

20 November 2023

At 5.00 pm

**Council**

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## Agenda

1. **Confirmation of Minutes**
2. **Statement of Ethical Obligations and Disclosures of Interest**
3. **Minutes by the Lord Mayor**
  - 3.1 Vale Helena Carr
  - 3.2 Practical and Compassionate Action on Drugs Still Needed
  - 3.3 Support for Waterloo South Relocations
  - 3.4 More Publicly Accessible Parkland at Moore Park
4. **Memoranda by the Chief Executive Officer**
5. **Matters for Tabling**
6. **Report of the Corporate, Finance, Properties and Tenders Committee**
  - 6.1 Confirmation of Minutes
  - 6.2 Statement of Ethical Obligations and Disclosures of Interest
  - 6.3 City of Sydney 2022/23 Annual Reporting and Public Presentation of the 2022/23 Financial Statements and Audit Reports to Council
  - 6.4 2023/24 Quarter 1 Review – Delivery Program 2022-2026
  - 6.5 Investments Held as at 31 October 2023
  - 6.6 Sale of Heritage Floor Space - City Owned Property
  - 6.7 Tender - T-2022-906 - Tree Maintenance and Urban Forest Services
  - 6.8 Tender - T-2023-1028 - Loftus Street Upgrade

## Agenda

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

- 7.1 Confirmation of Minutes
- 7.2 Statement of Ethical Obligations and Disclosures of Interest
- 7.3 Grants and Sponsorship - Environmental Grants

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

- 8.1 Confirmation of Minutes
- 8.2 Statement of Ethical Obligations and Disclosures of Interest
- 8.3 Grants and Sponsorship - Amended Grant Application - Affordable and Diverse Housing Fund - RJ Williams Redevelopment, Glebe

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

- 9.1 Confirmation of Minutes
- 9.2 Statement of Ethical Obligations and Disclosures of Interest
- 9.3 Grants and Sponsorship – Cultural Grants

### **10. Report of the Resilient Communities and Economy Committee**

- 10.1 Confirmation of Minutes
- 10.2 Statement of Ethical Obligations and Disclosures of Interest
- 10.3 Outdoor Alcohol Restrictions
- 10.4 Grants and Sponsorship - Aboriginal and Torres Strait Islander Collaboration Fund and Innovation and Ideas Grants
- 10.5 Grants and Sponsorship - Accommodation Grant Program - Beehive Industries and Scarred Trees Ministries

## Agenda

### 11. Report of the Transport, Heritage and Planning Committee

- 11.1 Confirmation of Minutes
- 11.2 Statement of Ethical Obligations and Disclosures of Interest
- 11.3 Post Exhibition - Access Strategy and Action Plan - Continuing the Vision
- 11.4 Post Exhibition - Planning Proposal - 2, 2A-8 Arundel Street and 6-12 Parramatta Road, Forest Lodge - Sydney Local Environmental Plan 2012 Amendment
- 11.5 Post Exhibition - Planning Proposal - 85-93 Commonwealth Street, Surry Hills - Sydney Local Environmental Plan 2012 Amendment
- 11.6 Local Planning Panel - Appointment of Members
- 11.7 Fire Safety Reports

### 12. Property Matter (Confidential)

### 13. Questions on Notice

### 14. Supplementary Answers to Previous Questions

### 15. Notices of Motion

- 15.1 Vale Aunty Esme
- 15.2 Stanley Street – Let's Party!
- 15.3 City of Sydney E-Scooter Trial
- 15.4 Community Recognition Statement – Zebra Lounge
- 15.5 Council Submission to the Explorer Street Public Housing Rezoning Proposal
- 15.6 Bring Joy Back Home
- 15.7 Public Housing Tenant Voice in Redevelopment of Public Housing

## **Item 1**

### **Confirmation of Minutes**

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

Meeting of 23 October 2023

## Item 2

### **Statement of Ethical Obligations**

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

### **Disclosures of Interest**

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

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

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

**Item 3.1****Vale Helena Carr****File No: S051491****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



## Item 3.2

### Practical and Compassionate Action on Drugs Still Needed

File No: S051491

#### 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

## Attachments

- Attachment A.** Lord Mayoral Minute and Resolution of Council: Practical and Compassionate Action on Drugs - 11 February 2019
- Attachment B.** Recommendation of the Inquest into the Death of Six Patrons of NSW Music Festivals 2019
- Attachment C.** Open Letter to the Premier

