Application	D/2023/875	TRANSPORT FOR NSW	THE SYDNEY FESTIVAL LIMITED	13A Hickson Road	DAWES POINT	Sydney Festival event to take place in January 2024. The proposed event includes performance, dance and music activities, outdoor furniture, outdoor dining, provision of food trucks, installation of temporary structures including mechanical services, art displays and signage. The proposed development is further to the approved Walsh Bay Arts and Cultural Precinct (SSD 8671) and specific to the site at 13 and 13A Hickson Road, Dawes Point
Development Application	D/2023/807	CENTENNIAL PARK & MOORE PARK TRUST	SYDNEY SWANS PTY LTD	1 Driver Avenue	MOORE PARK	Replacement and new digital signage
Development Application	D/2023/732	SYDNEY METRO	MACQUARIE CORPORATE HOLDINGS PTY LTD	37-51 Martin Place	SYDNEY	Signage strategy including detailed signage design and signage zones
Development Application	D/2023/717	PLACE MANAGEMENT NSW	Glenn Johnson	107-109 George Street	THE ROCKS	Alterations to the commercial premises including drainage works and replacement of the roof
Development Application	D/2023/699	INFRASTRUCTURE NSW	ST PROJECTS PTY LTD	300 Barangaroo Avenue	BARANGAROO	Alterations/additions to commercial development including new shade structure, outdoor seating and landscape works to use Level 3 podium rooftop for tenants.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Development Application	D/2023/702	PLACE MANAGEMENT NSW	Giovanni Cirillo	9-13 Hay Street	HAYMARKET	Food and drink premises (food markets) within Paddy's Markets. Proposed trading hours are 7.30am to 12.00 (midnight) Monday to Saturday, and 7.30am to 10.00pm Sundays.
Development Application	D/2023/667	TRANSPORT FOR NSW	THE TRUSTEE FOR MARITIME TRADE TOWERS TRUST	201-217 Kent Street	SYDNEY	Alterations to the commercial building including end of journey facilities, signage and external lift
Development Application	D/2023/626	TRANSPORT ASSET HOLDING ENTITY of NEW SOUTH WALES	DEXUS PROPERTY SERVICES PTY LTD	8-10 Lee Street	HAYMARKET	Temporary advertising signage on one crane during construction of the Atlassian Central development.
Development Application	D/2023/617	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARISINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	New signage and food preparation area within the outdoor dining area of the existing Mary's Burgers.
Development Application	D/2023/613	WATERWAYS AUTHORITY	MULTIPLEX CONSTRUCTIONS PTY LTD	1A Bridge Road	GLEBE	Re- Notification - New signage associated with new Sydney Fish Market
Development Application	D/2023/546	TRANSPORT FOR NSW and THE OWNERS - STRATA PLAN NO 68959 and THE COUNCIL of THE CITY of SYDNEY	MARKHAM REAL ESTATE PARTNERS (KSW) PTY LTD	21 Lime Street	SYDNEY	Signage strategy and new signage for tenancies facing King Street Wharf Promenade.



Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Development Application	D/2023/534	BARANGAROO DELIVERY AUTHORITY and INFRASTRUCTURE NSW and LENDLEASE MILLERS POINT PTY LTD	LENDLEASE (MILLERS POINT ) PTY LTD	51A Hickson Road	BARANGAROO	Signage Strategy and new signage
Development Application	D/2023/475	PLACE MANAGEMENT NSW	WDS HOTELS PTY LTD	137 George Street	THE ROCKS	Alterations and additions to existing pub and hotel
Development Application	D/2023/292	THE STATE of NEW SOUTH WALES	Giovanni Cirillo	31A Alfred Street	SYDNEY	<p>Demolition of existing canopy structures and construction of two new single-storey pavilions on the eastern and western sides of Customs House Square, with associated signage zones. The pavilions are proposed to be used for outdoor seating areas in association with a food and drink premises that will occupy the ground floor tenancies of the adjacent Customs House (subject to separate approval).</p> <p>The hours of operation sought for the use of the pavilions is between 9.00am - 12.00 midnight, Mondays to Sundays inclusive on a permanent basis. Extended operating hours between 12.00 midnight - 2.00am the following day on Thursdays, Fridays and Saturdays and New Year's Day is sought on a trial period basis.</p>

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Development Application	D/2022/1282	AUSTRALIAN MUSEUM TRUST	AUSTRALIAN MUSEUM TRUST	1 William Street	DARLINGHURST	New signage and signage strategy. The application is Integrated Development, requiring approval under the Heritage Act 1977.
Development Application	D/2023/849	LANDCOM	MIRVAC GREEN SQUARE PTY LTD	960A Bourke Street	ZETLAND	<p>Site preparation, remediation, excavation and construction of a mixed use development comprising residential, commercial and retail uses across three (3) buildings, basement parking, landscaping and public domain works.</p> <p>The proposal is Integrated Development under the Water Management Act 2000, requiring the approval of WaterNSW.</p>
Development Application	D/2023/97	THE COUNCIL of THE CITY of SYDNEY and TRANSPORT ASSET HOLDING ENTITY of NEW SOUTH WALES	THE TRUSTEE FOR LANDREAM PYRMONT UNIT TRUST	14-26 Wattle Street	PYRMONT	Detailed design proposal for the demolition of existing structures, remediation, removal of trees, excavation and construction of a mixed use development comprising residential, commercial, retail, childcare and indoor recreation centre across five (5) buildings, basement car parking, landscaping, public domain and civil works, and subdivision. The proposal is Integrated Development under the Water Management Act 2000, requiring approval from the Department of Planning & Environment - Water. The application is being assessed concurrently with concept modification D/2019/649/B.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Outdoor dining	FA/2023/481	THE STATE of NEW SOUTH WALES	SYDNEY HARBOUR MARRIOTT	36 Bridge Street	SYDNEY	Use 191 sqm of public footpath on Bridge Street for outdoor dining in association with 'Customs House Bar'. Proposed hours of use are 11.00am - 11.00pm, Mondays to Sundays. This is a new application.
Local Heritage Exemption	HWC/2023/349	THE STATE of NEW SOUTH WALES	NOKIA SOLUTIONS AND NETWORKS	5 Wentworth Park Road	GLEBE	Replace 2 existing shared panel antennas flush mounted to the grandstand facade. Install 7 new 5G panel antennas and ancillary equipment associated with the operation of the facility.
SSD Advice	R/2016/35/J	BARANGAROO DELIVERY AUTHORITY and NEWCASTLE PORT CORPORATION	LEND LEASE	4 Towns Place	BARANGAROO	SSD 6964 – Barangaroo South Residential Building R4A
SSD Advice	R/2019/2/M	VENUES NEW SOUTH WALES	INFRASTRUCTURE NSW	44 Driver Avenue	MOORE PARK	SSD 9835 - Sydney Football Stadium Redevelopment (Stage 2 SEARs Request)
SSD Advice	R/2018/4/N	VENUES NEW SOUTH WALES	INFRASTRUCTURE NSW	44 Driver Avenue	MOORE PARK	SSD 9249 - SEARs request for Concept Proposal and demolition of existing structures
S4.55 Modification	D/2020/24/C	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARISINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	S4.55(1A) - Modification of original consent

