

13 May 2024

At 5.00 pm

Council

Agenda

1. **Confirmation of Minutes**
2. **Statement of Ethical Obligations and Disclosures of Interest**
3. **Minutes by the Lord Mayor**
 - 3.1 Vale Tony Bleasdale OAM
 - 3.2 Bondi Junction Attack
 - 3.3 Support for Community Legal Centres
 - 3.4 Gender-Based Violence
4. **Memoranda by the Chief Executive Officer**
5. **Matters for Tabling**
6. **Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Confirmation of Minutes
 - 6.2 Statement of Ethical Obligations and Disclosures of Interest
 - 6.3 2023-24 Quarter 3 Review – Delivery Program 2022-2026
 - 6.4 Public Exhibition - Integrated Planning and Reporting Program and Budget 2024/25
 - 6.5 Investments Held as at 31 March 2024
 - 6.6 Investments Held as at 30 April 2024
 - 6.7 Public Exhibition - Grants and Sponsorship Guidelines
 - 6.8 Adoption - Archives Collection Management Policy
 - 6.9 Land Classification - 13 George Julius Avenue, Zetland
 - 6.10 Land Classification - 2A Reed Street and 1A Tung Hop Street, Waterloo

Agenda

- 6.11 Land Classification - Lots 5 and 7, 2-38 Baptist Street and 397-399 Cleveland Street, Surry Hills
- 6.12 Tender - T-2023-984 - City Civil Works
- 6.13 Tender - T-2023-1015 - Management and Operation of the Kings Cross and Goulburn Street Parking Stations
- 6.14 Tender - T-2023-966 - Sports Field Maintenance Services
- 6.15 Tender - T-2023-1119 - Bush Restoration Services
- 6.16 Exemption from Tender – Kronos Technical Upgrade
- 6.17 Exemption from Tender - Link and Epsom Road Design
- 7. Report of the Environment Committee**
 - 7.1 Confirmation of Minutes
 - 7.2 Statement of Ethical Obligations and Disclosures of Interest
 - 7.3 Project Scope - Redfern Community Centre Open Space, Yellomundee Park and Hugo Street Reserve
 - 7.4 Project Scope - Glebe Street Playground Renewal, Glebe
 - 7.5 Project Scope - Ada Villa Terrace, Erskineville
- 8. Report of the Cultural and Creative Committee**
 - 8.1 Confirmation of Minutes
 - 8.2 Statement of Ethical Obligations and Disclosures of Interest
 - 8.3 Grants and Sponsorship - Ad Hoc Grant - City Recital Hall Limited - Additional Funding Request

Agenda

9. Report of the Resilient Communities Committee

- 9.1 Confirmation of Minutes
- 9.2 Statement of Ethical Obligations and Disclosures of Interest
- 9.3 Grants and Sponsorship - Post Exhibition - Dixon Street Improvement Grant Guidelines and Haymarket Activation Grant Guidelines
- 9.4 Grants and Sponsorship – Aboriginal and Torres Strait Islander Collaboration Fund

10. Report of the Transport, Heritage, Environment and Planning Committee

- 10.1 Confirmation of Minutes
- 10.2 Statement of Ethical Obligations and Disclosures of Interest
- 10.3 Public Exhibition - Planning Proposal - 383-395A Kent Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment
- 10.4 Fire Safety Reports

11. Recovery Package - Sydney Gay and Lesbian Mardi Gras Ltd

12. Exemption from Tender - Planning Agreement - 118-130 Epsom Road and 905 South Dowling Street, Zetland

13. Questions on Notice

14. Supplementary Answers to Previous Questions

Agenda

15. Notices of Motion

- 15.1 Road Safety at Fort Street Public School, Millers Point
- 15.2 Local Emergency Management Committee Representatives City of Sydney - A Person Living with a Disability
- 15.3 Collaborating on Community Wellbeing in Glebe
- 15.4 Improved City Hate-Speech Graffiti Removal and Reporting
- 15.5 Setting the Record Straight – Easter 2024
- 15.6 Honey Birdette Broadway Shopping Centre Breaches
- 15.7 Museum of Contemporary Art Australia Congratulations and Funding
- 15.8 Rainbow Community Angels
- 15.9 Fitzroy Gardens Playground – Additional Fence Works
- 15.10 City of Sydney Council Condemns Modern Slavery
- 15.11 Local Youth Services and Programs

Item 1

Confirmation of Minutes

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

Meeting of 8 April 2024

Item 2

Statement of Ethical Obligations

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

Disclosures of Interest

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

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

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

Item 3.1**Vale Tony Bleasdale OAM****File No: S051491****Minute by the Lord Mayor**

To Council:

I wish to inform Council of the sudden passing of Tony Bleasdale, Mayor of Blacktown City Council, on 3 May 2024, whilst returning from a trip to Blacktown City's sister cities in China and Korea.

Tony arrived in Sydney from Merseyside in England in 1963 where he worked in the building industry for 40 years before starting his own labour hire business.

He was first elected as a Blacktown City Councillor in 1996 and since then, has served his communities with integrity and a genuine commitment to deliver good outcomes for residents and businesses in the area.

In 2010, he was awarded an Order of Australia Medal for his charity work and service to the community.

Following a three-year prelude as Deputy Mayor, Tony was elected as Mayor in 2019 and faced the challenge of transforming Blacktown City to meet the needs of its growing population with housing and jobs, most notably through the Blacktown Quarter project.

In 2021, we worked together alongside other Metropolitan Council mayors opposing the former NSW Government's proposed changes to local infrastructure contributions that threatened the ability for councils to fund and deliver essential community facilities. Tony was part of a delegation of mayors that met with the then Minister for Planning where he fiercely defended the future liveability of his community.

Just last month I visited him in Blacktown to see their impressive new animal shelter, Blacktown Animal Rehoming Centre (BARC), and the Blacktown Exercise, Sports and Technology Hub. He was proud of what they'd achieved, and his legacy will have a lasting impact on the community he served.

Tony was a wonderful community leader and will be dearly missed by many.

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Tony Bleasdale OAM and his steadfast commitment to the Blacktown City community;
- (B) Council expresses its sincere condolences to Tony Bleasdale's wife, Nina, and their four children and all those who worked with him at Blacktown City Council; and
- (C) the Lord Mayor be requested to write to Tony Bleasdale's family conveying Council's condolences.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Item 3.2

Bondi Junction Attack

Document to Follow

Item 3.3

Support for Community Legal Centres

File No: S051491

Minute by the Lord Mayor

To Council:

On 19 February 2024, Council unanimously resolved to support my Lord Mayoral Minute, [Progressing Action on Safety for Our LGBTIQ+ Communities](#), which requested the Chief Executive Officer to investigate funding for local community legal centres that support members of the LGBTIQ+ communities seeking redress for acts of violence, discrimination, vilification, harassment or abuse against them. The outcome of that investigation will be reported to Council next month.

This was one of several actions Council supported following the LGBTIQ+ Safety Summit I hosted in partnership with ACON on 9 February 2024, which were set out in my Lord Mayoral Minute.

The Managing Principal Solicitor of the Inner City Legal Centre wrote to me supporting the Minute's recommendations relating to legal centres.

The letter explained that the Inner City Legal Centre provides the only LGBTIQ+ specific legal service in NSW. This includes the only Trans and Gender Diverse Legal Service, the only Sex Worker specific Legal Service and the only LGBTIQ+ specific domestic violence legal service and safe room in all of NSW. Eight staff, including six lawyers augmented by the support of over 100 committed volunteers provide these and other vital services.

The Centre receives annual funding of less than \$1 million through the State and Commonwealth National Legal Assistance Partnership, much of which is allocated towards support for priority groups. These priority groups do not include the LGBTIQ+ communities and sex workers, which means the Inner City Legal Centre does not receive targeted funds to help these groups.

Sector in crisis

Community legal centres across Australia face serious funding constraints. On 24 March 2024, Community Legal Centres Australia released its Sector in Crisis Report based on a survey of 117 community legal centres.

According to the Guardian, they reported having to turn away more than 1,000 people every day in 2023 due to budget constraints and short staffing. This was twice the number they were able to help. A snapshot of the report is available [here](#).

The Sector in Crisis report forms part of Community Legal Centres Australia's submission to the federal budget seeking at least \$125 million in additional funding for all community legal centres for the 2024-25 financial year as well as ongoing funding into the future. The outcome of this submission will be known when the Treasurer hands down the Commonwealth budget in Parliament on 14 May 2024.

In November 2023, following my Lord Mayoral Minute, [Support for Waterloo South Relocations](#), Council unanimously resolved for the Chief Executive Officer to consult with local community organisations in the area, including Redfern Legal Centre and the Aboriginal Legal Service, about what support residents will require during relocations and advise them about the City's available grant programs. An outcome from that request will also be presented to Council in June 2024.

I have written to the Treasurer and Attorney-General of both the Federal and NSW Governments requesting additional funding for community legal centres in their 2024-2025 budgets.

In the letter to me, the Inner City Legal Centre acknowledges that funding core legal assistance services is not the role of local councils. However, the City remains committed to helping address this resourcing crisis and ensure our most vulnerable communities are not denied the legal support they need including women, children and gender diverse people escaping violence.

Recommendation

It is resolved that:

(A) Council note:

- (i) following a Lord Mayoral Minute in November 2023, Council unanimously resolved for the Chief Executive Officer to consult with local community organisations in the area including Redfern Legal Centre about what support residents will require during relocations and advise them about the City's available grant programs. The outcomes of that request will be reported to Council in June 2024;
- (ii) following the LGBTIQ+ Safety Summit in February 2024, and in response to a Lord Mayoral Minute, Council unanimously resolved for the Chief Executive Officer to investigate funding for local community legal centres. The outcomes of that request will also be reported to Council in June 2024;
- (iii) on 19 March 2024, the Lord Mayor wrote to the NSW Treasurer and NSW Attorney General calling for increased funding to be included in the NSW State budget for Anti-Discrimination NSW and community legal centres; and
- (iv) on 24 March 2024, Community Legal Centres Australia released its Sector in Crisis Report stating that in 2022-23, inadequate funding and overwhelming demand for services and workforce challenges left community legal centres struggling to respond to community needs and they desperately require ongoing investment from the Federal and State Governments; and

- (B) Council endorse the City of Sydney's advocacy to the Federal and State Governments requesting urgent additional and ongoing funding and support for community legal centres.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Item 3.4

Gender-Based Violence

Document to Follow

Item 4

Memoranda by the Chief Executive Officer

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

Item 5

Matters for Tabling

5.1 Disclosures of Interest

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

Recommendation

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

5.2 Petitions

(a) Build a Bridge

The Lord Mayor, Councillor Clover Moore, gives notice that, at the meeting of Council on Monday, 13 May 2024, she will table and speak to a petition with the following terms:

What a Difference a Bridge Would Make

The number of people living and working in and around the rail corridor from Redfern to Erskineville is growing rapidly.

Along with that goes more walking and cycling - healthy modes of transport we all want to encourage.

One problem though is the great length of the corridor, requiring very long journeys around the perimeter.

For a long time, a bridge has been proposed in planning for North Eveleigh to remedy this, and we believe that with Transport for NSW reviewing plans for this site the time has come to build it.

We need an active transport corridor to connect Waterloo Metro, Alexandria and South Eveleigh on one side, to Carriageworks, North Eveleigh, Darlington and Sydney University on the other.

We therefore call upon the Minister for Transport to approve the construction of this bridge as a matter of priority.

This is a joint campaign of Alexandria Residents Action Group, REDWatch and Friends of Erskineville.

Recommendation

It is resolved that the Petition be received and noted.

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 6 May 2024

Item 6.1

Confirmation of Minutes

Moved by Councillor Kok, seconded by Councillor Worling –

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 25 March 2024, 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 recommends the following:

Item 6.3

2023/24 Quarter 3 Review – Delivery Program 2022-2026

It is resolved that:

- (A) Council note the financial performance of Council for the third quarter, ending 31 March 2024, including a Quarter 3 Net Operating Result for the year of \$80.9M and the full year forecast of \$115.0M, as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) Council note the Quarter 3 Capital Works expenditure of \$128.2M and a revised full year forecast of \$196.9M, and approve the proposed adjustments to the adopted budget, including bringing forward \$2.0M of funds into the 2023/24 capital budget and \$1.0M 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 \$12.5M, net of disposals and a full year forecast of \$16.7M;
- (D) Council note the Quarter 3 Plant and Equipment expenditure of \$5.7M, net of disposals and a revised full year forecast of \$16.2M and approve the proposed adjustments to the adopted budget as detailed in attachment B to the subject report;
- (E) Council note the Quarter 3 net Property Acquisitions of \$10.4M, and the full year forecast net Property Divestments of \$2.9M;
- (F) Council note the supplementary reports, which detail fee-waived and discounted community facilities hire, the quick response, street banner and venue hire support grants and sponsorship programs, major legal issues, international travel, property and land use matters approved under delegation and contracts over \$50,000 as detailed in Attachment C to the subject report; and
- (G) Council approve an increase of \$40,000 cash to the current year's 2023/24 Quick Response grant budget allocation to a new total of \$400,000. This increase in funds is to support the high demand in Quick Response grant applications and to be sourced from City Life's existing overall budget savings.

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

X094861

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

Item 6.4

Public Exhibition - Integrated Planning and Reporting Program and Budget 2024/25

It is resolved that:

- (A) Council endorse the suite of Integrated Planning and Reporting documents for public exhibition for a period of 28 days, including:
 - (i) the draft Operational Plan 2024/25 as shown at Attachment A to the subject report; and
 - (ii) and the draft Resourcing Strategy 2024 as shown at Attachment B to the subject report;
- (B) Council endorse the draft Operating and Capital Budget, and future years' forward estimates, as reflected in the Operational Plan 2024/2025 and draft Resourcing Strategy 2024 including:
 - (i) Operating income of \$716.4M, operating expenditure before depreciation of \$597.3M for an Operating Result of \$119.1M, and a Net Surplus of \$115.4M after allowing for interest, depreciation and capital contributions;
 - (ii) Capital Works expenditure of \$228.5M and a capital works contingency of \$8.0M;
 - (iii) Plant and Assets net expenditure of \$18.6M;
 - (iv) Capital Works (Technology and Digital Services) of \$24.0M; and
 - (v) Net Property Acquisitions of \$28.0M;
- (C) Council endorse the draft Rates, Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the draft Operational Plan 2024/25; and
- (D) authority be delegated to the Chief Executive Officer to approve any minor editorial and document design corrections prior to publication.

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

X101909

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

Item 6.5

Investments Held as at 31 March 2024

It is resolved that the Investment Report as at 31 March 2024 be received and noted.

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

X020701

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

Item 6.6

Investments Held as at 30 April 2024

It is resolved that Investment Report as at 30 April 2024 be received and noted.

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

X020701

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

Item 6.7

Public Exhibition - Grants and Sponsorship Policy and Guidelines

It is resolved that:

- (A) Council note that no changes will be made to the Grants and Sponsorship Policy, as shown at Attachment A to the subject report;
- (B) Council approve for public exhibition the draft Grants and Sponsorship Guidelines, as shown at Attachment B to the subject report;
- (C) Council note that the Grants and Sponsorship Guidelines, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (D) 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 Grants and Sponsorship Guidelines.

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

S117676

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

Item 6.8

Adoption - Archives Collection Management Policy

It is resolved that:

- (A) Council adopt the updated Archives Collection Management Policy as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Archives Collection Management Policy in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

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

X093219

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

Item 6.9

Land Classification - 13 George Julius Avenue, Zetland

It is resolved that Council classify 13 George Julius Avenue, Zetland (being Lot 1 in DP 1265902), which is to be transferred to Council for future public purposes, as operational land in accordance with section 31 of the Local Government Act 1993 (NSW), on the basis that:

- (A) the primary future use of the land is for park, open space, and active and/or passive recreation and road;
- (B) the classification is an interim measure to support construction and delivery of the new park and road; and
- (C) following completion of the park and road and conclusion of obligations set out in registered Planning Agreement AN390315 and Deed of Variation AS45538, the land will be further subdivided creating separate portions for the road to be dedicated and for the park to be classified as community land and categorised within a plan of management.

