

Council

Meeting No 1

Monday 20 February 2023

Notice No 1/1649

Notice Date 16 February 2023

minutes

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Present

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

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

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

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

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

Opening Prayer and Acknowledgement of Country

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

Webcasting Statement

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

Note – The Lord Mayor expressed condolences to the Chief Executive Officer on behalf of Council.

Councillor Chan left the meeting of Council at 5.08pm prior to discussion of Item 3.2, and returned at 5.14pm, after the vote on Item 3.2. Councillor Chan was not present at, or in sight of, the meeting of Council during discussion or voting on Item 3.2.

Councillor Scott left the meeting of Council at 5.27pm during discussion of Item 3.3, and returned at 5.35pm, after the vote on Item 3.3. Councillor Scott was not present at, or in sight of, the meeting of Council during voting on Item 3.3.

Order of Business

Council agreed that the order of business be altered such that Item 13.9 be brought forward and dealt with prior to Item 11, for the convenience of the public present.

Item 1 Confirmation of Minutes

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

That the Minutes of the meeting of Council of Monday, 12 December 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2 Statement of Ethical Obligations and Disclosures of Interest

Statement of Ethical Obligations

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

Disclosures of Interest

Councillor Sylvie Ellsmore, disclosed a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that the item relates to the proposed upgrade of a small pocket park – the Douglas Street Playground. The park was established in 1975 following a community campaign for a new park, led by a group of local residents which included her partner's parents – Julie Spies and John Butcher.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the history of the park and her family's connection is relevant but not so relevant as to become a significant interest for which she would need to recuse herself from decision-making on this item. Neither Councillor Ellsmore nor her family stand to personally benefit from recognition of the history of the park. Specific recognition of the role of individuals to which she has a family or other connection is not being proposed. It is a non-pecuniary interest because there is no financial or other gain or impact arising from the upgrade of the park or recognition of its history.

Councillor HY William Chan disclosed a significant, non-pecuniary interest in Item 3.2 on the agenda, in that he previously served, in a voluntary capacity, as a Young Ambassador for UNICEF Australia from 2014 to 2015. He currently holds the following engagements with UNICEF Australia: he is an alumnus of the Young Ambassador program, an official supporter of the charity, and provides contractor services.

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

Councillor (Waskam) Emelda Davis disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that she has known Christine Donnelly, the founder/CEO of The Aboriginal Dance Theatre Redfern, through her personal community involvement with social and cultural activities since the late 1970s.

Councillor Davis considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because this is a personal relationship with an acquaintance, she does not have any business dealings with Christine Donnelly and has not been involved with any decisions made with The Aboriginal Dance Theatre.

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 9 on the agenda, in that her family owns an electric vehicle.

Councillor Scott considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as this does not interfere with her ability to approve a city-made plan.

At a later stage of the meeting, during discussion of a proposed amendment to Item 3.3, Councillor Scott disclosed a significant, non-pecuniary interest, in that she is the ALGA President, which is a signatory to the Accord for all local governments and, from time to time, represent local governments on a range of intergovernmental meetings on these issues.

Councillor Scott advised that she is also the Chair of CareSuper and Deputy Chair of ACSI, which are a superannuation fund and peak body respectively, and note this industry has been invited to consider engaging with the Accord. Whilst she removed herself from any discussion or decision making related to the Accord in CareSuper and ACSI, for an abundance of caution, she is disclosing this significant interest for all these positions.

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

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

Procedural Motion

At this stage of the meeting, it was moved by Councillor Weldon, seconded by Councillor Jarrett –

That the Order of Business be altered such that Items 10, 13.2, 13.8 and 13.15 be brought forward and dealt with following Item 2.

The motion was lost on the following show of hands –

Ayes (5) Councillors Ellsmore, Gannon, Jarrett, Scott and Weldon

Noes (5) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok and Scully.

Motion lost.

Item 3 Minutes by the Lord Mayor

Item 3.1 Vale Brian Sherman

Procedural Motion

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

That Item 3.1 be deferred to the next meeting of Council to enable Brian Sherman's family to attend the Council meeting.

Carried unanimously.

Item 3.2 Türkiye and Syria Earthquakes

Minute by the Lord Mayor

To Council:

Shortly after 4am (12pm AEDT) on Monday 6 February 2023, a magnitude-7.8 earthquake hit southern Türkiye. Just over five hours later, a second magnitude-7.5 earthquake rocked the region about 150km north of the first.

The combined impact of the two earthquakes is among the worst Türkiye has recorded in decades. They have left a wave of destruction across central and southern Türkiye, sprawling into nearby Syria, with their impact felt as far south as Egypt and as far east as Iraq.

As at 16 February 2023, the death toll from the earthquakes was almost 42,000. The World Health Organisation (WHO) has now declared that the earthquakes are the worst natural disaster in the region in a hundred years.

In Turkey, the two earthquakes and hundreds of aftershocks destroyed at least 6,444 buildings across 10 provinces. Skyscrapers and apartment buildings collapsed and were reduced to rubble, with thousands being trapped underneath. Despite rescue efforts being hampered by a lack of equipment, areas being inaccessible and heavy snowstorms, survivors were still being found a week later.

According to WHO approximately 26 million people have been affected: 15 million in Türkiye and 10.87 million in the whole of Syria. Many Turkish people have lost their homes with estimated one million people living in tents and temporary shelters or sleeping rough. Tent cities have sprung up in devastated areas, providing little shelter from sub-zero temperatures. Up to five million people may be homeless in Syria, many already internally displaced after fleeing civil war.

Over 80 hospitals and health facilities have been partially or severely damaged, making it difficult to treat the more than 80,000 people who have been hospitalised.

Children in particular are suffering, with UNICEF estimating that more than seven million children are affected: 4.6 million children living in the 10 provinces of Turkey hit by the earthquakes, and over 2.5 million children in Syria. Thousands of those who died were children, while many of those who survived have been separated from their families. Even before the devastating earthquake, more than 6.5 million children in Syria needed humanitarian aid due to the ongoing conflict.

I extend my deepest sympathy to the families of the victims who lost their lives, who have been injured and who have lost their homes and livelihoods. This has been a difficult time for Turkish and Syrian communities across Australia and overseas who have loved ones, friends and acquaintances living in areas affected by the earthquake. Many have experienced anxious times waiting to learn if they have survived. My thoughts are with you.

An international humanitarian response is now underway with international aid organisations and over 80 countries pledging support for victims of the earthquake, including humanitarian aid.

Australia's Government is contributing to \$18 million to the international aid effort. On 7 February 2023, the Prime Minister, Anthony Albanese announced Australia would provide \$10 million in humanitarian assistance through the Red Cross and Red Crescent partners and humanitarian agencies, with this assistance targeting those in greatest need.

On 15 February 2023, he announced a further contribution of \$8 million of which \$4.5 million will go to Australian non-government organisations in Türkiye helping to protect those made most vulnerable by the earthquakes, search and rescue efforts and other emerging needs. The other \$3.5 million will help the United Nations Population Fund to deliver maternal and child health services and protect women and girls without safe housing in Syria.

An Urban Search and Rescue team of over 70 personnel have been deployed to Türkiye to assist local authorities. Turkish and Syrian communities across Australia are also raising funds and receiving donations of urgently needed supplies.

On Thursday 9 February 2023, a black ribbon symbolising remembrance and mourning was projected onto the sails of the Sydney Opera House in a show of solidarity with the people of Türkiye and Syria.

I am proposing that the City of Sydney support these efforts with two donations of \$50,000 each to two Australian charities which are supporting aid projects in Türkiye and Syria.

The donation to the Australian Committee for UNICEF Limited Syria and Türkiye Earthquake Appeal will help send life saving supplies to children in urgent need. UNICEF teams are on the ground, working round the clock to provide urgent assistance to children and families impacted by the devastating earthquake. Children face extra risks to their health without supplies of food and clean water.

The donation to the Australian Red Cross Türkiye-Syria Earthquakes Appeal will help provide immediate and longer-term relief to communities affected by the earthquakes.

This support includes:

- emergency relief assistance such as search and rescue and first aid services, health, shelter and non-food items;
- specialist aid workers to assist local teams to respond to the crisis; and
- helping people to restore contact with family members separated by the earthquakes by offering services to maintain family links and locate missing family members.

These donations comply with the City of Sydney's Support for Charities Policy adopted by Council on 21 November 2022, are in line with previous donations and align with objective 7.3.2 (2) of the City's Operational Plan 2022/23, which states that the City will support communities beyond our local area and international communities experiencing emergency situations.

Recommendation

It is resolved that:

- (A) Council donate:
- (i) \$50,000 to the Australian Committee for UNICEF Limited as part of their Syria and Türkiye Earthquake Appeal, from the 2022/23 General Contingency Fund; and
 - (ii) \$50,000 to the Australian Red Cross Türkiye-Syria Earthquakes Appeal from the 2022/23 General Contingency Fund; and
- (B) the Chief Executive Officer be requested to arrange a program for staff donations to the above earthquake recovery appeals and for Council to match dollar for dollar any contributions until the end of March 2023 from the 2022/23 General Contingency Fund.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

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Item 3.3 2023 NSW State Election Priorities**Minute by the Lord Mayor**

To Council:

Last year, Council adopted our roadmap for Sydney's future, Sustainable Sydney 2030-2050 Continuing the Vision so that we can continue to meet and respond to the challenges of growth, climate change, liveability and social isolation. But we cannot do it alone.

I call on all parties and candidates contesting the 2023 NSW State election in March to commit to working with the City of Sydney on the following priorities to help us achieve our Vision for Sydney, improve liveability and deliver better infrastructure, services and outcomes for communities.

Environment

Our goal is to achieve net zero emissions in the City of Sydney's local area by 2035 which we brought forward from 2040.

The climate challenge can only be met with concerted and collaborative actions. The more we exchange information, knowledge, and experiences, the greater our ability will be to quickly achieve net zero emissions and save the planet for future generations.

Some of the ways the City is taking action include approving of net zero building standards, using 100 per cent renewable electricity for our operations, upgrading our properties and aquatic centres with solar panels and other energy efficiency measures, and developing a strategy for electrification of transport in the City.

To increase our energy independence and resilience, we need the future State Government to:

- Protect people who live in apartments from being locked into long term, costly and unfair 'dirty' energy contracts by developers/owners who install embedded electricity networks.
- Provide financial incentives for homeowners and businesses to switch from gas when appliances reach end of life to green powered electric alternatives as a more affordable way to transition homes over time.
- Incentivise the upgrade of existing apartment buildings to net zero emissions including dedicated support to electrify and integrate EV charging.
- Require all new apartment buildings to operate with net zero emissions by 2035 or sooner.
- Implement minimum house/apartment performance standards for renters to reduce health impacts and rising utility costs from inefficient housing.
- Support NSW councils to deliver the GreenPower campaign developed by the City of Sydney and strongly encourage people to shop around for their energy provider using the Energy Made Easy government comparison site and invest in GreenPower.
- Reduce vehicle emissions by investing in active and public transport, and the transition to electric vehicles.
- Reinvest 100 per cent of the waste levy legislated under the Protection of the Environment Operations Act 1997 to fund the delivery of priority infrastructure and programs as outlined in the NSW Waste and Sustainable Materials Strategy.

Housing

Providing safe, secure and affordable housing is an enormous challenge for Sydney – one that needs to be tackled by all levels of government, and the Covid pandemic has only emphasised how much work there is ahead of us. The challenges include caring for our homeless communities, ensuring affordable housing for essential workers, providing housing for the Aboriginal and Torres Strait Islander community and social housing for low-income tenants.

The City has a target for 12,000 affordable dwellings in the local area by 2036. To date, the City has facilitated the delivery of more than 1,400 affordable dwellings, with another 630 in the development pipeline in areas like Alexandria, Glebe, Redfern and Zetland. We also have planning controls in place that will facilitate around 1,950 affordable homes over the next 15 years.

The State Government can support our efforts and help provide safe and secure housing by:

- Working with the City and Federal Government to maximise the provision of social and affordable housing at Waterloo Social Housing Estate - if we can't get affordable and social housing on publicly owned sites, where are we going to get it?
- Abandoning the Communities Plus housing model where 70 per cent of floor space on government-owned social housing sites is privatised and prioritise investment in new social housing as well as renewing, extending and properly maintaining existing social housing sites with a commitment to significant ongoing funding.
- Providing affordable housing in major precinct renewals such as Central Precinct, Barangaroo, Blackwattle Bay, and North Eveleigh.
- Delivering a minimum 25 per cent of floor space as affordable rental housing on all Government renewal sites.
- Reforming tenancy legislation to end 'no grounds' evictions that allow landlords to evict a tenant without grounds and with limited notice putting profits ahead of the well-being of tenants.
- Providing increased support for Community Housing Providers to build their capacity and to support the delivery of social and affordable housing, which includes services to support vulnerable people.
- Working with all levels of government and specialist services to address homelessness, including by ending youth homelessness and providing support to people on non-resident visas, and those from New Zealand.

We do not want people marginalised and pushed to the metropolitan fringes, dislocated from their community and from the area that has been home, often for generations.

Transport and Infrastructure

Our goal is that by 2030, every resident will be about a 10-minute walk to what they need for daily life and by 2050, nine out of 10 people working in the city centre and two out of three people working in the rest of the local area will commute by public transport, walking or cycling.

We are building a connected cycleway network, widening footpaths and improving public spaces where more people can safely walk and cycle. However, the provision of public transport is primarily a State Government responsibility.

As the inner-city becomes more congested, urgent investment is needed to sustainably improve access for our growing population. Priorities for improving transport and infrastructure are:

- Reducing speed limits to 40 kilometres an hour in all urban areas, and 30 kilometres an hour in village centres with clear road markings.

- Reforming the local traffic committee system so that councils like the City of Sydney with the necessary expertise can implement sensible road engineering and management approaches such as installing new pedestrian crossings, managing traffic signal phasing, changing parking controls, building more cycleways, and setting speed limits.
- Amending the Roads Act 1993 to enable councils to establish a genuinely quick and easy process for approving low risk community street gatherings ('easy streets').
- Accelerating the delivery of mass transit solutions at Green Square, including extension of the metro system to Zetland, light rail or trackless tram services using the Eastern Transit Corridor preserved by the City, and a new '304Z' electric bus route from Green Square to the CBD that is high frequency and operates 24/7.
- Abandoning the proposed Western Distributor Road Network Improvements proposal.
- Continuing to fund and collaborate with the City on completion of the Bike Network and accelerate progress on state-controlled projects such as Bridge Road in Glebe and Oxford Street East that are lagging behind.
- Providing an additional light rail station at Wimbo Park (footings already installed).
- Promoting integrated ticketing, and public and green transport for events at Moore Park.
- Not proceeding with the planned right turn bans on Cleveland Street and work with the City to calm traffic and reduce accidents.
- Ensuring changes to bus services do not reduce access to the west and south east parts of the city and increase ferry services to improve transport options
- Providing barrier-free access across the new Redfern Southern Concourse and a firm commitment to building an active transport bridge across the railway tracks between North and South Eveleigh.
- Bringing forward the refurbishment and restoration of the Glebe Island Bridge for use as a pedestrian and cycling link.
- Working with the City and the community on delivering swimmable harbour sites at Pyrmont and Elizabeth Bay.