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
S4.55 Modification	D/2017/1346/D	PLACE MANAGEMENT NSW	SCHMANCY'S BURGERS PTY LTD	70 Hay Street	HAYMARKET	S4.55(2) - Modification of consent for restaurant "Wingboy" to renew trial external hours of operation between 10pm and 1am the following day.
S4.55 Modification	D/2018/1538/B	PLACE MANAGEMENT NSW	Darren Kong	35 Tumbalong Boulevard	HAYMARKET	S4.55(2) - Other modification
S4.55 Modification	D/2017/18/C	PLACE MANAGEMENT NSW	P J RYANS HOTELS PTY LTD	87-89 George Street	THE ROCKS	Section 4.55(2) modification of consent for the 'Orient Hotel' to amend Condition (7) to allow for the continuation of extended trading hours in relation to the opening of the first floor retractable roof and operable windows until 12.00am (midnight).
S4.55 Modification	D/2022/639/A	SYDNEY METRO	SKYLIGHT DEV CO PTY LTD	37-51 Martin Place	SYDNEY	S4.55(1A) - Modification of consent to allow coloured lighting functionality to the podium
S4.55 Modification	D/2017/1318/B	PLACE MANAGEMENT NSW	Mr Nigel White	70 Hay Street	HAYMARKET	S4.55(2) - Modification of consent to extend operating hours to 7am-2am (internal) Monday to Sunday and 7am-10pm (External) Sunday to Thursday and 9am-11pm (External) Friday to Saturday. The proposal also seeks to increase the maximum capacity of the venue from 69 to 70 patrons.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
S4.55 Modification	D/2020/1331/B	LANDCOM	MIRVAC GREEN SQUARE PTY LTD	960A Bourke Street	ZETLAND	Section 4.55(1A) modification of consent to continue use of the site for a temporary through-site link and public activation for a further 18 months.
S4.55 Modification	D/2022/305/A	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARSINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	S4.55(1A) - Modification of consent
S4.55 Modification	D/2021/493/C	NEW SOUTH WALES LAND AND HOUSING CORPORATION	LAND HOUSING CORPORATION	17-31 Cowper Street	GLEBE	Section 4.55(1A) modification of consent for affordable housing development to reduce balcony sizes of apartments, amendments to basement layout, services at ground floor, relocation of waste room, and changes to landscaping.
S4.55 Modification	D/2016/1557/A	LANDCOM and MINISTER FOR PUBLIC WORKS & SERVICES	MIRVAC GREEN SQUARE PTY LTD	411 Botany Road	ZETLAND	S4.55(2) - Modification of consent to amend the approved building envelopes
Local Heritage Exemption	HWC/2023/339	HEALTH ADMINISTRATION CORPORATION	TPG TELECOM	301 Forbes Street	DARLINGHURST	TPG to facilitate the installation of a fibre cable for internet access at 301 FORBES STREET DARLINGHURST NSW 2010. Installation necessitates access to the telecommunication room from the street, involves drilling a 25mm hole through the wall to accommodate a 20mm pipe.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Subdivision application	S/2023/19	DEPARTMENT of HEALTH and HER MOST GRACIOUS MAJESTY QUEEN ELIZABETH THE 2ND	LAND TITLE SOLUTIONS PTY LIMITED	42-50 Parramatta Road	FOREST LODGE	Torrens title subdivision
Subdivision application	S/2023/17	LANDCOM	COLLIERS INTERNATIONAL ENGINEERING & DESIGN (NSW)	28 Zetland Avenue	ZETLAND	Torrens title subdivision
Subdivision application	S/2023/23	NEW SOUTH WALES LAND AND HOUSING CORPORATION	NEW SOUTH WALES LAND AND HOUSING CORPORATION	2A-2D Wentworth Park Road	GLEBE	Torrens title 4 lot subdivision road widening
Subdivision application	S/2023/31	THE STATE of NEW SOUTH WALES and SYDNEY METRO and MACQUARIE BANK LIMITED	SKYLIGHT DEV CO PTY LTD	2003 Martin Place	SYDNEY	Stratum title subdivision
Subdivision application	S/2023/7	TRANSPORT ASSET HOLDING ENTITY of NEW SOUTH WALES	BROOKFIELD OFFICE PROPERTIES ONE CARRINGTON	3 Wynyard Lane	SYDNEY	Subdivision of land into 1 lot DP1214642 Lot 16
Heritage Act Application Delegated to Council	HCS/2023/74	TRANSPORT FOR NSW	AMICUS	201-217 Kent Street	SYDNEY	Set ceiling in the boardroom - minor works

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Heritage Act Application Delegated to Council	HCS/2023/73	MINISTER FOR EDUCATION & PUBLIC WORKS & SERVICES	LENLEASE	1010 Upper Fort Street	MILLERS POINT	Reconstruction of heritage chimney

2. Please see table below.

Application No.	Street address	Primary Suburb	Owner Name	Applicant Name	Application Description
PDA/2023/195	2 Northcote Road	GLEBE	THE STATE of NEW SOUTH WALES	CITY of SYDNEY	Demolition of 3 existing buildings (Jubilee Oval East and West Amenities and Umpire's building) with construction of new consolidated Amenities building on the western site
PDA/2023/220	191 Hay Street	HAYMARKET	THE STATE of NEW SOUTH WALES	CITY of SYDNEY	Demonstration project in Belmore Park - Safer Cities Her Way Program

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



## 3. Please see table below.

Application No.	Street address	Primary Suburb	Owner Name	Applicant Name	Application Description
PDA/2023/195	2 Northcote Road	GLEBE	THE STATE of NEW SOUTH WALES	CITY of SYDNEY	Demolition of 3 existing buildings (Jubilee Oval East and West Amenities and Umpire's building) with construction of new consolidated Amenities building on the western site
PDA/2023/220	191 Hay Street	HAYMARKET	THE STATE of NEW SOUTH WALES	CITY of SYDNEY	Demonstration project in Belmore Park - Safer Cities Her Way Program
PDA/2022/139	130 Joynton Avenue	ZETLAND	ALPHA DISTRIBUTION MINISTERIAL HOLDING CORPORATION	GYDE CONSULTING	<p>Informal proposal for a mixed-use development indicatively comprising:</p> <ul style="list-style-type: none"> <li>• 9 building envelopes: A1, B1, C1, D1, D2, D3, E1, E2, and E3 (580 apartments);</li> <li>• A1, B1, C1, D1, and E1 are mixed-use buildings with non-resi uses at ground;</li> <li>• D2, D3, E2 and E3 are residential apartment buildings;</li> <li>• drawings indicate basement level connections and shared servicing arrangements between buildings - A1 and B1; and between C1, D1/D2/D3 and E1/E2/E3;</li> <li>• a Design Excellence Strategy that establishes parameters for two competitive design processes for the site.</li> </ul> <p>The proposal includes an offer to provide community infrastructure including:</p> <ul style="list-style-type: none"> <li>• dedication of land and staged construction of the extension of Grandstand Pde, Victoria Park Pde, Zetland Ave, George Julius Ave, Defries Ave and Letitia Street;</li> <li>• dedication of land to augment Woolwash and Biyanbing Parks and to augment Zetland Ave and to create public open space (at the eastern end of the site).</li> </ul>

## **6. Status of Public Housing Redevelopment Plans in the City of Sydney - November 2023 Update**

By Councillor Ellsmore

### **Question**

1. In answers to Questions on Notice tabled at the August 2023 and September 2023 Council meetings, Council advised the following development applications, modification applications and/or planning proposals relating to public housing in the City of Sydney Local Government Area are proposed or underway:

- (a) Explorer Street South, Eveleigh
- (b) 14-36 Wentworth Park Road, Glebe
- (c) 82 Wentworth Park Road Glebe
- (d) 17-31 Cowper Street, Glebe
- (e) Waterloo Estate (South)
- (f) 600 Elizabeth Street, Redfern

What is the current status of each of these proposals or developments?

2. Are there any current developments which have been approved and are underway, but not yet completed, in relation to sites containing public housing? If yes, please provide details.

3. In relation to Explorer Street, Eveleigh:

- (a) What discussions, briefings or meetings have been held between the City of Sydney and Council representatives, since August 2023?

Please provide details including when meetings were held, which Council representatives attended, and what was discussed.

- (b) Was Council's advice sought from Land and Housing Corporation or Department of Planning and Environment regarding the rezoning proposal?

If yes, when was advice sought, and what was the detail of the advice provided?

- (c) Have there ever been any discussions between Council, Land and Housing Corporation or Department of Planning and Environment regarding the percentages and tenure mix of affordable, social and public housing that Council would expect for a rezoned site?

If yes, please provide details regarding who was involved in discussions, and what advice was provided.

- (d) Have there ever been any discussions between Council, public housing tenants or local resident groups regarding the proposed rezoning of Explorer Street?

If yes, please provide details.