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

X101722.005

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

Item 6.10

Land Classification - 2A Reed Street and 1A Tung Hop Street, Waterloo

It is resolved that Council endorse the classification of 2A Reed Street, Waterloo (being Lot 7 in DP1275276) and 1A Tung Hop Street, Waterloo (being Lot 8 in DP1275276), both of which are proposed to be transferred to Council for future public purposes as road, as operational land in accordance with section 31 of the Local Government Act 1993 (NSW).

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

X101724.005

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

Item 6.11

Land Classification - Lots 5 and 7, 2-38 Baptist Street and 397-399 Cleveland Street, Surry Hills

It is resolved that Council endorse classifying Lot 5 and Lot 7 in Deposited Plan 1298679 as operational land in accordance with section 31 of the Local Government Act 1993 (NSW), being a subdivision of Lots 100 and 101 in DP 1285547 at 2-38 Baptist Street and 397-399 Cleveland Street, Redfern, on the basis that in the case of Lot 5, the primary future use is for a park and the classification is an interim measure to support operational management until it can be included within the Generic Plan of Management and classified as community and categorised as park.

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

X101723.005

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

Item 6.12

Tender - T-2023-984 - City Civil Works

It is resolved that:

- (A) Council accept the tender offer of Tenderer D for Work Lot 1, Tenderer D for Work Lot 2 and Tenderers A, B, D and F for Work Lot 3 for the City Civil Works contracts for the price and contingency outlined in Confidential Attachment A to the subject report for a contract term of five years with two optional extensions to the contract term of three years and two years respectively;
- (B) Council approve the total contract sum and contingency for the City Civil Works contracts as outlined in Confidential Attachment A to the subject report;
- (C) Council accept the Schedule of Rates for the City Civil Works contracts as presented in Confidential Attachment B to the subject report;
- (D) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the duration of the contract term, including any extensions, for the procurement of items for Work Lot 3 that are not within the Schedule of Rates set out in Confidential Attachment B to the subject report contract to a cumulative upper limit of \$500,000 inclusive of GST per project;
- (E) Council note the reasons a satisfactory result would not be achieved by inviting tenders for the procurement of items referred to in clause (D) is due to the following extenuating circumstances:
 - (i) due to the variability of civil infrastructure, it is anticipated that there will be circumstances where works will be required that are not envisaged in the Schedule of Rates that are unusual, unique or unknown at the time of tender;
 - (ii) the ability to include these items under Work Lot 3 will allow for the effective delivery of civil infrastructure;
 - (iii) the time and cost to take the procurement of these items to market would disrupt the delivery of civil infrastructure; and
 - (iv) the panel structure of Work Lot 3 and the requirements for competitive quotes will provide value for money for the procurement of these items; and
- (F) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender (including exercising options, if appropriate) and to give effect to the approval in clause (D).

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

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

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

Carried.)

X096712.003

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

Item 6.13

Tender - T-2023-1015 - Management and Operation of the Kings Cross and Goulburn Street Parking Stations

It is resolved that:

- (A) Council accept the offer of Tenderer C for the Management and Operation of the Kings Cross and Goulburn Street Parking Stations for the Schedule of Rates outlined in Confidential Attachment B to the subject report, for a period of three years, with two optional extension periods of one year each if appropriate;
- (B) Council note that the total contract sum and contingency for the Management and Operation of the Kings Cross and Goulburn Street Parking Stations is outlined in Confidential Attachment B to the subject report;
- (C) authority be delegated to the Chief Executive Officer to, finalise, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option(s) referred to in clause (A) above, if appropriate.

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

X099251

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

Item 6.14

Tender - T-2023-966 - Sports Field Maintenance Services

It is resolved that:

- (A) Council accept the offer of Tenderer A for Sports Field Maintenance Services for a period of three years, with the option of an extension of two further terms of two years each, if appropriate;
- (B) Council note that the total contract sum and contingency for Sports Field Maintenance Services is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contract relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option referred to (A) above, if appropriate.

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

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

Noes (3) Councillors Ellsmore, Jarrett* and Weldon.

Carried.

*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.)

X094136

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

Item 6.15

Tender - T-2023-1119 - Bush Restoration Services

It is resolved that:

- (A) Council accept the offer of Tenderer E for the Bush Restoration Services Tender for a period of three years, with the option of an extension of two further terms, of three years each, if appropriate;
- (B) Council note that the total contract sum and contingency for Bush Restoration Services Tender is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contract relating to the Tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option referred to in (A) above, if appropriate.

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

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

Noes (2) Councillors Ellsmore and Weldon*.

Carried.

*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.)

X089145

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

Item 6.16

Exemption from Tender – Kronos Technical Upgrade

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 to enter into a contract with Kronos Australia Pty Limited (ABN: 17 074 408 067) for the transition to the Kronos Software-as-a-Service platform;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) Kronos is the core workforce management and time and attendance system used by the City;
 - (ii) the existing supplier is the proprietary owner of the Kronos Software-as-a-Service product; and
 - (iii) the costs associated with transferring to a different supplier and implementing a new product, together with the implications on the day-to-day operations of the City do not support undertaking a competitive tender process; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute and administer (including exercising options, if appropriate) the contract relating to the Kronos' transition to a cloud-based platform and Software-as-a-Service on terms acceptable to the City for the term and total contract sum detailed in Confidential Attachment A to the subject report.

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

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

Noes (3) Councillors Ellsmore*, Jarrett* and Weldon*.

Carried.

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

X101622

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

Item 6.17

Exemption from Tender - Link and Epsom Road Design

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 designer for the Link Road and Epsom Road intersection for the price and contingency outlined in Confidential Attachment B to the subject report;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) the existing head design consultant has existing detailed knowledge of the project and has documented the current design to detailed design;
 - (ii) the head design consultant completes quality work and has been contracted by the City on other projects; and
 - (iii) if a tender is required it will add further delays to the delivery of the intersection, and will increase the cost and time to finalise the intersection design;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to Link Road and Epsom Road intersection;
- (D) Council note the proposed design of the new signalised intersection at Attachment A to the subject report; and
- (E) Council approve the additional funds sought from Future Public Domain Upgrade Initiatives as outlined in Confidential Attachment B to the subject report, noting that the additional costs of the project are eligible to be recouped from developer contributions for infrastructure in the area.

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

X099020

Item 7

Report of the Environment Committee - 6 May 2024

Item 7.1

Confirmation of Minutes

Moved by Councillor Worling, seconded by Councillor Kok –

That the Minutes of the meeting of the Environment Committee of Monday 25 March 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 7.2

Statement of Ethical Obligations and Disclosures of Interest

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

The Environment Committee recommends the following:

Item 7.3

Project Scope - Redfern Community Centre Open Space, Yellomundee Park and Hugo Street Reserve

It is resolved that Council:

- (A) note that the development of the Redfern Waterloo Public Domain Plan is ongoing;
- (B) endorse the scope of works for Redfern Community Centre Open Space, Yellomundee Park and Hugo Street Reserve upgrades as described in the subject report for progression to tender, design development, documentation, approvals, and construction;
- (C) note that traffic calming options for adjacent streets will be consulted on further as part of a separate, but related project; and
- (D) note the financial implication as outlined in Confidential Attachment E to the subject report.

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

X031129

Speakers

Melissa Carney and Tracey Duncan addressed the meeting of the Environment Committee on Item 7.3.

The Environment Committee recommends the following:

Item 7.4

Project Scope - Glebe Street Playground Renewal, Glebe

It is resolved that Council:

- (A) endorse the scope of improvements to the playground and reserve at Glebe Street Playground, Glebe 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) note the financial implications as outlined in Confidential Attachment D to the subject report.

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

X090851.002

The Environment Committee recommends the following:

Item 7.5

Project Scope - Ada Villa Terrace, Erskineville

It is resolved that Council:

- (A) endorse the scope of improvements to the Ada Villa Terrace (59 Erskineville Road), Erskineville as described in the subject report and shown in the Draft Concept Plan as Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation tender and construction; and
- (B) note the financial implications as outlined in Confidential Attachment D to the subject report.

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

X090878.001

Item 8

Report of the Cultural and Creative Committee - 6 May 2024

Item 8.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Cultural and Creative Committee of Monday 4 March 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 8.2**Statement of Ethical Obligations and Disclosures of Interest**

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that he represented the Lord Mayor by speaking at the City Recital Hall Amplification Renewal Project in July 2023. Since then, he has attended the venue to meet with City Hall CEO Justin Boschetti and has accepted the City's Protocol tickets to attend performances at the venue.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he did not discuss Item 8.3 with anyone from City Recital Hall and it has not influenced his decision today.

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

The Cultural and Creative Committee recommends the following:

Item 8.3

Grants and Sponsorship - Ad Hoc Grant - City Recital Hall Limited - Additional Funding Request

It is resolved that:

- (A) Council approve a cash grant of \$300,000 (excluding GST) in 2024/25 to City Recital Hall Limited to provide additional operational support and financial stability; and
- (B) authority be delegated to the Chief Executive Officer to negotiate and enter into a deed of variation to the current operational funding agreement with City Recital Hall Limited to provide the cash grant approved by this report.

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

X000633

Speaker

Rachel Launders (City Recital Hall) addressed the meeting of the Cultural and Creative Committee on Item 8.3.

Item 9

Report of the Resilient Communities and Economy Committee - 6 May 2024

Item 9.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Resilient Communities and Economy Committee of Monday 12 February 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

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

Councillor (Waskam) Emelda Davis disclosed a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that she has known the Mudgin-Gal Aboriginal Corporation through her personal involvement with ASSIPJ doing advocacy work. Councillor Davis also sits on the City of Sydney Aboriginal and Torres Strait Islander Advisory Panel with the Chair of Mudgin-Gal, Bronwyn Penrith.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because all grants received are determined by an independent and carefully selected staff panel under delegation to ensure that the process is transparent and accountable, and she did not discuss the grant with the applicant or assist them in any way.

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

The Resilient Communities and Economy Committee recommends the following:

Item 9.3

Grants and Sponsorship - Post Exhibition - Dixon Street Improvement Grant Guidelines and Haymarket Activation Grant Guidelines

It is resolved that Council:

- (A) adopt the Dixon Street Improvement Grant Guidelines as shown at Attachment A to the subject report;
- (B) adopt the Haymarket Activation Grant Guidelines as shown at Attachment B to the subject report;
- (C) note the submissions received from the community on the exhibited draft Grant Program Guidelines as shown at Attachment D to the subject report; and
- (D) note the proposed budget implications as described in the subject report and that programs will be incorporated into future budgets for public exhibition and endorsement by Council.

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

S117676

The Resilient Communities and Economy Committee recommends the following:

Item 9.4

Grants and Sponsorship – Aboriginal and Torres Strait Islander Collaboration Fund

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 note that all grant amounts are exclusive of GST;
- (D) 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
- (E) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

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

S117676

Item 10

Report of the Transport, Heritage and Planning Committee - 6 May 2024

Item 10.1

Confirmation of Minutes

Moved by Councillor Chan, seconded by Councillor Kok –

That the Minutes of the meeting of the Transport, Heritage and Planning Committee of Monday 25 March 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 10.2

Statement of Ethical Obligations and Disclosures of Interest

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

The Transport, Heritage and Planning Committee recommends the following:

Item 10.3

Public Exhibition - Planning Proposal - 383-395A Kent Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal - 383-395A Kent Street, Sydney, as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for Gateway Determination;
- (B) Council approve Planning Proposal - 383-395A Kent Street, Sydney, as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 383-395A Kent Street, Sydney;
- (D) Council approve the Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, as shown at Attachment B to the subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - 383-395A Kent Street, Sydney, to correct any drafting errors or to ensure consistency with the Gateway Determination;
- (F) authority be delegated to the Chief Executive Officer to make any variations to Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (G) Council note the Chief Executive Officer will prepare a draft planning agreement in accordance with the letter of offer dated 22 April 2024 at Attachment C to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited in accordance with the Act.

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

X091069

Speaker

Mark Stante (Charter Hall) addressed the Transport, Heritage and Planning Committee on Item 10.3.

The Transport, Heritage and Planning Committee recommends the following:

Item 10.4

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 Attachment B to H of the subject report;
- (C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 229 Oxford Street, Darlinghurst at this time;
- (D) note the contents of Attachment C and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 15-17 Hunter Street, Sydney at this time;
- (E) note the contents of Attachment D and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 37 York Street, Sydney at this time;
- (F) note the contents of Attachment E and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 228 Elizabeth Street, Surry Hills at this time;
- (G) note the contents of Attachment F and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 13 –15A Bridge Street, Sydney at this time;
- (H) note the contents of Attachment G and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 174-186 Goulburn Street, Surry Hills at this time; and
- (I) note the contents of Attachment H and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 212-214 Elizabeth Street, Surry Hills at this time.

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

S105001.002

Item 11

Recovery Package – Sydney Gay and Lesbian Mardi Gras Ltd

Document to Follow

Exemption from Tender - Planning Agreement - 118-130 Epsom Road and 905 South Dowling Street, Zetland

File No: VPA/2023/10

Summary

In 2015, the City prepared Public Domain Concept and Civil plans to guide the development of new public infrastructure in the Epsom Park Precinct, part of the Green Square urban renewal area as it transforms from an industrial and commercial area into a revitalised, residential and mixed-use locality.

The City's plans identify a significant network of public streets, through site links and open spaces to revitalise the Precinct and provide connectivity to surrounding areas for pedestrians and cyclists. The plans include Gunyama Park Aquatic and Recreation Centre, Mulgu Park, Zetland Avenue and George Julius Avenue, both part of the 'Eastern Transit Corridor', a significant future mass transit corridor through the Precinct connecting to the Green Square town centre to the west and Rosebery to the south.

The City is responsible for infrastructure delivery in the urban renewal area and has the option to undertake the work itself, such as the Gunyama Park Aquatic and Recreation Centre, or to engage developers to undertake the work on their land as their sites re-develop, such as Wulaba Park (Meriton).

In 2015, the City prepared a concept design for Mulgu Park. Development of the design involved community consultation and a presentation to the City's Design Advisory Panel.

The site of the future park is located on the property currently known as 118-130 Epsom Road and 905 South Dowling Street, Zetland.

In August 2023, the developer of 118-130 Epsom Road and 905 South Dowling Street, Zetland, Karimbla Properties (No. 60) Pty Ltd, submitted a Stage 1 Concept Development Application for roadways, pedestrian access ways, public open spaces and building envelopes with basement parking and associated landscaping (D/2023/724). The Development Application was endorsed by the Central Sydney Planning Committee at its meeting of 9 May 2024.

In relation to the Development Application, the developer has made a public benefit offer to dedicate land and undertake works to deliver the new infrastructure outlined in the City's Public Domain and Civil Design Concept plans. This includes parts of Zetland Avenue, Chimes Street, Peters Street, Rose Valley Way, Defries Avenue, George Julius Avenue, Mulgu Park, two pocket parks, a footpath widening to Epsom Road and the last required extension of the Green Square trunk drain. The substantial land dedication and public infrastructure delivery is proposed to be secured in a Planning Agreement.

Under the subsequent Stage 2 Detailed Development Applications, the contributions of this developer will be \$24,952,005, comprising community infrastructure under clause 6.14 of the Sydney Local Environment Plan 2012 (SLEP) and Section 7.11 contributions. The developer will also be required to pay affordable housing contributions in accordance with the SLEP.

The total value of the complete land dedication and public infrastructure works detailed above is \$32,121,894.

The City has an opportunity to request that Karimbla Properties (No. 60) Pty Ltd construct Mulgu Park, the adjoining pedestrian areas and two pocket parks (the parks) as part of the Planning Agreement. This contribution will ensure the parks are delivered earlier and at less cost as part of the new development, rather than if the City is to construct the parks after the land has been remediated and dedicated at the end of the development. To do so, the City would transfer the \$7,169,889 to cover the additional works.