Planning and Development

Successive State Governments have gradually diminished the ability of democratically elected councils to make decisions about development that meets the needs and expectations of their communities. As the State Government's planning powers expand, local government and the community becomes increasingly shut out.

Restore transparency and local decision-making by:

- Reinstating planning powers to the City of Sydney Council for the Explorer Street social housing estate in Eveleigh, and for all other social and affordable housing sites in our Local Government Area into the future.
- Prioritising quality built design, the reduction of building defects and improve the process of the Project Remediate scheme to ensure the efficient remediation of combustible cladding.
- Formally refusing Modification 9 for Central Barangaroo and review planning of the site in line with the City of Sydney's needs analysis.

- Following appropriate planning processes by preparing a Stage 1 concept plan for the redevelopment of the former Sydney Fish Markets site at Blackwattle Bay so outstanding issues including noise, air pollution and overshadowing can be resolved as early as possible.
- Ending the selling off of public land to maximise revenue and profit over the public interest
- Early and ongoing engagement with communities on major planning projects with longer time frames for people to provide feedback as part of the formal exhibition process.
- Returning Wentworth Park to the community by creating a publicly accessible open space as part of a larger and enhanced parkland.
- Continuing to collaborate with the City and other stakeholders to progress the development of the Innovation Precinct including at Central Station and North Eveleigh and the upgrade of Broadway from Central to the University of Sydney.
- Providing more equitable access to Moore Park including reconfiguration of Moore Park Golf Course from 18 holes to nine and commit adequate funding to the ongoing rehabilitation of the parklands from years of degradation due to on-grass parking.

First Peoples

The City has a long-standing commitment to our Aboriginal and Torres Strait Islander communities and the reconciliation movement. In 2022, Council reaffirmed our support for the Uluru Statement of the Heart and we are willing to work with the new Government to achieve its aspirations.

In November 2020, the City adopted its second Reconciliation Action Plan, the Stretch Reconciliation Action Plan (RAP) 2020-2023. We call on the new Government to ensure that NSW Government agencies continue to work with the City in implementing the Plan.

In particular, I call on the new State Government to progress:

- A national First Peoples National Cultural Centre in Sydney
- The inclusion of culturally appropriate social and affordable housing for Aboriginal and Torres Strait Islander households in the Waterloo Estate development.
- The Aboriginal Cultural Heritage (Culture is Identity) Bill 2022 that was introduced into the Legislative Council by Fred Nile MLC and co-sponsored by Independents Alex Greenwich MP and Greg Piper MLC and Animal Justice MLCs Mark Pearson and Emma Hurst.

LGBTIQA+ Community

In August 2005, Council unanimously adopted a resolution in support of Sydney's LGBTIQA+ community which endorsed the community's demands for equality, committed the City to working with other government agencies and organisations to end violence and harassment and to continue to support and participate in the community's major events and celebrations.

While much progress has been made over the past 18 years, there is still much to be done. Continued support for our LGBTQAI+ communities can be achieved by:

- Passing important legislation developed by Alex Greenwich MP including:
- the "Equality Bill" – a comprehensive omnibus bill to address all legislative barriers to LGBTIQA+ health and wellbeing.
- the Conversion Practices Prohibition Bill 2023 to criminalise harmful conversion practices that aim to change or suppress a person's sexual orientation or gender identity.

- Partnering with the City to fully implement the Oxford Street LGBTIQ+ Social and Cultural Place Strategy that recognises the Oxford Street neighbourhood as the heart of Sydney's LGBTIQ+ community and its importance well beyond Sydney.
- Working with the City to establish a First Peoples Queer Cultural Space and making the former Darlinghurst Police Station available as a permanent home for Qtopia's LGBTIQ+ museum, which will provide the opportunity for Sydney WorldPride 2023 to leave a permanent legacy.

Arts Culture and Creativity

Making space for culture is a major imperative of Sustainable Sydney 2030-2050 Continuing the Vision. The need for urgent action is underpinned by a 2017 survey which found that the City of Sydney Local Government area had lost about 110,000m² of creative and cultural employment space in the previous five years. The impact of the Covid-19 pandemic is not yet fully known.

The State Government has a significant role to play in increasing cultural and creative space. Opportunities include:

- Ensuring State Government renewal projects protect existing creative employment space and create new spaces such as at North Eveleigh and Tech Central.
- Relocating the Darlinghurst Courthouse so the heritage complex can be used for creative and cultural uses
- Implementing creative land trusts supported by an appropriate legal framework and funding.
- Introducing legislation to enable an Assets of Community Value scheme to operate in NSW that would enable local communities to take ownership of assets that they value similar to what occurs in the United Kingdom under its Localism Act.

Social Reform

The City of Sydney builds social cohesion and combats disadvantage. Yet despite our best efforts, widespread disadvantage persists. Sydney is Australia's least affordable city and homelessness is at unprecedented levels. While unemployment is low, insecure work is high, creating a new class of working poor. And although we have come a long way in our understanding of mental illness and substance abuse, specialist services for treating these conditions are stretched beyond capacity, especially since Covid.

The State Government must better support our most vulnerable community members by:

- Reducing incarceration, including by addressing the sources of disadvantage that lead to, and flow from, incarceration
- Taking immediate action to reduce the harm caused by the proliferation of gambling machines, such as introducing a mandatory cashless gaming card scheme and establishing a Special Commission of Inquiry into Gambling Harm.
- Streamlining funding to community service providers to reduce red tape and time-consuming application processes so they can better support vulnerable groups such as victims of domestic violence, trans people, and people with disabilities etc.
- Addressing food insecurity and sustainable food systems, in line with the recommendations from the 2022 inquiry into food production and supply in NSW.

Financial Sustainability and Governance

Since I became Lord Mayor in 2004, I have made responsible financial management a key priority – a particularly important focus at that time as the City had come close to bankruptcy in the 1990s. Since then, Council has established a consistent track record of planning responsibly for the future, investing in property and assets for better returns, and allocating income to fund infrastructure and services.

Put simply, good governance leads to better and more efficient decisions, helps us meet our legislative responsibilities, and provides an ethical basis for decision-making. The City is continually looking to get better value for money and get socially responsible outcomes for our communities. To do that, the State Government must give Councils the flexibility and autonomy to make decisions in the best interest of their communities.

I call on the new State Government to support the City's financial independence and stability by:

- Committing to withdraw all previously proposed changes under the draft Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2022, and associated changes to regulations and policies that would severely impact all Councils being able to provide adequate infrastructure for our communities.
- Amending the rate peg methodology to prevent future financial shocks.
- Relieving the City of the unique and onerous legislative burden of maintaining the non-resident register under the City of Sydney Act 1988 and giving responsibility for maintaining the register to NSW Electoral Commission, which has the experience and data access to accurately maintain and simplify it.
- Providing councils greater flexibility in the legislation and regulations to undertake more socially responsible procurement, in line with the options already available to State Government agencies and state-owned corporations.
- Amending existing legislation under the Emergency Services Levy Act 2017 to enable Councils to recover the cost of the emergency services levy through land rates outside of the rate peg to provide certainty for Council and the community.

These priorities call for greater cooperation between State and local government, which will ultimately benefit our communities. I therefore recommend that Council endorse them and call upon all parties and candidates contesting the 2023 NSW state election to commit to them.

Recommendation

It is resolved that:

- (A) Council endorse the City of Sydney's 2023 NSW State Election priorities outlined in the subject Lord Mayoral Minute;
- (B) Council call on all parties and candidates contesting the 2023 NSW State Election in March to commit to working with the City of Sydney on those priorities and help us achieve our vision under Sustainable Sydney 2030-2050, adopted by Council last year; and
- (C) the Lord Mayor be requested to write to the NSW Premier and Leader of the Opposition with a copy of the subject Lord Mayoral Minute requesting their commitment to the City's priorities in the term ahead.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

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

- (A) Council endorse the City of Sydney's 2023 NSW State Election priorities outlined in the subject Lord Mayoral Minute with following amendments:
 - make NSW planning laws address climate change. This could be achieved, for example, through requiring climate impact assessments for planning decisions; and
 - amend NSW laws to remove the two votes for businesses and organisations (through the non-residential roll) in the City of Sydney Local Government Area, and make the voting rules in the City of Sydney local government elections the same as other Local Government Areas;
- (B) Council call on all parties and candidates contesting the 2023 NSW State Election in March to commit to working with the City of Sydney on those priorities and help us achieve our vision under Sustainable Sydney 2030-2050, adopted by Council last year; and
- (C) the Lord Mayor be requested to write to the NSW Premier and Leader of the Opposition with a copy of the subject Lord Mayoral Minute requesting their commitment to the City's priorities in the term ahead.

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

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

(A) Council endorse the City of Sydney’s 2023 NSW State Election priorities outlined in the subject Lord Mayoral Minute, with the following amendments:

- make NSW planning laws address climate change. This could be achieved, for example, through requiring climate impact assessments for planning decisions; and
- amend NSW laws to remove the two votes for businesses and organisations (through the non-residential roll) in the City of Sydney Local Government Area, and make the voting rules in the City of Sydney local government elections the same as other Local Government Areas;

and, in relation to housing and planning:

- ~~delivering a minimum of 25 per cent of floor space as affordable rental housing on all Government renewal sites;~~
- delivering 100 per cent public housing on public land;
- requiring a minimum of 50 per cent affordable rental housing in perpetuity, where major private development is proposed;
- ensuring the right of public housing tenants to remain in the local area if their tenancy is disrupted due to maintenance or redevelopment projects;
- granting Councils stronger power to regulate short term letting;
- mandating requirements to make housing disability accessible in line with best practice standards, including retrofitting existing housing;
- adopting in NSW a model of 75 per cent value uplift capture for rezoning; and
- reforming NSW planning laws to abolish State Significant Development provisions;

(B) Council call on all parties and candidates contesting the 2023 NSW State Election in March to commit to working with the City of Sydney on those priorities and help us achieve our vision under Sustainable Sydney 2030-2050, adopted by Council last year; and

(C) the Lord Mayor be requested to write to the NSW Premier and Leader of the Opposition with a copy of the subject Lord Mayoral Minute requesting their commitment to the City’s priorities in the term ahead.

The amendment was lost on the following show of hands -

Ayes (2) Councillors Ellsmore and Weldon

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

Amendment lost.

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

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

Noes (2) Councillors Gannon* and Jarrett*.

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

The Minute, as varied by consent, was carried.

S051491

Item 3.4 Quay Quarter Lanes Precinct

Minute by the Lord Mayor

To Council:

Last year, I was pleased to participate in the opening of Quay Quarter Lanes Precinct, which is one of the most historic parts of Sydney, bound by Loftus, Bridge and Young Streets.

The precinct has been described as a “gift to the city” and won the Walter Burley Griffin Award for Urban Design at the Australian Institute of Architects’ National Architecture Awards. This impressive new precinct in the north of our city includes AMP’s Quay Quarter Tower. The tower was awarded World Building of the Year at the World Architecture Festival as well as the International High-Rise Award.

Long before European invasion, the site was a gathering place for the Gadigal people, as it was close to the harbour’s rich fishing grounds. Much later, it was the site of the gardens of the first Government House, where a key Aboriginal figure, Arabanoo, was held after being abducted. The redevelopment of the site includes a public artwork by Aboriginal artist, Jonathon Jones, that represents elements of Arabanoo’s life.

The site was also the arrival destination for post-war migrants and became the site of the earliest high-rise development in the 1960s.

The Quay Quarter development is made up of three parts; the completed low-rise development known as Quay Quarter Lanes, the award-winning Quay Quarter Tower at 50 Bridge Street, and the historic AMP Tower at 33 Alfred Street, which is currently under refurbishment.

Quay Quarter Tower is the world’s largest upcycled building, with 90 per cent of the 1976 building being retained. It is estimated that 7.3 million kilograms of embodied carbon has been saved in the upcycling of this building.

Architects BVN were involved in the master planning of the precinct and remained on the project along with architects 3XN who won the design competition for the tower. Today, Quay Quarter Tower achieves a 6-star Green Star and 5.5 Star NABERS energy ratings and is WELL Gold certified. BVN is currently undertaking a carbon neutral fit-out for one of the tower’s tenants, spanning three floors.

The urban design execution is stunning – a threaded public domain with diverse architecture housing fine grain businesses and apartments. The bespoke Design Excellence approach of selecting the landscape and architectural practices was a genuine partnership between the City and AMP following the international Stage 1 competition.

The City has been involved in the development and refurbishment from the beginning to ensure it benefitted our residents, workers and visitors. Loftus Lane has been transformed from a carpark entryway to a pedestrian lane with fine-grain retail and cafes. The air space above the lanes was captured as a public benefit so that it can’t be redeveloped in the future.

The City unlocked the potential of the sites by allowing the redistribution of floor space across two city blocks; unused floor space from the Young and Alfred Street block was transferred to the Young and Phillip Street block, so it could be used to enlarge and reuse the existing 50 Bridge Street tower. This transfer meant the Quay Quarter Lanes development remained low-rise, and incorporated the restoration of the two heritage buildings, Hinchcliff House and the Gallipoli Club.

The development is a collection of contextual buildings and is a good neighbour by not overshadowing Macquarie Place and maintaining views from surrounding buildings. It has been designed to accommodate the 24-hour city by ensuring residential units have acoustic glazing and operable windows, which also increases occupants' comfort and energy efficiency.

By breathing new life into this important and historic precinct, AMP Capital has created a legacy of rich social, cultural and economic value for the people of Sydney. The whole precinct brings together residential, retail and office space, with vibrant new night life and early morning retail to extend the City's life beyond the hours of nine to five.

As we work to bring people back into the city, it is more important than ever that we create places that are environmentally, visually and socially attractive – places that will sustain city life for decades to come. The innovative planning and sustainable upcycling in this project are great examples of that.

Recommendation

It is resolved that Council:

- (A) note the opening of the Quay Quarter Lanes Precinct and the many public benefits this development will provide to our City including public art, design excellence, sustainability, heritage restoration and 24-hour economic activity;
- (B) congratulate the architects, designers, project managers, builders and investors involved in the award-winning Quay Quarter Lanes Precinct; and
- (C) commend the City's Planning staff under the leadership of Director Graham Jahn, who worked collaboratively and negotiated with the project team from the beginning to achieve the many public benefits for our city, as well as other areas such as the City's Design Advisory Panel, Public Art Advisory Panel and the Aboriginal and Torres Strait Islander Advisory Panel who contributed to this precinct.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

S051491

Item 4 Memoranda by the Chief Executive Officer

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

Item 5 Matters for Tabling

5.1 Disclosures of Interest

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

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

Carried unanimously.

