

Council

Meeting No 6

Monday 24 June 2024

Notice No 6/1664

Notice Date 20 June 2024

minutes

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Present

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

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

At the commencement of business at 5.02pm, those present were:

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

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

Acknowledgement of Country and Opening Prayer

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

Webcasting Statement

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

Order of Business

Council agreed that the order of business be altered such that Item 14.13 be brought forward and considered before Item 4 for the convenience of the public present.

Councillor Weldon left the meeting of Council at 6.25pm before discussion of Item 6.9, and returned at 6.26pm, after the vote on Item 6.9. Councillor Weldon was not present at, or in sight of, the meeting of Council during discussion or voting on Item 6.9.

Councillor Ellsmore left the meeting of Council at 6.46pm before discussion of Item 7.6, and returned at 6.47pm, after the vote on Item 7.6. Councillor Ellmore was not present at, or in sight of, the meeting of Council during discussion or voting on Item 7.6.

Councillor Davis left the meeting of Council at 7.08pm before discussion of Item 9.5, and returned at 7.10pm, after the vote on Item 9.5. Councillor Davis was not present at, or in sight of, the meeting of Council during discussion or voting on Item 9.5.

Councillor Ellsmore left the meeting of Council at 7.21pm before discussion of Item 10.6, and returned at 7.22pm, after the vote on Item 10.6. Councillor Ellmore was not present at, or in sight of, the meeting of Council during discussion or voting on Item 10.6.

Item 1 Confirmation of Minutes

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

That the Minutes of the meeting of Council of Monday, 13 May 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2 Statement of Ethical Obligations and Disclosures of Interest

Statement of Ethical Obligations

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

Disclosures of Interest

The Lord Mayor, Councillor Clover Moore, disclosed a significant non-pecuniary interest in Item 10.6 on the agenda, in that Finding Infinity Pty Ltd is recommended for an Innovation and Ideas grant shown at Attachment C to the Committee report. She has a close association with Jess Miller as she is a former Councillor and Clover Moore Independent Team (CMIT) candidate and is involved with Finding Infinity Pty Ltd.

The Lord Mayor stated that she would not be voting on this matter.

Councillor Robert Kok disclosed a significant, non-pecuniary interest in Item 10.6 on the agenda, in that Finding Infinity Pty Ltd is recommended for an Innovation and Ideas grant shown at Attachment C to the Committee report. He has a close association with Jess Miller as she is a former Councillor and CMIT candidate and is involved with Finding Infinity Pty Ltd.

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

Councillor HY William Chan made the following disclosures:

- a less than significant, non-pecuniary interest in Item 3.8 on the agenda in that he has consulted with Red Cross Australia on their Urban Climate Resilient Program.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action because this work was undertaken in a pro bono capacity and relates specifically to the Urban Climate Resilient Program.

- a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that he has been involved in the following organisations:
 - University of Sydney as a currently employed sessional academic in the School of Architecture, Design and Planning 2024.
 - SXSW Sydney as a current conference speaker in 2023 and 2024, and a current industry and academic advisor 2024.
 - Vivid Sydney as a Vivid Ideas speaker in 2023.
 - Remix Summit Sydney as a speaker in 2022.
 - Soul of Chinatown as a volunteer in 2022.

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

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that he has been involved in the following organisations:
 - University of Sydney as a currently employed sessional academic in the School of Architecture, Design and Planning 2024.
 - University of Technology Sydney (UTS) as a guest lecturer in 2022.

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

- a less than significant, non-pecuniary interest in Item 10.6 on the agenda, in that he has been involved in the following organisations:
 - University of Sydney as a currently employed sessional academic in the School of Architecture, Design and Planning 2024.
 - University of Technology Sydney (UTS) as a guest lecturer in 2022.
 - University of New South Wales (UNSW Sydney) as a guest lecturer in 2023.
 - Social Enterprise Council of NSW & ACT (SECNA) Ltd in its activities in 2021.
 - Spark Festival Ltd as a speaker in 2020 and 2021.