4. In relation to 14-36 Wentworth Park Road Glebe, in answers to Questions on Notice tabled at the September 2023 Council meeting, Council advised that pre-DA advice had been sought by Land and Housing Corporation in relation to a proposal to demolish existing dwellings and construct new flats.
  - (a) Has the NSW Government sought any further advice in relation to this property since September? If yes, please provide details.
  - (b) Is Council aware of the status of the proposed redevelopment of this site? If yes, please provide details.
  - (c) Has Council provided any advice in relation to tenure mix for this property? If yes, please provide details.
5. In relation to 82 Wentworth Park Road Glebe, when is this development application proposed to be considered by the Local Planning Panel?
6. In answers to Questions on Notice tabled at the September 2023 Council meeting, Council provided an update in relation to eight (8) public housing sites in Pyrmont, six (6) of which the NSW Government had identified as 'capable of change'. Under the most updated version of draft planning controls being developed by the City of Sydney for Pyrmont, has the City identified any public housing sites in Pyrmont as capable of change, or proposed for rezoning or redevelopment?

If yes, please provide details.
7. Since September 2023, have any public housing sites in other parts of the LGA been identified for potential planning changes, arising from other City of Sydney's strategic planning processes or reviews?

If yes, please provide details.
8. Since September 2023, is the City of Sydney aware of any further proposals for the redevelopment of public housing in the LGA (other than those noted above), 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. Have there been any discussions between Council and the NSW Government in relation to changes to Council planning controls in relation to public housing in the LGA generally (ie not related to one specific site) in the last three months? If yes, please provide details.
10. In the last three months, has the City of Sydney provided any communications to residents, including public housing tenants, in relation to the proposed redevelopment of public housing sites? If yes, please provide details.

X086664

**Answer by the Chief Executive Officer**

1.

- (a) The Department of Planning and Environment have placed an Explanation of Intended Effect on public exhibition to rezone the site. The submission period closes 1 December 2023.
- (b) See response to part 4 below.
- (c) 82 Wentworth Park Road, Glebe: D/2023/21 for demolition of existing buildings, tree removal, and construction of a four storey residential flat building for 43 affordable housing dwellings for use as social housing remains under assessment. The development application is to be determined by the Local Planning Panel.
- (d) 17-31 Cowper Street, Glebe: D/2021/493/C for minor internal and external modifications across the development is currently under assessment. Draft Conditions of Consent have been sent to the applicant, acting on behalf of Land and Housing Corporation, on 14 November 2023. The Section 4.55(1A) modification application is to be determined after acceptance is received from the applicant.
- (e) The rezoning of Waterloo Estate (South) is finalised. The announcement of the NSW Government's preferred development partner expected Quarter 2 2024. The first development applications are expected to be lodged some time in 2025. The NSW Government is the consent authority for the development.
- (f) 600 Elizabeth Street Redfern: a design competition has been held for the site with the Director City Planning, Development and Transport invited to be a Juror. An application has not yet been received by NSW Government who will be the consent authority.

2. No.

3.

- (a) To recap, on 5 December 2022, the Department of Planning and Environment (Department) announced Explorer Street, Eveleigh as one of 10 sites across NSW where the NSW Government would investigate the rezoning of land under their Rezoning Pathways Program.

The Director City Planning, Development and Transport agreed to participate in a series of three workshops, hosted at the Department's offices, with Executive members of the Department and the Land and Housing Corporation (LAHC) to explore redevelopment opportunities for the site. The purpose of the City's participation in these workshops was to:

- advocate for retention of the site in public ownership;
- advocate for 100 per cent of the site to be provide as social and affordable housing, and where that is not supported, advocate that as much social and affordable housing as possible be provided as part of the development;
- ensure options being explored for the rezoning align with the City's expectations for development and its planning requirements;
- provide technical advice about built form options being explored;
- ensure consultation with the community aligned with the City's expectations; and

- provide technical advice about the public domain surrounding the development, including South Sydney Rotary Park and the road network.

City staff also participate in regular online meetings to discuss the rezoning. City staff are guided by the above principles in these discussions.

- (b) Refer to the response to (a) above.
- (c) The City has consistently advocated that 100 per cent of the housing on the Explorer Street site should be social and affordable housing, consistent with the Resolution of Council.
- (d) No.

4.

- (a) Formal pre-DA advice was issued 15 May 2023, with ongoing communications between City staff and consultants working for the NSW Government up until mid-September 2023. No further advice has been sought by the NSW Government since that time.
- (b) No, City staff are not aware of the current status of any proposal for the redevelopment of this property.
- (c) City staff have not provided any advice in relation to tenure mix for the property at 14-36 Wentworth Park Road.

5. City staff are aiming for December 2023 or February 2024 Local Planning Panel meetings.

6. No.

7. No.

8. No.

9. City staff discussed with the Department of Planning and Environment the transfer of the Rowley Street, Eveleigh site planning controls to Sydney Local Environment Plan (LEP) 2012 as part of the forthcoming LEP/DCP Update. No material change is envisioned to the planning controls.

10. Please see table below.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description	Exhibition Start Date	Exhibition End Date
Development Application	D/2023/886	NEW SOUTH WALES LAND AND HOUSING CORPORATION	SHAKEUP ARCHITECTURE	23-25 Pyrmont Bridge Road	CAMPERDOWN	PAN-368431 - Alterations and additions to residential development involving the demolition of the existing staircase and replacement with a lift and new staircase.	12/10/2023	27/10/2023
Development Application	D/2023/21	NEW SOUTH WALES LAND AND HOUSING CORPORATION	NEW SOUTH WALES LAND AND HOUSING CORPORATION	82 Wentworth Park Road	GLEBE	Demolition of existing buildings, tree removal, and construction of a four storey residential flat building for 43 affordable housing dwellings for use as social housing.	14/02/2023	15/03/2023
S4.55 Modification	D/2021/493/C	NEW SOUTH WALES LAND AND HOUSING CORPORATION	LAND HOUSING CORPORATION	17-31 Cowper Street	GLEBE	Section 4.55(1A) modification of consent for affordable housing development to reduce balcony sizes of apartments, amendments to basement layout, services at ground floor, relocation of waste room, and changes to landscaping.		
Subdivision application	S/2023/23	NEW SOUTH WALES LAND AND HOUSING CORPORATION	NEW SOUTH WALES LAND AND HOUSING CORPORATION	2A-2D Wentworth Park Road	GLEBE	Torrens title 4 lot subdivision road widening		

## **7. Lord Mayor's Roundtable**

By Councillor Scott

### **Question**

The Lord Mayor held a roundtable of City community groups on 1 November 2023.

1. Who was invited?
2. How were all Councillors invited?
3. Were City staff involved?
4. Please detail the staff time, and cost of staff time, dedicated to the event.
5. What topics were covered?
6. Were any requests made to staff? If so, please detail.
7. What is the protocol for City staff attending Lord Mayoral and Councillor events, and resourcing them? What is the budget allocation for this?

X086668

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

1. Representatives of 32 resident action groups that are in contact with the Lord Mayor.
2. No Councillors were invited to the Lord Mayor's roundtable.
3. Staff from the Office of the Lord Mayor organised and attended the roundtable. Five Directors and Senior Managers who liaise regularly with these resident action groups also attended.
4. This level of detail is not available. Staff from the Office of the Lord Mayor organised and attended the roundtable.
5. Each resident action group was given the opportunity to provide an update on their work and local issues to the Lord Mayor.
6. No requests were made directly to the City staff.
7. The protocol is outlined in the Councillor Expenses and Facilities Policy. Budget allocations are exhibited and endorsed by Council annually.

## 8. Reported Bike Crashes

By Councillor Scott

### Question

1. How many daily cycling trips occur on Oxford Street, on average each day? How is this measured?
2. Please list the top ten locations of reported bike crashes in the Sydney Local Government Area, from highest to lowest.
3. Please list the top ten causes of reported bike crashes in the Sydney Local Government Area, from highest to lowest.
4. Please list the top ten locations of reported bike fatalities in the Sydney Local Government Area, from highest to lowest.
5. Please list the top ten causes of reported bike fatalities in the Sydney Local Government Area, from highest to lowest.

X086668

### Answer by the Chief Executive Officer

1. The City commissioned a traffic counting company to do counts on Oxford Street (between Brisbane and Pelican Streets) most recently on three days.

The counts are done using video camera footage.

The outcomes of the counts are summarised below

Date	All day (24 hr)	Peak (1 hr)
Thursday 21 September 2023	2,902	388
Saturday 23 September 2023	2,096	144
Tuesday 26 September 2023	2,850	380

A peak hour count of 380 equates to an average of more than six bikes per minute.