# **Attachment A**

**Lord Mayoral Minute and Resolution of  
Council: Practical and Compassionate  
Action on Drugs – 11 February 2019**

## Resolution of Council

**11 February 2019**

### **Item 3.3**

#### **The Need for Practical and Compassionate Action on Drugs**

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

To Council:

The effectiveness of simplistic “don’t take drugs” messages has long been questioned – indeed such messages often have the opposite impact when they are delivered by those who lack credibility with their intended recipients, particularly with young people.

Media reports suggest that 25 people attending music festivals over the Australia Day weekend were taken to hospital, mostly after suspected illicit drug use. The reporting also suggests that police pulled aside numerous other people for suspected drug offences.

In the past five months, five people have died after taking illicit drugs at music festivals. Their ages ranged from 19 to 23.

It’s clear that a new approach is urgently needed, which is why I support calls for a new drug summit where all options, including practical and compassionate proposals for drug testing, are considered.

As Member for Bligh, I took part in the first Drug Summit following the 1999 election. That summit, held over five days at Parliament House, brought together Members of Parliament, experts in the medical and social aspects of drug use, community representatives, families, and people with experience of drug use and its effects.

During the course of that week I saw the views of MPs and others change as they heard compelling evidence and engaged in serious discussion about issues that were confronting for many of them.

While a trial of a medically-supervised injecting room was the Summit's most high-profile outcome, it achieved much more. The Summit made 172 recommendations relating to young people and drugs, treatment services, drug education, law enforcement, breaking the drugs and crime cycle and community action.

The catalyst for that Summit was a photograph published on the front page of a major newspaper of a boy injecting himself in a Redfern laneway. That photograph brought home the harm our young people were facing from illicit drug use and the limitations of the existing action. The recent deaths and medical emergencies at music festivals similarly forces us to confront both the harm from illicit drug use and our current approaches.

A new drug summit is urgent. It must bring together Members of Parliament, relevant government agencies and experts, community representatives and people affected by drug use.

The Summit should be open to examining all possible ideas which could contribute to minimising the harm from illicit drug use. It must consider whether existing approaches are working effectively or whether they are perversely increasing the risk of harm. Given the current public debate, it must consider illicit drug testing calmly and rationally, by examining the findings and evidence from existing programs, hearing from the experts and addressing the issues around proceeding with an effective drug testing trial in NSW.

The 1999 Drug Summit took this approach when developing the recommendation to trial medically supervised injecting rooms. That Summit's final recommendation not only supported the trial in principle, but envisaged it would be conducted by a non-government organisation, set up in areas where there was a high prevalence of street dealing in illicit drugs, and incorporated options for primary health care, counselling and referral for treatment.

A minority at the Drug Summit vehemently opposed this proposal, arguing that it would send the wrong message about drugs and encourage illicit drug use. The same claims are now being made not only about drug testing, but about the idea of even holding a drug summit.

The first and only medically supervised injecting centre in NSW opened in my electorate of Bligh in Kings Cross in 2001. Over the past 18 years it has supervised more than one million injections, managed over 7,400 overdoses without a single fatality, made around 13,000 referrals to external health and social welfare services and dramatically reduced the number of ambulance callouts to Kings Cross and the number of needles discarded in public places. Its opponents' fears have not been realised. Instead, the Centre has been instrumental in saving many lives.

The decision to establish it only occurred after serious informed discussion and detailed consideration of all the issues involved. The refusal by some to agree to a similar informed discussion and detailed consideration of new approaches may result in more deaths.

Some opposition to illicit drug testing appears to be based on the mistaken belief that the testing is designed to determine whether drugs are "safe". This was not the aim of the trial conducted at the Groovin the Moo festival in Canberra in April 2018.

At this festival, 125 people submitted drug samples together with information about what they believed the drugs contained. Patrons were informed whether the test had found that the sample was the same as they expected, whether it differed significantly from what was expected, or whether it contained a harmful substance or produced an ambivalent result. After receiving the test results, 18 per cent said they would not use illicit drugs, 12 per cent said they would use less and seven per cent were unsure. Sixty-six per cent of trial participants said they knew of others using the same drugs and 90 per cent said they would share the results. This potentially further reduced the number of people taking harmful substances.