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

- a significant non-pecuniary interest in Item 10.6 on the agenda, in that Finding Infinity Pty Ltd is recommended for an Innovation and Ideas grant. He has a close association with Jess Miller as she is a former Councillor and CMIT candidate who has been involved with Finding Infinity Pty Ltd. Councillor Chan has not spoken to anyone about this matter.
- a less than significant, non-pecuniary interest in Item 11.5 on the agenda, in that he is a former employee of Cox Architecture, the architect of this item.

Councillor Chan considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because I am no longer an employee of Cox Architecture since 2020 and have no relevant relationship to the aforementioned architecture project or clients.

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that she has known and worked with people from the following organisations:
 - Jodie Ann Choolburra from Brolga Dance Academy.
 - Radio Skid Row (Where Am I?).
 - Soul of Chinatown Incorporated (The Playground).
 - The Uniting Church in Australia Property Trust (NSW) as auspice for the Wayside Chapel Foundation (Wayside Creates).
 - Moogahlin Performing Arts Incorporated (Yeallamundie Development Festival – a Program of First Peoples Story Telling).
 - National Centre of Indigenous Excellence Limited (NAIDOC).
 - Destination NSW (Vivid Sydney-Music HQ).

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because of her past grass roots community work and within the organisation of the Australian South Sea Islander Port Jackson (ASSIPJ), of which she is chair. As Chair of ASSIPJ and Councillor on the City of Sydney Council, she had no knowledge of these organisation applying for the City of Sydney grants nor did she provide any advice to these organisations.

- a significant non-pecuniary interest in Item 9.5 on the agenda, in that the Australian National Maritime Museum (Sugarfest – Sunset Nasara) is recommended for funding. As Chairwoman of ASSIPJ, she will be providing culturally specific advice on this year's 30th Anniversary Commonwealth recognition event to be held later this year.

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

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda in that she has known and worked with people who still work within the following organisations though her community work and grass roots interactions within her scope as chairperson for ASSIPJ:
 - Blaq Aboriginal Corporation.
 - Counterpoint Community Services.
 - Glebe Youth Services.
 - Kinchella Boys Home Aboriginal Corporation.
 - Redfern Legal Centre Ltd.
 - Scarred Tree Indigenous Ministries (Larissa Minniecon).
 - The Uniting Church in Australia Property Trust (NSW).
 - The University of Sydney.
 - University of Technology Sydney.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ASSIPJ has not engaged with these organisations since 2021.

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that she has known and worked with people who still work within the following organisations through her community work within her scope as chairperson for ASSIPJ:
 - Aboriginal Medical Service Co-operative Limited.
 - Blaq Aboriginal Corporation.
 - Food Ladder.
 - Glebe Youth Services.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ASSIPJ has not engaged with these organisations since 2021.

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that she has known and worked with people who still work within the Mudgin-gal Aboriginal Corporation organisation through her community work as chairperson for ASSIPJ.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ASSIPJ has not engaged with this organisation since 2021.

- a less than significant, non-pecuniary interest in Item 10.6 on the agenda, in that she has known and worked with people from Pymont-Ultimo Chamber of Commerce and Industry Inc through her community work as chairperson for ASSIPJ.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ASSIPJ has not engaged with these organisations since 2021.

- a significant, non-pecuniary interest in Item 10.6 on the agenda, in that Finding Infinity Pty Ltd is recommended for an Innovation and Ideas grant shown at Attachment C to the Committee report. She has a close association with Jess Miller as she is a former Councillor and CMIT candidate and is involved with Finding Infinity Pty Ltd.

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

Councillor Sylvie Ellsmore made the following disclosures:

- a significant, non-pecuniary interest in Item 7.5 on the agenda, in that she has a friendship with one of the members of the Design Advisory Residential Sub-Committee, Dr Michael Zanardo.

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

- a significant, non-pecuniary interest in Item 9.5 on the agenda, in that a grant recipient who is not recommended for funding – The Trustee for the Maquirang Family Trust – is a family friend.

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

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that she was formerly a board member of Inner Sydney Voice, who is an applicant for the Community Services Grant. She has not discussed this item with them.

She has previously been employed by an Aboriginal consultancy firm engaged by the NSW Government to review homelessness services. Several of the applicants for the Inner City Homelessness Services grants were mentioned in the report. She has not discussed this item with any of the applicants.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not discussed this item with the applicants.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 3.4 on the agenda, in that she was previously a member of REDWatch.