The City has funding allocated for the Epsom Park Precinct New Open Space project contained in the draft capital works budget and Long Term Financial Plan. A payment of \$7,169,889 will be eligible for contribution funding recoupment by other developers in the area.

The procurement of a contractor to deliver the parks works would usually attract a public tender under section 55 of the Local Government Act 1993 (the Act) as the estimated contract amount is in excess of \$250,000. The decision not to tender due to extenuating circumstance must be made by resolution of Council.

This report recommends that Council approve the engagement of Karimbla Properties (No. 60) Pty Ltd to undertake the parks work without inviting tenders as it will provide an advantageous financial outcome when compared to the works if they were to be undertaken by the City in the future, and facilitate the early completion in line with the completion of the adjacent buildings.

This situation is not unique. In July 2016, Council approved a similar exemption from tender to engage Mirvac to deliver new roads as part of its development at 13-21 Lachlan Street, Waterloo. The City's contribution payment through the Planning Agreement was \$1.37 million and ensured the coordinated and timely delivery of the works adjacent to Dyuralya Square at the least cost to the City.

The City also notes that a neighbouring site in the Epsom Park Precinct, the current Ausgrid depot site, is also expected to have the value of the required land dedications and public infrastructure greater than the estimated community infrastructure and Section 7.11 contributions. Negotiations on that development and Planning Agreement have recently commenced.

Recommendation

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 to contribute \$7,169,889 to the Planning Agreement for 118-130 Epsom Road and 905 South Dowling Street, Zetland;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) the developer will be delivering community infrastructure in the form of new roads, trunk drain and parks as works-in-kind required by Clause 6.14 of Sydney Local Environmental Plan 2012;
 - (ii) the infrastructure works will be co-ordinated and delivered as one project in a timely manner as part of the re-development of the entire site at 118-130 Epsom Road and 905 South Dowling Street, Zetland;
 - (iii) delivery as part of the Planning Agreement will facilitate completion of Mulgu Park, the adjoining pedestrian areas and two pocket parks approximately four years earlier, which will reduce disruption to the local community as works could not otherwise commence until the developer's works were completed and land dedicated to the City;
 - (iv) physical constraints prevent the separate delivery of new parks by the City in a cost-efficient manner, due to substantial level changes necessitating temporary and redundant works such as retaining walls;
 - (v) delivering the new parks separately would restrict the pedestrian and vehicle access to the new development, necessitating a lengthy and expensive construction methodology by the City; and
 - (vi) the engagement of the developer to do the works provides value for money to the City as the offer by Karimbla Properties (No. 60) Pty Ltd has been peer reviewed by the City's quantity surveyor and provides financial savings when compared to the works being undertaken separately by the City in the future, including through elimination of temporary works, whole-of-site access for excavation, bulk earthworks, etc and given the developer's existing knowledge, resources and experience associated with the project site; and
- (C) Council endorse the City's payment of \$7,169,889 from the Epsom Park Precinct New Open Space project contained in the draft capital works budget and Long Term Financial Plan as a partial payment of the cost of the developer's works for the construction of Mulgu Park, the adjoining pedestrian areas and two pocket parks as part of the Planning Agreement for 118-130 Epsom Road and 905 South Dowling Street, Zetland.

Attachments

Attachment A. Epsom Park Precinct Concept Plan

Attachment B. Mulgu Park Concept Design

Attachment C. Public Benefit Offer from Karimbla Properties (No. 60) Pty Ltd for 118-130 Epsom Road and 905 South Dowling Street, Zetland

Attachment D. Site Plan – Works Associated with Development

Attachment E. Cost Estimate (Confidential)

Background

1. In May 2012, Council adopted the Sydney Development Control Plan 2012 (DCP). It includes Epsom Park Precinct as a Specific Area under section 5.
2. The DCP states that Epsom Park is to be a new neighbourhood with a strong sense of place and public life, where residents enjoy proximity to the City, easy access to the Green Square Town Centre, good transport links, open parklands and recreational opportunities, and specialty retail activities. It is to have a strong urban character and identity built on the quality of the streets, architecture, good public transport, facilities and services.
3. The precinct has experienced significant transformation in the last 8 years, with new residential developments, new streets and Gunyama Park Aquatic and Recreation Centre.
4. The Epsom Park Precinct is bounded by Joynton Avenue, Epsom Road, South Dowling Street and Zetland Avenue, Zetland.
5. The DCP identifies a network of streets, through site links and open spaces to revitalise the Precinct and provide connectivity to surrounding areas for pedestrians and cyclists. It includes Zetland Avenue and George Julius Avenue, both part of the 'Eastern Transit Corridor', a significant future mass transit corridor through the Precinct connecting to the Green Square town centre to the west and Rosebery to the south.
6. In 2015, the City prepared detailed Public Domain and Civil Design Concept plans to guide the delivery of new infrastructure in the Epsom Park Precinct. The general arrangement drawing at Attachment A.
7. The City is responsible for infrastructure delivery in the urban renewal area and has the option to undertake the work itself, or to engage developers to undertake the work on their land as their sites re-develop.
8. In 2015, the City prepared a concept design for Mulgu Park. Development of the design involved community consultation and a presentation to the City's Design Advisory Panel. An extract of the design is at Attachment B.
9. The site of the future park is located on the property currently known as 118-130 Epsom Road and 905 South Dowling Street, Zetland.
10. On 16 August 2023, the landowner at 118-130 Epsom Road and 905 South Dowling Street, Zetland, Karimbla Properties (No. 60) Pty Ltd, submitted a Stage 1 Concept Development Application for roadways, pedestrian access ways, public open spaces and building envelopes with basement parking and associated landscaping (D/2023/724). The Development Application will be reported to the Central Sydney Planning Committee with a recommendation for a deferred commencement, subject to a draft Planning Agreement being exhibited and any submissions considered.
11. On 16 August 2023, Karimbla Properties (No. 60) Pty Ltd also submitted a Development Application (D/2023/753) for construction of roads, sewer, stormwater and water supply infrastructure associated with the development. The Development Application is currently under assessment.

12. The proposed development seeks to utilise additional floor space available under Clause 6.14 of the SLEP when providing community infrastructure. An additional 20,424.5m² floor space, generates a community infrastructure contribution of \$9,701,637. Additionally, the development generates \$15,250,368 in section 7.11 contributions (as at March 2024).
13. This development site includes parts of the yet to be constructed Zetland Avenue, Chimes Street, Peters Street, Rose Valley Way, Defries Avenue, George Julius Avenue, Mulgu Park, two small pocket parks and a footpath widening to Epsom Road as identified in the Sydney Development Control Plan 2012. The site also includes a future extension of the Green Square trunk drain.
14. To accommodate flood management strategies, the new infrastructure is required to be constructed up to two metres above existing ground levels. These level changes will require strategic coordination of works within the site to ensure impacts external to the site and downstream are minimised.
15. Karimbla Properties (No 60) Pty Ltd has made a public benefit offer to enter into a Planning Agreement in relation to the development applications. The public benefit offer is at Attachment C.
16. In summary, the total public benefit offer of \$32,121,894 consists of dedication of 16,939sqm of land for new roads and parks (\$3,387,860) and embellishment works for the construction of new roads, parks and trunk drain on the land (\$28,734,034).
17. The scope of works is in accordance with the City's Public Domain and Civil Design Concept Plans for the Epsom Park Precinct. A site plan showing the extent of the works is at Attachment D
18. The City engaged an independent Quantity Surveyor to confirm the offer as a reasonable cost estimate of works. The cost estimate is included at confidential Attachment E.
19. The total contributions generated by the development for community infrastructure (\$9,701,637) and section 7.11 (\$15,250,368) will be \$24,952,005.
20. The total value of public benefits if delivered in full, exceeds the development contributions by \$7,169,889.
21. The City has an opportunity through the Planning Agreement to pay \$7,169,889 towards the construction of the three parks and adjacent new roads by the landowner to facilitate the delivery of all the community infrastructure as an integral part of the development.
22. Payment of this amount would be required on a milestone basis and completion of the relevant elements of the works to the City's satisfaction.
23. Having regard to the nature of the development, the necessary infrastructure works to service the development and the cost estimate of the works, it is recommended that Council approve this payment.
24. If approved by Council, acceptance of the public benefit offer and approval to exhibit the draft Planning Agreement will be sought from the Chief Executive Officer in accordance with the delegations.

25. The draft Planning Agreement will be exhibited for 28 days
26. A neighbouring site in the Epsom Park Precinct, the current Ausgrid depot site, is also expected to have the value of the required land dedications and public infrastructure greater than the estimated community infrastructure and Section 7.11 contributions.
27. Council approved a similar exemption from tender in July 2016 to engage Mirvac to deliver new roads as part of their development at 13-21 Lachlan Street, Waterloo. The City's contribution payment through that Planning Agreement was \$1.37 million and ensured the coordinated and timely delivery of the works at the least cost to the City.

Risks

28. Areas of the site have been formerly used for industrial purposes and may include some contamination, which will be remediated by the developer in accordance with the development consent, at no cost to the City. A Site Audit Statement will confirm that the works and land are fit for purpose in accordance with the EPA Guidelines.
29. The Planning Agreement will require the developer's works to be secured by a guarantee to mitigate the City's financial risk.
30. Following completion of the works, the City will hold a guarantee for 10 per cent of the work's value for a 12-month defects liability period under the Planning Agreement.
31. The Planning Agreement will define the City's contribution as a fixed sum paid in instalments linked to milestones including completion to the City's satisfaction.
32. The Planning Agreement will include acquisition clauses should the developer fail to dedicate the land in accordance with the Agreement.
33. The Planning Agreement will include rights and remedies for the City to complete the work should the developer fail in its undertakings.

Financial Implications

34. There are sufficient funds allocated for the payment of \$7,169,889 within the Epsom Park Precinct New Open Space project contained in the draft capital works budget and Long Term Financial Plan.
35. It is anticipated that works would be undertaken no earlier than 2026, so the payment is required at the earliest in the 2025/26 financial year
36. The delivery of the infrastructure works will have minimal impact on the organisation, as the project is proposed to be delivered by the developer of 118-130 Epsom Road and 905 South Dowling Street, Zetland.
37. City officers who oversee the implementation of the Planning Agreement ensure the works are delivered to a high standard. Delivery of the works by the developer will provide organisational efficiencies, as City staff will not be assigned to a delivery role.

Relevant Legislation

38. An exemption from tender is sought in accordance with section 55(3)(i) of the Local Government Act 1993 (the Act).
39. The exemption from tender process has been conducted in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.
40. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
41. Attachment E contains confidential commercial information which, if disclosed, would:
 - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
 - (b) prejudice the commercial position of the person who supplied it.
42. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.
43. Environmental Planning and Assessment Act 1979.
44. Environmental Planning and Assessment Regulations 2021.

Critical Dates / Time Frames

45. The Stage 1 Concept Development Application for 118-130 Epsom Road and 905 South Dowling Street, Zetland was endorsed by the Central Sydney Planning Committee at its meeting of 9 May 2024.
46. The developer plans to commence work on site as soon as the Development Application is determined, and relevant pre-commencement conditions are satisfied.
47. The community infrastructure works are required to be completed in stages prior to the issue of the Occupation Certificate for the relevant adjoining building.
48. If the opportunity for the developer to construct the new parks and adjacent roads in association with their building works is not taken, access to the land for the City to undertake the work will not be available until the building works are completed and the land dedicated.

Options

49. The City could deliver the new parks and adjacent roads after the land has been remediated and dedicated and the development completed. This would result in:
 - (a) a significant delay in the parks being completed

- (b) the City being subject to increased construction costs
 - (c) the City incurring the additional costs of a separate contractor engagement
 - (d) the reworking of some temporary and interim works undertaken by the developer; and
 - (e) the City contributing the cost of the temporary, interim and redundant work, which is estimated at approximately \$1,281,081.
50. If the developer were to exclude the new parks and adjacent roads and construct only part of the infrastructure up to the value of the contributions, this would result in:
- (a) ground floor levels and entry ways of the adjoining buildings being above ground level;
 - (b) substantial works-in-kind being redundant, including temporary retaining walls, batters and interim landscaping;
 - (c) the completed development having no access to significant new public open space;
 - (d) the timeframe to deliver all the required new infrastructure being extended as the location of the new parks and adjacent roads are too constrained for the City to undertake the works concurrently with the development; and
 - (e) restriction of the pedestrian and vehicle access to the new development when delivering the remaining elements, necessitating a lengthy and expensive construction methodology by the City.
51. Delivery by the City in the future is not recommended due to the impractical and costly outcomes of delivering the community infrastructure in a piecemeal manner after the development is completed.

Public Consultation

52. A draft Planning Agreement will be exhibited for 28 days in accordance with Environmental Planning and Assessment Act and Regulations.

KIM WOODBURY

Chief Operating Officer

Greg Longmuir, Senior Project Manager Planning Agreements

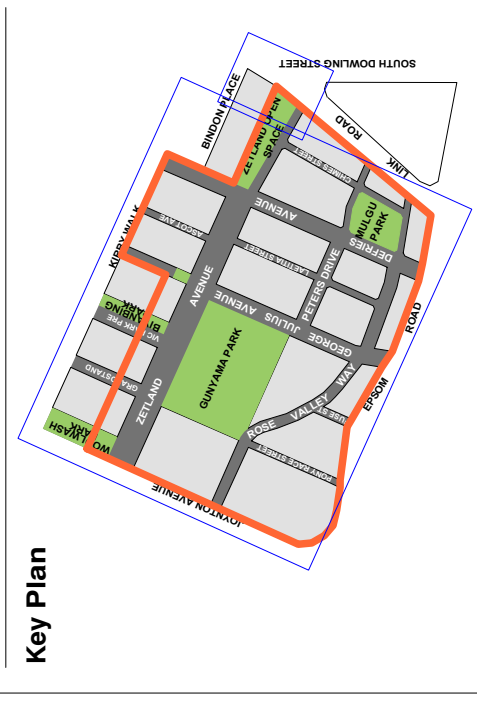
Attachment A

Epsom Park Precinct Concept Plan

Drawing Status
CONCEPT DESIGN
NOT FOR CONSTRUCTION

Revisions

No.	Date	Description
A	02/04/2015	50% Issue
B	14/08/2015	80% Issue
C	14/08/2015	80% Issue
D	23/10/2015	100% Issue



LEGEND

GENERAL

- Public Domain Scope of Works
- Existing Survey Boundary
- Existing Property Boundary
- Existing Landscape Setback
- Proposed Building Footprint
- Softworks - Planting
- Existing Tree to be Retained - Green
- Arboret Approved for Retention - Purple
- Existing Tree out of Scope of Works - Blue
- Proposed Park Trees - Grey
- Proposed Tree
- Proposed Tree Pit
- Proposed Tree Pit in Road Planter
- Proposed Tree Pit in Paving
- Proposed Tree Pit in Deco Granite
- Proposed Tree in Mass Planting
- Proposed Tree in Swale / Rain Garden
- Proposed Mass Planting
- Proposed Swale / Rain Garden Planting

HARDWORKS - PAVING

- Concrete Unit Paving
- Standard Green Insitu Concrete
- Shared Zone Paving
- Car Parking Bays High Order
- Shared Environment
- Asphalt Footpath

HARDWORKS - KERBS

- Blue Stone Kerb
- Blue Concrete Kerb
- Flush Concrete Kerb
- Broken Kerb
- Decorative Kerb
- Concrete Wall

CYCLEWAY

- Unidirectional Cycleway
- Bidirectional Cycleway
- Speed Table & Crossings
- CS Shared Path Location

FURNITURE & FIXTURES

- Zannes Village Suite Bench
- Zannes Village Suite Bin
- Zannes Village Suite Bubbler
- Standard Parks Bike Rail
- City of Sydney Smart Pole
- City Standard Lightpole
- Zannes Village Suite
- Zannes Village Suite Bus Stop & Shelter
- Zannes Village Suite Traffic Sign Needed