At the same festival, first-aid workers treated 86 people mainly for drug or alcohol related issues. None of these 86 people had submitted drugs for testing.

Others may be opposed because they have no understanding of how drug testing would operate, or what it is attempting to achieve.

A group of medical professionals have approached me requesting the use of a City owned building to demonstrate how drug testing could be carried out. Illicit drugs would not be used in the demonstration. Such a demonstration is likely to attract media and public attention, which could help dispel misconceptions and misunderstanding about drug testing. This would help ensure that the ongoing public discussion about drug testing and other approaches to minimising harm from drugs is better informed.

We urgently need an informed public to support not only an effective drug summit, but the implementation of new approaches arising from the drug summit. If we fail to consider new initiatives, including illicit drug testing, we risk more young lives being lost.

## **Recommendation**

It is resolved that Council:

- (A) support proposals for a Drug Summit which brings together Members of Parliament, experts in the medical and social aspects of drug use, community representatives, families, and people with experience of drug use and its effects;
- (B) request that the Drug Summit:
  - (i) examine and make recommendations on actions which could contribute to reducing, ending the harm from illicit drug use; and
  - (ii) specifically consider illicit drug testing, including:
    - (a) hearing evidence on the nature and effectiveness of illicit drug testing on other jurisdictions, including from the individuals and agencies responsible for conducting such testing; and
    - (b) making recommendations on the value of providing for illicit drug testing and how an effective drug testing trial may be conducted in NSW;



- (C) request the Chief Executive Officer to liaise with medical professionals seeking to provide a practical demonstration of how drug testing may be conducted, with the aim of providing them with a suitable City facility at no charge, provided that the demonstration does not involve the use of illicit substances; and
- (D) request the Lord Mayor to write to the Premier, the Leader of the Opposition, the Leaders of other Parties in the NSW Parliament and Independent MPs to provide them with this Lord Mayoral Minute and request them to support the City's proposal.

**COUNCILLOR CLOVER MOORE**

Lord Mayor

Moved by the Chair (the Lord Mayor) –

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

Carried unanimously.

S051491

# **Attachment B**

**Recommendations of the Inquest into the  
Death of Six Patrons of NSW Music  
Festivals, 2019**

## **Recommendations pursuant to section 82 Coroners Act 2009**

559. Careful thought has been given to the need for recommendations in this matter. I am confident that the recommendations that follow are based on an impartial and careful assessment of the evidence presented to this court.

560. For reasons stated above, I make the following recommendations:

### ***A. To the NSW Department of Premier and Cabinet***

1. That the Department of Premier and Cabinet permits and facilitates Pill Testing Australia, The Loop Australia, or another similarly qualified organisation to run front of house medically supervised pill testing/drug checking at music festivals in NSW with a pilot date starting the summer of 2019–20.
2. That the Department of Premier and Cabinet, working with NSW Health and NSW Police, fund the establishment of a permanent drug checking facility, similar to the Dutch model known as the Drug Information Monitoring System (DIMS).
3. That the Department of Premier and Cabinet, working with NSW Health, research and support the development of technology to allow for the most sophisticated and detailed drug analysis to be made available on site at music festivals.
4. That the Department of Premier and Cabinet, working with NSW Health, research and support the development of early warning systems at music festivals generally and arising from front of house and/or back of house drug checking.
5. That the Department of Premier and Cabinet, working with the NSW State Coroner, NSW Police, FASS and NSW Health, develop protocols for the open sharing of information between these agencies regarding drug trends and monitoring of drug deaths.
6. That the Department of Premier and Cabinet facilitate a regulatory roundtable with the involvement of relevant State and Local government and key industry stakeholders, including the Department of Health, private health providers such as EMS Event Medical, NSW Ambulance and NSW Police, the Australian Festivals Association, harm minimisation experts and promoters, to ensure appropriate minimum standards for policing, medical services and harm reduction are mandated at music festivals.
7. That in developing any new music festival regulations the Department of Premier and Cabinet, working with the Australian Festivals Association and other relevant stakeholders, give consideration to the submission of the family of Joshua Tam (MFI-C).
8. That the Department of Premier and Cabinet facilitate the holding of a NSW Drug Summit to develop drug policy that is evidence -based and focused on minimising harm to users and

the community (previously recommended in the Opiates Inquest examining six deaths – findings delivered on 1 March 2019), the Department should give full and genuine consideration to, among other issues:

- a. The development of a best practice model of and guidelines for drug checking/pill testing including for front of house operations at music festivals and fixed site services operating in the community.
- b. Targeted education programs, designed for different age groups, with a focus on harm minimisation with respect to stimulant drugs at music festivals.
- c. Decriminalising personal use of drugs, as a mechanism to reduce the harm caused by drug use.
- d. Expanded regulation of certain currently illicit drugs.
- e. Redefining illicit drugs as primarily a health and social issue rather than primarily a law enforcement issue, and the implementation of law and policy that best achieves that goal.

#### ***B. To the NSW Department of Health***

1. That the NSW Department of Health research and support evidence-based strategies that are most useful to maximise the chance of reducing harm and saving lives in the event of drug-related illness at music festivals including, for example, giving consideration to the use of ice baths and/or routine use of rectal thermometers to ascertain core temperature and/or ice vests.
2. That the NSW Department of Health consider evidence from the inquest that might supplement or improve the NSW Ministry of Health Guidelines “Pre-Hospital Guideline: Illicit Substance-Induced Hyperthermia” including, for example, the “Treatment Guidelines for Drug Induced Hyperthermia” (annexure DH-2 to statement of Dr Dorothy Habrat - Exhibit 62).
3. That the NSW Department of Health consider researching the metabolisation of MDMA and whether there is a genetic risk factor for MDMA toxicity, for example in poor CYP2C19 metabolisers.
4. That the NSW Department of Health continues to fund and expand appropriate peer-delivered harm prevention and reduction services that are well received by patrons, for example, DanceWize.
5. That the NSW Department of Health contributes to the Emerging Drugs Network of Australia (EDNA) by sharing the information that is obtained through NSW Health’s enhanced surveillance in ED and ICU settings.

6. That the NSW Department of Health establishes and coordinates a group of key stakeholders, including State and Local government and key industry stakeholders, including the Department of Health, private health providers such as EMS Event Medical, NSW Ambulance and Police, the Australian Festivals Associations, harm minimisation experts and promoters to allow for the annual review of *NSW Health Guidelines for Music festival Event Organisers: Music Festival Harm Reduction*.
7. That the *NSW Health Guidelines for Music festival Event Organisers: Music Festival Harm Reduction* be amended to advise of an appropriate time frame and protocol for a private medical service provider to conduct a full evaluation, preferably with an independent consultant, in the event of a fatality involving a patient who they have treated.
8. That the Department Health working with organisations such as Family Drug Support Australia and drug educators such as Paul Dillon of Drug and Alcohol Research and Training (DARTA), develop resources for parents about talking to their children about stimulant drugs consumed at music festivals, focused on harm prevention and reduction.
9. That the Department of Health continues to promote music festival guidelines that encourage the following initiatives, by explaining their significance in reducing the risk of drug-related harms and death:
  - a. Free cold water at multiple stations throughout festivals.
  - b. Well ventilated chill out spaces and the regular checking of ambient temperatures.
  - c. Additional activities to music to encourage chill out (particularly for longer festivals).
  - d. Involvement of artists in harm reduction messages.

### **C. To the NSW Police Force**

1. That, given the evidence of a link between the use of drug dogs and more harmful means of consumption (including panic ingestion, double dosing, pre-loading, and insertion in a vaginal or anal cavity) the model of policing at music festivals be changed to remove drug detection dogs.
2. In order to address the harm potentially caused by the current practice of police strip searching for possession of drugs (including more harmful means of consumption and secretion and adversely affecting the relationships between patrons and police meaning it may be less likely that patrons will seek help from Police), the NSW Police Commissioner issue an operational guideline and/or amend the relevant police handbook such that strip searches should be limited at music festivals to circumstances where:

- a. There is a reasonable suspicion that the person has committed or is about to commit an offence of supply a prohibited drug, and
  - b. There are reasonable grounds to believe that the strip search is necessary to prevent an immediate risk to personal safety or to prevent the immediate loss or destruction of evidence, and
  - c. The reasons for conducting the search are recorded on Body Worn Video before the search commences.
  - d. No less invasive alternative is appropriate in the circumstances.
3. That, in the event of pill testing/drug checking facilities being operational at NSW Music festivals, the Police Commissioner issue an operational guideline providing clear guidance to operational police as to how they are requested to exercise their discretion in regard to illicit drug use and possession at festivals. Such a Guideline should:
  - a. Identify the role of police as one of support and protection for otherwise law-abiding festival goers.
  - b. Request police not to take punitive action against people in possession of drugs for personal use, and to concentrate their operations on organised drug dealing, social disorder and other crimes.
  - c. Emphasise that while a primary part of policing at music festivals involves crowd control and enforcement of laws, it is part of good policing, and an objective at music festivals, to engage positively with festival goers wherever possible, to provide support and comfort where needed and to act to reduce or minimise harm.
4. That training for attendance at police operations at music festivals be developed and implemented within NSW Police and that such training be a pre-requisite for those police assigned to or wishing to perform police operations at music festivals. Regardless of the policing model in place, that training should:
  - a. Instruct police not to take punitive action against people in possession of drugs for personal use, and to concentrate their operations on organised drug dealing, social disorder and other crimes.
  - b. Emphasise that while a primary part of policing at music festivals involves crowd control and enforcement of laws, it is part of good policing, and an objective at music festivals, to engage positively with festival goers wherever possible, to provide support and comfort where needed and to act to reduce or minimise harm.

***D. To the Department of Premier and Cabinet, the NSW Police Force, the NSW Department of Health and the NSW Department of Communities and Justice***

1. That in the event personal possession remains a criminal offence, a group of relevant decision makers from each of the above stakeholders is convened in order to organise the funding, and installation of drug amnesty bins at music festivals. Drug harm reduction groups are to be consulted as to where to place those bins to maximise use and minimise harms.
2. That in the event personal possession remains a criminal offence, a group of relevant decision makers from each of the above stakeholders is convened to develop strategies to limit strip searches to those individuals suspected of supplying illicit drugs, rather than those in possession for personal use. That should involve consideration of the need to amend legislation, policy and/or procedural guidelines.

***E. To the Australian Festivals Association***

1. That the Australian Festivals Association promote music festival guidelines that encourage:
  - a. Free cold water at multiple stations throughout festivals.
  - b. Well ventilated chill out spaces and the regular checking of ambient temperatures.
  - c. Additional activities to music to encourage chill out (particularly for longer festivals).
  - d. Involvement of artists in harm reduction messages.
2. That the Australian Festivals Association consider promoting novel harm reduction strategies identified during the inquest including new technologies and ideas raised by family of Joshua Tam.

***F. To the NSW Education Standards Authority (NESA)***

1. That in the High School curriculum consideration be given to a learning module dedicated to deaths at music festivals with a particular focus on:
  - a. The effects of MDMA in particular of high doses.
  - b. Other factors that can increase your risk to having an adverse reaction to MDMA including temperature, exercise, weight, prescription medication, and mixing with other drugs and alcohol.
  - c. Having a sober friend, warning signs to look out for, seeking medical help.
2. That NESA commission a review from a recognised expert in drug education and harm reduction, such as Paul Dillon, Director of the Drug and Alcohol Research and Training

(DARTA) to obtain advice on how best to protect young people from the potential harm posed by amphetamine type stimulants, particularly in the music festival environment, in a way that minimises harm that would include advice on the type of education appropriate for different age groups.

**G. To EMS Event Medical**

1. That EMS Event Medical develop a review protocol so that in the event of another fatality, an independent consultant is engaged to assist with a full evaluation of the circumstances of the death and the adequacy of medical care, and that there be a clear time frame to initiate and complete the report.



## Conclusion

562. Once again I express my sincere and heartfelt condolences to all those who have been directly affected by these tragic deaths. Many in the community would share my respect for the courageous and generous way they have approached these proceedings.