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

- a less than significant, non-pecuniary interest in Item 3.7 on the agenda, in that she is the President of the Australian Local Government Association (ALGA). ALGA is a signatory to the National Housing Accord.

Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because there will be no decisions required relation to ALGA rather, noting information.

- a less than significant, non-pecuniary interest in Item 3.8 on the agenda, in that she has met with and knows a large number of the recommended successful and unsuccessful applicants, including Directors of the Peace Prize (Joy Kyriacou). None have discussed their applications for the Council grants with her.

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

- a less than significant, non-pecuniary interest in Items 6.3 and 6.4 on the agenda, in that she is the President of ALGA, of which Local Government NSW (LGNSW) is a member, which the City is a member of. The budget, should the Council choose to rejoin, LGNSW may fund this membership in future.

Councillor Scott is also the Chair of CareSuper, a profit to member superannuation fund, which the Council's budget may fund in the form of employee or Councillor superannuation payments, if staff and Councillors are members. This is the set of circumstances that would apply to any superannuation fund in Australia. She is the Deputy President of Australian Council of Superannuation Investors (ACSI), which provides members with environmental, social and governance advice, research and training about investments.

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

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that she is ALGA's representative on the cultural Minister's meeting, representing local governments on this policy forum. Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she applies her judgement to the decisions as a Councillor for the City of Sydney.
- a less than significant, non-pecuniary conflict of interest in Item 9.5 on the agenda, in that she has met with and knows a large number of the recommended successful and unsuccessful applicants, including Directors of Qtopia (Ian Roberts) and James Jay Moody. None have discussed their applications for Council grants with her. Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she applies her judgement to the decisions as a Councillor for the City of Sydney.
- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that along with her husband, she owns a house with a mortgage that is adjacent to one of the zones considered. She is also the Trustee of a Trust that owns a property for the benefit of a family member with a disability that is adjacent to one of the zones considered. Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she applies her judgement to the decisions as a Councillor for the City of Sydney.
- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that she has met with and knows a large number of the recommended successful and unsuccessful applicants, including Directors of the Peace Prize (Joy Kyriacou). None have discussed their applications for the Council grants with her.

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

- a less than significant, non-pecuniary interest in Item 10.6 on the agenda, in that she has met with and knows a large number of the recommended successful and unsuccessful applicants. None have discussed their applications for the Council grants with her.

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

Councillor Yvonne Weldon disclosed a significant, non-pecuniary interest in Item 6.9 on the agenda, in that she has a long-standing personal relationship with Emily McDaniel.

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

Councillor Adam Worling made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.6 on the agenda, in that Abbie Galvin is recommended for appointment on the City's Design Advisory Panel, whom he sits on the Central Sydney Planning Committee with.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he had not discussed the proposed reappointments with Abbie, nor had he discussed her current or future position on the panel.

- a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that Griffin Theatre Co is recommended for funding as part of the Creative Grant Program. As a keen theatregoer, and in large part due to his partner's work as a talent agent, he has attended shows at Griffin Theatre as a guest.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not discussed the funding or grant with anyone from Griffin Theatre Co. This will not have an affect or influence on his decision on the recommendation before the Council today.

- a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that Hayes Theatre Co is recommended for funding as part of the Creative Grant Program. As a keen theatregoer, and in large part due to his partner's work as a talent agent, he has attended shows at Hayes Theatre as a guest.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not discussed the funding or grant with anyone from Hayes Theatre Co. This will not have an affect or influence on his decision on the recommendation before the Council today.

- a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that Inner City Legal Centre is recommended for funding as part of the Creative Grant Program. As a Surry Hills local and during his work as an elected Councillor, he has met with the Directors of the Inner City Legal Centre and continues to stay abreast of the work they do in the Darlinghurst community.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not discussed the funding or grant with anyone from Inner City Legal Centre. This will not have an affect or influence on his decision on the recommendation before the Council today.

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that Inner City Legal Centre is recommended for funding as part of the Community Services Grant Program. As a Surry Hills local and during his work as an elected Councillor, he has met with the Directors of the Inner City Legal Centre and continues to stay abreast of the work they do in the Darlinghurst and Kings Cross community, particularly with members of the LGBTQIA+ community.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not discussed the funding or grant with anyone from Inner City Legal Centre. This will not have an affect or influence on his decision on the recommendation before the Council today.