2. The ten streets with the highest number of reported bike crashes over the last five years are: Oxford Street (19 crashes), Cleveland Street (18 crashes), Bourke Street (16 crashes, most in the section without a cycleway), Elizabeth Street (15), Crown Street (12), Great Western Highway (11), Pyrmont Bridge Road (11, most in the section without a cycleway), William Street (11), Botany Road (10) and Regent Street (10).



3. The most common causes of crashes, from a total of 415 crashes in the last five years, involving bicycle riders are:
  - “right through” (where a driver turning right failed to give way to someone riding straight ahead in the opposite direction – 50 crashes);
  - “dooring” (where a vehicle occupant opens a car door in the path of someone riding in breach of road rule 269 – 44 crashes with 7 of those on Crown Street); and
  - “emerge from footpath” (42 crashes), “cross traffic” (39 crashes), “rear end” (31 crashes), “emerge from driveway” (21 crashes), “lane sideswipe” (19 crashes), “left turn sideswipe” (19 crashes), “out of control on roadway” (19 crashes), and “pedestrian nearside” (12 crashes, all where the pedestrian walked onto/across the cycleway or road).
4. Refer to 5 below. There were three fatalities in the past five years.
5. In the last five years there were three bike fatalities:
  - on Moore Park Road in 2018 before the pop-up cycleway was implemented with cause reported as driver having a rear-end collision with person riding but actually first caused by a driver dooring the person riding;
  - on Great Western Highway (Parramatta Road) at Ross Street in 2019 caused by a truck coming out of Sydney University’s driveway turning across the path of a young female rider, and
  - on Cleveland Street in 2020 a transport worker delivering food was hit by a truck turning left as he was crossing Chalmers Street.

Data source: NSW Centre for Road Safety’s crash database for the City of Sydney Local Government Area for the five years 2018-2022.

## **9. EV Chargers in Paddington**

By Councillor Scott

### **Question**

1. When will the City install or facilitate EV chargers in Paddington?
2. Where, and when will it be available for public use?

X086668

**Answer by the Chief Executive Officer**

1. The City of Sydney now has nine operational locations for kerbside charging, located at:
  - 16 Kent Street, Millers Point;
  - 8 Brown Street, Newtown;
  - 2 Huntley Street, Alexandria;
  - 12 Trinity Avenue, Dawes Point;
  - 15 Carillion Avenue, Camperdown;
  - 27 Morley Avenue, Rosebery;
  - 55 Pyrmont Street, Pyrmont;
  - 3-19 Yurong Street, Darlinghurst; and
  - 75 St Johns Road, Glebe.
2. At this point, the City of Sydney has more on-street chargers than any surrounding councils. The City is currently assessing sites for some EV kerbside charging around Paddington, Surry Hills, Newtown, Camperdown, Redfern and Waterloo with Ausgrid.

**10. Apartments**

By Councillor Scott

**Question**

What progress has the City made to amend the Sydney Development Control Plan (DCP) to ensure no reduction in the number of apartments be allowed?

X086668

**Answer by the Chief Executive Officer**

Development Control Plan (DCP) changes alone are considered relatively ineffective. This will be included the Local Environment Plan (LEP) Policy and Housekeeping report being brought to Council in December 2023.

**Item 14      Supplementary Answers to Previous Questions**

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

## Item 15 Notices of Motion

### Item 15.1 Vale Aunty Esme

#### Procedural Motion

At 5.52pm, after Item 3.4, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok

–

That the Order of Business be altered such that Item 15.1 be brought forward and considered before Item 4, for the convenience of the public present.

Carried unanimously.

By Councillor Davis

It is resolved that:

(A) Council note:

- (i) Bidjigal Elder and renowned shell artist, Aunty Esme Timbery, passed away on 6 October 2023 aged 92;
- (ii) Aunty Esme was born in 1931 in Port Kembla - at one of her family's fishing camps, Hill 60. The youngest of five children of Hubert Timbery and Elizabeth Butler, Aunty Esme is survived by eight children (one deceased), twenty-six grandchildren, fifty-one great grandchildren and five great great grandchildren. She was a proud descendent of the Timbery family from the La Perouse Aboriginal Community with enduring historical and cultural connections to Coastal Sydney and South Coast NSW;
- (iii) Aunty Esme came from a family of well-known Fishermen. Her great grandfather George "Trimmer" Timbery and father Hubert were both fishermen. George Timbery applied to the government and was granted a boat and was able to provide his community with a livelihood through fishing. One hundred and fifty years later, in 2020, the NSW Government honoured the Timbery family contribution to NSW by naming a Ferry River boat after Aunty Esme;
- (iv) La Perouse in the 1870s was an Aboriginal fishing village established by the men and women of the surrounding Southern Sydney area. The men and women who were relocated there used traditional knowledges and practices to make a living. In 1895, La Perouse was established as one of the earliest Aboriginal Government reserves in NSW;
- (v) the women of La Perouse were known to earn income by making and selling shell baskets before colonisation. This long tradition of shell working in La Perouse and on the NSW South Coast has continued to this day;
- (vi) the history of shellwork represents connection between generations of Aboriginal mothers, sisters, and daughters, between Indigenous and non-Indigenous Australians, locals and tourists and with beaches, tides and oceans. Shellwork is recognised and acknowledged as a unique artform that can be traced back to both Indigenous and Victorian roots to evolve as a contemporary and unique artform;

- (vii) Aunty Esme comes from a long line of shell artists (shell workers). Her great-grandmother “Queen” Emma Timbery, was a renowned shell worker whose shellwork was displayed at Sydney’s Royal Easter show and in 1910 was included in an exhibition of Australian Craft in London;
  - (viii) as a young girl, Aunty Esme started to follow in Queen Emma’s footsteps, learning the intricacies of shellwork from her mother, grandmother, and Aunties of La Perouse. Aunty Esme learnt about the different types of shells and which particular beaches to find them. She learnt about the tides and seasons. Shell work was a way of learning the stories of the land, stories that had been passed down for generations in her extended family;
  - (ix) among her notable body of work, are the following stand out contributions and achievements:
    - (a) the 1997/1998 exhibition “Djalarinji – Something that Belongs to Us”;
    - (b) the shell worked, Sydney Harbour Bridge, Centrepont and Sydney Opera House commissioned by the Sydney Opera House in 2001/2002 for the Message Sticks festival. These artworks are now part of the National Museum of Australia collection;
    - (c) in 2005 two of Aunty Esme’s blue shell worked Sydney Harbour Bridges were awarded first prize in the inaugural Parliament of New South Wales Indigenous Art Prize;
    - (d) in 2007 Aunty Esme was featured in the ABC documentary She Sells Seashells;
    - (e) one of her most important pieces is the 2008 installation “Shellworked Slippers” featuring 200 pairs of shell encrusted baby slippers as a memorial to the Stolen Generations and later presented at the Biennale of Sydney; and
    - (f) the 2015 artwork “Shellwalk”, a collaboration with Wiradjuri/Kamilaroi artist Jonathon Jones, is her most significant. The artwork is a façade of the Aleander residential building at the southern gateway to Barangaroo’s waterfront promenade, Wulugul Walk. The 22 x 3.5m work is made from multiple aluminium panels, each decorated with a combination of larger-than- life shells welded onto the screens. Each shell is laid out and designed by Aunty Esme. The artwork is significant in that Barangaroo was an area renowned for its shell middens during the colony’s establishment in Sydney;
  - (x) in 2019 the University of NSW named their new arts facility The Esme Timbery Creative Practice Lab (CPL) or “The Esme” as students nicknamed the space - a multi-arts production hub. It is the first building on the University’s campus named after an Indigenous woman; and
  - (xi) the Timbery family are proud of this family tradition and cultural practice. Shell work continues with Aunty Esme’s daughter Marilyn Russell and her loving family today;
- (B) Council observe a minute’s silence to mark the passing of Aunty Esme, noting her significant contribution to Australia as one its longest serving and enduring First Nations artists; and
- (C) the Lord Mayor be requested to write to Aunty Esme’s family expressing the Council’s condolences.