CITY OF SYDNEY

Project: **Epsom Park Precinct Public Domain Concept Design**

City of Sydney
City Design

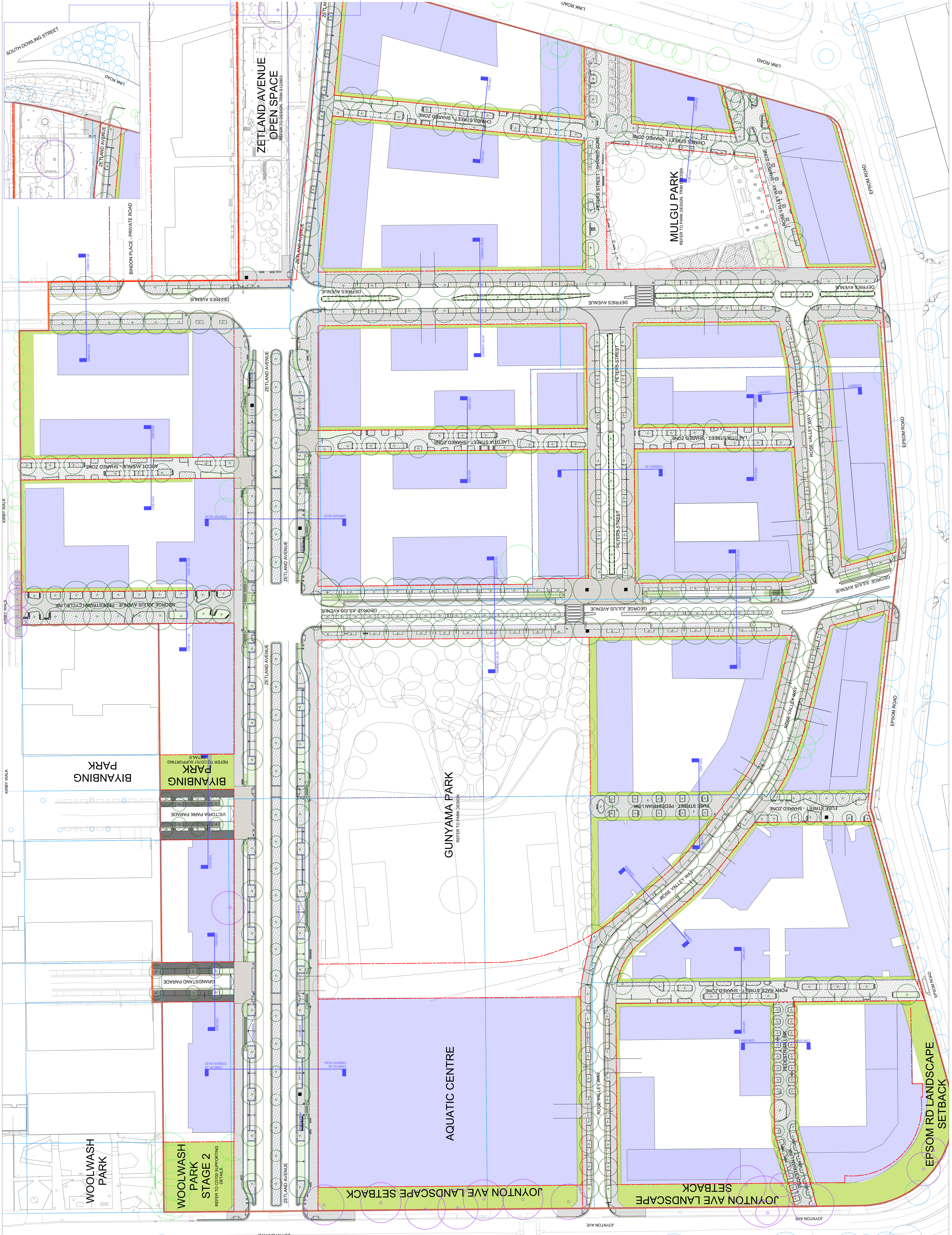
Sheet No. **CD001**

General Arrangement Plan

Scale: 1:500 @ A0

Issue: **D**

Designed: AC, JV
Checked: AC, JV



WOOLWASH PARK

WOOLWASH PARK STAGE 2
REFER TO CONSULTING DETAILS

BIYANBING PARK

JOYNTON AVE LANDSCAPE SETBACK

JOYNTON AVE LANDSCAPE SETBACK

JOYNTON AVE LANDSCAPE SETBACK

JOYNTON AVE LANDSCAPE SETBACK

GUNYAMA PARK
REFER TO PARK DESIGN

AQUATIC CENTRE

JOYNTON AVE LANDSCAPE SETBACK

EPSOM RD LANDSCAPE SETBACK

Attachment B

Mulgu Park Concept Design

CONTEXT PLAN



MULGU PARK DESIGN PRINCIPLES

Design influences : Historical and cultural associations with food harvesting



Waterloo had extensive market gardens with high populations of Chinese workers in the early 20th Century. Current demographics indicate that there are very high proportions of residents from Non-English speaking backgrounds, such as in Danks Street, which has over one quarter of residents (27%) from China, often with strong cultural associations with food production. Resurgence of interest and popularity of food harvesting. The 'In Your Village' Plans identified food as a key theme and recommended providing sustainability initiatives including creating a fresh food hub, community gardens with "edible outdoor rooms" and fruit trees and partnerships with the local business community to stimulate fresh food retailing in the area.

Design influences : Increasing focus on providing fruit trees in public spaces



Seville, Spain

Fruit trees are evident in many European countries such as in Spain and France. They are often located on busy streets and public spaces in the heart of the city. Increasing interest in food production and gleaming in urban areas. Organisations internationally and locally have been focussed on promoting fruit tree plantings in public parks and streets. In Australia recent initiatives include park retrofits and proposals such as Ramage Street Park, Halifax Street orange trees in Adelaide and Meridian community by Vic Urban.

Design influences : Gathering & eating as an opportunity for social interaction



Park gatherings are often associated with food. This can include daily use of parks as lunch time destinations, as well as for special events such as family picnics. Mulgu Park could facilitate increased interactions between neighbours by providing welcoming areas for gathering and eating.

KEY ELEMENTS

1. HARVEST TERRACE

Grove of trees with Irrigation supply from recycled stormwater. Shade canopy with passionfruit climbers; communal table, seating and BBQs on paved terrace.

2. CENTRAL LAWN

Consolidated lawn area for informal play and ball games; Fast growing shade trees interspersed with fruit trees. Shallow grades to provide for terrace to be slightly elevated above lawn.

3. FALLEN FRUIT GARDENS

Garden of mixed fruit trees; pink colour demarcates garden zones with fruit beds. Seating interspersed around the beds of flowering ground covers and small shrubs and herbs. Design elements featuring colour that indicate fruit garden zones. 'Fruit' lanterns light gardens and indicate readiness of seasonal produce.

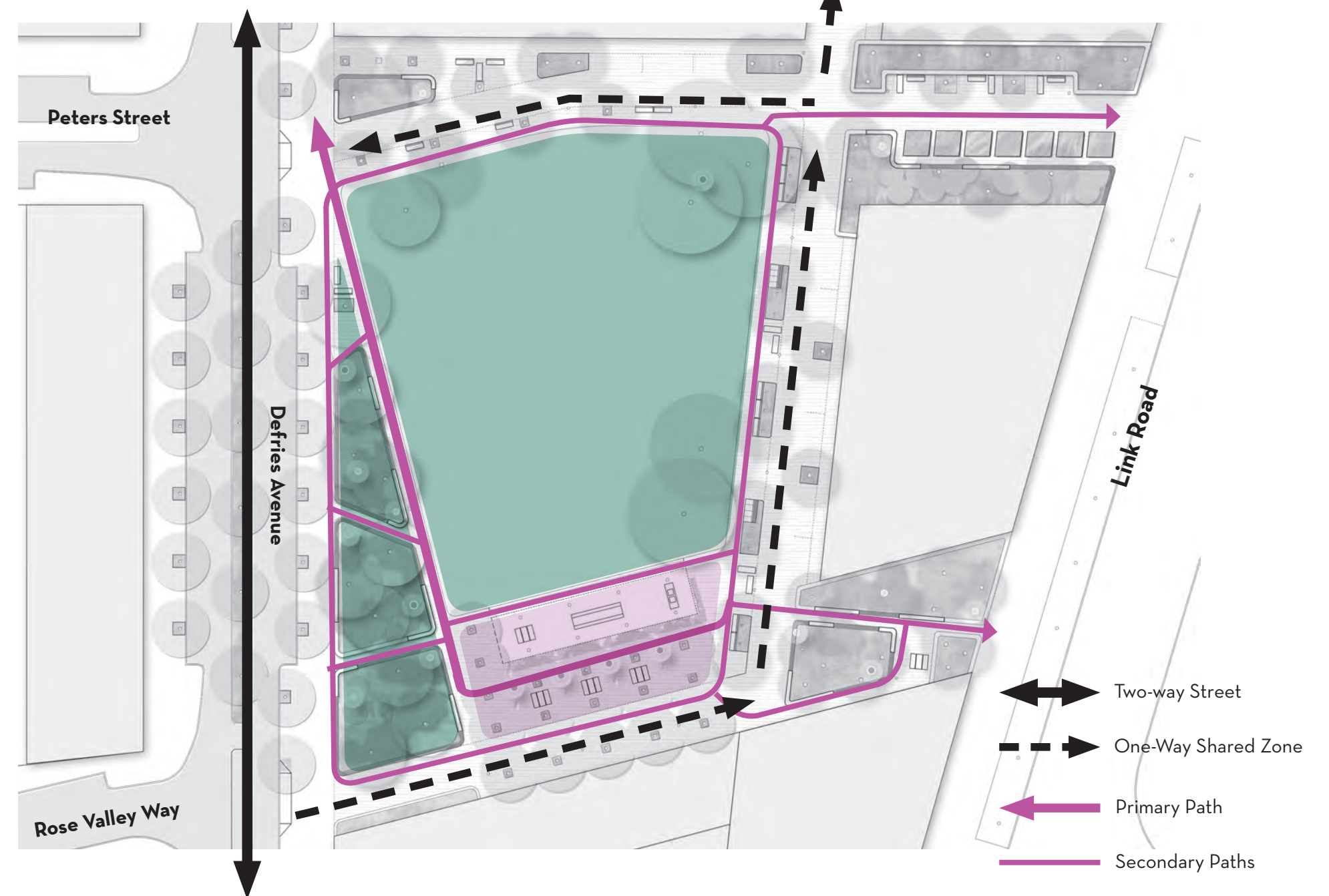
4. SHAREWAYS

Raised threshold with 10km speed limit. One way 4m wide path of travel. RMS requires removal of kerb and gutter unless a special circumstance is nominated. Tree planting and furniture defines vehicle path. 9 on-street parking spaces provided. Canary Island Palms removed.

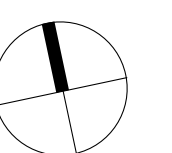
5 & 6 COMMUNITY & NATIVE GARDEN

South: Native shade tolerant garden incorporating fruit trees such as lilly pilly and finger limes. North: garden with flowering exotics and location for future community plots ;link to future pedestrian crossing

PARK STRUCTURE



PARK ROOMS





LEGEND
MATERIALS + FINISHES

CW1	PRECAST CONCRETE WALL - TYPE 1 500 high, angled profile
CW2	PRECAST CONCRETE WALL - TYPE 2 500mm width with seating & low backrest. Recycled plastic material: magenta
CP1	INSITU CONCRETE PATH - TYPE 1 Recycled brick laid on diagonal, narrow profile
CP2	INSITU CONCRETE PATH - TYPE 2 Ecotrihex paving
CP3	FOOTPATH pavement in accordance with City of Sydney standard
KG1	BLUE STONE KERB Road Edge
KG2	KERB RAMP Shareway access
STE	STEEL EDGE TO LAWN

TP1	RAIN GARDEN TREE PIT
TP2	TREE PIT IN PAVING
SW1	STORMWATER OUTLET Stormwater discharge outlet to rain garden
SW2	RAINWATER TANKS Rainwater tanks under raised garden beds

MATERIALS + FINISHES - FURNITURE TYPES

B1	BENCH - TYPE 1 SFA City Of Sydney plaza bench with back rest 6.1.1
B2	BENCH - TYPE 2 SFA City Of Sydney; plaza bench
B3	BENCH - TYPE 3 SFA City of Sydney Picnic Table
B4	BENCH - TYPE 4 Custom communal table & benches. Timber slats with steel frame.
B5	BENCH - TYPE 5 Custom timber benches, angled backrest with reclining profile
LB1	LITTER BIN TYPE 1 City of Sydney Standard: Tzannes village suite
DF1	DRINKING FOUNTAIN TYPE 1 City of Sydney Standard: Tzannes village suite
C1	CUSTOM SHADE STRUCTURE Lazer cut steel panels with artwork stencil. Steel uprights at 6m centres
LP1	LIGHTPOLE City Of Sydney Standard Bronze Smart poles at 18 metre centres
LP2	CUSTOM LIGHTING LED light globes on timer system
LP3	CUSTOM LIGHTING Uplighting to retaining walls

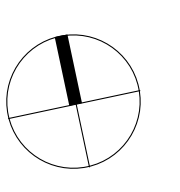
S1	INFORMATION SIGNAGE decorative text overlay: harvest information
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MATERIALS + FINISHES - GARDEN BEDS

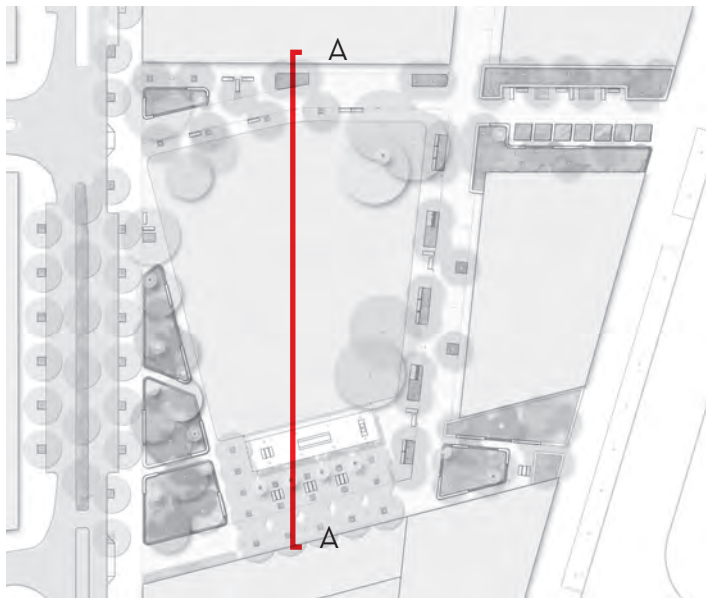
GB1	GARDEN BED 1 Mass Planting Type 1
GB2	GARDEN BED 2 Mass Planting Type 2
GB3	GARDEN BED 3 Mass Planting Type 3
GB4	GARDEN BED 4 Mass planting: shade tolerant
GB5	GARDEN BED 5 Future community gardens to be built by others
L1	LAWN



Project: Mulgu Park Concept Design	Package: Development Application	Drawing Number: 2014_07B DAO2	Date: 17.04.2015
Client: City Of Sydney	Drawing Title: Landscape Plan	Scale: 1:200 @A1	Rev: Concept Design



Key Plan



SECTION A-A
Scale 1:150 @ A1



SECTION A-A: Detail
Scale 1:100 @ A1



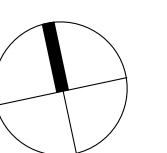
SECTION A-A: Detail
Scale 1:100 @ A1

Project: Mulgu Park Concept Design
Client: City Of Sydney

Package: Development Application
Drawing Title: Landscape Section A

Drawing Number: 2014_07B DAO3
Scale: Varies

Date: 17.04.2015
Rev: Concept Design



Attachment C

**Public Benefit Offer from Karimbla
Properties (No.60) Pty Ltd for 118-130
Epsom Road and 905 South Dowling Street,
Zetland**

APPLICANT'S PUBLIC BENEFIT OFFER FOR BONUS FLOOR SPACE IN CONNECTION WITH A DEVELOPMENT APPLICATION

This is an offer to enter into a Planning Agreement (PA) by Karimbla Properties (No.60) Pty Ltd (ACN: 622 383 724) as the owner/developer of the land at 118-130 Epsom Road and 905 South Dowling Street, Zetland (Land).