- a less than significant, non-pecuniary interest in Item 10.4 on the agenda, in that Blaq Aboriginal Corporation is recommended for funding as part of the Community Services Grant Program, and the Food Support Grant Program – Summer Round – 2024/25. During his time as an elected Councillor, he has met a number of times with the Directors of the Blaq Aboriginal Corporation and continues to stay abreast of the work they do in the community, particularly with members of the LGBTQIA+ community.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not discussed the funding or grant with anyone from Blaq Aboriginal Corporation. This will not have an affect or influence on his decision on the recommendation before the Council today.

- a less than significant, non-pecuniary interest in Item 10.6 on the agenda, in that Australian Fashion Council Ltd is recommended for funding as part of the Business Sector Support Grant Program – Summer Round – 2024/25. He has worked as a fashion publicist for 30 years which has meant there has been a lot of cross over with his clients and the Australian Fashion Council Ltd.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he had no prior knowledge about the Grant application or its success until reading the Committee papers, and he has not discussed the application or grant with anyone at Australian Fashion Council Ltd.

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

Procedural Motions

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

That the order of business be altered such that Item 14.13 be brought forward and considered before Item 4, for the convenience of the public present.

Carried unanimously.

Moved by Councillor Scott, seconded by Councillor Weldon –

That the order of business be altered such that Item 9.4 be brought forward and considered after Item 14.13, for the convenience of the public present.

The motion was lost on the following show of hands –

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

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

Pursuant to the provisions of clause 10.3 of the Code of Meeting Practice, the motion was declared lost.

Motion lost.

Item 3 Minutes by the Lord Mayor**Item 3.1 Vale Ignatius Jones AM****Minute by the Lord Mayor**

To Council:

I wish to inform Council of the passing of former New Year's Eve Creative Director, Ignatius Jones AM on 7 May 2024 in Manila, Philippines.

Ignatius was born Juan Ignacio Rafaelo Lorenzo Trápaga y Esteban on 24 October 1957 to Basque-Chinese father, Nestor Juan Trápaga, and a Catalan-American mother, Margot in Singalong, Manila, Philippines. Two brothers followed. In 1963, the family migrated to Australia. His sister Monica, later an entertainer and Play School presenter, was born two years later.

After completing his high school education at St Ignatius' College, Riverview, several careers followed.

Ignatius initially attracted attention as founding member and lead singer of "shock rock" band Jimmy and the Boys formed in 1976. Involvement with other bands followed, including Pardon me Boys, a short-lived Australian swing jazz-cabaret band he formed with his sister Monica.

His experience with Australia's live music scene led him to journalism, initially writing for R.A.M (Rock Australia Magazine), The Edge and Stiletto, a pop culture and fashion magazine, which he also edited.

His career further expanded in the 1980s and 1990s, working as an actor in film and television, an onscreen reporter and interviewer for SVS-TV's Culture Shock, writing two books, 'True Hip' and the 1992 'True Hip Manual' and directing children's videos featuring his sister Monica and her band, Monica and the Moochers.

In the late 1990s, he devised the Olympic Journey Begins, a roadshow leading up to the 2000 Sydney Olympics. It visited 27 cities and towns reaching audiences totalling three million people.

In 1996, he was appointed the City's New Year's Eve Creative Director, a position he held until 2002. The Sydney Morning Herald credited him with transforming the final night of the year into the biggest annual event in Australia and an international pyrotechnic benchmark. He devised spectacular effects using the Harbour Bridge, including the giant Eternity sign and the Harbour of Light Marine Lantern Parade with designer Peter England.

In 2001, the City received a formal request from East Timor's Minister for External Affairs and Information, Dr Jose Ramos Horta seeking help with their Independence celebrations in May 2002.

On 11 February 2002, Council unanimously agreed to contribute to \$90,716 to the East Timor Independence Celebrations. This contribution enabled Ignatius and New Year's Eve Production Manager, Ed Wilkinson to travel to East Timor to devise and stage this historically significant event. It was a rare instance of a creative practitioner directing the "opening night of a country".

Ignatius continued to work on major events in Australia and overseas, including directing ceremonies for the 2002 Sydney Gay Games, the Doha 2006 Asian Games and the Vancouver 2010 Olympic Winter Games.