5.2 Petitions

(a) Elger Street Glebe

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

We, the undersigned residents / tenants of Community Social Housing in nr. 1, 3 and 2 Elger Street Glebe, respectfully call on the Lord Mayor Clover Moore and the Councillors of the City of Sydney Council to:

1. Remove the cycleway in front of the Community Social Housing in Elger Street Glebe.
2. Install and provide adequate invalid parking in front of nr. 1, 3 and 2 Elger Street Glebe.
3. Install and provide adequate footpath to road ramp access.
4. Allow residents / tenants of Community Social Housing in nr. 1, 3 and 2 Elger Street residential parking permits if requested.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

(b) No Digital Advertising Signs in Sydney's Chinatown

The following Petition, without notice, was tabled by Councillor Kok.

Chinatown is a significant place for Chinese-Australians, Asian-Australians and Sydneysiders from all walks of life. The City of Sydney's commercial partnership with QMS and JCDecaux has seen huge digital advertising signs installed in the heart of Chinatown. New payphones with digital signage are also planned on the way.

Chinatown is a historic area, and a classified "Special Character Precinct" by the City of Sydney itself. It should not be littered with these advertising signs for the sole purpose of generating revenue for the council.

The advertising signs are enormous, intrusive, obstruct pedestrians, ugly and provide zero community benefit.

Some of them are blocking the space where restaurants could have outdoor dining.

The City of Sydney has already commissioned a review into the placement of these signs - we need your help to convince them to remove them from our Chinatown. It's our one and only chance to get this done.

Soul of Chinatown is calling for the removal of all QMS and JCDecaux digital signage from the entire Chinatown area, not just on Dixon Street.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250

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

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

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

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

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

Apologies

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

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.52pm.

Report of the Corporate, Finance, Properties and Tenders Committee

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 13 February 2023 be received, with Items 6.1 and 6.2 being noted, the recommendations set out below for Items 6.3 to 6.5 inclusive and Item 6.8 being adopted in globo, and Items 6.6 and 6.7 being dealt with as shown immediately following those items.

Carried unanimously.

Item 6.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 13 February 2023, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 6.2

Statement of Ethical Obligations and Disclosures of Interest

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

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

Item 6.3

2022/23 Quarter 2 Review - Delivery Program 2022-2026

It is resolved that:

- (A) Council note the financial performance of Council for the second quarter, ending 31 December 2022, including a Quarter 2 Net Operating Result for the year of \$74.4M and the full year forecast of \$98.9M, as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) Council note the Quarter 2 Capital Works expenditure of \$66.3M and a revised full year forecast of \$185.9M, and approve the proposed adjustments to the adopted budget, including bringing forward \$4.8M of funds into the 2022/23 capital budget and \$1.4M from the capital works contingency as detailed in Attachment B to the subject report;
- (C) Council note the Technology and Digital Services Capital Works of \$8.7M, net of disposals, and a full year forecast of \$23.7M, including bringing forward \$4.0M of funds into the 2022/23 capital budget and \$1.5M from the capital works contingency as detailed in Attachment B to the subject report;
- (D) Council note the Quarter 2 Plant and Equipment expenditure of \$3.4M, net of disposals, a revised full year forecast of \$12.8M;
- (E) Council note the Quarter 2 net Property Acquisitions of \$96.5M, and the full year forecast net Property Acquisitions of \$116.1M;
- (F) note the operational performance indicators and Quarter 2 achievements against the Operational Plan 2022/23 objectives, as detailed in Attachment C to the subject report;
- (G) note the supplementary reports, including contracts issued over \$50,000, major legal issues and the Quick Response, Banner Pole and Reduced Rate Grant Programs in Quarter 2, as detailed in Attachment D to the subject report.

Carried unanimously.

X084366

Item 6.4

Investments Held as at 31 December 2022

It is resolved that the Investment Report as at 31 December 2022 be received and noted.

Carried unanimously.

X020701

Item 6.5

Investments Held as at 31 January 2023

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

Carried unanimously.

X020701

Item 6.6

Exemption from Tender and Contract Variation – Catering Services – Compass Group (Restaurant Associates)

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 20 February 2023.

At the meeting of Council, it was moved by Councillor Scully, seconded by Councillor Kok -

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the management of the City's Catering Services to extend the term of the existing contract up to 12 months (to 2 July 2024), by reason of extenuating circumstances, noting that the City took the necessary time to assess the challenging market post pandemic and review the catering services model to ensure long-term viability;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders because:
 - (i) additional time is required in order to undertake and finalise the tender process in a market that continues to change rapidly; and
 - (ii) the extension of term to the existing contract will allow a planned transition period should a change in supplier occur as a result of the tender process;
- (C) Council approve a contract variation with Compass Group B&I Hospitality Services Pty Ltd (Restaurant Associates) for Catering Services to extend the contract by up to 12 months to 2 July 2024 on the terms set out in Confidential Attachment A to the subject report;

- (D) Council note that the financial arrangements under the previous contract were temporarily modified by the Chief Executive Officer in 2020 in accordance with the City's Covid-19 recovery response to accommodate the effects of the Covid-19 pandemic, and were approved by Council in 2021 to vary the financial terms of the contract, and extend the contract for an additional two years based on these varied terms as further detailed in Confidential Attachment A to the subject report;
- (E) Council note the financial implications as further detailed in Confidential Attachment A to the subject report for the period 3 July 2023 to 2 July 2024; and
- (F) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation to give effect to the resolutions above.

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

That the motion be amended such that clause (C) read as follows:

- (C) Council approve a contract variation with Compass Group B&I Hospitality Services Pty Ltd (Restaurant Associates) for Catering Services to extend the contract by up to 12 months to 2 July 2024 on the terms set out in Confidential Attachment A to the subject report and with amendments or negotiated arrangements to facilitate the waiver of Council's profit from the private catering fees, in instances where the hirer is a not for profit or community groups to whom Council has offered a venue hire waiver;

The amendment was lost on the following show of hands:

Ayes (2) Councillors Ellsmore and Weldon

Noes (8) The Chair (the Lord Mayor), Councillors Davis, Chan, Gannon, Jarrett, Kok, Scott and Scully.

Amendment lost.

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

That the motion be amended by the addition of a clause (G) as follows:

- (G) Council consider that the future tender process for future catering services:
 - (i) seeks to identify caterers who can accommodate a diverse range of catering cost options for hirers, particularly low cost options; and
 - (ii) enables future hirers options not to use the caterer contracted by Council, where:
 - (a) using the Council contracted caterer would act as a significant barrier to not for profit or community groups' ability to hire Council spaces; or
 - (b) would not be culturally appropriate.

The amendment was carried on the following show of hands:

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

Noes (1) Councillor Weldon*.

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

Amendment carried.

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

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

Noes (2) Councillor Scott and Weldon*.

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

Amended motion carried.

X079066

Item 6.7

Cancellation of Tender - T-2022-755 - Exemption from Tender and Contract Variations for Sydney New Year's Eve

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 20 February 2023.

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

It is resolved that:

- (A) Council decline to accept the tender offer for Firework Displays for 2023 and 2024 Sydney New Year's Eve (with two 24-month options to extend to cover the 2025 and 2026 events, and further 2027 and 2028 events) for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council cancel the tender for Firework Displays for 2023 and 2024 Sydney New Year's Eve (with two 24-month options to extend to cover the 2025 and 2026 events, and further 2027 and 2028 events);
- (C) Council note the City will undertake a new tender process or processes for the delivery of the 2024 Sydney New Year's Eve and future year events which are expected to be in market by the end of April 2023, following further market research and reconsideration of the proposed contract model;
- (D) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the provision of pyrotechnic services for the 2023 Sydney New Year's Eve event;

- (E) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the provision of barges and tugs for the 2023 Sydney New Year's Eve event;
- (F) Council note the reasons a satisfactory outcome would not be achieved by inviting tenders is due to the following extenuating circumstances:
 - (i) the City has attempted to undertake a tender process to contract services in time for delivery of the 2023 Sydney New Year's Eve event. However, as the market did not respond as intended, the City will need to cancel the current tender and undertake further market research prior to re-tendering; and
 - (ii) there is insufficient time to undertake a new tender process for the delivery of the 2023 Sydney New Year's Eve event;
- (G) Council approve a contract variation with Foti International Fireworks Pty Ltd for the provision of pyrotechnic services for Sydney New Year's Eve for the price outlined in Confidential Attachment A to the subject report, for a period of one year to cover the 2023 Sydney New Year's Eve event;
- (H) Council approve a contract variation with Polaris Marine Pty Ltd as Trustee for Polaris Marine Trust No 1 for the provision of barges and tugs for Sydney New Year's Eve for the price outlined in Confidential Attachment A to the subject report, for a period of one year to cover the 2023 Sydney New Year's Eve event; and
- (I) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation to give effect to these resolutions.

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

That the motion be amended by the addition of a clause (J) as follows:

- (J) the Chief Executive Officer be requested to investigate and provide updated advice to the elected Council about opportunities to mitigate the environmental impact of the fireworks, and viable sustainable alternatives, prior to the granting of a tender for future New Year's Eve Fireworks.

Amendment carried unanimously.

Amended motion carried unanimously.

X092284.003

Item 6.8

Tender - T-2022-717 - Reject and Negotiate - Accounts Payable Invoice Scanning Solution

It is resolved that:

- (A) Council decline to accept the tender offers received for the Accounts Payable Invoice Scanning Solution for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council enter into negotiations with suitably qualified vendor with a view to entering into a contract in relation to the subject matter of the tender;

- (C) Council note the reasons for determining to enter into negotiations are that:
 - (i) there are critical time dependencies in that the Accounts Payable Invoice Scanning Solution needs to be implemented, tested and deployed alongside the TechnologyOne Cloud migration in August 2023, hence there is insufficient time to run a new tender process; and
 - (ii) during the tender evaluation, the City has identified suitable vendors that can meet the City's functional requirements, within the required timeframes;
- (D) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract on terms that are appropriate in relation to the subject matter of the tender;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (F) Council be informed of the successful vendor via the CEO Update.

Carried unanimously.

X088492.001

Item 7 Report of the Resilient Communities Committee**PRESENT**

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor (Waskam) Emelda Davis
(Deputy Chair)

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

At the commencement of business at 2.53pm those present were -

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

Apologies

Councillor Scully extended her apologies for her inability to attend the meeting of the Resilient Communities Committee.

The meeting of the Resilient Communities Committee concluded at 3.09pm.

Report of the Resilient Communities Committee

Moved by Councillor Davis, seconded by Councillor Kok –

That the report of the Resilient Communities Committee of its meeting of 13 February 2023 be received, with Items 7.1 and 7.2 being noted and the recommendations set out below for Items 7.3 and 7.4 being adopted in globo.

Carried unanimously.

Item 7.1**Confirmation of Minutes**

Moved by Councillor Davis, seconded by Councillor Kok –

That the minutes of the meeting of the Resilient Communities Committee of Monday 5 December 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 7.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor (Waskam) Emelda Davis disclosed a less than significant non-pecuniary interest in Item 7.3 on the agenda, in that she has known Christine Donnelly the founder/CEO of The Aboriginal Dance Theatre Redfern through her personal community involvement with social and cultural activities since the late 1970s.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as this is a personal relationship with an acquaintance. She does not have any business dealings with Christine Donnelly and has not been involved with any decisions made with The Aboriginal Dance Theatre.

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

The Resilient Communities Committee recommended the following -

Item 7.3

Grants and Sponsorship - Aboriginal and Torres Strait Islander Collaboration Fund and Accommodation Grant Program

It is resolved that:

- (A) Council approve the cash recommendation for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment A to the subject report;
- (B) Council note the applicant who was not recommended in obtaining a cash grant for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment B to the subject report;
- (C) Council approve the change of recipient legal name for the lessee at 19 Greenknowe Avenue, Potts Point from Sydney Children's Hospital Network to South Eastern Sydney Local Health District and note that a new lease will be issued for this tenancy;
- (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.

Carried unanimously.

S117676

Item 7.4**Memorandum of Understanding - ANZAC Day 2023-2025**

It is resolved that:

- (A) authority be delegated to the Chief Executive Officer to enter into and finalise a Memorandum of Understanding with The Returned and Services League of Australia (NSW Branch), the Dawn Service Trust Inc. and the State of New South Wales as outlined in this report and Confidential Attachment A to the subject report;
- (B) Council approve for the 2023, 2024 and 2025 ANZAC Day events:
 - (i) annual funding of one third of actual costs up to a maximum of \$70,000 (excluding GST) to the State of New South Wales for Hostile Vehicle Mitigation measures;
 - (ii) annual funding of \$10,000 (excluding GST) to the Dawn Service Trust Inc.; and
 - (iii) annual value-in-kind support for 150 veteran's themed banners for up to two weeks (pending availability); and
- (C) Council note that the final Memorandum of Understanding will be provided to Council via the CEO Update.

Carried unanimously.

X084995

Item 8 Report of the Transport, Heritage, Environment and Planning Committee

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor HY William Chan
(Deputy Chair)

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

At the commencement of business at 3.10pm those present were -

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

Apologies

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

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

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

Carried unanimously.

Adjournment

At 3.31pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Gannon –

That the meeting of the Transport, Heritage, Environment and Planning Committee be adjourned for approximately 15 minutes.

Carried unanimously.

At the resumption of the meeting of the Transport, Heritage, Environment and Planning Committee at 3.47pm, all Councillors were present.

The meeting of the Transport, Heritage, Environment and Planning Committee concluded at 4.26pm.

Report of the Transport, Heritage, Environment and Planning Committee

Moved by Councillor Chan, seconded by Councillor Gannon –

That the report of the Transport, Heritage, Environment and Planning Committee of its meeting of 13 February 2023 be received, with Items 8.1 and 8.2 being noted, the recommendations set out below for Items 8.3 and 8.5 to 8.9 inclusive being adopted in globo, and Item 8.4 being dealt with as shown immediately following that Item.

Carried unanimously.

Item 8.1

Confirmation of Minutes

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

That the minutes of the meeting of the Transport, Heritage, Environment and Planning Committee of Monday, 5 December 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 8.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Sylvie Ellsmore has disclosed a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that the item relates to the proposed upgrade of a small pocket park – the Douglas Street Playground. The park was established in 1975 by a group of local residents, which included Councillor Ellsmore's partner's parents – Julie and John Spies.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the history of the park and her family's connection is relevant, but not so relevant as to become a significant interest for which she would need to recuse herself from decision making on this item. It is a non-pecuniary interest because there is no financial or other gain or impact arising from the upgrade of the park, or recognition of its history.

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

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

Item 8.3

Project Scope - Glebe to Ultimo Walking and Cycling Improvements

It is resolved that Council:

- (A) approve the concept design for the Glebe to Ultimo Walking and Cycling Improvements as shown in Attachment B to the subject report for finalising detailed documentation and construction; and
- (B) note the estimated project costs as detailed in Confidential Attachment D to the subject report.

Carried unanimously.

X021146

Speaker

Francis O'Neill (Bicycle NSW) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 8.3.

Item 8.4

Project Scope - Douglas Street Park and Playground, Redfern

Moved by Councillor Chan, seconded by Councillor Gannon -

It is resolved that Council:

- (A) endorse the scope of improvements to the playground at Douglas Street Playground, Redfern as described in the subject report and shown in the Draft Concept Plan at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) approve the additional funds required to deliver the project as outlined in Confidential Attachment D to the subject report.