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

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

It is resolved that:

(A) Council note:

- (i) Bidjigal Elder and renowned shell artist, Aunty Esme Timbery, passed away on 6 October 2023 aged 92;
- (ii) Aunty Esme was born 1931 in Port Kembla - at one of her family's fishing camps, Hill 60. The youngest of five children of Hubert Timbery and Elizabeth Butler, Aunty Esme had nine children, twenty-six grandchildren, fifty-one great grandchildren and five great, great grandchildren. She was a proud descendent of the Timbery family from the La Perouse Aboriginal Community with enduring historical and cultural connections to Coastal Sydney and South Coast NSW;
- (iii) Aunty Esme came from a family of well-known Fishermen. Her Great grandfather George "Trimmer" Timbery and father Hubert were both fishermen. George Timbery applied to the government and was granted a boat and was able to provide his community with a livelihood through fishing. One hundred and fifty years later, in 2022, the NSW Government honoured Aunty Esme's achievements in Shellwork by naming a River Class Ferry "Esme Timbery";
- (iv) La Perouse in the 1870's was an Aboriginal fishing village established by the men and women of the surrounding Southern Sydney area. The men and women who were relocated there used traditional knowledges and practices to make a living. In 1895, La Perouse was established as one of the earliest Aboriginal Government reserves in NSW;
- (v) the women of La Perouse were known to earn income by making and selling shell baskets used for a variety of purposes including ornamentation. This long tradition of shell working in La Perouse and on the NSW South Coast has continued to this day;
- (vi) the history of shellwork represents connection between generations of Aboriginal mothers, sisters, and daughters, between Indigenous and non-indigenous Australians, locals and tourists and with beaches, tides and oceans. Shellwork is recognised and acknowledged as a unique artform that can be traced back to both Indigenous and Victorian roots to evolve as a contemporary and unique artform;
- (vii) Aunty Esme comes from a long line of shell artists (shell workers). Her great-grandmother "Queen" Emma Timbery, was a renowned shell worker whose shellwork was displayed at Sydney's Royal Easter show and in 1910 was included in an exhibition of Australian Craft in London;
- (viii) as a young girl, Aunty Esme started to follow in Queen Emma's footsteps, learning the intricacies of shellwork from her mother, grandmother, and Aunties of La Perouse. Aunty Esme learnt about the different types of shells and on which beaches to find them;

- (ix) among her notable body of work, are the following stand out contributions and achievements:
    - (a) the 1997/1998 exhibition “Djalarinji – Something that Belongs to Us”;
    - (b) the shell worked, Sydney Harbour Bridge, Centrepoint and Sydney Opera House commissioned by the Sydney Opera House in 2001/2002 for the Message Sticks festival. These artworks are now part of the National Museum of Australia collection;
    - (c) in 2005, two of Aunty Esme’s blue shell worked Sydney Harbour Bridges were awarded first prize in the inaugural Parliament of New South Wales Indigenous Art Prize;
    - (d) in 2007, Aunty Esme was featured in the ABC documentary “She Sells Seashells”;
    - (e) one of her most important pieces is the 2008 installation “Shellworked Slippers” featuring 200 pairs of shell encrusted baby slippers as a memorial to the Stolen Generations and later presented at the Biennale of Sydney; and
    - (f) the 2015 artwork “Shellwalk”, a collaboration with Wiradjuri / Kamilaroi artist Jonathon Jones, is her most significant. The artwork is a façade of the Aleander residential building at the southern gateway to Barangaroo’s waterfront promenade, Wulugul Walk. The 22 x 3.5metre work is made from multiple aluminum panels, each decorated with a combination of larger-than-life shells welded onto the screens. Each shell is laid out and designed by Aunty Esme. The artwork is significant in that Barangaroo was an area renowned for its shell middens during the colony’s establishment in Sydney;
  - (x) in 2019, the University of NSW named their new arts facility The Esme Timbery Creative Practice Lab (CPL) or “The Esme” as students nicknamed the space a multi-arts production hub. It is the first building on the University’s campus named after an Indigenous woman; and
  - (xi) the Timbery family are proud of this family tradition and cultural practice. Shell work continues with Aunty Esme’s daughter Marilyn Russell today;
- (B) Council observe a minute’s silence to mark the passing of Aunty Esme, noting her significant contribution to Australia as one its longest serving and enduring First Nations artists; and
- (C) the Lord Mayor be requested to write to Aunty Esme’s family expressing the Council’s condolences.

Carried unanimously.

X086660

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

**Item 15.2 Stanley Street – Let’s Party!**

Moved by Councillor Gannon, seconded by Councillor Jarrett –

It is resolved that:

(A) Council note:

- (i) the City’s Sydney Streets events at Stanley Street have been incredibly successful and popular;
- (ii) the success of the events at Stanley Street, and with the broader program of Sydney Streets, show that Sydney’s entertainment and nightlife scene does not have to be a “fizzer”;
- (iii) Stanley Street is a unique dining precinct in the City as it is almost entirely lined by food and beverage operators;
- (iv) the City has budgeted \$365,000 in the 2023/24 financial year for the delivery of two Sydney Street events in Stanley Street, approximately \$180,000 per event; and
- (v) with the incredible popularity of the events at Stanley Street, NSW Police have advised we will need to increase crowd management measures including infrastructure and security. This will likely see costs increase for the next event;
- (vi) Stanley Street is currently being supported by the City’s outdoor dining fee waiver measures, which will continue to 2025; and
- (vii) owing to the street environment there is potential to install traffic calming devices in the area, which could also be used to install temporary bollards for hostile vehicle mitigation measures, which is a major cost of the Sydney Street activations; and

(C) the Chief Executive Officer be requested to:

- (i) engage with local businesses along Stanley Street, and the surrounding area, to gauge if more frequent Sydney Street style closures would be supported, with specific consideration given to a weekly weekend closure during summer (summer 2024 onwards);
- (ii) engage with the Local Pedestrian, Cycling and Traffic Calming Committee to identify risks, issues, and solutions to more frequent street activations;
- (iii) investigate options for infrastructure, not limited to traffic calming devices, to allow for more frequent usage, minimising the need to hire hostile vehicle mitigation equipment; and
- (iv) report back to Council if there are footpath widening plans for Stanley Street not listed in the Long Term Financial Plan.



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

It is resolved that:

(A) Council note:

- (i) fourteen Sydney Streets have been planned for the 2023/24 financial year, seven between September and November 2023 and another seven between February and April 2024, as listed below:
  - (a) Redfern Street (23 September 2023 and 17 February 2024);
  - (b) Haymarket (30 September 2023), and Sydney Lunar Streets (10 February 2024);
  - (c) Glebe Point Road (14 October 2023 and 9 March 2024);
  - (d) Stanley Street (21 October 2023 and 24 February 2024);
  - (e) Crown Street, Surry Hills (4 November 2023 and 6 April 2024);
  - (f) Harris Street, Pyrmont (11 November 2023 and 16 March 2024); and
  - (g) Potts Point (18 November 2023 and 23 March 2024);
- (ii) many of these events have been incredibly successful and popular;
- (iii) the success of these events show that Sydney's entertainment and nightlife scene is bouncing back;
- (iv) each location has its own unique character, with for example, Stanley Street being a unique dining precinct in the City as it is almost entirely lined by food and beverage operators;
- (v) the City has budgeted \$365,000 in the 2023/2024 financial year for the delivery of two Sydney Street events in Stanley Street, approximately \$180,000 per event;
- (vi) with the incredible popularity of the events at Stanley Street, NSW Police have advised we will need to increase crowd management measures including infrastructure and security. This will see costs increase for the next event to at least \$200,000; and
- (vii) Stanley Street is currently being supported by the City's outdoor dining fee waiver measures, which will continue to 2025; and

(B) the Chief Executive Officer be requested to progress the review of the Sydney Streets events, immediately following the completion of the 2023/24 season in April 2024, and

- (i) consider whether the program can be amended by, for example changing the frequency and/or the locations of Sydney Street events;
- (ii) engage with local businesses, services and community groups to determine the optimal timing and frequency of events across the City, including the option of programming Sydney Streets or similar events during the winter months;

- (iii) investigate options for infrastructure where required, not limited to traffic calming devices, to allow for more frequent usage, minimising the need to hire hostile vehicle mitigation equipment; with such measures being subject to a cost-benefit analysis; and
- (iv) report back to Council via CEO Update.