He was creative director of Vivid Sydney from 2011 to 2019 and artistic director of the Sydney Gay and Lesbian Mardi Gras Parades between 2011 and 2015.

Ignatius' contribution has been recognised with many awards. He shared in the inaugural Helpmann Award in 2001 for Best Event - 2000 Olympics Opening and Closing Ceremonies and the 2003 Sydney Star Observer Pride Week Award for his work on the Sydney Gay Games Opening Ceremony.

He was honoured with the Filipino-Australian of the Year Award 2014 by the Filipino Communities Council of Australia, a Lifetime Achievement Award in 2017 at the Australian Event Awards and in 2019 he was appointed Member of the Order of Australia "for significant service to entertainment as a writer, director, author and performer."

In October 2018, Ignatius married his long-time partner, Novy Bereber, retiring to live with him in the Philippines in 2022.

When Ignatius greeted the audience of 38,000 at the 2002 Gay Games Opening Ceremony he said: "Australia and the gay and lesbian community is not so much a melting pot ... We are more of a mixed salad, where every part remains separate, yet adds to the wonder of the whole ... I have been lucky, I have never had to come out, I was never in."

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Ignatius Jones AM and his significant contribution to Sydney's and Australia's cultural life and events industry;
- (B) Council express its condolences to Ignatius Jones' family; and
- (C) the Lord Mayor be requested to convey Council's condolences to Ignatius' husband, Novy Bereber, his mother, Margot Martin, his brother Luis Miguel and his sisters, Rocio and Monica.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

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

Carried unanimously.

S051491

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

Item 3.2 Support for Papua New Guinea Following Landslides

Minute by the Lord Mayor

To Council:

On 24 May 2024, the remote village of Kaokalam, about 600 kilometres northwest of Papua New Guinea's capital Port Moresby, was devastated by a catastrophic landslide that struck at 3am. The timing of the landslide meant most people were sleeping, with little time to escape.

The landslide slammed tons of rock and mud into locals' homes. Rescuers struggled to reach such a remote part of the country, leaving villagers to dig through the collapsed mountainside with whatever tools they had, while huge rocks and debris kept falling, and landing further beyond the original landslide area being impacted.

The ongoing search and rescue operations are facing challenges due to the hazardous terrain and the continuous threat of landslides, resulting in slower progress. The affected area remains highly unstable, which is hampering search and rescue efforts.

This is not the first fatal landslide in Papua New Guinea this year. At least 21 people died in three separate landslides across the country in mid-March and another 14 people lost their lives in April. Papua New Guinea is vulnerable to various natural disasters due to its geographical location, topography, and climate. The country's mountainous terrain and heavy rainfall patterns make it susceptible to landslides and mudslides, particularly in areas with deforestation and soil erosion.

The impacts of climate change, including rising temperatures, sea level rise, and altered precipitation patterns, further exacerbate the country's vulnerability to natural disasters. These changes can intensify the frequency and severity of extreme weather events.

It remains unclear how many people died in the landslide. The Papua New Guinea government estimate 670 people have died. Locals on the ground said it was difficult to know exactly how many people were in the village when the landslide hit, because many were visiting.

On 6 June 2024, the Enga provincial government - where Kaokalam is located - announced mass evacuations of further areas around the landslide due to concerns that there could be more earth movement, displacing at least 7,200 people according to the UN International Organization for Migration. The government also ceased searching for bodies and the area has been deemed a mass burial site.

Our neighbours from the village of Kaokalam in Papua New Guinea face immense loss and grief with many losing their entire families. They have also been displaced from their homes, communities and incomes.

I therefore propose that we donate \$30,000 to CARE Australia towards meeting the immediate needs of affected communities. Council's donation will support the supply of fresh water, food items, medical assistance, household items, shelter and hygiene items to displaced people, along with the relocation of survivors to temporary care centres.

This donation complies with the City of Sydney's Support for Charities Policy adopted by Council on 21 November 2022, are in line with previous donations and align with objective 7.3.2 (2) of the City's Operational Plan 2023/24, which states that the City will support communities beyond our local area and international communities experiencing emergency situations.