Amendment. Moved by Councillor Ellsmore, seconded by the Chair (the Lord Mayor):

It is resolved that:

- (A) Council endorse the scope of improvements to the playground at Douglas Street Playground, Redfern as described in the subject report and shown in the Draft Concept Plan at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction;
- (B) Council approve the additional funds required to deliver the project as outlined in Confidential Attachment D to the subject report;
- (C) Council note the history of the establishment of this park, namely:
 - (i) in response to a lack of local playgrounds in Redfern in the early 70s, a campaign was launched by local residents for a park for children to be established on a disused piece of public land on Douglas Street;
 - (ii) on 22 February 1975, local children and residents staged a direct action by taking down the fences, and created a children's adventure playground;
 - (iii) they proclaimed the park to be the "Douglas Street People's Park";
 - (iv) the residents continued with the campaign. The land was eventually transferred to the South Sydney Council, to become a permanent children's playground; and
 - (v) the community continued to defend the park as Redfern underwent development. In 1999 Aunty Shireen Malamoo was awarded a Citizens Award from South Sydney Council for protecting Douglas Street park from developers; and
- (D) the Chief Executive Officer be requested to provide advice to the Council about opportunities to acknowledge and celebrate the history of the creation as a park. The advice is to consider the Aboriginal history and cultural significance of the site, including the involvement of local Aboriginal community members in establishing the park. The Chief Executive Officer is requested to provide the advice following appropriate further inquiries and consultation, including with those involved in the park's establishment, and the City's Indigenous Leadership and Engagement Team.

Amendment carried unanimously.

Amended motion carried unanimously.

Item 8.5**Project Scope - Wattle Lane Park / McKee Street Reserve Upgrade**

It is resolved that Council:

- (A) endorse the scope of improvements to the playground and the community garden at McKee Street Reserve, Ultimo as described in the subject report and shown in the Revised Concept Plan as Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) approve the additional funds required to deliver the project as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X083832

Item 8.6**Post Exhibition – Development Control Plan – Waterloo Estate (South) - Sydney Development Control Plan 2012 Amendment**

It is resolved that:

- (A) Council approve Draft Sydney Development Control Plan - Waterloo Estate (South), as shown at Attachment A to the subject report, as amended following public exhibition, noting it will come into effect on the date of publication of the subject local environmental plan; and
- (B) authority be delegated to the Chief Executive Officer to make minor amendments to Sydney Development Control Plan - Waterloo Estate (South) to correct any minor errors or omissions prior to finalisation.

Carried unanimously.

X030481

Item 8.7**Post Exhibition - Planning Proposal - Pitt and Hunter Streets, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal - 15-25 Hunter Street and 105-107 Pitt Street, Sydney, the draft Sydney Development Control Plan 2012 - 15-25 Hunter Street and 105-107 Pitt Street, Sydney amendment, and draft Voluntary Planning Agreement, as shown in Attachments D to the subject report;
- (B) Council approve Planning Proposal - 15-25 Hunter Street and 105-107 Pitt Street, Sydney, as amended in response to submissions following public exhibition and shown at Attachment B to the subject report, be sent to the Department of Planning and Environment to be made as a local environmental plan;

- (C) Council approve the draft Sydney Development Control Plan 2012 - 15-25 Hunter Street and 105-107 Pitt Street, Sydney, as amended in response to submissions following public exhibition and shown at Attachment C to the subject report, noting the approved Development Control Plan will come into effect on the date of publication of the subject Local Environmental Plan;
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal - 15-25 Hunter Street and 105-107 Pitt Street, Sydney and draft Sydney Development Control Plan - 15-25 Hunter Street and 105-107 Pitt Street, Sydney amendment to correct any minor errors, omissions or inconsistencies prior to finalisation; and
- (E) Council note the draft Voluntary Planning Agreement, as shown at Attachment D to the subject report will be executed under delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.

Carried unanimously.

X038757

Speaker

Jarrold White (Milligan Group) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 8.7.

Item 8.8

Post Exhibition - Heritage Floor Space Amendment - Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of the Draft Development Control Plan – Heritage Floor Space Amendment, as shown in the Summary of Submissions at Attachment C to the subject report;
- (B) Council approve the Draft Development Control Plan - Heritage Floor Space Amendment as shown in Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make any minor amendments to the Draft Development Control Plan – Heritage Floor Space Amendment to correct any minor errors or omissions prior to finalisation and publication.

Carried unanimously.

X091559

Item 8.9

Fire Safety Reports

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to K of the subject report;
- (C) note the contents of Attachment B to the subject report and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2-4 Sterling Street, Camperdown;
- (D) note the contents of Attachment C to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 1 Grantham Street, Potts Point at this time;
- (E) note the contents of Attachment D to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 69-71 Parramatta Road, Camperdown at this time;
- (F) note the contents of Attachment E to the subject report and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 72-76 Parramatta Road, Camperdown;
- (G) note the contents of Attachment F to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 6-8 Alexandra Drive, Camperdown at this time;
- (H) note the contents of Attachment G to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 75-81 Macdonald Street, Erskineville at this time;
- (I) note the contents of Attachment H to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 7 Metters Street, Erskineville at this time;;
- (J) note the contents of Attachment I to the subject report and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 15-17 Marsden Street, Camperdown;
- (K) note the contents of Attachment J to the subject report and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 398 Pitt Street, Haymarket;
- (L) note the contents of Attachment K to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 72 Macdonald Street, Erskineville at this time.

Carried unanimously.

S105001.002

Item 9 Public Exhibition - Electrification of Transport in the City - Strategy and Action Plan

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

It is resolved that:

- (A) Council approve for public exhibition the draft Electrification of Transport in the City Strategy and Action Plan, as shown at Attachment A to the subject report, and related technical report, as shown at Attachment B to the subject report;
- (B) Council note that the Electrification of Transport in the City Strategy and Action Plan including any recommended changes, will be reported to Council for adoption following the exhibition period;
- (C) authority be delegated to the Chief Executive Officer to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Electrification of Transport in the City Strategy and Action Plan; and
- (D) the Lord Mayor and Councillors be signatories to a joint statement by the Cities Power Partnership (Climate Council) of which the City is a member, calling for the Australian Government to introduce fuel efficiency standards for Australia to secure more low and zero emissions vehicles.

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

That the motion be amended such that clause (A) read as follows –

- (A) Council approve for public exhibition the draft Electrification of Transport in the City Strategy and Action Plan, as shown at Attachment A to the subject report, and related technical report, as shown at Attachment B to the subject report for a period of eight weeks;

The amendment was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

Amendment lost.

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

- (A) Council approve public exhibition the draft Electrification of Transport in the City Strategy and Action Plan, as shown at Attachment A to the subject report, and related technical report, as shown at Attachment B to the subject report for a period of six weeks;

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

X086550

Adjournment

At this stage of the meeting, at 6.47pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 7.09pm.

Item 10 City of Sydney Waste Management and Operating Environment

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

It is resolved that the Chief Executive Officer be requested to:

- (A) work with the Audit, Risk and Compliance Committee to review major waste contracts to ensure current and future contracts are fit for purpose and adequate resources are provided to manage them;
- (B) develop a community engagement process that will provide Council with community information on the best ways to manage and monitor domestic waste; encourage activities that will reduce waste and improve recycling; encourage the take up of the food waste program and understand the community's preference for the delivery of the future food organics service and assist Council to set appropriate service levels for the future; and
- (C) provide a briefing to Council on the proposed community engagement process and the funds required for the process as part of 2023/24 budget preparation.

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

It is resolved that the Chief Executive Officer be requested to:

- (A) commission an external review into the City of Sydney's domestic waste collection services and contract to provide recommendations on improving the services in the city;
- (B) develop a community engagement process that will provide Council with community information on the best ways to manage and monitor domestic waste; encourage activities that will reduce waste and improve recycling; encourage the take up of the food waste program and understand the community's preference for the delivery of the future food organics service and assist Council to set appropriate service levels for the future;
- (C) provide a briefing to Council on the proposed community engagement process and the funds required for the process as part of 2023/24 budget preparation; and
- (D) report back to Council regularly, via Council briefings and the CEO Update, statistics of collection services in the City of Sydney and forecasts in the event of any prospective industrial action or change to regular servicing.

The amendment was lost on the following show of hands –

Ayes (5) Councillors Ellsmore, Gannon, Jarrett, Scott and Weldon

Noes (5) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok and Scully.

Amendment lost.

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

It is resolved that:

- (A) the Lord Mayor be requested to urgently hold a public forum addressing the City of Sydney waste service issues;
- (B) the Chief Executive Officer be requested to:
 - (i) work with the Audit, Risk and Compliance Committee to review major waste contracts to ensure current and future contracts are fit for purpose and adequate resources are provided to manage them;
 - (ii) work with the Audit, Risk and Compliance Committee to establish a Taskforce dedicated to monitoring the cleansing and waste services provided by the City of Sydney;
 - (a) the Taskforce should predominately consist of City of Sydney community members and businesses; and
 - (b) the Chief Executive Officer should report back to Council regarding progress made by the Taskforce and City staff to improve the efficiency, consistency and quality of the cleansing and waste services;
 - (iii) provide Councillors advice, via the CEO Update, on whether the City of Sydney Council is upholding our obligations under the NSW Local Government Act and the NSW City of Sydney Local Government Act;
 - (iv) develop a community engagement process that will provide Council with community information on the best ways to manage and monitor domestic waste; encourage activities that will reduce waste and improve recycling; encourage the take up of the food waste program and understand the community's preference for the delivery of the future food organics service and assist Council to set appropriate service levels for the future; and
 - (v) provide a briefing to Council on the proposed community engagement process and the funds required for the process as part of 2023/24 budget preparation.

The amendment was lost on the following show of hands –

Ayes (5) Councillors Ellsmore, Gannon, Jarrett, Scott and Weldon

Noes (5) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok and Scully.

Amendment lost.

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

It is resolved that:

(A) Council note:

- (i) in September 2018, Council accepted a tender for the City of Sydney's domestic waste collection services to Cleanaway;
- (ii) in November 2019, the City of Sydney Council accepted a contract variation to amend the contract area to the whole of the City of Sydney Local Government Area for all waste collection services, including general waste, and booked household clean up collection services, however, this was opposed by Councillor Scott at the time;
- (iii) since this time, the City of Sydney has received increasing numbers of complaints, with Councillor Scott's office receiving 23 emails in the past week alone regarding waste issues residents are experiencing, including:
 - (a) missed collections of up to four weeks;
 - (b) vermin infestation; and
 - (c) rubbish dumping;
- (iv) under the NSW Local Government Act, waste removal and disposal are core Council functions of the City of Sydney's responsibilities; and
- (v) urgent action must be taken to rectify the complex, multifactorial issues the City's waste collection services are currently suffering; and

(B) the Chief Executive Officer be requested to:

- (i) work with the Audit, Risk and Compliance Committee to review major waste contracts to ensure current and future contracts are fit for purpose and adequate resources are provided to manage them;
- (ii) develop a community engagement process that will provide Council with community information on the best ways to manage and monitor domestic waste; encourage activities that will reduce waste and improve recycling; encourage the take up of the food waste program and understand the community's preference for the delivery of the future food organics service and assist Council to set appropriate service levels for the future; and
- (iii) provide a briefing to Council on the proposed community engagement process and the funds required for the process as part of 2023/24 budget preparation.

The amendment was lost on the following show of hands –

Ayes (5) Councillors Ellsmore, Gannon, Jarrett, Scott and Weldon

Noes (5) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok and Scully.

Amendment lost.

Procedural Motion

Moved by Councillor Ellsmore, seconded by Councillor Scott –

That the meeting be closed in accordance with the provisions of section 10A of the Local Government Act 1993 to discuss the confidential attachment to Item 10.

Following discussion and prior to the vote, Councillor Ellsmore withdrew the procedural motion.

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

It is resolved that:

- (A) the Lord Mayor immediately address Council detailing the contents of the discussion and the outcomes of her recent meeting with the Cleanaway Chief Executive Officer; and
- (B) the Chief Executive Officer be requested to:
 - (i) work with the Audit, Risk and Compliance Committee to review major waste contracts to ensure current and future contracts are fit for purpose and adequate resources are provided to manage them;
 - (ii) develop a community engagement process that will provide Council with community information on the best ways to manage and monitor domestic waste; encourage activities that will reduce waste and improve recycling; encourage the take up of the food waste program and understand the community's preference for the delivery of the future food organics service and assist Council to set appropriate service levels for the future; and
 - (iii) provide a briefing to Council on the proposed community engagement process and the funds required for the process as part of 2023/24 budget preparation.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

Adjournment

At this stage of the meeting, at 8.28pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 10 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.38pm.

The substantive motion was carried unanimously.

S095194.009

Point of Order

During discussion of Item 10, Councillor Scott raised a point order, stating that the Chair (the Lord Mayor) had made a statement that was factually incorrect.

The Chair (the Lord Mayor) did not uphold the point of order.

Procedural Motion

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

That the Order of Business be altered such that Item 13.9 be brought forward and dealt prior to Item 11, for the convenience of the public present.

Carried unanimously.

Item 11 Questions on Notice

1. Planting Trees on Streets with Heritage Listed Buildings

By Councillor Jarrett

Constituents have expressed concerns that the draft Street Tree Master Plan 2022 has failed to consider the heritage character and listing of some Sydney streets whilst selecting tree species.

Question

Is the presence of heritage listed buildings on a street considered by the City of Sydney during the tree species selection process? If so, how is the most suitable tree species determined for streets with heritage listed buildings?

X086666

Answer by the Chief Executive Officer

Street trees are living things growing in a very unnatural environment. They may behave and respond to the prevailing conditions in a variety of unpredictable ways. No street tree can be perfect all the time and in every situation. It is always necessary to find the 'best' fit for the circumstances. Often there will be compromises between the needs of the tree, the desires of the community, the design intent and the way the tree eventually interacts with the urban environment over its lifetime.

The draft Street Tree Master Plan (the Plan) contains a range of information about how trees are selected, including heritage considerations, with key sections outlined below.

- **Adapting to future climate** – It is important to recognise the trees that have historically been planted and currently grow in Sydney may not be the trees that we can rely on to thrive in our city in 20 or 30 years. We must think further ahead and choose species that are likely to thrive in warmer conditions and more frequent and longer heatwaves.
- **Establishing a comprehensive tree species list** – Although there are thousands of trees to choose from, only a select set of trees have been identified as candidates for street tree planting in the City of Sydney area. We have analysed hundreds of potential tree species based on their physical traits, expert experience and opinion, including Indigenous ecological knowledge, biodiversity needs, historical performance, and their ability to survive in our predicted future climate.
- **Right tree in the right place** – After developing a well-considered list of the most suitable trees, it is still important to select the tree most suitable for the particular location and situation. We try to match the ultimate mature tree size with the soil and physical space available, overhead and surrounding constraints, exposure, soil type, microclimates, vehicle and pedestrian clearances, historic associations and other aesthetic and functional considerations.
- **Indigenous knowledge** – Incorporating Indigenous ecological knowledge, including the acknowledgement and understanding the underlying natural landscape conditions, has helped to foster the increased use of local indigenous species, resulting in an increased diversity of species and resilience of our urban forest for all living things and systems.