The general nature and extent of the provision to be made under the offer, the time or times and the manner by which the provision is to be made are as follows:

It is proposed to construct a multi-stage mixed-use development on the Land. It is proposed to achieve a Bonus FSR of 0.5:1 in accordance with Clause 6.14 of the Sydney Local Environmental Plan 2012 (SLEP) by undertaking the public infrastructure works applicable to the Land identified in the Sydney Development Control Plan 2012, being:

- Embellishment and dedication/transfer of public open space including any associated utility diversion works;
- Embellishment and dedication/transfer of public roads including any associated utility diversion works
- Construction of the portion of the Green Square Trunk Drainage (GSTD) system under Rose Valley Way and associated utility diversion works;
- Embellishment of the through-site link between pocket parks and Defries Avenue with the creation of an easement over to facilitate public access; and
- Embellishment and dedication/transfer of 1.45m of road widening to Epsom Road.

As outlined in the following documentation attached to this Offer:

- Appendix 1 – Cost Analysis Spreadsheet
- Appendix 2 – Works and Dedication Plan
- Appendix 3 – VPA Civil Concept Plan by Sky Engineering – dated 30 May 2023
- Appendix 4 – Relevant Public Domain Concept Design – CoS – dated 23 October 2015
- Appendix 5 – Mulgu Park Concept Plans – CoS – dated 17 April 2015
- Appendix 6 – Landscape Masterplan – Urbis – dated 19 June 2023
- Appendix 7 – Relevant Green Square Stormwater Project plans – Sydney Water – dated 1 April 2015

The Table below provide further details of the material public benefits and application of credits in accordance with **Appendix 1**.

Site Area	40,849m ²	General Scope of Works	Value (excl. GST)
Base FSR permitted by LEP	1.5:1 (61,273.5m ²)	Land Dedication at \$200/m ² TOTAL: 16,939m ²	\$3,387,860
Amount of additional FSR permitted under Clause 6.14:	0.5:1 / (20,424.5m ²)	Works (Attributed Value)	\$28,734,034
Bonus FSR rate (incl. GST)	\$475.00 per 1m ²	TOTAL LAND: TOTAL WORKS	\$3,387,860 \$28,734,034

Total Value of additional FSR	\$9,701,637	Total Value of Scope of Works (Credit)	\$32,121,894
		Owing	\$22,420,257

*Refer to attached QS report

Timing of Payment and Works

The provision of the Total Value of the Scope of Works (**\$32,121,894**) will be offset against the Total Value of Additional FSR (**\$9,701,637**). As the total Value of the Scope of Works is higher than the total Value of the Additional FSR, the additional credit will be applied as a credit against Section 7.11 Contributions under the future development.

As the residual credit will also exceed the estimated S7.11 contributions of approximately \$15,250,368.76 (subject to credits for existing workers), the Council will directly fund the Developer to complete the "CoS Funded Works" as outlined in Appendix 1.

The completion of works will be occur prior to the issue of any Occupation Certificate for any habitable component of the final building of the relevant stage of the Project. Land dedication/transfer and creation of the easements will occur prior to any Occupation Certificate of the habitable component of the final building of the Project.

It is intended that the VPA will be finalised, executed and registered on the title prior to the issue of an operational Stage 2 consent (excluding any demolition or civil works consent) as per Council's policy.

Delivery and Funding of Key Items

Roads and Trunk Drain

- The Developer design and deliver the specific roads and trunk drain in accordance with Appendix 3 and with regard to Appendix 4 and Appendix 7
- The attributed value of the roads and trunk drain totals \$21,564,144 and will be offset against the community infrastructure and section 7.11 contributions.

Parks

- The Developer will design and deliver Mulgu Park to reflect the City's Concept Design in Appendix 5 and to meet all City standards in place at the time of the detailed design DA. Council will not seek any design variations from this concept and any changes are at the complete discretion of the Developer.
- The City will contribute a total of \$4,191,699 (excl GST) to the Developer for Mulgu Park, subject to Council approval.
- The developer will design and deliver the two pocket parks to reflect Appendix 6, ensuring each includes lighting, irrigation, seating, paving and landscaping, and meet the City standards in place at the time of the detailed design DA.
- The City will contribute a total of \$1,316,013 (excl GST) for the two pocket parks, subject to Council approval.
- The City will contribute a total of \$1,662,177 (excl GST) to the Developer for delivery of the pedestrian areas adjacent to Mulgu Park, subject to Council approval

- Payment for Mulgu Park, adjacent pedestrian areas and the two pocket parks will be progressive, with payment of specific amounts on completion of specified milestones set out in the VPA.

Security

It is intended that this offer will be consolidated into a Voluntary Planning Agreement (VPA) with the Council and the following security arrangements:

- The Developer will provide a Bank Guarantee or Bond prior to the Construction Certificate (CC) of the relevant Works for each Stage totalling 100% of the value of the roads and trunk drain (excluding any works directly funded by the City) to be completed in the respective Stage.
- The City will progressively release the Security during each Stage for specific amounts on completion of specified milestones as agree between the Parties (acting reasonably)
- The VPA will include an obligation the Developer to rectify any damage to the roads resulting from use of the roads during the construction of the Development.
- For clarity Bank Guarantees or Bonds are not required for the parks and adjacent pedestrian areas.

Name of Applicant: Karimbla Properties ((No 60) Pty Ltd (ACN: 622 383 724)

Signature of Applicant: 
Albert Chan
Director

Signature of Applicant: 
Matthew Lennartz
Executive Manager – Planning and Government

Date: 3RD MAY 2024

Attachment D

**Site Plan –
Works Associated with Development**

THIS IS A DRAFT PLAN ONLY AND IS SUBJECT TO FINAL SURVEY

Stage 1

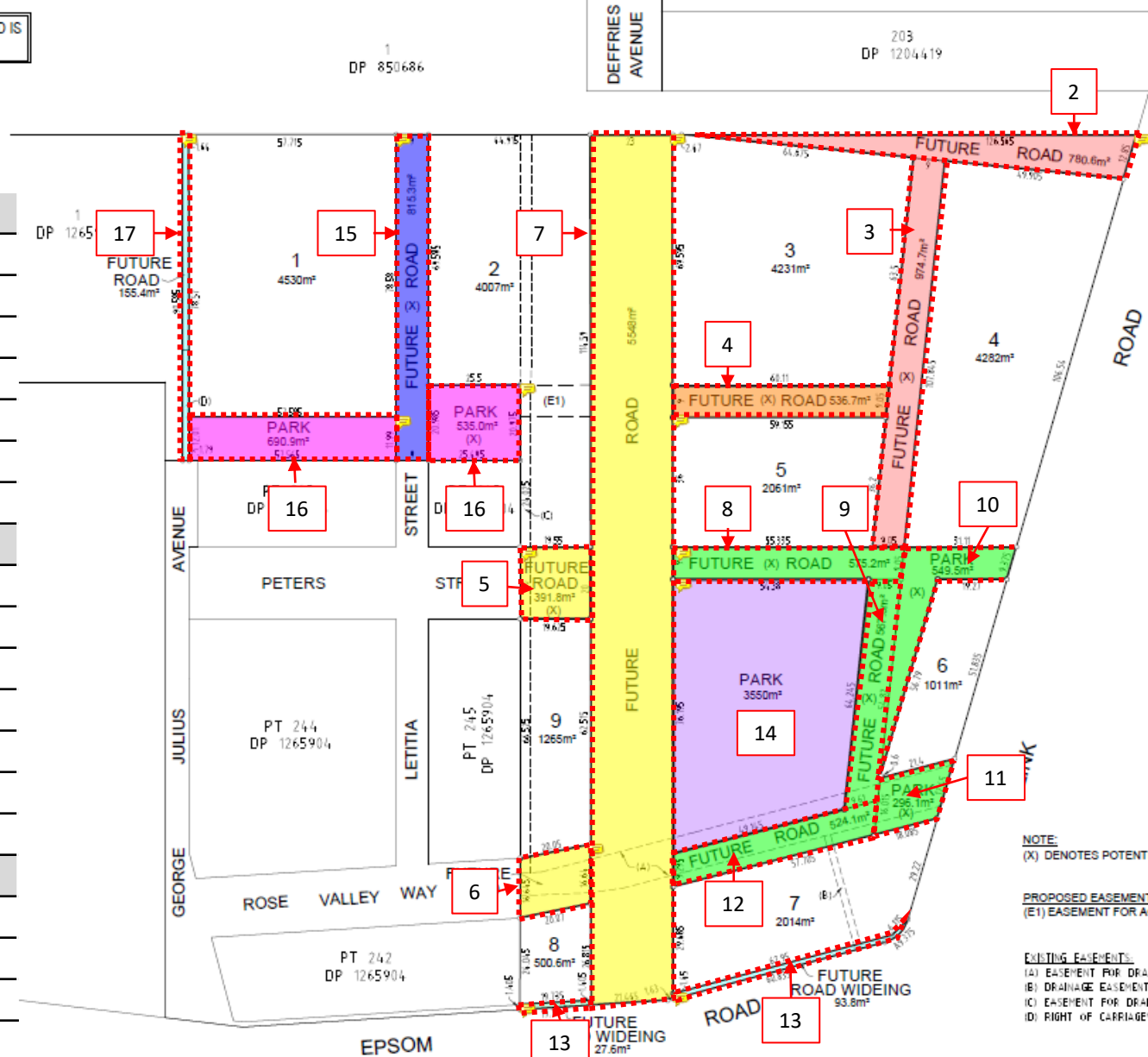
- 1 Trunk Drain
- 2 Zetland Avenue
- 3 Chimes Street (North)
- 4 New Street (East-west)
- 5 Peters Street west
- 6 Rose Valley Way west
- 7 Defries Avenue

Stage 2

- 8 Peters Street (East) Shared Zone
- 9 Chimes Street (South) Shared Zone
- 10 Plaza (Peters Street / Chimes Street / Link Road)
- 11 Plaza (Rose Valley Way / Chimes Street / Link Road)
- 12 Rose Valley Way (East) Shared Zone
- 13 Road Widening (Epsom Road)

Stage 3

- 14 Mulgu Park
- 15 Letitia Street Shared Zone
- 16 Linear Park + Active Park (Name TBC)
- 17 Road Widening (George Julius Avenue)



NOTE:
(X) DENOTES POTENTIAL BASEMENT UNDER ROAD

PROPOSED EASEMENTS:
(E1) EASEMENT FOR ACCESS 9 WIDE

EXISTING EASEMENTS:
(A) EASEMENT FOR DRAINAGE (G/67045)
(B) DRAINAGE EASEMENT 1.82 WIDE (F/68948)
(C) EASEMENT FOR DRAINAGE 3.05 WIDE (F/22199, F/23355, F/22477)
(D) RIGHT OF CARRIAGEWAY 1.815 WIDE & VARIABLE (D/604870)

SURVEYOR
Name: JASON RAIC
Date of Survey: DRAFT ONLY
Surveyor's Reference: 62138 001DP

PLAN OF PROPOSED SUBDIVISION OF
LOT 2 IN DP 830870 & LOT 7 IN DP 24134

LGA: SYDNEY
Locality: ZETLAND
Reduction Ratio 1: 800
Lengths are in metres.



DP DRAFT
ISSUE A: 06-10-2023

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

Document is Restricted

Item 12

Questions on Notice

1. Public Defibrillator Installation

By Councillor Scott

Question

Noting previous concerns in 2016, that Automated External Defibrillators (AED)'s installed would be damaged and vandalised, and yet no City AED's have been damaged or vandalised in the past 12 months, will the City consider installing Automated External Defibrillators (AED) near City owned open spaces and outdoor sporting facilities? If so, how many and when?

X086668

2. Accessible City Communications

By Councillor Scott

In 2013, former Disability Discrimination Commissioner Graeme Innes AM successfully sued RailCorp NSW in the Federal Magistrates Court. It was alleged by Mr Innes RailCorp NSW's failure to provide audible announcements breached Federal Disability Discrimination Law, as Mr Innes is vision impaired.

The Federal Magistrates Court ruled RailCorp's failure to make adequate announcements represents indirect discrimination. As a result, Mr Innes was awarded compensation.

Question

1. Has the City considered the implications of this decision, and if so, what steps have been taken to make changes to City communications?
2. In what ways has the City taken steps to mitigate against the risk of future claims against the City in light of this decision?
3. What measures does the City have planned in future to ensure our communications are accessible to all members of the public, including those living with a disability?

X086668

3. Gender Breakdown of City of Sydney Staff Versus City of Sydney Contractors and Outsourced Workers

By Councillor Scott

Question

1. What is the total number of staff in all eight City divisions, broken down by gender? Please provide figures from 2022/23 and 2023/24.
2. What is the total number of outsourced or contract workers specifically procured to backfill already existing City roles in 2022/23 and in 2023/24? Please break these figures down by eight City divisions, and gender.
3. What is the City's current budget for outsourcing or contracting workers specifically to backfill already existing City roles in 2023/24? What was the City's total budget for outsourced workers and/or contractors in 2022/23? Please provide the proposed figures for 2024/25.
4. Are the outsourced employees entitled to the same pay and terms and conditions to that of the City's employment?
 - (a) If not, please detail how many roles for outsourced employees or contractors are provided with higher payment? Please detail how many roles for outsourced employees or contractors are provided at payment?
 - (b) Do the City's gender pay parity reporting figures include contractors and/or outsourced providers? If not, why not?

X086668

4. Electric Vehicle Chargers

By Councillor Scott

Question

1. How many Electric Vehicle (EV) chargers available for public use exist in the City of Sydney? Please list their locations.
2. How many EV chargers has the City of Sydney installed? Please list their locations?
3. Are there any applications submitted for further EV chargers to be installed? Please break down by City led versus not, and list their locations?
4. Does the City has plans for the 2024/25 year to install further EV chargers? If so, when and where?

X086668

5. Significant Trees

By Councillor Scott

On 8 September 2014 in the Daily Telegraph the Lord Mayor committed to plant eight more trees for every “significant tree” chopped down, noting at least 110 established trees will disappear from the city, 140 in Surry Hills and 70, in Moore Park.

Question

1. Please detail, broken down by suburb, how many trees were cut down as part of the light rail project? Of these, broken down by suburb, how many were significant trees?
2. Please detail, broken down by year and suburb, how many trees have been planted over and above the City's existing targets to compensate for this loss? Please also detail how many of these trees are significant, over and above the City's existing targets.

X086668

6. City Owned Properties

By Councillor Scott

Question

1. How many City properties are owned that are residential?
2. Please detail, broken down by year since 2004, all City residential properties and whether they have been vacant or occupied, and income earned.
3. Aside from those recently resolved by Council to be dedicated to affordable housing providers or women's shelters, please list all current residential properties owned by the City, and their address.

X086668

7. Zetland Pedestrian Safety

By Councillor Scott

The issue of pedestrian safety on the plaza and traffic signals at the intersection of Paul Street/Zetland Avenue was raised at the Local, Pedestrian, Cycling and Traffic Committee on 16 February 2023.

On Sunday 5 May 2024 residents report a further example of a near miss accident involving a pedestrian, and that risks to pedestrians continue to occur on a regular basis.

Question

1. When will the safety review of this dangerous space be concluded?

2. When are recommendations expected to be considered by?
3. When does the City expect to budget for any recommendations?
4. When are works or rezoning expected to be completed?