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

X086658

### Item 15.3 City of Sydney E-Scooter Trial

By Councillor Jarrett

It is resolved that:

(A) Council note:

- (i) at the 27 June 2022 Council meeting, Councillor Jarrett tabled a Notice of Motion which called upon the City of Sydney to participate in the NSW Government's e-scooter trial that was scheduled to begin in July 2022;
- (ii) Councillor Chan amended Councillor Jarrett's Motion and instead requested the Chief Executive Officer "monitor the progress of the e-scooter trials in other locations over the next 12-18 months and report back to Councillors via the CEO Update on observations and any changes to Council's position to participate in the trial as a result" and "advocate to Transport for NSW to provide financial assistance to Councils to encourage them to develop and manage the e-scooter trial and ensure its success". This amendment was carried;
- (iii) Wollongong City Council was the first city-centre to launch a dedicated e-scooter trial which has been operating since 29 September 2023;
- (iv) on 20 October 2023, Neuron released a report titled 'Stronger rider demand continues' (the Report) which assessed the impact of the e-scooter trial on the city since its inception;
- (v) between 29 September and 13 November 2023 over 17,000 people took more than 46,000 trips on the 300-strong e-scooter fleet operating in Wollongong, with a total distance of over 100,000km being travelled;
- (vi) the Report indicates that the incident level in Wollongong has remained low and is in line with expectations;
- (vii) despite the short amount of time since the beginning of the e-scooter trial, the Report notes that the economic impacts of the trial in Wollongong have been following the same pattern as over 20 other cities in Australia and New Zealand where data shows that "on average seven out of ten e-scooter trips result in a purchase and 45 per cent of e-scooter trips replace a car journey, reducing congestion and emissions;
- (viii) the Report notes that, based on Australian-wide research, the trial in Wollongong has seen 45,000km of car trips replaced by e-scooter trips which has been estimated to have saved approximately six tonnes of CO<sub>2</sub>;
- (ix) further, around 30,000 e-scooter trips have resulted in a purchase from a local business either immediately before or after a rider's journey, resulting in an estimated \$200,000 of incremental spend at local restaurants and businesses in Wollongong alone;
- (x) Council unanimously adopted the City of Sydney's Electrification of Transport Strategy and Action Plan at the 26 June 2023 Council meeting;
- (xi) within this Strategy, Action Plan number 5 denotes that the City will 'advocate that subsidies for electric vehicles (including for charging) proposed by the Australian and NSW Government reflect the City's fleet transition hierarchy (i.e. e-bikes and other micro-mobility and public transport first then commercial and finally private vehicles)';

- (xii) at the Council meeting of 20 November 2023, Council is being asked to endorse the City of Sydney's Access Strategy and Action Plan – Continuing the Vision;
  - (xiii) within Continuing the Vision, Action number 14 'Electrification of City Transport' reflects the 21 actions outlined in the City's Electrification of Transport Strategy and Action Plan and recommits the City to both advocating for and participating in opportunities to electrify transport options;
  - (xiv) the first NSW city-centre e-scooter trial taking place in Wollongong has successfully demonstrated the positive economic and environmental impacts e-scooters have on cities both locally and nationally; and
  - (xv) e-scooters, similar to that of e-bikes, are an alternative form of electric transport that would advance the progress of the City's fleet transition, and in turn, the City should be looking to participate in the NSW Government's e-scooter trial as soon as possible in order to maintain their own policy commitments; and
- (B) the Chief Executive Officer be requested to:
- (i) report back to Council with the data and observations regarding the economic and environmental impacts as well as the safety considerations collected in other locations participating in the e-scooter trial over the past 12 to 18 months; and
  - (ii) report back to Council with options for how the City of Sydney can participate in an e-scooter trial.

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

Moved by Councillor Jarrett, seconded by Councillor Gannon –

It is resolved that:

- (A) Council note:
- (i) at the 27 June 2022 Council meeting, Councillor Jarrett tabled a Notice of Motion which called upon the City of Sydney to participate in the NSW Government's e-scooter trial that was scheduled to begin in July 2022;
  - (ii) Councillor Chan amended Councillor Jarrett's Motion and instead requested the Chief Executive Officer to "monitor the progress of the e-scooter trials in other locations over the next 12-18 months and report back to Councillors via the CEO Update on observations and any changes to Council's position to participate in the trial as a result" and "advocate to Transport for NSW to provide financial assistance to Councils to encourage them to develop and manage the e-scooter trial and ensure its success". This amendment was carried;
  - (iii) Wollongong City Council was the first city-centre to launch a dedicated e-scooter trial which has been operating since 29 September 2023;
  - (iv) on 20 October 2023, Neuron Mobility - the supplier that Wollongong City Council have engaged to supply the e-scooters for their trial - released a report titled 'Stronger rider demand continues' (the Report) which assessed the impact of the e-scooter trial on Wollongong's City Centre since its inception; but the NSW government is yet to formally assess the e-scooter trial across various trial locations;

- (v) between 29 September and 13 November 2023 over 17,000 people took more than 46,000 trips on the 300-strong e-scooter fleet operating in Wollongong, with a total distance of over 100,000km being travelled;
  - (vi) the Report indicates that the incident level in Wollongong has remained low and is in line with expectations;
  - (vii) despite the short amount of time since the beginning of the e-scooter trial, the Report notes that the economic impacts of the trial in Wollongong have been following the same pattern as over 20 other cities in Australia and New Zealand where data shows that “on average seven out of ten e-scooter trips result in a purchase and 45 per cent of e-scooter trips replace a car journey, reducing congestion and emissions;
  - (viii) the Report notes that, based on Australian-wide research, the trial in Wollongong has seen 45,000km of car trips replaced by e-scooter trips which has been estimated to have saved approximately six tonnes of CO<sub>2</sub>;
  - (ix) further, around 30,000 e-scooter trips have resulted in a purchase from a local business either immediately before or after a rider’s journey, resulting in an estimated \$200,000 of incremental spend at local restaurants and businesses in Wollongong alone;
  - (x) Council unanimously adopted the City of Sydney’s Electrification of Transport Strategy and Action Plan at the 26 June 2023 Council meeting;
  - (xi) within this Strategy, Action Plan number 5 denotes that the City will ‘advocate that subsidies for electric vehicles (including for charging) proposed by the Australian and NSW Government reflect the City’s fleet transition hierarchy (i.e. e-bikes and other micro-mobility and public transport first then commercial and finally private vehicles)’;
  - (xii) at the Council meeting of 20 November 2023, Council is being asked to endorse the City of Sydney’s Access Strategy and Action Plan – Continuing the Vision;
  - (xiii) within Continuing the Vision, Action number 14 ‘Electrification of City Transport’ reflects the 21 actions outlined in the City’s Electrification of Transport Strategy and Action Plan and re-commits the City to both advocating for and participating in opportunities to electrify transport options;
  - (xiv) the first NSW city-centre e-scooter trial taking place is in Wollongong, and the company supplying the e-scooters reports they have successfully demonstrated the positive economic and environmental impacts e-scooters have on cities both locally and nationally; and
  - (xv) e-scooters, similar to that of e-bikes, are an alternative form of electric transport that would advance the progress of the City’s fleet transition, and in turn, the City should be looking to participate in the NSW Government’s e-scooter trial as soon as possible in order to maintain their own policy commitments; and
- (B) the Chief Executive Officer be requested to:
- (i) write to the Secretary of Transport or NSW asking when Transport for NSW will make available their assessment of the e-scooter trials, and whether this will include any independent data and observations regarding the economic and environmental impacts as well as the safety considerations collected in other locations participating in the e-scooter trial over the past 12 to 18 months; and
  - (ii) report back to Councillors via a CEO Update with the response from Transport for NSW and advice about the City of Sydney’s participation in an e-scooter trial.

Amendment. Moved by Councillor Chan, seconded by Councillor Kok –  
That the motion be amended such that a clause (A)(xv) read as follows –

- (xv) e-scooters, similar to that of e-bikes, are an alternative form of electric transport that would advance the progress of meeting our net zero emissions target by 2035. However, given the high pedestrian activity in the City Centre and the risks that e-scooters on crowded footpaths present, the City should wait until the separated cycleway network is completed, so the trial takes place only on the separated cycleway in order to maintain the safety of everyone.