- **Biodiversity improvement** – Loss of biodiversity and natural systems in our local area, throughout Australia and the world is great cause for concern. We selected locally indigenous species where appropriate and strengthened existing habitat corridors to achieve an increased diversity of street tree species.

The presence of heritage listed buildings on a street is considered during the tree species selection process, as part of the '*Right tree in the right place*' principle outlined above. In other words, to ensure the selection of the species is optimised for the local environmental conditions and any other constraints of the planting location. The selection of species may have natural, historical or cultural associations in a particular street or precinct. Tree selection should consider the historical context of the precinct. If appropriate, street trees are chosen to be sympathetic to the heritage values of the surrounding built environment to further strengthen the sense of place for these areas. Further, the flexibility of the new Plan allows the use of 'constrained' species, and one of the considerations for this includes "*significant historic buildings front the street or localised iconic views need to be maintained.*"

The selection of species aims to ensure the tree makes a positive contribution to the environmental, amenity, aesthetic and heritage values of the area and that foreseeable negative aspects are minimised.

The tree species chosen for our street tree planting are the most appropriate for the following reasons. They are trees that are:

- well adapted to the expected climatic and soil conditions
- proven, long lived and hardy urban trees of reasonably uniform and predictable growth habits and forms
- generally resistant to most currently known pests and diseases
- generally adaptable and tolerant to the wide variety of conditions experienced in the street environment
- not presenting unacceptable risks within an urban environment if grown in good conditions and with adequate ongoing care and management
- generally available within the nursery industry in a variety of larger sizes
- have a desirable form or growth habit, especially branch clearances that won't restrict pedestrian or traffic movements.

When selecting an urban street tree, it is vital to consider many important physical and other factors. These relate to the fundamental environmental, functional and aesthetic requirements. The draft Plan provides a substantial list on the criteria considered in selecting a street tree for a location.

The technical guideline in the draft plan also states that there are many limitations to the positioning of street trees in footpaths immediately behind the road kerb. Distances from infrastructure elements such as intersections, light and electricity poles, stormwater inlets, underground service pits and bus stops, are important in determining final planting locations. Typically, this will require individual site assessment and will be determined on a case-by-case basis.

2. Commercial Partners and Advertising on City of Sydney Platforms

By Councillor Ellsmore

Question

The City's communication channels such as the City of Sydney What's On newsletter feature commercial advertisements from partnerships.

1. What are the policies or procedures that guide Council entering into commercial partnerships for festivals and events?
2. Which Council online and print platforms are available to promote commercial businesses – website, email, newsletters?
3. In the last 12 months, which online, email and print City of Sydney Council platforms have been used to promote commercial partnerships?
4. In the last 12 months, which of the City of Sydney's free newsletters or What's On newsletter type-platforms included commercial advertising (online, email and hardcopy)?
5. In the last 12 months, what kind of commercial advertising was included in the City of Sydney's free newsletters or What's On newsletter type-platforms (online, email and hardcopy)?
6. What income was derived in the current financial year (2022/23) from featuring commercial advertising or partnerships on the following City's platforms:
 - (a) Council's website;
 - (b) Council email newsletters;
 - (c) Council print newsletters; and
 - (d) Other council communications?
7. What income was derived in the previous financial year (2021/22) from featuring commercial advertising or partnerships on the City's platforms:
 - (a) Council's website;
 - (b) Council email newsletters;
 - (c) Council print newsletters; and
 - (d) Other council communications?
8. How does Council assess the commercial value of the advertising or partnerships it provides through its Council platforms (website, email, newsletters)?
9. Who decided on the commercial partners or approves what advertising is allowed?
10. By what criteria are commercial partners chosen?
11. By what criteria is commercial advertising permitted?

12. Where in the Council budget papers are the costs and income/revenue which relate to commercial advertising or private partnerships using Council platforms included (please provide details of specific council documents and relevant line items)?

X086664

Answer by the Chief Executive Officer

1. Please refer to the [Corporate Sponsorship Policy](#). The Corporate Sponsorship Policy is presently undergoing review, and it is anticipated that it will be considered by Council in the first half of the year.
2. Sponsors can receive logo acknowledgement only across the following platforms:
 - Event website
 - QMS panels
 - Event Signage
 - Press advertisements
 - What's On e-newsletter
 - Social media platforms

One of the sponsorship benefits is display advertising on the City's websites. The City websites that include display advertising include What's On and Sydney New Year's Eve.

3. The City has a number of sponsorships across the suite of major events, including Sydney Christmas, Sydney New Year's Eve and Sydney Lunar Festival. Partners have received logo acknowledgement or display advertising across the platforms mentioned above.
4. The What's On e-newsletter featured a display ad for event sponsors for Sydney Lunar Festival.
5. Sponsor advertising was in the form of a small display advertisement, known as a MREC, or ad tile. An example is the SBS sponsorship for Sydney Lunar Festival.
6. Total sponsorship value to date is \$1.1M worth of cash and value in kind. Please note, this is not direct income for commercial advertising. The income is derived from a sponsorship aligned to a City event.
7. Total Sponsorship value was \$1.16M worth of cash and value in kind. Please note, this is not direct income for commercial advertising. The income is derived from a sponsorship aligned to a City event.
8. The sponsorship is aligned to a City event and the investment is balanced with the benefits given in return.
9. The criteria for attracting sponsors and their benefits can be found in the [Corporate Sponsorship Policy](#).
10. Event Sponsors are assessed against the City's ethics framework and criteria. Further information can be found in the [Corporate Sponsorship Policy](#).
11. Commercial advertising is only permitted through a sponsorship aligned to a City event. The type of advertising must be contextually relevant to the sponsored event.

12. The income is captured in the relevant category of Sponsorship Income (cash) and Value-in-Kind income and is not segmented by the different platforms. This can be located in Attachment A of the quarterly financial report.

3. Stewart Street Mobility Parking Space

By Councillor Jarrett

Question

The Stewart Street Association has requested a permanent, shared mobility parking space in the current mobility parking space on Stewart Street, Paddington due to a change in circumstances regarding the allocated space no longer being required.

1. What capacity is there for Council to allocate general mobility parking spaces in the event a household mobility parking space becomes vacant?
2. Can the mobility parking space on Stewart Street be re-allocated into the general-purpose resident's pool as a mobility parking space?
3. What guidelines are in place to ensure that mobility parking spaces are in place for residential streets in the City of Sydney generally to ensure our city is accessible?

X086666

Answer by the Chief Executive Officer

1. Under the City's [Neighbourhood Parking Policy](#) Section 5, mobility parking spaces established outside individual homes or premises will be considered for removal if the applicant who originally requested the space no longer requires it. All parking changes are subject to consultation with the local community.

The City generally only provides mobility parking spaces in residential streets, like Stewart Street, Paddington, outside an individual's property where the resident of that property holds a Mobility Parking Scheme (MPS) permit, and on-site parking is not available.

2. Providing dedicated mobility parking restricts parking turnover in high demand areas and prevents other residents with a resident parking permit from parking in those spaces even when it is not being used by a mobility permit holder.

Mobility parking is not installed for the exclusive use of any individual permit holder and may be used by anyone with a valid MPS permit. City staff have not seen evidence that the mobility parking space in Stewart Street is needed by visitors to the surrounding properties in the street.

In addition, the City has received submissions from other residents in the street supporting the removal of the mobility parking space and reallocating the space to 1P 8am-10pm permit parking. The 1P restriction is consistent with the existing restrictions in Stewart Street, which allows residents with a resident parking permit to use the space.

As such, the City does not support retaining the mobility parking in Stewart Street for general purpose use at this time.

3. It is noted that people with a MPS permit are equitably catered for by the existing timed street parking and may park in any ticketed parking spaces without payment of ticket parking fees, and for longer time periods in any of the time-limited parking spaces:

Signposted time limit	MPS parking time limit
More than 30 minutes	Unlimited
30 minutes	Up to 2 hours
Less than 30 minutes	Maximum 30 minutes

Requests for mobility parking spaces in residential streets are considered on a case-by-case basis in accordance with Section 5 of the [Neighbourhood Parking Policy](#)

4. Joynton Park Grass and Lighting

By Councillor Jarrett

Question

The six-month trial of lighting in Joynton Park that commenced in April 2022 has now concluded.

1. Has a date been announced for removal of the temporary fence on the grass in Joynton Park? If so, what is this date?
2. Is an update available regarding the outcome of the park lighting trial following the removal of this lighting in October?
3. If successful, why hasn't the City of Sydney installed regular lighting in the months after its completion?
4. Why did the City of Sydney remove the lighting before announcing the results of the trial?
5. Has any additional community consultation occurred, or will additional community consultation occur regarding the potential installation of permanent lighting?

X086666

Answer by the Chief Executive Officer

The feedback and impacts (increased wear, turf damage during winter when it is dormant, increased maintenance, closure times) of the lighting trial at Joynton Park are currently being assessed and a report back to Councillors will occur through the CEO Update by mid-year. This will include details of further community consultation.

The temporary fencing around the re-turfing of the park was removed on 24 January 2023 after an eight-week closure period.

5. Discussions with Federal Government regarding Social and Affordable Housing Funding

By Councillor Ellsmore

Question

In October 2022, the Federal Government released the National Housing Accord, a plan to engage all levels of government, institutional investors and the construction sector to help tackle the nation's housing problem.

1. What has Council assessed as to the potential to partner with the Federal Government to deliver more social and affordable housing in the City of Sydney?
2. How can Council best leverage the commitments made by the Federal Government to increase social and affordable housing in the City of Sydney?
3. Has Council communicated with the Federal Government about opportunities to partner to deliver additional social and affordable housing in the City of Sydney?
4. Within Council, who is tasked with leading discussions with the Federal Government?
5. What have been the outcomes of these discussions to date?
6. If Council has not entered into discussions, when do you expect Council to do so?
7. Has the Council explored collaborating with the Federal Government to deliver social and affordable housing projects, either by monetary contributions, logistical support, or both? Please provide details.

X086664

Answer by the Chief Executive Officer

Following the election of the new Federal Government, the Lord Mayor wrote to the Prime Minister urging the Australian Government to work with State, Territory and Local Governments to develop sustainable funding and investment models to ensure the adequate provision of appropriate social and affordable housing, especially in inner cities close to jobs and services.

In September last year, the Lord Mayor travelled to Canberra with other Capital City Lord Mayors and met with 14 members of Parliament - including the Treasurer, Jim Chalmers MP, Max Chandler-Mather MP, Senator David Pocock and Zoe Daniel MP - where housing and homelessness was a priority agenda item, among other issues. At that visit, the Lord Mayor personally delivered a letter to the Prime Minister asking him to work with the City to secure 100 per cent social and affordable housing at Waterloo Estate. She subsequently wrote to the Federal Minister for Housing asking that her department meet with a delegation of experts led by the City's Director City Planning and Development to work through what their investment in social and affordable housing in Waterloo might look like. Those discussions took place on 18 November 2022 and 21 December 2022. Staff are now seeking a further meeting with Department staff to provide more detail.

The Lord Mayor will continue to advocate to our state and federal governments for more social and affordable housing in the City of Sydney at every opportunity. Earlier this month, the Lord Mayor and other Capital City Lord Mayors lodged their pre-budget submission calling on the Federal Government to increase its investment in social and affordable housing and wrap around support services and adopt clear housing targets informed by a 'housing first' approach.

6. City of Sydney Waste Disposal

By Councillor Scott

Question

1. In the last five years, has the City withheld payment for waste services at any time from any external providers? If so, when, how much and what for?
2. If not, will the City consider this option in future? If not, why not?
3. Has the City sought any contract amendments from Cleanaway since 2019?
4. Have Cleanaway sought any contract amendments from the City since 2019?
5. What are the additional costs that the City has incurred as a result of increased waste complaints?
6. Please detail, broken down by month since 2018, how many complaints of missed collection the City has received?
7. Please detail, broken down by month since 2018, how many requests for bulk collection the City has received? Of these, how many have been collected on the day booked? How many have been missed? How many have been delayed?
8. What other metrics does the City collect on waste and recycling collection services? How are these monitored?

X086668

Answer by the Chief Executive Officer

1. This information will be provided as a Supplementary Answer in a future Council Business Paper.
2. This information will be provided as a Supplementary Answer in a future Council Business Paper.
3. This information will be provided as a Supplementary Answer in a future Council Business Paper.
4. This information will be provided as a Supplementary Answer in a future Council Business Paper.
5. This information will be provided as a Supplementary Answer in a future Council Business Paper.
6. This information will be provided as a Supplementary Answer in a future Council Business Paper.
7. This information will be provided as a Supplementary Answer in a future Council Business Paper.
8. This information will be provided as a Supplementary Answer in a future Council Business Paper.

7. Waste Management in the City of Sydney

By Councillor Weldon

Question:

1. How many missed waste and recycling collections were reported to the City of Sydney in each of the preceding 12 months (January 2022 to January 2023)?
2. How much did the City of Sydney expend on waste management services (combined in-house and contracted services) in each of the last five years (FY2017/18, FY2018/19, FY2019/20 and FY2020/21 and FY2021/22)?
3. What was the number of full time/part time staff employed by the City of Sydney engaged in collecting waste in each of the last five years (FY2017/18, FY2018/19, FY2019/20 and FY2020/21 and FY2021/22)?
4. What is the number of full time/part time staff currently employed by the City of Sydney engaged in collecting waste?
5. Since the execution of the City's major contract with Cleanaway, have any fulltime/part time City of Sydney employees been engaged in collecting waste which is the responsibility of Cleanaway as part of its contract signed with the City of Sydney?
6. If the answer to 5 is yes:
 - (a) On how many occasions and on what dates have City of Sydney employees collected waste that is part of the contract obligations of Cleanaway?
 - (b) What are the terms under which City of Sydney employees are doing work that is part of the contract obligations of Cleanaway?
7. Were any privately operated waste collection companies engaged by City of Sydney prior to the execution of the contract with Cleanaway?
8. If the answer to 7 is yes:
 - (a) What is the name and nature of those private services?
 - (b) What were the services provided to City of Sydney by each of the companies?
 - (c) What was the value of the contracts with City of Sydney with each of the companies?
 - (d) Which private companies, aside from Cleanaway, are currently providing services to City of Sydney for waste related issues and what is the nature of these services?
9. Has the Chief Executive Officer met with Cleanaway management since the Council meeting in August 2022 to discuss their performance on waste related matters?
10. If the answer to 9 is yes on how many separate occasions and on what dates did the meetings occur?
11. How many rat traps or other rat eradication devices are currently in place in the City of Sydney?
12. Which areas of the City of Sydney are most affected by rat infestation based on number of rat eradication devices installed?