Recommendation

It is resolved that Council:

- (A) note the impacts of climate change and the resulting landslide that has devastated the village of Kaokalam in Papua New Guinea; and
- (B) approve a donation of \$30,000, to be sourced from the 2023/24 General Contingency Fund, to CARE Australia to use towards meeting the immediate needs of affected communities in Kaokalam Papua New Guinea.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

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

Carried unanimously.

S051491

Item 3.3 State Apology for the Criminalisation of Homosexuality and the Need for Further Reform

Minute by the Lord Mayor

To Council:

Just over 40 years ago, on 8 June 1984, the Crimes (Amendment) Bill commenced. This Bill, introduced into the NSW Legislative Assembly as a Private Member's Bill by then NSW Premier Neville Wran, decriminalised consensual homosexual acts between men aged 18 and above, removed the phrases "unnatural offences" and "the abominable crime of buggery" from the Crimes Act and repealed the soliciting provisions frequently used by police to entrap homosexual men.

While welcomed at the time, it was only partial reform. The Bill retained an unequal age of consent. The age of consent for consensual heterosexual acts was and is 16. It was not until 2003 that the Crimes Act was amended to provide equality.

On 6 June 2024, 40 years to the day when the then Governor Sir James Rowland signed the Wran Bill into law, both Houses of the NSW Parliament unanimously agreed to the following resolution:

That this House, on behalf of the people of NSW:

- (1) Apologises unreservedly to those convicted under discriminatory laws that criminalised homosexual acts,
- (2) Recognises and regrets this Parliament's role in enacting laws and endorsing policies of successive governments decisions that criminalised, persecuted and harmed people based on their sexuality and gender,
- (3) Recognises the trauma people of diverse sexualities, their families and loved ones, have endured and continue to live with, and
- (4) Acknowledges that there is still much work to be done to ensure the equal rights for all members of the LGBTQIA+ community.

Several Members in both Houses spoke about the devastating impact of the criminal law on sexually and gender diverse people, and how it encouraged discrimination, prejudice, harassment, hatred and violence.

On 3 June 2024, the Legislative Assembly Committee on Community Services published its report following its inquiry into Equality Legislation Amendment (LGBTIQA+) Bill 2023 introduced by Alex Greenwich MP.

The Committee recommended that the Parliament of NSW proceed to consider the Bill. It also made two findings:

1. There were diverse and conflicting views on the amendments proposed by the Bill and how they would operate.
2. There is a need for additional policy measures and funding to improve the safety and wellbeing of LGBTQIA+ people. These may be directed towards addressing issues like disadvantage, discrimination and poorer health outcomes experienced by LGBTQIA+ people.

The NSW Parliament now has an opportunity to end remaining inequalities and discrimination. It should not only consider the Equality Bill but pass it forthwith.

Recommendation

It is resolved that Council:

- (A) commend the NSW Parliament for adopting the Apology resolution as set out in this Lord Mayoral Minute and endorse the contents of this resolution; and
- (B) reaffirm Council's endorsement of the Equality Legislation Amendment (LGBTIQA+) Bill 2023 and call upon the NSW Parliament to consider and pass this Bill.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

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

Carried unanimously.

S051491

Item 3.4 20th Anniversary of REDWatch

Minute by the Lord Mayor

To Council:

On 16 May 2004, REDWatch members convened their first meeting in response to community concerns about issues around The Block and subsequent NSW Government plans for Redfern and Waterloo.

Twenty years on, REDWatch continues to provide essential support and advocacy for the communities of Redfern, Eveleigh, Darlington and Waterloo.

I want to acknowledge the work of REDWatch volunteers and how much we appreciate the ongoing collaboration between our organisations. Through monthly meetings, detailed e-newsletter updates and its website, REDWatch has played a major role in keeping the community updated and helping residents engage with key agencies on issues that affect them.

City of Sydney staff and I have worked with REDWatch, to achieve important outcomes for the community, in particular for public housing tenants, and to advocate for improvements to development on State-owned land. The City works closely with REDWatch to make sure the local community is informed by presenting at forums and sharing our expertise and resources with the group. We also work with REDWatch to ensure that the needs of the community are reflected in our own advocacy and submissions to the NSW Government.

While a Member of Parliament, I asked many questions in Parliament, tabled petitions, moved amendments and regularly spoke on behalf of the Redfern and Waterloo community in response to government legislation.