563. It is customary in this court to thank those who have assisted in the preparation of an inquest. In this case more is called for. Counsel assisting, Dr Peggy Dwyer and her solicitor Ms Peita Ava-Jones, have shown a commitment to this process that goes well beyond anything that could have been expected.<sup>564</sup> They have undertaken the work that should have been given to a large team without complaint and have done so with enormous skill and great compassion. They have my sincere gratitude and very great esteem.

564. I close this inquest.

Magistrate Harriet Grahame

Deputy State Coroner

8 November 2019

NSW State Coroner's Court, Lidcombe

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<sup>564</sup> I also thank Kathleen McKinlay for her assistance in the preparation of this inquest.

# **Attachment C**

**Open Letter to the Premier**

**Dear Premier Minns,**

**As health professionals, we know that drug checking is a proven, effective step we can take to help people make informed and potentially life-saving decisions about taking drugs.**

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.

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.

**Delaying drug checking will put lives at risk.**

We are calling on the government to immediately start drug checking with an implementation pilot this summer festival season. The evidence shows that drug checking can help keep people safe. An evaluated pilot program will also provide vital information for further discussion at the NSW Drug Summit next year.

Signed,



**RACGP** NSW&ACT



**RACP**  
**Specialists. Together**  
EDUCATE ADVOCATE INNOVATE



**Item 3.3**

**Support for Waterloo South Relocations**

Document to Follow

## Item 3.4

### More Publicly Accessible Parkland at Moore Park

File No: S051491

#### 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

**Item 4**

**Memoranda by the Chief Executive Officer**

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

## Item 5

### Matters for Tabling

#### 5.1 Disclosures of Interest

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

#### Recommendation

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

#### 5.2 Petition

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

Councillor Jarrett gives notice that, at the meeting of Council on Monday, 20 November 2023, she will table and speak to a petition (with 1,129 signatures) with the following terms:

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.

#### **Recommendation**

It is resolved that the Petition be received and noted.

S044250

**Item 6**

**Report of the Corporate, Finance, Properties and Tenders Committee - 6 November 2023**

**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 recommends 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**

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.

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

X084202

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

#### **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.

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

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

**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.

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

X020701

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

## **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.

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

X026460.023

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

### **Item 6.7**

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

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.

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

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

Noes (2)            Councillor Scott and Weldon.)

Carried.

X094916



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

### **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.

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

X089947.006

**Item 7**

**Report of the Environment Committee - 6 November 2023**

**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 recommends the following:

### **Item 7.3**

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

It is resolved that:

- (A) Council approve the cash recommendations for the Green Building Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant for the Green Building Grant program as shown at Attachment B to the subject report;
- (C) Council note that all grant amounts are exclusive of GST;
- (D) 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.

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

S117676

**Item 8**

**Report of the Housing For All Committee - 6 November 2023**

**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 recommends the following:

### **Item 8.3**

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

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.

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

S117676

#### **Speaker**

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

**Item 9**

**Report of the Cultural and Creative Committee - 6 November 2023**

**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, 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 organisations:

- 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 to 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.

The Cultural and Creative Committee recommends the following:

### Item 9.3

#### Grants and Sponsorship – Cultural Grants

It is resolved that:

- (A) Council approve the cash and value-in-kind recommendations for the 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.

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

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

Noes (2) Councillors Ellsmore\* and Weldon\*.

Carried.

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

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 - 6 November 2023**

**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.
  - 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 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.

**Officer's Recommendation**

The officer's recommendation to the Resilient Communities and Economy Committee was as follows -

It is resolved that Council:

- (A) 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) approve the establishment of alcohol-free zones and alcohol-prohibited areas listed in Attachment A to the subject report for a four-year period;
- (C) approve the establishment of the timed areas as outlined in Attachment A to the subject report;
- (D) approve the establishment of temporary alcohol-free zones outlined in Attachment A to the subject report; and
- (E) not approve the proposed alcohol-free zone at Harris Street, Ultimo and alcohol prohibited area at High Street Gardens, Millers Point for the reasons outlined in the subject report.

**Officer's Report**

The officer's report on this matter can be found at Item 3 on the agenda of the meeting of the Resilient Communities and Economy Committee on 6 November 2023.

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.

**Officer's Recommendation**

The officer's recommendation to the Resilient Communities and Economy Committee was as follows -

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.