X086670

Answer by the Chief Executive Officer

1. This information will be provided as a Supplementary Answer in a future Council Business Paper.
2. This information will be provided as a Supplementary Answer in a future Council Business Paper.
3. This information will be provided as a Supplementary Answer in a future Council Business Paper.
4. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
5. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
6.
 - (a) This information will be provided as a Supplementary Answer in a future Council Business Paper.
 - (b) This information will be provided as a Supplementary Answer in a future Council Business Paper.
7. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
8.
 - (a) Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
 - (b) Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
 - (c) This information will be provided as a Supplementary Answer in a future Council Business Paper.
 - (d) Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
9. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
10. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
11. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
12. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.

8. Current Waste Management Services in the City

By Councillor Ellsmore

Question

1. Currently, who collects residential or domestic waste in the City of Sydney Local Government Area:
 - (a) General waste (red bin);
 - (b) Recyclables (yellow bin);
 - (c) Soft plastics;
 - (d) Other recyclables (other, for example clothes which can be donated and reused through a booked pick up service);
 - (e) Organic waste (not including food organics) (green bin);
 - (f) Food organic waste;
 - (g) Bulky house clean-up;
 - (h) White goods;
 - (i) Illegal dumping;
 - (j) Mattress collections
 - (k) Other residential waste not captured by the above;
2. Are there different arrangements for particular types of residential dwellings which are common in the City of Sydney Local Government Area – for example, public housing, social housing, and/ or mixed commercial and residential towers? If yes, please provide details.
3. Currently, who is responsible for collecting waste from public bins in City of Sydney's parks and streets?
4. Currently, who is responsible for commercial waste in the City of Sydney?
5. Currently, who is responsible for processing, managing and/ or disposing of waste in the City of Sydney:
 - (a) General waste (red bin);
 - (b) Recyclables (yellow bin);
 - (c) Soft plastics;
 - (d) Other recyclables (other, for example clothes which can be donated and reused through a booked pick up service);
 - (e) Organic waste (not including food organics) (green bin);
 - (f) Food organic waste;
 - (g) Bulky house clean-up;

- (h) White goods;
 - (i) Illegal dumping;
 - (j) Mattress collections
 - (k) Other residential waste not captured by the above;
6. What contracts or other commercial arrangements are in place for the collection of residential or domestic waste in the City of Sydney, in relation to:
- (a) General waste (red bin);
 - (b) Recyclables (yellow bin);
 - (c) Soft plastics;
 - (d) Other recyclables;
 - (e) Organic waste (not including food organics) (green bin);
 - (f) Food organic waste;
 - (g) Bulky house clean-up;
 - (h) White goods;
 - (i) Illegal dumping;
 - (j) Mattress collections
 - (k) Other residential waste not captured by the above;
7. What are the key terms –including at least the name of organisation contracted and the term of the contracts – for the types of waste collection listed above at Question 6? If a contract for collection of residential or domestic waste covers multiple types of waste, please specify this.
8. What contracts or other commercial arrangements are in place in relation to: processing, managing and/ or disposing of waste in the City of Sydney, for the different types of waste listed above at Question 6?
9. What are the key terms –including at least the name of organisation contracted and the term of the contracts – for the types of waste collection listed above. If a contract for collection of residential or domestic waste covers multiple types of waste, please specify this.

X086664

Answer by the Chief Executive Officer

1. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
2. All domestic waste is the responsibility of Cleanaway. Commercial waste is a matter for the business generating the waste.
3. The City of Sydney and Skyline who have a contract for the maintenance and cleaning of a proportion of the City's parks.
4. Commercial waste is a matter for the business generating the waste.

5. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
6. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
7. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
8. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
9. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.

9. Recent Industrial Action in Relation to Waste Services

By Councillor Ellsmore

Question

1. What industrial action has impacted the City of Sydney's waste collection services in the last three months?
2. Which specific Council waste collection services have recently been impacted by industrial action in the last three months:
 - (a) General waste (red bin);
 - (b) Recyclables (yellow bin);
 - (c) Soft plastics;
 - (d) Other recyclables (other, for example clothes which can be donated and reused through a booked pick up service);
 - (e) Organic waste (not including food organics) (green bin);
 - (f) Food organic waste;
 - (g) Bulky house clean-up;
 - (h) White goods;
 - (i) Illegal dumping;
 - (j) Mattress collections
 - (k) Other residential waste not captured by the above;
3. Who is the industrial action between? If more than one dispute, please note this.
4. Is the City aware of the reasons for the industrial action? Please provide details.

5. What was the date of:
 - (a) The first strike, or industrial action, impacting residential waste pickup?
 - (b) The second strike, or industrial action, impacting residential waste pickup?
 - (c) The third strike, or industrial action, impacting residential waste pickup?
 - (d) Any following strikes or industrial action impacting waste pickup, of which the City is aware?
6. What streets – or suburbs if individual streets are not known – have been impacted by missed waste collection, over the last few months? Include details for each strike or industrial action.
7. What action has the Council taken to address the missed residential waste collection?
8. What future action is the Council proposing?

X086664

Answer by the Chief Executive Officer

1. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
2. The most significant impacts have been on domestic waste collection, booked pick-ups and illegal dumping.
3. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
4. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
5. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
6. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
7. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.
8. Refer to 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.

10. Food Organics and Garden Organics (FOGO)

By Councillor Ellsmore

Question

1. What decisions have the Council made in relation to food organics and garden organics (FOGO)?
2. What are the dates of those decisions? Please provide a timeline.
3. When will the outcomes of the City's trial in relation to FOGO be available?
4. When will the draft FOGO strategy be released?

X0866664

Answer by the Chief Executive Officer

1. Council adopted the Waste Strategy and Action Plan 2017-2030 on 23 October 2017 which committed Council to trialling an opt-in food waste collection and recycling scheme for residents.
2. Council adopted the Waste Strategy and Action Plan 2017-2030 on 23 October 2017. Council endorsed the Waste Strategy and Action Plan 2017-2030 for public exhibition on 26 June 2017.
3. An update on the food scraps recycling trial update was circulated in the CEO Update on 4 June 2021.

Staff presented a briefing to Council called 'Managing Waste and Resources at the City' on 1 August 2022 which included a further update on the food recycling trial.

4. The Business Case for the delivery of the service is in development and expected to be presented to Council in the latter half of 2023.

11. Council Decisions Regarding Waste Management

By Councillor Ellsmore

Question

1. What is the date of the decisions by Council to move from Council-run or in house services, to engage a private contractor to collect:
 - (a) General waste (red bin);
 - (b) Recyclables (yellow bin);
 - (c) Soft plastics;
 - (d) Other recyclables (other, for example clothes which can be donated and reused through a booked pick up service);
 - (e) Organic waste (not including food organics) (green bin);
 - (f) Food organic waste;

- (g) Bulky house clean-up;
 - (h) White goods;
 - (i) Illegal dumping;
 - (j) Mattress collections
 - (k) Other residential waste not captured by the above;
2. What decisions did the elected Council make on the 23 October 2017 to change the way its waste was collected / managed?
 3. What advice or information was provided to Council for consideration when making the decision?
 4. Was a business case or cost benefit analysis was provided to Council, in relation to the decision by Council to move to a private contract or outsource waste collection? Please provide details.
 5. What dates was an Expression of Interest conducted for residential waste services? Include key dates
 6. What dates of the elected Council relate to this Expression of Interest?
 7. What date was the residential waste contract with Cleanaway entered into?

X0866664

Answer by the Chief Executive Officer

Information and responses to parts 1 to 7 relating to waste management and collection are provided in the 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment.

Note that on 23 October 2017, Council adopted the Waste Strategy and Action Plan 2017-2030, following public exhibition.

Responses not provided in the 20 February 2023 report to Council – City of Sydney Waste Management and Operating Environment will be provided as a Supplementary Answer in a future Council Business Paper.

Item 12 Supplementary Answers to Previous Questions

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

Item 13 Notices of Motion

Item 13.1 Regular Trans and Gender Inclusive Swim Events

By Councillor Ellsmore

It is resolved that:

- (A) Council note:
 - (i) that, at the 16 May 2022 Council meeting, Council unanimously supported holding a Trans and Gender Diverse Swim Day at one of its pools;
 - (ii) that the first City of Sydney Trans and Gender Diverse Swim Event was held on 28 January 2023 at the Cook + Phillip Pool;
 - (iii) that the event was a family friendly event that included the Pride Inclusion flag and decorations; free coffee; a DJ; a 'pool party' with inflatable unicorns and flamingos; interactive demonstrations led by inclusive sporting clubs like Sydney Stingers, Wett Ones and Emerald City Kick Ball Association; community information available from volunteers from the Inner City Legal Centre, Sydney Queer and Disability community groups (SQuAD), Sex Worker Outreach Project (SWOP), Rainbow Families and Twenty10; and (of course) swimming; and
 - (iv) that more than 500 people attended the event, and it was a great success, with much positive feedback;
- (B) Council congratulate and thank City staff, pool management and others involved for organising and supporting the event; and
- (C) the Chief Executive Officer be requested to:
 - (i) provide advice to Council as to options for the City to support regular Trans and Gender Diverse Swim Events throughout the City of Sydney Council pools; and
 - (ii) provide advice to Council as to the cost or budget implications for Council to support future Trans and Gender Diverse Swim Events, with this advice to be provided with the draft 2023/24 budget - if a specific budget allocation would be required.

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

Moved by Councillor Ellsmore, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) that, at the 16 May 2022 Council meeting, Council unanimously supported holding a Trans and Gender Diverse Swim Day at one of its pools;
- (ii) that the first City of Sydney Trans and Gender Diverse Swim Event was held on 28 January 2023 at the Cook + Phillip Pool;
- (iii) that the event was a family friendly event that included the Pride Inclusion flag and decorations; free coffee; a DJ; a 'pool party' with inflatable unicorns and flamingos; interactive demonstrations led by inclusive sporting clubs like Sydney Stingers, Wett Ones and Emerald City Kick Ball Association; community information available from volunteers from the Inner City Legal Centre, Sydney Queer and Disability community groups (SQuAD), Sex Worker Outreach Project (SWOP), Rainbow Families and Twenty10; and (of course) swimming; and
- (iv) that more than 500 people attended the event, and it was a great success, with much positive feedback;

(B) Council congratulate and thank City staff, pool management and others involved for organising and supporting the event; and

(C) the Chief Executive Officer be requested to:

- (vi) provide advice to Council as to options for the City to support regular Trans and Gender Diverse Swim Events throughout the City of Sydney Council pools;
- (2) if feasible, implement a monthly schedule of Trans and Gender Diverse Open Days across City of Sydney Council pools;
 - (i) update the Council via CEO Update on the implementation of this schedule; and
 - (ii) provide advice to Council as to the cost or budget implications for Council to support future Trans and Gender Diverse Swim Events, with this advice to be provided with the draft 2023/24 budget - if a specific budget allocation would be required.

Carried unanimously.

X086659

Item 13.2 City of Sydney Domestic Waste Service Review

Procedural Motion

At this stage of the meeting, it was moved by Councillor Jarrett, seconded by Gannon –

That Item 13.2 be withdrawn as the matter had already been dealt with at Item 10.

Carried unanimously.

Item 13.3 Affordable Student Accommodation Shortage

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

It is resolved that:

(A) Council note:

- (i) student accommodation remains some of the most highly priced accommodation in major capital cities, including Sydney. The median unit rents for student accommodation far exceeds even the median rents for other rental accommodation. For example – one popular student accommodation provider in the City of Sydney charges \$729 a week for a large studio, \$569 for a single room in a five-bedroom apartment and \$419 for a shared room;
- (ii) students make an important contribution to the City of Sydney's communities, cultures and economy. The City of Sydney is home to approximately 40 per cent of all education providers in NSW;
- (iii) education and training was the fifth largest export market in the City of Sydney in 2020/21 (comprising 5.3 per cent of all exports). Two hundred and eight thousand international students are enrolled to study in NSW in 2023, 55,000 more than in 2022. In 2023, students are increasingly returning to on-campus study;
- (iv) rental market conditions in Sydney are particularly precarious for international students, who are vulnerable to high levels of exploitation and scams. In addition to high rental costs, international students experience work restrictions and / or precarious work. During the Covid pandemic, the City of Sydney supported a range of programs and initiatives to assist local and international students, including support free food hampers and food banks;
- (v) according to the 2022 *City of Sydney Housing Audit*, the number of student accommodation rooms in the City of Sydney has increased by 173 per cent in the 10 years to 2022, from 4,223 rooms in 2012 to 11,529 in 2022;
- (vi) recently, several higher education institutions within the City of Sydney have sold student accommodation properties to private companies, including the University of Sydney and the University of Technology Sydney, who are reported to have collectively sold approximately \$160 million in student accommodation properties; and
- (vii) even with the high cost of student housing rents, in January and February 2023, media outlets began reporting that student housing in the City is at capacity, that wait lists exist for many student housing providers, and a large number of students are at risk of homelessness; and

(B) the Chief Executive Officer be requested to:

- (i) provide a report to Council via the CEO Update, outlining the current support services and programs which the City of Sydney provides funding for, for both local and international students;
- (ii) include advice about any current discussions with student bodies, education providers or others about strategies to address the housing and cost of living pressures faced by students; and
- (iii) refer the issues outlined in this notice to the Housing for All Working Group, and to the Multicultural Advisory Panel, for consideration and advice.

Carried unanimously.

X086659

Item 13.4 Elger Street Accessibility

Moved by Councillor Weldon, seconded by Councillor Jarrett –

It is resolved that:

(A) Council note:

- (i) 1-3 Elger Street in Glebe is home to around 175 residents, the vast majority of whom are either elderly and/or are living with a physical disability;
- (ii) Bridge Housing, the community housing provider who owns and manages the block, wrote to Council in December 2019 to raise concerns about the installation of a bike lane along Elger Street;
- (iii) that in this correspondence, Bridge Housing noted that the bike lane restricts egress and access to the building and posed a trip hazard, particularly for elderly residents and those with limited mobility;
- (iv) a petition was circulated by and amongst residents last year noting the hardship that the bike lanes caused (particularly for those who are elderly or who rely on wheelchairs or walkers) and called for the removal of the bike lane, the installation of mobility parking, the installation of footpath ramps and the provision of parking permits;
- (v) the petition was signed by more than 50 residents;
- (vi) that the bike lane in Elger Street is not part of the City's integrated cycleway network and does not feature in the City's Cycling Strategy and Action Plan or the NSW Government's Co-designed Bicycle Network;
- (vii) that the only area for passenger pick-up/drop-off in Elger Street is located on the opposite side of the road, requiring residents of 1-3 Elger Street to walk down to and cross at Bay Street (a journey of almost 100 metres);
- (viii) the aforementioned bays are marked as a 'no parking' zone rather than pick-up/drop off bays;
- (ix) the current layout of Elger Street significantly inhibits emergency vehicles, community transport, taxis and resident's family, friends and support workers from picking-up/dropping-off residents;
- (x) that the very limited number of mobility parking and the 'no-stopping' zone do not meet the needs of the Elger Street community; and
- (xi) that City staff met with residents in mid-2022 and although residents were appreciative of the visit, the proposed solutions do not sufficiently mitigate the issues; and

(B) the Chief Executive Officer be requested to:

- (i) meet with residents and Bridge Housing staff to better understand the accessibility needs of the Elger Street community;
- (ii) report to Council on the feasibility and cost of removing the bike lane on Elger Street to make way for additional and more accessible mobility parking and clearly marked pick-up/drop-off bays; and
- (iii) present Council with a range of options (not limited to removal of the bike lane) to meet the accessibility needs of the Elger Street community.