X086668

8. Council Investments and Financial Position, as of April 2024

By Councillor Ellsmore

Question

1. Of the total cash investments of \$787.7M held by the City of Sydney as of 30 April 2024, how much in total is considered 'unrestricted'?
2. Of the City's cash investments which are considered 'unrestricted', what amounts have been earmarked for specific activities or projects?

Please provide details including:

- (a) What are these activities or projects for which 'unrestricted' cash investments are earmarked, and how much has been earmarked for each?
 - (b) When or over what timeline will these activities or projects require funding? (that is, when will the funding be needed)?
 - (c) In what report or document is this list of activities or projects for which 'unrestricted' funding is earmarked reported?
3. What is the amount of developer contributions within the City's total cash and investments of \$787.7M? Are these considered restricted or unrestricted?
 4. What is the amount of affordable housing contributions in the development account of any of the City's total cash and investments of \$787.7M? Are these considered restricted or unrestricted?
 5. How much of the City's total cash and investments of \$787.4M has been earmarked for affordable housing, including grants for affordable housing? Please provide details.

X086664

9. Solar Panels and Battery Infrastructure in Council-Owned Facilities

By Councillor Ellsmore

Question

1. Which Council-owned community venues, including town halls and community centres, have solar panels installed? (Please list)

2. Which Council-owned community venues, including town halls and community centres, have batteries or other sustainability infrastructure installed? (Please list)
3. Which Council-owned landmark venues have solar panels installed? (Please list)
4. Which Council-owned landmark venues have batteries or other sustainability infrastructure installed? (Please list)
5. Which other Council-owned buildings solar panels installed? (Please list)
6. Which other Council-owned buildings have batteries or other sustainability infrastructure installed? (Please list)
7. Which Council owned buildings are due for energy upgrades to install solar systems and/or solar infrastructure in the next three years? (Please list)

X086664

10. Water Saving Infrastructure in Council-Owned Facilities

By Councillor Ellsmore

Question

1. Which Council-owned other community venues, including halls, have water saving infrastructure such as water tanks and grey water systems installed? (Please list)
2. Which Council-owned landmark community venues have water saving infrastructure such as water tanks and grey water systems installed? (Please list)
3. Which other Council-owned buildings have water saving infrastructure such as water tanks and grey water systems installed? (Please list)
4. Which Council owned buildings are due for energy upgrades to install solar systems and/or water saving infrastructure in the next three years? (Please list)

X086664

11. Public Toilets and Water Facilities

By Councillor Ellsmore

Question

1. What new public toilets are proposed in the City of Sydney Local Government Area? Where can the community access details of the current and planning public toilet locations?
2. QMS has a development application for the installation on a Council-funded public toilet in the Ellen Lawman Rest Area at 116-126 Erskineville Road, Erskineville. Did the Council consider making the toilets in the Erskineville Town Hall regularly open to the public? (If yes or no, please provide details)

3. What Council strategies or plans guide the implementation of drinking fountains, bubblers and places to refill water bottles in the City of Sydney Local Government Area? Where can the community access details of the locations of bubblers?
4. What new water fountains, bubblers and places to refill water bottles are planning to be built by Council in coming financial year (2024/25)?

X086664

12. Forward Projections of the City of Sydney's Cash Position

By Councillor Ellsmore

Question

1. What was the total City of Sydney's cash investments in 2014/15?
2. What was the value of the City of Sydney's commercial property investments in 2014/15?
3. In the City of Sydney Long Term Financial Plan 2014/15 to 2023/24, the City of Sydney's cash reserves were estimated to decrease significantly over ten years:
 - (a) What amount were the City of Sydney's cash investments projected to have been reduced to by 2023/24?
 - (b) What were the key assumptions or aspects of the model used to make these ten-year long term financial projections in 2014/15?
 - (c) What are the main factors that account for the variation between what was modelled in 2014/15 and the City's actual cash investment position reached by 2023/24?
4. What was the total City of Sydney's cash investment in 2019/20?
5. What was the value of the City of Sydney's commercial property investments in 2019/20?
6. In the City of Sydney Long Term Financial Plan 2019/20 to 2028/29, the City of Sydney's cash reserves were estimated to decrease significantly over ten years:
 - (a) What amount were the City of Sydney's cash investments projected to have been reduced to by 2023/24?
 - (b) What were the key assumptions or aspects of the model used to make these 10-year long term financial projections in 2019/20?
 - (c) What are the main factors that account for the variation between what was modelled in 2019/20 and the City's actual cash investment position reached by 2023/24?

7. The draft City of Sydney Long Term Financial Plan (2024/25) which includes the draft City of Sydney Resourcing Strategy (2024/25) includes a projection that over ten years the Council's cash position will reduce from \$787.7M in 2024/25 to \$263M in 2033/34.
 - (a) Have the same assumptions and/or modelling that were used in 2014/15 and 2019/20 to make the 10-year cash investment projections been used again for the 10-year projection for 2024/25?
 - (b) If yes, please provide of the updated assumptions and/or modelling?

X086664

13. Investment Income, Property Acquisitions and Divestments in 2023/24

By Councillor Ellsmore

Question

1. What is the current value of the Council's commercial property portfolio?
2. What is the estimated profit (that is, income once costs have been considered) for the Council from its commercial property portfolio in 2023/24?
3. What is the estimated yield in 2023/24 from:
 - (a) Council's commercial property investments?
 - (b) Council's cash investments?
 - (c) Other Council investments? (please provide details)
4. What was the budget for commercial properties:
 - (a) to be acquired by the Council in 2023/24?
 - (b) to be sold or otherwise divested by Council in 2023/24?
5. What is the draft 2024/25 budget for commercial properties (as presented to the 6 May 2024 Corporate, Finance, Properties and Tenders Committee meeting):
 - (a) to be acquired by the Council in 2024/25?
 - (b) to be sold or otherwise divested by Council in 2024/25?
6. What is the projected yield in 2024/25 from:
 - (a) Council's commercial property investments?
 - (b) Council's cash investments?
 - (c) Other Council investments?

7. The Capital Budget Review Statement for Q3 2023/24 was tabled at the 6 May 2024 Corporate, Finance, Properties and Tenders Committee meeting notes at 3.1 that the approved Council budget for Property Acquisition/ (Divestment) in the 2023/24 financial year was \$189.5M in 2023/24, but that -\$2.9M is forecast.

Please provide details as to difference between the budget versus the projected figures.

X086664

14. Tracking of Carbon Emissions from Operations and Carbon Credits Purchased by the City of Sydney

By Councillor Ellsmore

Question

1. How does the City of Sydney track and report on carbon emissions from City of Sydney operations?
2. Where can the public access reporting the total carbon emissions from City of Sydney operations?
3. Where can the public access reporting on carbon offsets purchased by the City of Sydney, to offset the estimated carbon emissions from operations?
4. What were the estimated total carbon emissions from City of Sydney operations:
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) Projected for 2023/24?
 - (d) Projected for 2024/25?
5. Does this include estimated carbon emissions from operations undertaken by contractors engaged by City of Sydney, or services purchased by the City of Sydney?
6. How does the City of Sydney track and collect this information from or by contractors and external organisations?
7. Are estimations of the carbon emissions from waste services undertaken by contractors included in the report of carbon emissions from City of Sydney operations?
8. Are estimates of the carbon emissions from civil services undertaken by contractors included in the report of carbon emissions from City of Sydney operations, including footpath maintenance and road upgrades?

9. If not included in the answer to questions above (estimated total carbon emissions from City of Sydney operations), what were the total carbon emissions from City of Sydney operations undertaken by contractors engaged by City of Sydney, or services purchased by the City of Sydney?
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) Projected for 2023/24?
 - (d) Projected for 2024/25?
10. What carbon offsets were purchased by the City of Sydney:
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) Purchased to date, and total projected to be purchased for 2023/24?
 - (d) Purchased to date, and total projected to be purchased for 2024/25?
11. What proportion of carbon offsets were Australian Carbon Credit Units:
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) In 2023/24?
 - (d) In 2024/25?
12. What were the other types of carbon credits purchased, and in what proportions?
13. What is expected to be the total cost to Council of purchasing carbon credits of all types:
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) In 2023/24?
 - (d) In 2024/25?
14. How does the City of Sydney decide which and how many carbon offsets it will purchase? Is there a policy, plan or guideline which the public can access?
15. To what extent has the Council achieved its goal of switching to '100% high quality Australian regenerative offsets by 2025' as set out in the City's *Environmental Strategy 2021-25* (Action 3)?

16. Has the Council reviewed the environmental assessment of Australian regenerative offsets by ANU Professors Andrew McIntosh and Don Butler, plus other eminent scientists, published in *Community, Earth and Environment* in March 2024 (<https://doi.org/10.1038/s43247-024-01313-x>)?
17. How does the City of Sydney assess the mitigation impacts from carbon offsets?
18. When did the City of Sydney last review its policies in relation to the purchase and use of carbon offsets?

X086664

15. Value of Civil Works Contracts

By Councillor Ellsmore

Question

1. As reported to the elected Councillors at Item 12 of Corporate, Finance, Properties and Tenders Committee on 6 May 2024, the current contracts for Civil and Sydney Street Infrastructure works ('civil works') expire on 26 September 2024:
 - (a) Which companies are these current contracts for civil works with?
 - (b) What works are delivered by each of these contracts?
 - (c) What is the term of each of the current contracts for civil works (i.e. how many years are these contracts for)?
 - (d) What is the total value of each of these contracts?
 - (e) What date were these contracts for civil works entered into?
 - (f) Do any of these contracts have options to extend beyond 26 September 2024?
 - (g) How many other current contracts for civil works does the Council have? (please provide details)
2. What was the process that Council undertook to select the companies who were contracted, to undertake the current civil works under the current contracts?
3. Item 12 of Corporate, Finance, Properties and Tenders Committee Report on 6 May 2024 recommends that Council enter into 3 Work Lots – Capital Programs, Minor Works Programs and Major Projects:
 - (a) What is the length of these contracts?
 - (b) Which of these Work Lots is proposed to be undertaken by one supplier only?
 - (c) Which of these Work Lots is proposed to be undertaken by a panel?
 - (d) Did the Council consider a budget or range of total cost, which responses to the tender would need to provide in order to be accepted? If yes, how can elected Councillors access this information/ analysis/ advice?

- (e) What evaluation or analysis was undertaken to ensure value for money would be achieved?
 - (f) How can elected Councillors access this information/ analysis/advice?
 - (g) Was a business case or cost benefit analysis undertaken? How can elected Councillors access this information/ analysis/ advice?
 - (h) How much did the tender cost Council?
 - (i) What dates was the tender advertised?
4. What options were considered before the tender for the Capital Programs, Minor Works Programs and Major Projects was released, or in the evaluation of the tender responses received?
- (a) Did the Council consider the costs and benefit of undertaking these services in house?
 - (b) Did the Council consider the costs and benefits of directly contracting these services?
 - (c) Did the council consider the costs and benefits of extending existing contracts?
 - (d) Did the Council consider the costs and benefits of undertaking an EOI on terms shorter than 5 years?

In all cases above, how can elected Councillors access this information/analysis/advice?

5. The Council undertakes some civil works using Council staff. What was the cost or total budget of civil works undertaken by council staff:
- (a) In 2021/2
 - (b) In 2022/3
 - (c) In 2023/4
 - (d) In the draft budget for 2024/5?
 - (e) Projected for 2025/6?

X086664

16. Value of Recent Contracts with External Civil Works Contractors

By Councillor Ellsmore

Question

1. In the 2021/2 financial year, what is the value of contracts that the City of Sydney entered into with:
 - (a) Mack Civil Pty Ltd;
 - (b) Sydney Civil Pty Ltd;
 - (c) Quality Management & Constructions Pty Ltd;
 - (d) Ward Civil & Environmental Engineering Pty Ltd;
 - (e) Fulton Hogan Industries Pty Ltd; and
 - (f) Marine & Civil Maintenance Pty Ltd.

2. In the 2022/3 financial year, what is the value of contracts that the City of Sydney entered into with:
 - (a) Mack Civil Pty Ltd;
 - (b) Sydney Civil Pty Ltd;
 - (c) Quality Management & Constructions Pty Ltd;
 - (d) Ward Civil & Environmental Engineering Pty Ltd;
 - (e) Fulton Hogan Industries Pty Ltd; and
 - (f) Marine & Civil Maintenance Pty Ltd.

3. In the 2023/4 financial year what is the value of contracts that the City of Sydney entered into with:
 - (a) Mack Civil Pty Ltd;
 - (b) Sydney Civil Pty Ltd;
 - (c) Quality Management & Constructions Pty Ltd;
 - (d) Ward Civil & Environmental Engineering Pty Ltd;
 - (e) Fulton Hogan Industries Pty Ltd; and
 - (f) Marine & Civil Maintenance Pty Ltd.

Include contracts and services contracted

4. What is the total value of civil works contracts that the City of Sydney has entered into, with any company:
 - (a) In the 2021/22 financial year;
 - (b) In the 2022/23 financial year;
 - (c) In the 2023/24 financial year; and
 - (d) d. For the 2024/25 financial year (to date).

Please include contracts and services contracted.

X086664

17. Sports Field Maintenance

By Councillor Ellsmore

Question

As reported to the elected Councillors at Item 14 Tender - T-2023-966 - Sports Field Maintenance Services at the 6 May 2024, Corporate, Finance, Properties and Tenders Committee, the City of Sydney manages 13 natural turf sports fields. The recommended tender is for maintenance of Redfern Oval, annual renovations and ad-hoc maintenance for all other natural turf sports fields within the City of Sydney.

1. What are the current maintenance arrangements for the Council's natural turf sports fields?
2. What is the budget to maintain the Council's natural sports fields:
 - (a) For works conducted by Council staff in 2021/22?
 - (b) For works conducted by contractors or otherwise completed by external companies in 2021/22?
 - (c) For works conducted by Council staff in 2022/32
 - (d) For works conducted by contractors or otherwise completed by external companies in in 2023/24?
 - (e) In the draft Council budget for 2024/25, for works conducted by Council staff in 2024/25
 - (f) In the draft Council budget for 2024/25, for works conducted by contractors or otherwise completed by external companies in contractors in 2024/25?
3. What current contracts exist with external companies for the maintenance of the City of Sydney's natural turf sports fields?
4. What are the details of these contracts? Specifically:
 - (a) Which companies are these current contracts for sports field maintenance with?

- (b) What works are delivered by each of these contracts?
- (c) What is the term of each of the current contracts (i.e. how many years are these contracts for)?
- (d) What is the total value of each of these contracts?
- (e) What date were these contracts entered into?
- (f) When do these contracts expire?

X086664

18. Bush Restoration Services

By Councillor Ellsmore

Question

As reported to the elected Councillors at Item 15 - Tender - T-2023-1119 - Bush Restoration Service Report at the 6 May 2024, Corporate, Finance, Properties and Tenders Committee, the City of Sydney together with its community groups and volunteers have established bush restoration areas within the City's parks and open spaces network, with the aim of restoring native vegetation and fauna habitat within its highly urbanised environment. Bush restoration sites include Sydney Park wetlands and terrestrial areas, Federal Park and Bicentennial Park coastal saltmarsh, Prince Alfred Park native meadow, Glebe Foreshore Walk, Harold Park and other City owned bush restoration sites across the Local Government Area. The proposed contract is to provide Bush Restoration Services.

1. What are the current maintenance arrangements for Council's Bush Restoration Services.
2. What current contracts are in place? Please provide details including:
 - (a) Which organisations are these current contracts with?
 - (b) What works are delivered by each of these contracts?
 - (c) What is the term of each of the current contracts (i.e. how many years are these contracts for)?
 - (d) What is the total value of each of these contracts?
 - (e) What date were these contracts entered into?
 - (f) When do these contracts expire?
 - (g) Which of the current contracted services are provided by not for profit organisations?
3. What local or volunteer bush care groups does the current contractor work with or have partnerships within the City of Sydney?
4. Were these groups consulted about proposed changes to the Council's contract?