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

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

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

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

The amendment was declared carried.

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

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

Noes (1) Councillor Weldon.

The amended motion was carried.

X086657

**Item 15.4 Community Recognition Statement – Zebra Lounge**

Moved by Councillor Gannon, seconded by Councillor Jarrett –

It is resolved that Council:

- (A) note that Councillor Lyndon Gannon would like to congratulate Craig Jarman on celebrating his restaurant's - Zebra Lounge, located at Pyrmont - 13th birthday. He opened his doors on 13 September 2010, and still every morning he wakes up excited to serve and converse with the locals, who have all supported him since the beginning;
- (B) Zebra Lounge is a fantastic restaurant that the locals all acclaim has both delicious food and a great dining experience;
- (C) Craig and his team are a true community business, ensuring patrons always have an amazing experience; and
- (D) thank Craig and wish Happy 13th Birthday to Zebra Lounge.

The motion was carried on the following show of hands –

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

Noes (1) Councillor Ellsmore\*.

Carried.

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

X086657

### **Item 15.5 Council Submission to the Explorer Street Public Housing Rezoning Proposal**

By Councillor Ellsmore

It is resolved that:

- (A) Council note:
  - (i) the NSW Government has announced plans to rezone, demolish and redevelop 46 public housing homes in Explorer Street, Station Street and Aurora Place Eveleigh;
  - (ii) the Explorer Street rezoning proposal is on public exhibition until 1 December 2023; and
  - (iii) Council has drafted a submission in response to the rezoning proposal; and
- (B) the Chief Executive Officer be requested to:
  - (i) make a copy of the Council's draft submission available to the public;
  - (ii) invite feedback and comments on the Council's draft submission;
  - (iii) incorporate and/or reflect feedback received from public housing tenants who live on the estate into the submission as a priority; and
  - (iv) as appropriate, incorporate and/or reflect feedback from other local residents and community groups into the submission.

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

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that:

- (A) Council note:
  - (i) the NSW Government has announced plans to rezone, demolish and redevelop 46 public housing homes in Explorer Street, Station Street and Aurora Place Eveleigh;
  - (ii) the Explorer Street rezoning proposal is on public exhibition until 1 December 2023; and
  - (iii) Council has made a submission in response to the rezoning proposal which is publicly available on the Council website; and
- (B) the Chief Executive Officer be requested to:
  - (i) provide a supplementary submission which provides further detail in relation to the City's expectation of community engagement and consultation in relation to current and future plans for the site; and



- (ii) draft the City's supplementary submission to:
  - (a) emphasise that robust, transparent, and open consultation with public housing tenants should be a pre-requisite of all plans to redevelop existing public housing;
  - (b) include recommendations about tenant engagement in the design and delivery of the project, and better consultation with the wider community. Best practice engagement should include involving public housing tenants in co-designing and/or playing a leading role in the future plans for the site;
  - (c) note that there is a high level of anxiety and concern amongst tenants about the proposal, amongst the tenants who are aware of the plans;
  - (d) note that a number of the public housing tenants who live at the Explorer Street have been tenants there for more than 20 years, and that other tenants were relocated from Millers Point when this public housing was sold, and had been told they would not be forced to move again;
  - (e) advocate that, at a minimum, NSW agencies should follow the Compact for Renewal published by Shelter NSW, Tenants Union of NSW and City Futures Research Centre, and developed with public housing tenants;
  - (f) advocate strongly that appropriate sizes apartments for all existing families be renovated or built as part of any redevelopment, noting that a number of apartments currently include overcrowded families;
  - (g) advocate strongly that any public housing tenants relocated as a result of the development be housed in the local area, if this is their preference;
  - (h) advocate strongly for the right of return for existing tenants to be formalised, including a guarantee that future accommodation will be suitable and appropriate; and
  - (i) advocate that any future plans prioritise minimising disruption and the time that any parts of the site will be vacant and without housing, including advocating that in-fill and staged development be considered, if the plans are to go ahead; and
- (iii) authority be delegated to the Chief Executive Officer to finalise and submit supplementary information in line with this Council decision.

Carried unanimously.

X086659

## Item 15.6 Bring Joy Back Home

### Procedural Motion

At approximately 8.00pm, it was moved by Councillor Ellsmore, seconded by Councillor Scott – That the Order of Business be altered such that Item 15.6 be brought forward and addressed before Item 15.5, for the convenience of the public present.

Carried unanimously.

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) East Sydney's statue of Joy was the world's first statue of a sex worker, acting as a tribute to our City's working women and the history of East Sydney;
- (ii) NSW was the world's first jurisdiction to decriminalise sex work, under former NSW Labor Premier Bob Carr, allowing for stronger health and safety outcomes for professionals in the sex work industry and protecting against illegal sex trafficking;
- (iii) the former South Sydney Council led reforms and regulations to ensure planning compliance for sex work premises, leading the world in creating safer, legal working environments for sex workers;
- (iv) the statue of Joy, sculpted by artist Loui Fraser, was located on the corner of Stanley and Yurong Street in Darlinghurst for 18 months, from 1995;
- (v) in 2000, Joy was relocated to Macquarie University where the statue continues to reside, however, the University supports a version of the statue being reinstated in Darlinghurst; and
- (vi) artist Loui Fraser, Macquarie University, local residents, businesses and services including Vincentian House have indicated their overwhelming support to bring the statue of Joy back to Stanley and Yurong Street, with nearly 400 local residents signing a petition to support the move; and

(B) the Chief Executive Officer be requested to:

- (i) consult the City's local East Sydney community and Public Art Advisory Panel on the best way to reinstate the of statue of Joy to Stanley Street and Yurong Street;
- (ii) provision funding in the 2023/24 CEO Contingency Fund for a bronze reproduction of Joy and required work; and
- (iii) reinstate a bronze reproduction of the historic statue of Joy, with frame, to the corner of Stanley and Yurong Streets with a historical plaque outlining the history of these works to the City of Sydney.

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

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) East Sydney's statue of Joy was the world's first statue of a sex worker, acting as a tribute to our City's working women and the history of East Sydney;
- (ii) NSW was the world's first jurisdiction to decriminalise sex work, under former NSW Labor Premier Bob Carr, allowing for stronger health and safety outcomes for professionals in the sex work industry and protecting against illegal sex trafficking;
- (iii) the former South Sydney Council led reforms and regulations to ensure planning compliance for sex work premises, leading the world in creating safer, legal working environments for sex workers;
- (iv) the statue of Joy, sculpted by artist Loui Fraser, was located on the corner of Stanley and Yurong Street in Darlinghurst for 18 months, from 1995;
- (v) in 2000, Joy was relocated to Macquarie University where the statue continues to reside, however, the University supports a version of the statue being reinstated in Darlinghurst; and
- (vi) artist Loui Fraser, Macquarie University, local residents, businesses and services including Vincentian House have indicated their overwhelming support to bring the statue of Joy back to Stanley and Yurong Street, with nearly 400 local residents signing a petition to support the move; and

(B) the Chief Executive Officer be requested, if Macquarie University does not support the reinstatement of Joy to:

- (i) consult the City's local East Sydney community and Public Art Advisory Panel on the best way to reinstate the of statue of Joy to Stanley Street and Yurong Street;
- (ii) provision funding in the 2023/24 CEO Contingency Fund for a bronze reproduction of Joy and required work; and
- (iii) reinstate a bronze reproduction of the historic statue of Joy, with frame, to the corner of Stanley and Yurong Streets with a historical plaque outlining the history of these works to the City of Sydney.