**Officer's Report**

The officer's report on this matter can be found at Item 4 on the agenda of the meeting of the Resilient Communities and Economy Committee on 6 November 2023.

S117676



The Resilient Communities and Economy Committee recommends the following:

## Item 10.5

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

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.

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

S117676

**Item 11**

**Report of the Transport, Heritage and Planning Committee - 6 November 2023**

**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 recommends 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.

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

X095505

The Transport, Heritage and Planning Committee recommends the following:

#### **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**

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.

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

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.

**Officer's Recommendation**

The officer's recommendation to the Transport, Heritage and Planning Committee was as follows -

It is resolved that:

- (A) Council note the issues raised in the Summary of Submissions as shown at Attachment A to the subject report;
- (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; and
- (C) authority be delegated to the Chief Executive Officer to make minor variations to the Planning Proposal – 85-93 Commonwealth Street, Surry Hills (as amended) to correct any minor errors prior to finalisation.

**Officer's Report**

The officer's report on this matter can be found at Item 5 on the agenda of the meeting of the Transport, Heritage and Planning Committee on 6 November 2023.

X096329.003

**Speaker**

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

The Transport, Heritage and Planning Committee recommends the following:

## 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.

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

X095150



The Transport, Heritage and Planning Committee recommends the following:

**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.

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

S105001.002

## Item 12

### Property Matter (Confidential)

File No: X097253

#### Summary

This report relates to a property transaction.

Attachments A, B and C contain confidential commercial information which, if disclosed, would confer a commercial advantage on a person with whom the City is conducting (or proposes to conduct) business.

Discussion of this matter in an open meeting would, on balance, be contrary to the public interest because it would compromise the City's ability to negotiate fairly and commercially achieve the best outcome for ratepayers.

#### Recommendation

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

#### Attachments

**Attachment A.** Property Matter (Confidential)

**Attachment B.** Property Matter (Confidential)

**Attachment C.** Property Matter (Confidential)

**Relevant Legislation**

1. Local Government Act 1993 - Sections 10A and 10B provide that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business and if discussion of the information in an open meeting would, on balance be contrary to public interest.
2. Attachments A, B and C contain confidential commercial information which, if disclosed, would confer a commercial advantage on a person with whom the City is conducting (or proposes to conduct) business.
3. Discussion of this matter in an open meeting would, on balance, be contrary to the public interest because it would compromise the City's ability to negotiate fairly and commercially achieve the best outcome for ratepayers.

**KIM WOODBURY**

Chief Operating Officer

Nicholas Male-Perkins, Commercial Manager

Scott Young, Development Manager

CONFIDENTIAL

By virtue of the Local Government Act 1993 Section 10A Paragraph 2

Document is Restricted

CONFIDENTIAL

By virtue of the Local Government Act 1993 Section 10A Paragraph 2

Document is Restricted

CONFIDENTIAL

By virtue of the Local Government Act 1993 Section 10A Paragraph 2

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**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

**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

### 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 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

#### **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

## 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 Local Government Area, 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

## 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 Rd Glebe

- (d) 17-31 Cowper St 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 Local Government Area been identified for potential planning changes, arising from other City of Sydney's strategic planning processes or reviews?

If yes, please provide details.

8. Since September 2023, is the City of Sydney aware of any further proposals for the redevelopment of public housing in the Local Government Area (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 Local Government Area generally (i.e. 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

## **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

## **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

## **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

## 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

## **Item 14**

### **Supplementary Answers to Previous Questions**

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

## Item 15.1

### Notices of Motion

#### Vale Aunty Esme

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.

X086660

## Item 15.2

### Notices of Motion

#### Stanley Street – Let's Party!

By Councillor Gannon

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
- (B) 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.

X086658

## Item 15.3

### Notices of Motion

#### 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 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 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.

X086657

## Item 15.4

### Notices of Motion

#### Community Recognition Statement – Zebra Lounge

By Councillor Gannon

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.

X086657

**Item 15.5****Notices of Motion****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.

X086659



## Item 15.6

### Notices of Motion

#### Bring Joy Back Home

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.

X086655

## Item 15.7

### Notices of Motion

#### 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.

X086659