5. What measures are put in place to maintain the relationships with bush care groups if contract arrangements are changed?
6. What is the budget for Council's Bush Restoration Services:
 - (a) In total in 2021/22?
 - (b) For works conducted by Council staff in 2021/22?
 - (c) For works conducted by contractors or otherwise completed by external companies in 2021/22?
 - (d) In total in 2022/23?
 - (e) For works conducted by Council staff in 2022/23?
 - (f) For works conducted by contractors or otherwise completed by external companies in in 2023/24?
 - (g) In the draft Council budget for 2024/5, in total for 2024/25?
 - (h) In the draft Council budget for 2024/5, for works conducted by Council staff in 2024/25
 - (i) In the draft Council budget for 2024/5, for works conducted by contractors or otherwise completed by external companies in contractors in 2024/25?

X086664

19. Food Organics

By Councillor Ellsmore

Question

1. What is the estimated amount of food scraps which could be directed and recycled in the City of Sydney?
 - (a) In 2019/20 (if known)
 - (b) In 2020/21 (if known)
 - (c) In 2021/22 (if known)
 - (d) In 2022/23 (if known)
 - (e) In 2023/24 (if known)
 - (f) Anticipated for 2024/5?
2. What are the numbers of households who have participated in the City of Sydney's food scraps trial:
 - (a) In 2019/20

- (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) Anticipated for 2024/5?
3. What was the budget allocated for the City of Sydney's food scraps trial and other food organics recycling initiatives:
- (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) In the draft budget 2024/5?
4. What is the total amount of food scraps redirected as a result of the City of Sydney's food scrap trials and other initiatives:
- (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) Anticipated for 2024/5?
5. What new initiatives for food recycling are included in the draft 2024/5 City of Sydney budget?
6. Does the City of Sydney intend to rollout food organics recycling, alongside or as part of an amended program of recycling for garden organics, in the 2024/25 financial year?
7. When does the City of Sydney currently estimate it will rollout food organics recycling to the whole Local Government Area?

X086664

20. Community Centre Upgrades

By Councillor Ellsmore

Question

1. Which community centres and town halls owned by the City of Sydney underwent upgrades in 2023/24?
2. Which community centres and town halls owned by the City of Sydney are proposed for upgrades in the draft 2024/25 budget?
3. What upgrades are proposed?

X086664

21. Affordable Housing Developer Contributions

By Councillor Ellsmore

Question

1. What is the estimated value of new development in the City of Sydney:
 - (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) Anticipated for 2024/25?
2. What is the amount of affordable housing contributions that the City of Sydney collected from development:
 - (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) Anticipated for 2024/25?
3. Over what areas of the Local Government Area does the City of Sydney have an affordable housing developer contribution scheme, which collects a percentage based on the cost of a development?

4. What are the rates of affordable housing developer contributions based on the cost of development that the City of Sydney collects?
5. Over what areas of the LGA does the City of Sydney have an affordable housing developer contribution scheme based on the value created from a change to zoning (also known as a mandatory inclusionary zoning scheme or value uplift capture)?
6. What are the rates of affordable housing developer contributions based on value uplift capture?
7. What is the estimated value of new development in the City of Sydney CBD specifically (if known):
 - (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) Anticipated for 2024/25?
8. What affordable housing contribution schemes apply to the Sydney CBD?

X086664

22. City of Sydney E-Scooter and E-Bike Parking

By Councillor Scott

Question

1. How many e-scooter and e-bike Parking Racks are available for public use in the City of Sydney? Please list their locations.
2. Please detail any results from the City's Pyrmont trial.
3. Following the City's Pyrmont trial, does the City have any plans to extend the e-scooter and e-bike parking restrictions in other areas of the City? If yes, please list their locations and a timeframe for this.
4. What is the current clearing process for dumped e-scooters and e-bikes in the City?
5. Broken down by suburb, how many dumped e-scooters and e-bikes have been cleared by the City in the last 12 months?

X086668

Item 14

Supplementary Answers to Previous Questions

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

Item 15.1

Notices of Motion

Road Safety at the Fort Street Public School, Millers Point

By Councillor Worling

It is resolved that:

(A) Council note:

- (i) in 2016, the then NSW Minister for Roads, Duncan Gay announced cycle ramps would be built on both ends of the Sydney Harbour Bridge by 2020 for \$35 million;
- (ii) the northern connection is due to start construction by Transport for NSW (TfNSW) in mid-2024. However, Transport for NSW has remained silent on timing for the delivery of the southern connection since they exhibited plans in November 2017;
- (iii) the southern cycling connection between the Harbour Bridge and the Kent Street cycleway is currently via Upper Fort Street (mixed traffic) and along the Cahill Expressway (shared path);
- (iv) this current arrangement puts several different road users in conflict: people cycling to work, families and children walking to Fort Street Public School and people driving their children to school. It is not safe or appropriate as it requires people walking to share steep, narrow paths with fast travelling motorists and cyclists; and
- (v) the newly renovated Fort Street Public School now caters for 550 students, more than double the previous school population. This, together with the delivery of the northern cycle connection, is expected to increase the number of people using the Harbour Bridge each day when it opens in late 2025;

(B) Council further note:

- (i) the City has been advocating for Transport for NSW to progress the southern cycling connection, however interim measures are needed in consultation with Fort Street Public School and Schools Infrastructure NSW to address the unsafe situation on Upper Fort Street and the shared path, as soon as possible, such as:
 - (a) converting Upper Fort Street and Watson Road to a 10km/h shared zone or reducing speed limits on Upper Fort Street and Watson Road to at most 20km/h, noting that Fort Street School's approved Green Travel Plan assumes that these streets are both 10km/h shared zones already;
 - (b) reducing vehicle speeds through traffic calming measures, clearer signage including school zone markings, footpath widening and a driver education program; and

- (c) reviewing parking restrictions in the area and the school's pick-up and drop off arrangements to reduce vehicle movements and conflicts; and
 - (ii) on 7 May 2024, the Lord Mayor raised this issue in a letter to and meeting with the Minister for Transport calling on her to accelerate delivery of the southern connection to the Sydney Harbour Bridge and in the meantime ensure Transport for NSW works with the City to address road safety concerns around Fort Street Public School; and
- (C) the Lord Mayor be requested to write again to the Minister for Transport with a copy of this motion requesting that Transport for NSW work with the City on implementing the interim safety solutions outlined in (B)(i) with priority given to reducing road speeds, in consultation with relevant stakeholders and subject to any approvals required.

X099886

Item 15.2**Notices of Motion****Local Emergency Management Committee Representatives City of Sydney - A Person Living with a Disability**

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the City of Sydney Local Emergency Management Committee (LEMC) is established under the State Emergency and Rescue Management (SERM) Act 1989 No 165;
- (ii) the Local Emergency Management Committee (LEMC) are responsible for the prevention of, preparation for, response to and recovery from emergencies and disasters within a Local Government Area (LGA);
- (iii) responsibilities of the Local Emergency Management Committee include activities such as the development of emergency management plans, emergency risk management consistent with the State Emergency Management Committee and Plan, making recommendations and assisting in the coordination of, multi-agency training and exercises; and
- (iv) the City of Sydney membership is via the organisation (not an individual), and includes local representatives from NSW Police, NSW Rural Fire Service, State Emergency Service, Fire and Rescue NSW, Ambulance Service, and Marine Rescue;

(B) the Chief Executive Officer be requested to:

- (i) request member organisations of the Local Emergency Management Committee consult with those living with disability on how they are impacted during emergencies;
- (ii) report back to Councillors via the CEO Update on the above; and
- (iii) consult with and report back to the Inclusion (Disability) Advisory Panel on the implementation of above; and

- (C) the Lord Mayor be requested to write to the Local Emergency Management Committee to request:
- (i) consideration and consultation of people who are living with a disability when developing and writing the scenarios for both deployment and desk top exercises, ensuring responding agencies are able to test their capability and capacity to meet the needs of people with disability in emergency situations; and
 - (ii) that City-wide emergency response drills, run on a range of scenarios from time to time, always include a person living with disability and consider how those living with disability might be impacted.

X086655

Item 15.3

Notices of Motion

Collaborating on Community Wellbeing in Glebe

By Councillor Davis

It is resolved that:

(A) Council note:

- (i) last month there was a distressing incident where some young people were alleged to have assaulted a food delivery rider on Glebe Point Road late at night. The Police have since arrested a man and five young people involved. Three young people - aged between 14 and 17 - will appear before the children's court and two children aged twelve will participate in youth conferences;
- (ii) following negative media attention and frustrated that Aboriginal and Torres Strait Islander kids in Glebe were being blamed, more than 40 First Nations people, including local Elders and workers from Glebe Youth Services, Scarred Tree Ministries, met on 30 April 2024 to discuss the issues and identify their priorities for a community-led response;
 - (a) listening at the meeting were City of Sydney staff and Council representatives, Kobi Shetty - Member for Balmain; and representatives from the Office of the Lord Mayor;
 - (b) the community agreed they wanted a community-led response and identified priorities including:
 - change the narrative around the kids of Glebe to counter negative media;
 - increase funding and support for Glebe Youth Services, a Glebe-based service that has the trust of young people and the community in Glebe; and
 - reinstate the Street Beat Bus operated by Weave Youth and Community Services to take kids home when the After Dark program finishes; and
 - (c) the community thanked staff from Glebe Youth Service for their extraordinary work in engaging with local stakeholders and supporting local young people and families. They acknowledged that Glebe Youth Service do not have enough case workers to manage the current workload and meet community needs;

- (iii) on 2 May 2024, local Police held an extraordinary Community Safety Precinct Meeting to discuss the same issues with Glebe Youth Service, Scarred Tree Ministries, City of Sydney staff including the Chief Executive Officer, Homes NSW, Broadway Shopping Centre, and representatives from the Council of Glebe Groups and Forest Lodge and Glebe Groups, as well as representatives from my Office and the Office of the Lord Mayor. Everyone agreed:
 - (a) with the priorities identified by the community at the earlier meeting, including the need for the Street Beat Bus to take kids home;
 - (b) that the wellbeing and safety of kids must be prioritised, that everyone wants to prevent kids entering the youth justice system and that local services and agencies need to work with the community to collectively solve this problem; and
 - (c) that the NSW Government needs to contribute with enhanced funding and more funding certainty for all youth services and case workers, including for Glebe Youth Services;
 - (iv) immediately following the meeting local services and agencies, including the City of Sydney, began mapping existing services to identify:
 - (a) what services, programs and recreational activities are available;
 - (b) whether there is capacity within the existing resources of other agencies and services to better support better support Glebe, Ultimo and Pyrmont youth program providers and organisations, including the After Dark Program in the short and medium term; and
 - (c) the ongoing resource and funding gaps and what additional programs and services are needed and should be resourced by the NSW Government; and
 - (v) the City agreed to coordinate this mapping process working closely with Glebe Youth Services and to consult with local young people about the response;
- (B) Council further note:
- (i) After Dark is an award-winning program of safe, supervised night-time activities for young people, run by Glebe Youth Service. The program was developed in response to concerns from local Police, businesses and community members about at-risk behaviour of young people on the streets late at night and early morning, and runs from a safe space where young people are less likely to come into contact with Police in negative ways;
 - (ii) since 2004, the City has provided about \$3.4 million to Glebe Youth Service to run the program, and year on year funding has been increasing. Initially funded for \$75,000, funding increased to about \$110,000 in 2016; \$220,000 in 2019 and \$294,000 in the 2023/24 financial year; and
 - (iii) currently the program offers a teen-only space on Friday nights from 6.30pm to 10pm, and a community-wide event each Saturday night from 6.30pm to 10pm. A healthy meal is also provided, along with activities including basketball, music, art, movies, cultural activities and more; and

- (C) the Chief Executive Officer be requested to:
- (i) continue to work with local area specific community services and grass roots community organisations to identify existing youth services programs and activities across the city, any potential gaps, and any systemic funding issues; and
 - (ii) investigate options for the City to provide additional youth programs and support for youth across the city, particularly in Glebe, Ultimo and Pymont and report back to Council as appropriate.

X086660

Item 15.4

Notices of Motion

Improved City Hate-Speech Graffiti Removal and Reporting

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the City of Sydney values and respects the range of identities, perspectives, experiences and lifestyles of our community, including those from multi-cultural backgrounds, different religions, all ages, people with disability, people with diverse gender identities, LGBTIQ+ communities and those who have experiences of advantage or disadvantage;
- (ii) everyone has the right to feel safe in our City;
- (iii) under the NSW Anti-Discrimination Act 1977, Section 20C, it is unlawful for a person, by a public act, to incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race of the person or members of the group and on the basis of homosexuality, transgender status, and HIV/AIDS vilification;
- (iv) there are also criminal protections in section 93Z of the Crimes Act 1900 which address protections for matters of race, religion, sexual orientation, gender identity, intersex status and HIV/AIDS status;
- (v) under the NSW Anti-Discrimination Act 1977, Section 2B, in this division, public act includes:
 - (a) any form of communication to the public, including speaking, writing, printing, displaying notices, broadcasting, telecasting, screening and playing of tapes or other recorded material;
 - (b) any conduct (not being a form of communication referred to in (a)) observable by the public, including actions and gestures and the wearing or display of clothing, signs, flags, emblems and insignia; and
 - (c) the distribution or dissemination of any matter to the public with knowledge that the matter promotes or expresses hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the grounds of the race of the person or members of the group;
- (vi) under the NSW Anti-Discrimination Act 1977, and according to the Anti-Discrimination Guidelines for Local Councils, legal responsibility for unlawful discrimination committed by, or on behalf of, the Council usually rests with Council itself;

- (vii) City staff have analysed the available data and estimate that there have been 25 incidents of hate-speech graffiti in 2023/24 out of a total of 2,771 (nine months to 31 March), occurring within the boundaries of the City of Sydney, compared to 53 for 2022/23 (12 months to 30 June) out of a total of 4,371;
 - (viii) currently, reporting hate graffiti for removal to Council goes through the same process as reporting any other graffiti or posters/bills through the 'report illegal graffiti' online form;
 - (ix) community members are advised through this process, Council will respond within two business days and offensive or hateful graffiti will be 'prioritised'. The reporting party is asked whether the graffiti is hateful or offensive and they must explain why it is offensive;
 - (x) community members who have reported hate-speech graffiti may be distressed at the prospect of themselves, their families and loved ones being repeatedly exposed to hate graffiti over 'two business days';
 - (xi) two business days is not an acceptable timeframe for the removal of hate-speech graffiti; and
 - (xii) the removal process of graffiti is work carried out by City of Sydney contractors; and
- (B) the Chief Executive Officer be requested to:
- (i) fund the development of an updated reporting mechanism for hate-speech graffiti:
 - (a) within this reporting mechanism, ensure community members making reports of hate-speech receive a response indicating the Council takes discrimination very seriously and will urgently respond;
 - (b) set new key performance indicators (KPIs) for contractors employed by the City of Sydney, in line with Council's legal and moral obligations to uphold anti-discrimination laws; and
 - (c) consult with all relevant stakeholders and City of Sydney inclusion groups prior to finalising updated reporting and graffiti removal mechanisms;
 - (ii) ensure City staff be directed to action reports of discriminatory graffiti immediately on receiving them and communicate with the community when such graffiti is cleared; and
 - (iii) report back to Council via CEO Update with progress of new reporting and graffiti removal mechanisms.