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

It is resolved that:

(A) Council note:

- (i) 1-3 Elger Street in Glebe is home to around 175 residents, the vast majority of whom are either elderly and/or are living with a physical disability;
- (ii) 1-3 Elger Street was not occupied at the time the cycleway was built on Elger Street so it was not possible to consult its residents;
- (iii) Bridge Housing, the community housing provider who owns and manages the block, wrote to Council in December 2019 to raise concerns about the installation of a bike lane along Elger Street;
- (iv) that in this correspondence, Bridge Housing noted that the bike lane restricts egress and access to the building and posed a trip hazard, particularly for elderly residents and those with limited mobility;
- (v) a petition was circulated by and amongst residents last year noting the hardship that the bike lanes caused (particularly for those who are elderly or who rely on wheelchairs or walkers) and called for the removal of the bike lane, the installation of mobility parking, the installation of footpath ramps and the provision of parking permits;
- (vi) the petition was signed by more than 50 residents;
- (vii) that the bike lane in Elger Street is not part of the City's integrated cycleway network and does not feature in the City's Cycling Strategy and Action Plan or the NSW Government's Co-designed Bicycle Network;
- (viii) that the only area for passenger pick-up/drop-off in Elger Street is located on the opposite side of the road, requiring residents of 1-3 Elger Street to walk down to and cross at Bay Street (a journey of almost 100 metres);
- (ix) the aforementioned bays are marked as a 'no parking' zone rather than pick-up/drop off bays;
- (x) the current layout of Elger Street significantly inhibits emergency vehicles, community transport, taxis and resident's family, friends and support workers from picking-up/dropping-off residents;

- (xi) that the very limited number of mobility parking and the 'no-stopping' zone do not meet the needs of the Elger Street community; and
 - (xii) that City staff met with residents in mid-2022 and although residents were appreciative of the visit, the proposed solutions do not sufficiently mitigate the issues; and
- (B) the Chief Executive Officer be requested to:
- (i) meet with residents and Bridge Housing staff to better understand the accessibility needs of the Elger Street community; and
 - (ii) provide a report to Council via the CEO Update on the outcomes of the meeting between the City, residents and Bridge Housing and present Council with a range of options for additional works that can be implemented to better meet the accessibility needs of the Elger Street community.

The amendment was carried on the following show of hands –

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

Noes (2) Councillors Jarrett and Weldon.

Amendment carried.

Amended motion carried unanimously.

X086653

Item 13.5 Rally for Housing Justice

Moved by Councillor Ellsmore, seconded by Councillor Chan –

It is resolved that Council note:

- (A) on Saturday, 11 February 2023, the grassroots community group Action for Public Housing organised a Housing Justice Rally at Sydney Town Hall;
- (B) the rally was attended by thousands of supporters and was endorsed by various community groups, unions, and peak bodies, including the Tenants' Union of NSW and Shelter NSW; and
- (C) the rally called on the NSW Government to:
 - (i) eliminate homelessness now. Guarantee quality public housing and wrap-around services for those experiencing homelessness;
 - (ii) defend and extend public housing. No demolition, no privatisation and no evictions. Refurbish, repair, renovate and refit existing public housing. Build 100,000 public homes over the next four years. Keep public housing under public management and reverse the outsourcing to community housing companies; and
 - (iii) freeze all rents for two years. End no-fault evictions. Introduce a vacancy tax to force vacant homes and permanent short-term rentals into the rental system.

Carried unanimously.

X086659

Item 13.6 Vale Aunty Roslyn Whittaker Edwards-Priestly

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

It is resolved that:

- (A) Council note:
 - (i) Aunty Roslyn Whittaker Edwards-Priestly, known as Aunty Rosie, spent more than three decades living in the vicinity of Kings Cross;
 - (ii) Aunty Rosie was a strong Indigenous woman who characterised resilience, generosity and strength;
 - (iii) at a recent memorial to celebrate her life, hosted by the Wayside Chapel, Aunty Rosie's wisdom, love of books, and humour shone through, with hundreds gathered to remember her contribution to Sydney; and
 - (iv) speakers at the memorial suggested that as a result of her significant contribution to Kings Cross over many generations, consideration be given to renaming the Kings Cross Library in her honour, or that a sign detailing her life and love of books be installed in the Library;
- (B) the Lord Mayor be requested to write to Aunty Rosie's family expressing Council's condolences;
- (C) the Chief Executive Officer be requested to consult Auntie Rosie's family, the City's Aboriginal and Torres Strait Islander Advisory Panel and other significant community organisations about the possibility of renaming the Kings Cross Library or installing a commemorative sign, and report back via the CEO Update; and
- (D) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Aunty Roslyn Whittaker Edwards-Priestly.

Carried unanimously.

Note – all Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to Aunty Roslyn Whittaker Edwards-Priestly.

X086655

Item 13.7 Vale Phyllis Miller

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

It is resolved that:

(A) Council note:

- (i) Phyllis Miller was born on 23 March 1926 in Redfern, and sadly passed away on 6 January 2023;
- (ii) Phyllis lived in Surry Hills from the time of her birth until she was moved into care in 2020;
- (iii) Phyllis was made a life member of the Labor Party along with her husband Fred Miller, sister Barbara Devine and her brother-in-law, Len Devine;
- (iv) Phyllis was a great support and was always at her husband's side throughout his political career, when he was an Alderman on the City Council and following this, as the Member for Bligh in the NSW Parliament;
- (v) Phyllis along with her sister and husband were delegates for the State Electoral Council for Phillip (now Sydney) and was also a delegate for the Federal Electoral Council for East Sydney (now Sydney);
- (vi) Phyllis volunteered at the Surry Hills Meals on Wheels service working in the kitchen; and
- (vii) Phyllis, along with Fred, did all this whilst bringing up their four daughters Barbara, Lorraine, Kerry and Deborah, in a loving tight knit family home;

(B) the Lord Mayor be requested to write to Phyllis Miller's family expressing the Council's condolences; and

(C) all persons attending this meeting of Council observe one minute's silence to commemorate Phyllis' life.

Carried unanimously.

Note – all Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to Phyllis Miller.

X086655

Item 13.8 City Waste Services Public Meeting and Taskforce Establishment**Procedural Motion**

At this stage of the meeting, it was moved by Councillor Scott, seconded by Councillor Gannon –

That Items 13.8 and 13.10 be withdrawn, as the matters had already been dealt with at Items 10 and 13.1 respectively.

Carried unanimously.

Item 13.9 Protecting Paddy's Market

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) Paddy's Market in Haymarket is one of Australia's oldest continuing fresh food and bric a brac markets;
- (ii) for many Australians, Paddy's Market is not just a market, it's an Australian icon and an integral part of Chinatown with a long history of offering affordable fresh produce and cheap general goods;
- (iii) Paddy's Markets are located on a public land site, managed by the NSW Government (Placemaking NSW), under arrangements with private operators;
- (iv) Paddy's Market contains local heritage significance for its historical and social value. The buildings are regarded for their connection with the cultural landscape of the Chinese community in Sydney since 1870, with buildings 1&2 listed on Place Managements NSW's Heritage Conservation Register;
- (v) in December 2022, the operator of Paddy's Market, Sydney Market Limited (SML), announced plans to sublease a significant portion (3,000 square meters) of Paddy's Market to commercial operator Doltone House Group, to create a 'high-end food and beverage precinct';
- (vi) stallholders were not consulted on the plans to sublease a significant portion of the market to Doltone House Group, prior to the announcement;
- (vii) many stallholders oppose the plans, claiming they are being pushed into less profitable marketplace areas, and that the plans threaten the history and nature of the market. There are currently over 11,000 online signatures on the online petition website, Change.org, titled "Help Save Iconic Paddy's Markets! Redevelopment a Treat to Small Businesses/Tourism", and around 2,000 written signatures to "Save Paddy's Markets";
- (viii) the community concerns include gentrification of the markets, loss of an important social value heritage market in the city, concerns of food security if one of the few low-cost food markets in the city is lost, and the treatment of the historic stallholders;
- (ix) stallholders generally acknowledge that the markets are in need of investment and revitalisation, but strongly disagree that subleasing a large portion of the market floor to Doltone House Group - an entity that does not appear to have any experience operating or managing markets - is the most appropriate way to do this. The investment and support should be directed toward the multicultural community of stallholders that has contributed so much to the markets and helped them make iconic over the years – not a corporate entity with no particular connection to the site;
- (x) the current proposal is not the first time the social and built-form heritage value of Paddy's Market has been threatened. Efforts to redevelop Paddy's Market into a commercial and residential development were stopped by the successful mobilisation of stallholders in 1988; and

- (xi) displacing and putting at a disadvantage the very community that helped shape and maintain its identity would be a devastating blow. From public housing to low-cost eateries and shopping destinations, gentrification has seen the destruction of various Sydney icons in recent years – it would be disheartening if Paddy’s Markets followed the same path;
- (B) the Lord Mayor be requested to write to the Minister for Infrastructure, Cities and Active Transport, the Hon Robert Stokes MP, to:
- (i) outline concerns about the proposal by Sydney Market Limited to sublease a significant portion of Paddy’s Market to commercial operator Doltone House Group; and
 - (ii) request that the NSW Government consider alternative options to support and invigorate Paddy’s Market including public investment, while maintaining the Market’s distinct identity, history and uses as a low cost market; and
- (D) the Chief Executive Officer be requested to:
- (i) provide advice to Council on the opportunities within Council powers or instruments (planning, heritage or otherwise), to protect or promote Paddy’s as a low cost, heritage market; and
 - (ii) provide advice about what support, in the form of grants or otherwise, could be made available to support Paddy’s Market stallholders.

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

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

It is resolved that:

- (A) Council note:
- (i) Paddy’s Market in Haymarket is one of Australia’s oldest continuing fresh food and bric a brac markets;
 - (ii) for many Australians, Paddy’s Market is not just a market, it’s an Australian icon and an integral part of Chinatown with a long history of offering affordable fresh produce and cheap general goods;
 - (iii) Paddy’s Markets are located on a public land site, managed by the NSW Government (Placemaking NSW), under arrangements with private operators;
 - (iv) Paddy’s Market contains local heritage significance for its historical and social value. The buildings are regarded for their connection with the cultural landscape of the Chinese community in Sydney since 1870, with buildings 1&2 listed on Place Managements NSW’s Heritage Conservation Register;
 - (v) in December 2022, the operator of Paddy’s Market, Sydney Market Limited (SML), announced plans to sublease a significant portion (3,000 square meters) of Paddy’s Market to commercial operator Doltone House Group, to create a ‘high-end food and beverage precinct’;
 - (vi) stallholders were not consulted on the plans to sublease a significant portion of the market to Doltone House Group, prior to the announcement;

- (vii) many stallholders oppose the plans, claiming they are being pushed into less profitable marketplace areas, and that the plans threaten the history and nature of the market. There are currently over 11,000 online signatures on the online petition website, Change.org, titled “Help Save Iconic Paddy’s Markets! Redevelopment a Treat to Small Businesses/Tourism”, and around 2,000 written signatures to “Save Paddy’s Markets”;
 - (viii) the community concerns include gentrification of the markets, loss of an important social value heritage market in the city, concerns of food security if one of the few low-cost food markets in the city is lost, and the treatment of the historic stallholders;
 - (ix) stallholders generally acknowledge that the markets are in need of investment and revitalisation, but strongly disagree that subleasing a large portion of the market floor to Doltone House Group - an entity that does not appear to have any experience operating or managing markets - is the most appropriate way to do this. The investment and support should be directed toward the multicultural community of stallholders that has contributed so much to the markets and helped them make iconic over the years – not a corporate entity with no particular connection to the site;
 - (x) the current proposal is not the first time the social and built-form heritage value of Paddy’s Market has been threatened. Efforts to redevelop Paddy’s Market into a commercial and residential development were stopped by the successful mobilisation of stallholders in 1988;
 - (xi) displacing and putting at a disadvantage the very community that helped shape and maintain its identity would be a devastating blow. From public housing to low-cost eateries and shopping destinations, gentrification has seen the destruction of various Sydney icons in recent years – it would be disheartening if Paddy’s Markets followed the same path;
 - (xii) on 7 February 2023 , the Lord Mayor wrote to Sydney Markets Limited Chief Executive Officer Brad Latham, to raise stallholder concerns and asked him to work collaboratively with the stallholders during this process; and
 - (xiii) Mr Latham’s response to the Lord Mayor committed to continuing to meet and liaise with stallholders on future plans for the markets;
- (B) the Lord Mayor be requested to write to the Minister for Infrastructure, Cities and Active Transport, the Hon Robert Stokes MP, to:
- (i) outline concerns about the proposal by Sydney Market Limited to sublease a significant portion of Paddy’s Market to commercial operator Doltone House Group; and
 - (ii) request that the NSW Government consider alternative options to support and invigorate Paddy’s Market including public investment, while maintaining the Market’s distinct identity, history and uses as a low cost market; and
- (C) the Chief Executive Officer be requested to:
- (i) provide advice to Council on the opportunities within Council powers or instruments (planning, heritage or otherwise), to protect or promote Paddy’s as a low cost, heritage market; and
 - (ii) provide advice about what support, in the form of grants or otherwise, could be made available to support Paddy’s Market stallholders.

Carried unanimously.

Adjournment

At this stage of the meeting, at 8.47pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 5 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.51pm.

Item 13.11 Progressing the City's Campaign to Support the Voice to Parliament Referendum

Moved by Councillor Scott, seconded by Councillor Weldon –

It is resolved that:

(A) Council note:

- (i) on 22 August 2022, via a Lord Mayoral Minute, Council resolved to investigate opportunities to:
 - (a) conduct a campaign in support of the 'yes' vote in the proposed constitutional referendum; and
 - (b) use our library system, communications, talks programs and other means to advance the truth-telling aspirations of the Uluru Statement of the Heart and Reconciliation Australia;
- (ii) forty other Mayors around the country have committed to informing and educating communities about the Voice and starting conversations about how this Referendum can deliver real reconciliation for our society;
- (iii) local governments have an important role to play in helping the Voice to Parliament Referendum succeed; and
- (iv) this includes holding civic forums, promoting dialogue, educating citizens on what the Voice will mean for Indigenous peoples and providing a platform for Indigenous voices to be heard; and

(B) the Chief Executive Officer be requested to:

- (i) update Council via a briefing or CEO Update on the progress of the Council's resolved investigations to support the 'yes' campaign for a Voice to Parliament;
- (ii) make City of Sydney 'Landmark' venues available to organisations, community groups and entities who are holding events supporting the 'yes' vote and subsidise the necessary fees, subject to appropriate criteria up to a value of \$30,000, with funds with funds to be sourced from the 2022/23 General Contingency Fund;
- (iii) create informative resources on the Voice to Parliament and make such resources available on the City of Sydney website; and
- (iv) update Council via the CEO Update on the progress of these actions.