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

It is resolved that:

(A) Council note:

- (i) East Sydney's statue of Joy was the world's first statue of a sex worker, acting as a tribute to our City's working women and the history of East Sydney;
- (ii) NSW was the world's first jurisdiction to decriminalise sex work, under former NSW Labor Premier Bob Carr, allowing for stronger health and safety outcomes for professionals in the sex work industry and protecting against illegal sex trafficking;

- (iii) the former South Sydney Council led reforms and regulations to ensure planning compliance for sex work premises, leading the world in creating safer, legal working environments for sex workers;
  - (iv) the statue of Joy, sculpted by artist Loui Fraser, was located on the corner of Stanley and Yurong Street in Darlinghurst for 18 months, from 1995;
  - (v) the proposal to install the statue was contentious, and was approved initially as a 12 month trial by one vote by former South Sydney Council the trial was extended after the statue was vandalised;
  - (vi) once installed, the statue continued to be contentious and divisive, with residents, including those of a nearby retirement home, petitioning Council to remove it, while other residents supported it;
  - (vii) in April 1997, Joy was relocated to Macquarie University where the statue it is now part of the permanent collection of the University's Sculpture Park, however, the University supports a version of the statue being reinstated in Darlinghurst; and
  - (viii) artist Loui Fraser, Macquarie University, local residents, businesses and services including Vincentian House have indicated their overwhelming support to bring the statue of Joy back to Stanley and Yurong Street, with nearly 400 local residents signing a petition to support the move; and
- (B) the Chief Executive Officer be requested to investigate acquiring the original statue of "Joy" from Macquarie University to be reinstated at the corner of Yurong and Stanley Streets, East Sydney, taking into account:
- (i) the controversy surrounding the statue during its installation between late 1995 and early 1997 and the reasons for its removal;
  - (ii) the moral and other rights of the artist under the Commonwealth Copyright Act, and the City's commitment to respecting the moral rights of artists and the need to obtain the formal agreement of the artist;
  - (iii) the criteria and procedures for acquiring new artworks as set out in the City of Sydney's Public Art Policy, Public Art Acquisition Guidelines and procurement policy;
  - (iv) the condition of the statue and whether there is a risk of the statue being vandalised; and
  - (v) the outcomes of broader community consultation on the proposal.

### **Adjournment**

At this stage of the meeting, at 8.27pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.56pm.

Following discussion, and with consent, Councillor Worling withdrew his amendment.

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

It is resolved that:

(A) Council note:

- (i) East Sydney's statue of Joy was the world's first statue of a sex worker, acting as a tribute to our City's working women and the history of East Sydney;
- (ii) NSW was the world's first jurisdiction to decriminalise sex work, under former NSW Labor Premier Bob Carr, allowing for stronger health and safety outcomes for professionals in the sex work industry and protecting against illegal sex trafficking;
- (iii) the former South Sydney Council led reforms and regulations to ensure planning compliance for sex work premises, leading the world in creating safer, legal working environments for sex workers;
- (iv) the statue of Joy, sculpted by artist Loui Fraser, was located on the corner of Stanley and Yurong Street in Darlinghurst for 18 months, from 1995;
- (v) the proposal to install the statue was contentious, and was approved initially as a 12 month trial by one vote by former South Sydney Council the trial was extended after the statue was vandalised;
- (vi) once installed, the statue continued to be contentious and divisive, with residents, including those of a nearby retirement home, petitioning Council to remove it, while other residents supported it;
- (vii) in April 1997, Joy was relocated to Macquarie University where the statue it is now part of the permanent collection of the University's Sculpture Park, however, the University supports a version of the statue being reinstated in Darlinghurst; and
- (viii) artist Loui Fraser, Macquarie University, local residents, businesses and services including Vincentian House have indicated their overwhelming support to bring the statue of Joy back to Stanley and Yurong Street, with nearly 400 local residents signing a petition to support the move; and

(B) the Chief Executive Officer be requested to:

- (i) investigate acquiring the original statue of "Joy" from Macquarie University to be reinstated at the corner of Yurong and Stanley Streets, East Sydney;
- (ii) consult the City's local East Sydney community and Public Art Advisory Panel on reinstating the statue of "Joy" or a replica to Stanley Street and Yurong Street; and
- (iii) report back to Council with the outcomes of the consultation and the advice of the Public Art Advisory Panel and options to bring "Joy" or a replica back to East Sydney.

The amendment was carried on the following show of hands –

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

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

Amendment carried.

The amended motion was carried unanimously.

X086655

## **Item 15.7 Public Housing Tenant Voice in Redevelopment of Public Housing**

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) the NSW Government has plans underway to redevelop a large number of public housing estates in the City of Sydney Local Government Area, including 82 Wentworth Park Rd Glebe, the Waterloo Estate (South) and Explorer Street South Eveleigh;
- (ii) public housing tenants in NSW have few if any rights in relation to plans to redevelop the homes they live in. Public housing tenants do not have rights enshrined in legislation or policy that enable them, for example, to determine how their homes or their estate should be upgraded or redeveloped, control over when or where they will be relocated during development, or that provide a right to return once a development has been completed; and
- (iii) there are few documents which guide good practice about how and when public housing tenants can or should be involved or have a say over the development of their homes. One example is the 'Compact for Renewal' developed with public housing tenants, Shelter NSW, Tenants' Union of NSW and the City futures Research Centre UNSW, which includes principles such that tenants should be respected;

(B) Council further note that:

- (i) in London, the London Assembly and the Mayor of London have established strong requirements to ensure public housing tenants have a real say and control over how public housing estates are upgraded or redeveloped; and
- (ii) in London, council planning documents such as 'Better Homes for Local People: the Mayor's Good Practice Guide to Estate Regeneration (2018)' require a ballot or referendum of public tenants to be undertaken to approve plans to redevelop their estates. Refurbishment rather than demolition is prioritised, and tenants have a right of return to their original homes once they have been upgraded. Proposals must prioritise increasing affordable (public) housing floor space, and improve sustainability; and

(C) the Chief Executive Officer be requested to:

- (i) provide advice to Council about opportunities to create obligations through Council documents, including planning documents, which promote and/or protect public housing tenant's voices and rights in relation to renovation or development of public housing estates they live in; and
- (ii) otherwise provide advice to Council as to what documents or guidelines Council could amend or create to support public housing tenants' voices and rights in relation to redevelopment of public housing.

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

Moved by Councillor Ellsmore, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) the NSW Government has plans underway to redevelop a large number of public housing estates in the City of Sydney Local Government Area, including 82 Wentworth Park Rd Glebe, the Waterloo Estate (South) and Explorer Street South Eveleigh;
- (ii) public housing tenants in NSW have few if any rights in relation to plans to redevelop the homes they live in. Public housing tenants do not have rights enshrined in legislation or policy that enable them, for example, to determine how their homes or their estate should be upgraded or redeveloped, control over when or where they will be relocated during development, or that provide a right to return once a development has been completed; and
- (iii) there are few documents which guide good practice about how and when public housing tenants can or should be involved or have a say over the development of their homes. One example is the 'Compact for Renewal' developed with public housing tenants, Shelter NSW, Tenants' Union of NSW and the City futures Research Centre UNSW, which includes principles such that tenants should be respected;

(B) Council further note that:

- (i) in London, the London Assembly and the Mayor of London have established strong requirements to ensure public housing tenants have a real say and control over how public housing estates are upgraded or redeveloped;
- (ii) in London, council planning documents such as 'Better Homes for Local People: the Mayor's Good Practice Guide to Estate Regeneration (2018)' require a ballot or referendum of public tenants to be undertaken to approve plans to redevelop their estates. Refurbishment rather than demolition is prioritised, and tenants have a right of return to their original homes once they have been upgraded. Proposals must prioritise increasing affordable (public) housing floor space, and improve sustainability; and
- (iii) Council Boroughs in London own public housing giving them considerable control. However, in NSW, councils, including the City of Sydney, do not control public housing or have any legislated powers in relation to tenant rights;

(C) the Chief Executive Officer be requested to:

- (i) provide advice to Council about opportunities to create obligations through Council documents, including planning documents, which promote and/or protect public housing tenant's voices and rights in relation to renovation or development of public housing estates they live in; and
- (ii) otherwise provide advice to Council as to what documents or guidelines Council could amend or create to support public housing tenants' voices and rights in relation to redevelopment of public housing; and

- (D) the Lord Mayor be requested to write to the Minister for Housing and the Minister for Planning and Public Spaces calling on the NSW Government to:
- (i) consider international models for managing Social Housing redevelopment projects;
  - (ii) mandate a genuine right of return for all residents in Social Housing redevelopment projects; and
  - (iii) implement requirements to promote the rights of and engagement with Social Housing residents in the redevelopment of their homes.

Carried unanimously.

X086659



At 9.26 pm the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 11 December 2023 at which  
meeting the signature herein was subscribed.