X086655

Item 15.5

Notices of Motion

Setting the Record Straight – Easter 2024

By Councillor Jarrett

It is resolved that:

- (A) Council note:
- (i) according to the 2021 National Census data, 44 per cent of Australians identify as Christian, making Christianity the most popular religion in Australia;
 - (ii) Easter is one of the principal holidays of Christianity alongside Christmas. This is reflected in Australian culture generally with the nationally recognised public holidays for this celebration;
 - (iii) in the Green Square Community News 8 April 2024 edition, the Lord Mayor acknowledged the celebrations of Ramadan (11 March-9 April), Hana Matsuri (8 April), Eid al Fitr (9 April), Ugadi (9 April), Songkran (13-15 April), Thingyan (13-16 April), Choul Chnam Thmey(13-15 April), Pii Mai (13-16 April), Aluth Avurudda 13 April), Puthandu (14 April), Vaisakhi (13 April), Navavarsha (14 April), Pohela Boishakh (14 April), Maithil (15 April), Ridvan (19 April-1 May), Passover (22-20 April), St George's Day (23 April), Hanuman Jayanti (23 April) and Hung Vuong Festival (9-18 April), but there was no mention of Easter which occurred between 29 March and 1 April 2024;
 - (iv) the previous Green Square Community News was sent out to the community in October 2023 and therefore did not include any mention of Easter celebrations for 2024; and
 - (v) in the April 2024 edition of the Sydney City News there was also no mention of Easter celebrations; and
- (B) the Lord Mayor be requested to include a statement in the next publication of Green Square Community News and all other community news publications sent out around the Easter period for 2024 (29 March-1 April 2024) which also did not include any mention of this important celebration, acknowledging the importance of the celebration of Easter and correcting the record for missing its inclusion in the well wishes of many other celebrations around the same time within these publications.

X086666

Item 15.6

Notices of Motion

Honey Birdette Broadway Shopping Centre Breaches

By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) Honey Birdette is a bondage, sex toy and fetish themed retail outlet;
 - (ii) Honey Birdette has 57 stores across Australia, one being located in Broadway Shopping Centre in Glebe, opposite the centre's main escalators and in clear view from children's store LEGO;
 - (iii) Honey Birdette uses large shopfront image displays to advertise their explicit product;
 - (iv) the Australian Association of National Advertisers (AANA) is an industry and self-regulatory body for Ad Standards;
 - (v) in September 2020, the AANA outlined changes to the Code of Ethics and Practices notes regarding sexual imagery in advertising, reflecting increased community concern and children's exposure to sexualised images;
 - (vi) section 2.2 of the AANA Code of Ethics states: Advertising shall not employ sexual appeal:
 - (a) where images of Minors, or people who appear to be Minors, are used; or
 - (b) in a manner which is exploitative or degrading of any individual or group of people;
 - (vii) section 2.3 of the AANA Code of Ethics state: Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised;
 - (viii) section 2.4 of the AANA Code of Ethics state: Advertising shall treat sex, sexuality and nudity with sensitivity to the relevant audience;
 - (ix) Honey Birdette has been found in breach of one or more of 2.2, 2.3 or 2.4 or other sections of the AANA Code of Ethics more than 60 times;
 - (x) where a company owns the adverting medium, there is no clear enforcement mechanism;
 - (xi) Ad Standards have been attempting to get Honey Birdette to comply with Ad Standards for approximately five years;

- (xii) Ad Standards are pursuing working with the Shopping Centre Council of Australia to ensure shopping centre owners put compliance with Advertising Standards in lease agreements, however, this has yet to be confirmed; and
 - (xiii) the NSW Planning Legislation and Economic Policy Director has advised that the NSW Planning Department have no power to act;
- (B) the Chief Executive Officer be requested to:
- (i) take steps to ensure that Honey Birdette is operating within their retail premises permit, and if not, refer them to appropriate regulatory authorities for their consideration; and
 - (ii) ensure the City advises all constituents contacting the Council with concerns that they should make a direct complaint to Ad Standards via <https://adstandards.com.au/make-a-complaint/> with details about each advertisement they find offensive; and
- (C) the Lord Mayor be requested to write to:
- (i) the Hon Minister Michelle Rowland MP, Minister for Communications and the Hon Minister Mark Dreyfus MP, Attorney General, outlining the more than 60 breaches of the AANA Code of Ethics by Honey Birdette, requesting a legally binding, strong, transparent enforcement mechanism to be put in place for serial non-compliers such as Honey Birdette, in order to uphold public safety in public places;
 - (ii) Ad Standards outlining the more than 60 breaches of the AANA Code of Ethics by Honey Birdette and the concern of the City of Sydney community and Council; and
 - (iii) the Shopping Centre Council of Australia, seeking their support for a mandatory change to all lease agreements to include compliance with Advertising Standards.

X086655

Item 15.7

Notices of Motion

Museum of Contemporary Art Australia Congratulations and Funding

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) NSW Arts Minister John Graham MLC recently launched the NSW Arts, Culture and Creative Industries Policy for 2024-2033;
- (ii) this 10-year policy outlines a framework for existing organisations and institutions, highlighting their crucial role in the state's cultural infrastructure and sites of excellence;
- (iii) the Museum of Contemporary Art Australia (MCA) opened in 1991, funded by the late Australian artist John Power, after his inheritance was left to the University of Sydney to inform the public about contemporary visual art;
- (iv) in 1998, the NSW Government and the Australia Council replaced the University of Sydney and the Power Bequest as the Key Stakeholders;
- (v) in 2012, a new five-storey wing was opened, increasing the MCA floorspace by 50 per cent;
- (vi) on Friday 12 April 2024, the MCA welcomed its 20 millionth visitor since its inception in 1991;
- (vii) the MCA is experiencing significant financial pressures, reducing their opening hours by one day per week and reducing the vibrancy and activation of Sydney's CBD as a result;
- (viii) the MCA is an independent not-for-profit public museum, raising 70 to 75 per cent of its income from sources such as donations, sponsorships, events, exhibitions, and venue hire;
- (ix) significant MCA funding is currently received from the NSW Government through Arts NSW, and from the Commonwealth Government;
- (x) in 2008, the City provided a one off grant of \$1 million to the MCA for the development and expansion of their new site;
- (xi) since 2014/15, the City of Sydney has provided \$941,723 in cash support to the following museums:
 - (a) AGNSW - \$80,000;
 - (b) Australian Museum - \$28,732;

- (c) National Maritime Museum - \$114,991;
 - (d) Museums of History - \$104,000;
 - (e) Powerhouse Museum - \$30,000;
 - (f) Museum of Chinese in Australia - \$50,000;
 - (g) Museums and Galleries NSW - \$26,000;
 - (h) Artspace - \$90,000;
 - (i) National Trust of Australia - \$34,500; and
 - (j) Qtopia - \$383,500;
- (xii) since 2014, the City of Sydney has provided \$2,199,402 in Value in Kind support to the following museums:
- (a) AGNSW - \$140,286;
 - (b) Australian Museum - \$87,087;
 - (c) National Maritime Museum \$42,000;
 - (d) Museums of History - \$67,701;
 - (e) Powerhouse Museum - \$112,866;
 - (f) Museum of Chinese in Australia \$ 1,744,962; and
 - (g) Qtopia \$4,500; and
- (xiii) the NSW Government is currently conducting a review of the funding for the MCA; and
- (B) the Chief Executive Officer be requested to:
- (i) work in partnership with the NSW Government, as part of their review of the MCA, to consider a City of Sydney matched funding commitment for the MCA; and
 - (ii) report back to Council on progress via the CEO Update.

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Item 15.8

Notices of Motion

Rainbow Community Angels

By Councillor Ellsmore

It is resolved that:

- (A) Council note:
- (i) the Rainbow Community Angels is an LGBTIQ+ community-led safety initiative that trains and supports LGBTIQ+ people and allies to take part in community events, to ensure those events remain safe and inclusive for LGBTIQ+ people, families, friends, allies and the wider community;
 - (ii) Rainbow Community Angels was founded in Victoria in response to the increased anti-trans and queer-phobic attacks that increased particularly during and post-pandemic, including attacks targeting events like Drag Story Time;
 - (iii) the Rainbow Community Angels:
 - (a) offer their presence (and the presence of trained volunteers) to Councils, libraries, cafes and others organising LGBTIQ+ events and activities;
 - (b) train and support LGBTIQ+ people and allies (volunteers) to act as Rainbow Community Angels, working together to create a safe and fun atmosphere at LGBTIQ+ events, including providing training in how to constructively respond and de-escalate in the face of organised hate groups who may seek to disrupt events; and
 - (c) otherwise work with Councils, community members and event staff to increase event safety, including to provide safe passage to ensure people can participate in planned LGBTIQ+ events;
- (B) the City of Sydney currently funds a wide range of LGBTIQ+ organisations, programs and events, and supports initiatives such as Wear it Purple, Trans Day of Visibility, Rainbow Story Time and other library events;
- (C) following the Lord Mayor's LGBTIQ+ Safety Summit held in February 2024, the Council requested that the Chief Executive Officer investigate and report back to Council on opportunities for Council to support community-led initiatives which keep LGBTIQ+ people safe and supported;
- (D) the Rainbow Community Angels have offered to collaborate with the City of Sydney and Inner West Councils to pilot community training, based on what has worked in Victoria;

- (E) the Rainbow Community Angels work would complement what is already underway in the City of Sydney and inner-west, by providing community members, Council staff and others with training and practical advice about how to constructively respond to threats against LGBTIQ+ community events, with an emphasis on inclusion, de-escalation and fun;
- (F) Council:
- (i) agree in principle to engage the Rainbow Community Angels to provide a pilot training for community members, LGBTIQ+ groups, and Council staff in or near the City of Sydney Local Government Area;
 - (ii) allocate a budget of up to \$15,000 to be drawn from savings in the 2023/24 operational budget to support pilot training, if possible held before or in time for Pride month (June 2024); and
 - (iii) coordinate with the Inner West Council with the aim of delivering a joint event or training where possible, and other interested Councils if this is practical; and
- (G) the Chief Executive Officer be requested to:
- (i) liaise with the Rainbow Community Angels, Inner West Council and LGBTIQ+ groups to give effect to this motion; and
 - (ii) keep the Council updated on the progress of implementation of this motion through the CEO Update.

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Item 15.9**Notices of Motion****Fitzroy Gardens Playground – Additional Fence Works**

By Councillor Gannon

It is resolved that:

(A) Council note:

- (i) in 2014, the Fitzroy Gardens Playground was upgraded with the installation of new play equipment, paving, lighting, new furniture, fencing, a new shade structure, soft landscaping, and planting of advanced trees;
- (ii) the Playground is incredibly popular with local families and children, and extensively used by families visiting the area on weekends;
- (iii) the fence of the Playground provides a barrier to children, dogs, and other park users. It was not designed as a child-proof safety fence, which is consistent with the City's general approach to fencing around playgrounds;
- (iv) however, sections of the fence are easily wide enough for a toddler to walk through; and
- (v) parents have raised concerns that, although the fence is not designed to be child-proof and supervision is required, it is far too easy for children to make a break for it through these gaps which is dangerous due to the proximity to Baroda Street and the rest of Fitzroy Gardens; and

(B) the Chief Executive Officer be requested to:

- (i) attach additional sections to the existing fence so that a toddler cannot easily escape the Playground. This could be as simple as attaching lattice to the larger open sections of fence; and
- (ii) repair the latches on the gates.

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Item 15.10

Notices of Motion

City of Sydney Council Condemns Modern Slavery

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the New South Wales Anti-Slavery Commissioner describes modern slavery as situations where offenders use coercion, threats or deception to exploit victims and undermine their freedom. It is an umbrella term used to encompass a number of exploitative practices including forced labour, slavery, servitude, debt bondage, human trafficking, deceptive recruiting for labour services, the worst forms of child labour and forced marriage;
- (ii) in November 2021, NSW Parliament passed the Modern Slavery Amendment Act 2021 No 39 (NSW). Obligations on local government commenced on 1 July 2022;
- (iii) the City of Sydney's Chief Executive Officer, under delegation, approved a City of Sydney Modern Slavery Policy on 20 November 2023, with the purpose of outlining the City's commitments to:
 - (a) identifying, managing and minimising the risk of modern slavery in our operations and supply chains;
 - (b) taking steps to ensure that City of Sydney suppliers and others we do business with are adequately managing modern slavery risks;
 - (c) ensuring the City of Sydney is compliant with obligations under the NSW Modern Slavery Act; and
 - (d) ensuring that City of Sydney of Sydney employees are aware of the City of Sydney's requirements in relation to Modern Slavery;
- (iv) the City of Sydney's Modern Slavery Policy outlines it will only comply with our reporting obligations under the Local Government Act 1993 (NSW), as well as take steps to identify, manage and minimise risks and instances of modern slavery in supply chains and business operations;
- (v) the City of Sydney Modern Slavery Policy includes the following types of exploitation:
 - (a) trafficking in people – the recruitment, harbouring and movement of persons for the purposes of exploitation through modern slavery. This includes sexual exploitation, forced labour or services and slavery and practices similar to slavery;

- (b) slavery – when a person exercises power of ownership over another;
 - (c) servitude – a situation where an individual’s freedom is significantly restricted, for example they are not free to stop working or to leave their place of work;
 - (d) forced labour –where violence or other methods (for example accumulation or debt, retention of identity papers) are used to coerce victims to work; and
 - (e) forced marriage – where an individual is forced or deceived into marrying;
- (B) Council further note that:
- (i) Council’s Audit, Risk and Compliance Committee were provided with an initial update on the NSW Anti-Slavery Commissioner’s guidance at the March 2024 meeting and advised that a further update would be provided at the June 2024 meeting; and
 - (ii) annual attestation against the requirements of the NSW Anti-Slavery Commissioner’s guidance will be required as the minimum standard from the 2024/25 financial year;
- (C) Council condemn acts of modern slavery in the strongest possible terms;
- (D) Council note:
- (i) that modern slavery has an horrific personal impact on the millions of people subjected to it around the world;
 - (ii) that the City of Sydney has an ethical, reputational and financial imperative to act to prevent modern slavery in all its forms, and to set the highest standards of accreditation, compliance and reporting as a result; and
 - (iii) that safeguarding human rights is important to long-term City risk mitigation and sustainability, and that we will act to do this in our operations internally as well as with our outsourced providers and supply chains; and
- (E) the Chief Executive Officer be requested to:
- (i) amend the current City of Sydney Modern Slavery Policy to reflect these aspirations;
 - (ii) explore options and budget settings for setting best practice targets for City of Sydney modern slavery compliance, performance and reporting on modern slavery risks in its own operations and supply chains;
 - (iii) explore options and budget settings for seeking best practice City of Sydney modern slavery accreditation;
 - (iv) bring an amended City of Sydney Modern Slavery Policy back to Council for consideration by August 2024, reflecting these changes; and
 - (v) report back to the Audit, Risk and Compliance Committee and Councillors via the CEO Update on progress on the above.

Item 15.11

Notices of Motion

Local Youth Services and Programs

By Councillor Weldon

It is resolved that:

(A) Council note:

- (i) young people are the lifeblood of our city. They are our future leaders and youth culture contributes to our city's vibrancy and dynamism in many ways;
- (ii) not all young people in the City of Sydney have the same opportunities and support and some experience greater adversity;
- (iii) ensuring that young people are engaged, supported and valued is one of the most important investments we can make in the future of our city;
- (iv) the City's approach is set out in our Youth Action Plan 2017-2027 and the City embeds youth development principles in many areas of our work;
- (v) youth services and programs play a vital role in supporting young people, particularly those facing systemic barriers;
- (vi) the City provides a range of youth programs and events which are developed and delivered in ways that support equitable access and outcomes for all young people and promote inclusive participation;
- (vii) there are many other services, organisations and government agencies working in our local area to support young people. Each have different catchments, focuses, skills and resources;
- (viii) the dedication and skills of youth workers and the vital role they play in supporting young people; and
- (ix) supporting young people is a whole-of-community responsibility and all levels of government have a role to play; and

(B) the Chief Executive Officer be requested to:

- (i) undertake a mapping of youth services in the City of Sydney to identify existing supports and programs for young people and to help identify gaps; and
- (ii) convene a round table meeting with local youth services to discuss current and ongoing funding challenges and opportunities for sustainable delivery of services across the City of Sydney.

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