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

It is resolved that:

(A) Council note:

- (i) on 22 August 2022, via a Lord Mayoral Minute, Council resolved to investigate opportunities to:
 - (a) conduct a campaign in support of the ‘yes’ vote in the proposed constitutional referendum to enshrine a Voice to Parliament and Government in Australia’s Constitution; and
 - (b) use our library system, communications, talks programs and other means to advance the truth-telling aspirations of the Uluru Statement of the Heart and Reconciliation Australia;
- (ii) on Saturday 18 February 2023, the Prime Minister announced that the Constitutional Referendum would be held between October and the end of 2023;
- (iii) the Commonwealth Government has announced its intention to hold the referendum before the end of 2023 and possibly as early as August 2023;
- (iv) the Chief Executive Officer is developing a plan setting out action the City may take in support of a “yes” vote for consideration by Council;
- (v) community organisations such as Reconciliation Australia, From the Heart, the Uluru Dialogue and Australians for Indigenous Constitutional Recognition are preparing to support the campaign for a “yes” vote; and
- (vi) the Lord Mayor, together with other Mayors around the country, has signed Mayors for the Voice to Parliament Public Statement which commits them to informing and educating communities about the Voice and starting conversations about how this Referendum can deliver real reconciliation for our society; and

(B) the Chief Executive Officer be requested to:

- (i) update Council via a briefing or CEO Update on the progress of the Council’s resolved investigations to support the ‘yes’ campaign for a Voice to Parliament;
- (ii) make City of Sydney ‘Landmark’ venues available to organisations, community groups and entities who are holding events supporting the ‘yes’ vote and subsidise the necessary fees, subject to appropriate criteria up to a value of \$30,000, with funds with funds to be sourced from the 2022/23 General Contingency Fund;
- (iii) create informative resources on the Voice to Parliament and make such resources available on the City of Sydney website; and
- (iv) update Council via the CEO Update on the progress of these actions.

Amendment. Moved by Councillor Scully, seconded by the Chair (the Lord Mayor) –

It is resolved that:

(A) Council note:

- (i) on 22 August 2022, via a Lord Mayoral Minute, Council resolved to investigate opportunities to:
 - (a) conduct a campaign in support of the ‘yes’ vote in the proposed constitutional referendum to enshrine a Voice to Parliament and Government in Australia’s Constitution; and
 - (b) use our library system, communications, talks programs and other means to advance the truth-telling aspirations of the Uluru Statement of the Heart and Reconciliation Australia;
- (ii) on Saturday 18 February 2023, the Prime Minister announced that the Constitutional Referendum would be held between October and the end of 2023;
- (iii) the Commonwealth Government has announced its intention to hold the referendum before the end of 2023 and possibly as early as August 2023;
- (iv) the Chief Executive Officer is developing a plan setting out action the City may take in support of a “yes” vote for consideration by Council;
- (v) community organisations such as Reconciliation Australia, From the Heart, the Uluru Dialogue and Australians for Indigenous Constitutional Recognition are preparing to support the campaign for a “yes” vote; and
- (vi) the Lord Mayor, together with other Mayors around the country, has signed Mayors for the Voice to Parliament Public Statement which commits them to informing and educating communities about the Voice and starting conversations about how this Referendum can deliver real reconciliation for our society; and

(B) the Chief Executive Officer be requested to:

- (i) bring the plan referred to in (A)(iv) to Council as soon as possible for consideration; and
- (ii) investigate the following for possible inclusion in the plan:
 - (a) working with and providing support, including financial support and access to City venues, for recognised community organisations who actively support and campaign for a ‘yes’ vote; and
 - (b) where appropriate, sharing information, resources and materials about the Uluru Statement of the Heart and Voice to Parliament.

The amendment was carried on the following show of hands –

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

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

Amendment carried.

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

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

Noes (1) Councillor Jarrett.

Amended motion carried.

X086655

Misrepresentation

During discussion of Item 13.11, Councillor Scully stated that she had been misrepresented in respect to comments made by Councillor Scott and clarified her position accordingly.

Item 13.12 Objection to Erskineville Toilet Development Application

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) D/2022/1360 is a Development Application currently on exhibition that seeks to install an automated public toilet at 5110 Erskineville Road, Erskineville;
- (ii) the Erskineville community have been calling for these amenities as a necessity for a long time, as there are no accessible toilets in the central village of Erskineville;
- (iii) families, residents and visitors that frequent this area of shops and parks require such amenities to be made available;
- (iv) the current proposed location is problematic and numerous submissions from residents objecting its placement have been received by the City;
- (v) the planned location interferes with an important pedestrian walkway travelling in front of the main shops of the central Erskineville village;
- (vi) the toilet's proposed location also obstructs the view and access to the shops behind it, subsequently impacting their business;
- (vii) of these obstructed shops, there is a long-standing and family-run laundry business owned by a Vietnamese refugee who, with his family, has worked tirelessly to develop their successful local business;
- (viii) the current location does not consider pedestrian needs or the welfare of local businesses;
- (ix) in 2021, D/2021/1087 sought for the same placement of the toilets and was rejected for the same reasons as it is opposed now;
- (x) alternative locations suggested by residents include the nearby parks or opening the Erskineville Town Hall bathrooms to the public; and
- (xi) the Erskineville Station Upgrade currently under construction includes family accessible, and male and female ambulant toilets;
- (xii) that D/2022/1360 will be determined by the City of Sydney Local Planning Panel; and
- (xiii) that the community has made numerous objections to D/2022/1360; and

(B) the Chief Executive Officer be requested to:

- (i) investigate alternative locations for an automated public toilet in the central Erskineville Village area; and
- (ii) update Council via the CEO Update on alternative location for an automated public toilet in the central Erskineville Village area.

The motion was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

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

Motion lost.

X086655

Item 13.13 Enabling Community Street Parties and Street Closures for Community Events

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) community street festivals, and temporary road closures where the community comes together to meet, picnic, play and celebrate on the streets, offer residents and communities many benefits such as fostering a sense of community and connecting neighbourhoods;
- (ii) the City of Sydney has developed several successful initiatives and programs to activate the City's main streets and neighbourhoods, including the 'Sydney Streets' and the extension of outdoor Alfresco Dining;
- (iii) these initiatives have been highly successful and enjoyed by businesses and communities, strengthening the social fabric of the City's neighbourhoods. They are supported by up to \$10 million per annum in Council resources, in the form of grants or direct funding, in kind support, and waiver of fees;
- (iv) at the same time, the ability for City of Sydney residents or local community organisations to apply for street closures to organise their own small neighbourhood community picnics, street parties or other events – outside of formal Council programs or supported by Council grants – can be confusing, onerous and costly;
- (v) comparatively, the Inner West Council takes an enabling approach to neighbourhood street parties, with a simple form, 'how to guide' and no fees. The City of Monash Council in Melbourne have published a Street Party Guide with no costs associated with the application; and
- (vi) Councillors have also received feedback about challenges faced by local resident groups and community organisations when seeking to close their local streets for a small community fete or street festival. The barriers reported include: the complexity of forms, processing times, fees (the application fee payable to the City of Sydney to close a minor road is up to \$995 per day); traffic study requirements and access to public liability insurance; and

(B) the Chief Executive Officer be requested to:

- (i) provide advice to Council on the current application process and fees to close a street for a small neighbourhood street party, and to hold a small community fete on a local road;
- (ii) provide advice on any particular restrictions on the inclusion of live music; and

- (iii) provide advice to Council as to the costs and policy changes required for the City of Sydney Council to enable:
 - (a) community or neighbourhood street parties; and
 - (b) small community festivals or fetes which involve the temporary closure of a local road.

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

Moved by Councillor Ellsmore, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) community street festivals, and temporary road closures where the community comes together to meet, picnic, play and celebrate on the streets, offer residents and communities many benefits such as fostering a sense of community and connecting neighbourhoods;
- (ii) the City of Sydney has developed several successful initiatives and programs to activate the City's main streets and neighbourhoods, including the 'Sydney Streets' and the extension of outdoor Alfresco Dining;
- (iii) these initiatives have been highly successful and enjoyed by businesses and communities, strengthening the social fabric of the City's neighbourhoods. They are supported by up to \$10 million per annum in Council resources, in the form of grants or direct funding, in kind support, and waiver of fees;
- (iv) at the same time, the ability for City of Sydney residents or local community organisations to apply for street closures to organise their own small neighbourhood community picnics, street parties or other events – outside of formal Council programs or supported by Council grants – can be confusing, onerous and costly;
- (v) in October 2019, Councillor Scully moved a resolution that was unanimously endorsed by Council asking the Chief Executive Officer to work with state government agencies to simplify the road closure process for community groups to facilitate the creation of 'easy streets', those being streets it is easy to temporarily close for local celebrations and neighbourhood events;
- (vi) the Inner West Council takes an enabling approach to neighbourhood street parties, with a simple form, 'how to guide' and no fees. The City of Monash Council in Melbourne have published a Street Party Guide with no costs associated with the application; and
- (vii) Councillors have also received feedback about challenges faced by local resident groups and community organisations when seeking to close their local streets for a small community fete or street festival. The barriers reported include: the complexity of forms, processing times, fees (the application fee payable to the City of Sydney to close a minor road is up to \$995 per day); traffic study requirements and access to public liability insurance; and

- (B) the Chief Executive Officer be requested to provide advice to Council on:
- (i) the current application process and fees to close a street for a small neighbourhood street party, and to hold a small community fete on a local road;
 - (ii) any particular restrictions on the inclusion of live music;
 - (iii) what action has been taken to give effect to Council's 2019 resolution on easy streets; and
 - (iv) what short term actions can be taken by the City of Sydney Council to better enable:
 - (a) community or neighbourhood street parties; and
 - (b) small community festivals or fetes which involve the temporary closure of a local road.

Carried unanimously.

X086659

Item 13.14 Equity and Access to Parks and Public Green Spaces

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) that the City supported the extension of outdoor dining last year, making it easier for cafes, restaurants, pubs, bars and others to use the public footpath or other public spaces for outdoor dining;
- (ii) that the alfresco dining initiatives are part of a package of measures to activate and encourage use of the streets, and reinvigorate the City post-Covid;
- (iii) that the *City of Sydney Outdoor Dining Guidelines* include protections to keep footpaths safe and accessible for all pedestrians. This includes that the clearance required for 'service objects' like public seating, is recommended to be one metre;
- (iv) the current City of Sydney alfresco dining guidelines include detailed provisions for applications on streets, although applications are possible on all public land, including parks and public green spaces; and
- (v) a range of City policies and plans, including park Plans of Management, protect equity of access to the City' parks, including protecting the ability for free (non-commercialised) use and enjoyment of parks; and

(B) the Chief Executive Officer be requested to:

- (i) provide advice to the Council about how the City's policies and procedures for outdoor dining can be updated to include specific provisions for applications on or near green spaces, which reflect the City's commitments to protect the equitable and accessible use of public parks and green spaces; and
- (ii) develop a guideline and/or a communication channel to better inform residents who may be impacted by new outdoor dining areas.

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

Moved by Councillor Ellsmore, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) that the City supported the extension of outdoor dining last year, making it easier for cafes, restaurants, pubs, bars and others to use the public footpath or other public spaces for outdoor dining;
- (ii) that the alfresco dining initiatives are part of a package of measures to activate and encourage use of the streets, and reinvigorate the City post-Covid;

- (iii) that the *City of Sydney Outdoor Dining Guidelines* include protections to keep footpaths safe and accessible for all pedestrians. This includes that the clearance required for 'service objects' like public seating, is recommended to be one metre;
 - (iv) the current City of Sydney alfresco dining guidelines include detailed provisions for applications on streets, although applications are possible on all public land, including parks and public green spaces;
 - (v) a range of City policies and plans, including park Plans of Management, protect equity of access to the City' parks, including protecting the ability for free (non-commercialised) use and enjoyment of parks; and
 - (vi) the notification provisions for new outdoor dining applications are detailed in the *Outdoor Dining Guidelines* and strike a balance between identifying possible impacts and not burdening applicants; and
- (B) the Chief Executive Officer be requested to provide advice to the Council about how the City's policies and procedures for outdoor dining can be clarified to include more specific provisions for applications on or near green spaces, which reflect the City's commitments to protect the equitable and accessible use of public parks and green spaces.

Carried unanimously.

X086659

Item 13.15 Waste Management Crisis Response**Procedural Motion**

At this stage of the meeting, it was moved by Councillor Weldon, seconded by Councillor Gannon –

That Item 13.15 be withdrawn as the matter had already been dealt with at Item 10.

Carried unanimously.

Item 13.16 Glebe Markets Traffic Safety

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the market operator for Glebe Markets at Glebe Public School has pulled out of their contract with just three weeks' notice;
- (ii) as a result, the Glebe Markets may experience a "gap in service" and may never fully recover. Stallholders rely on income on a week-to-week basis and may set up elsewhere if the market closes down, even briefly;
- (iii) Glebe Public School P&C relies on the income from the markets to provide invaluable support services for students and families; and
- (iv) Glebe businesses rely on the activation of the markets;

(B) the Chief Executive Officer be requested to work with the NSW Department of Education to increase traffic safety as a result of the increased pedestrian and traffic movements as a result of the Glebe Markets; and

(C) the Lord Mayor be requested to write to the Minister for Education:

- (i) seeking assurance that the school-based markets at Glebe Public School will continue;
- (ii) seeking a timeline for their tender and confirmation that market tenders are being proactively managed; and
- (iii) advocating that the tender require a traffic controller to be present on Glebe Point Road when the markets are in operation, and that other traffic safety considerations are provided for via a Traffic Management Plan.

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

Moved by Councillor Scott, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) the market operator for Glebe Markets at Glebe Public School has pulled out of their contract with just three weeks' notice;
- (ii) as a result, the Glebe Markets may experience a "gap in service" and may never fully recover. Stallholders rely on income on a week-to-week basis and may set up elsewhere if the market closes down, even briefly;
- (iii) Glebe Public School P&C relies on the income from the markets to provide invaluable support services for students and families;

- (iv) Glebe businesses rely on the activation of the markets; and
 - (v) there is increased pedestrian and traffic movement as a result of the markets, and the City of Sydney has enhanced pedestrian safety by installing three raised pedestrian crossings near the entrance to the markets on Glebe Point Road, with one raised pedestrian crossing and one at-grade crossing installed near the entrance to the markets on Derwent Street; and
- (B) the Lord Mayor be requested to write to the Minister for Education:
- (i) noting how valuable the markets are to the local community;
 - (ii) highlighting how important revenue from the markets is to the families of Glebe Public School, including when it comes to supporting the Centipede and Glebe TreeHouse initiatives; and
 - (iii) asking her to ensure the markets continue at the school and that any future operating requirements include a comprehensive traffic management plan.

Carried unanimously.

X086655

At 9.58 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 13 March 2023 at which
meeting the signature herein was subscribed.