For example, in 2012 I lobbied the NSW Government to immediately install lifts at Redfern Station – a decade later the community finally has a more accessible station with free community access across the Southern Concourse. However, we are all still waiting for the additional active transport link across the railway tracks to truly connect North and South Eveleigh.

The City and REDWatch have collaborated over the years to protect public space, access and heritage. This includes campaigns around the Australian Technology Park, Explorer Street Eveleigh, the Paint Shop sub-precinct and the Large Erecting Shed.

Most notably, the City has worked with the community to improve the NSW Government's plans for the renewal of Waterloo Estate. We were successful in getting a significantly larger main park outside the Metro Station and in Waterloo South we successfully advocated for 50 per cent Social and Affordable Housing in Waterloo South with better built form outcomes including fewer and lower buildings.

REDWatch has always been highly engaged in the NSW Government's plans, including those for the redevelopment of Waterloo Estate. For years, the Waterloo community has been concerned about the future of their neighbourhood and their homes, but REDWatch has provided stable support and has been a strong advocate and a source of truth.

REDWatch has been an active member of the Waterloo Human Services Collaborative, alongside the City and other key agencies. They are assisting with engagement, planning and coordinated responses to the Waterloo community in advance of the redevelopment, to address the current and future needs of the community. Without REDWatch's vehement commitment to the social housing residents living within the buildings, we would not have a People and Place Framework for Waterloo South.

On behalf the City of Sydney, I thank the volunteers who have kept REDWatch active over the past two decades who have given their time to support and advocate for the community, most notably long-standing REDWatch spokesperson, Geoff Turnbull.

I invite Councillors to join me in congratulating REDWatch on their 20th anniversary and commend the group's achievements during this time.

Recommendation

It is resolved that:

- (A) Council note the City and REDWatch's ongoing collaboration in advocating for better outcomes for the community;
- (B) Council congratulate REDWatch, its spokesperson Geoff Turnbull and all its members and volunteers for their 20 years of service to the community; and
- (C) the Lord Mayor be requested to write to REDWatch to congratulate the group on their 20th anniversary and thank REDWatch volunteers for their support and dedication to the communities of Redfern, Eveleigh, Darlington and Waterloo.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

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

Carried unanimously.

S051491

Note – all Councillors, staff and members of the public present acknowledged the anniversary of REDWatch by round of applause.

Item 3.5 Creative Land Trust

Minute by the Lord Mayor

To Council:

The City of Sydney has always supported Making Space for Culture in our city. Over the past 10 years we have invested in major new venues and creative workspaces to support culture and creativity, increasing the supply of creative space by more than 6,000 square metres.

This includes the East Sydney Community and Arts Centre, Joynton Avenue Creative Centre, Eternity Playhouse, and seven creative live/workspaces and the City of Sydney Creative studios.

However, despite this substantial investment, the City's research demonstrates significant challenges facing the arts, culture, and creative industries.

- Sydney is the only Australian capital city to see a reduction in core creative professionals.
- The average cost of a rental unit in Greater Sydney is the equivalent of 62 per cent of average incomes for creative professionals.
- Light industrial and commercial floorspace used by the Creative Industries in the City of Sydney has reduced by 172,000 square metres since 2012.

To ensure we retain our creatives in Sydney, we need an innovative approach and one that brings together Government and the private sector in partnership. That is why the City and the NSW Government are in discussions to provide seed funding to facilitate the establishment of a Creative Land Trust in Sydney.

A Creative Land Trust is a not-for-profit body that is established to secure land and property for use by the creative industries – spaces like artist studios and rehearsal rooms, but also at-risk music venues and theatres. The Creative Land Trust can maintain properties currently used by artists, musicians and performers in perpetuity, or develop new creative spaces and housing.

These models have been successfully established in the UK and USA and it is time Australia explored this model. Sydney, as the nation's powerhouse of the creative industries, but also the city most impacted by the affordability crisis, is the right city to pioneer this approach.

Establishing a Creative Land Trust in Sydney will be a game changer for the provision of creative space in Sydney. However, given the scale and urgency of the issue we recognise that we need to explore every avenue available to identify opportunities to create more space for culture. This is a greater Sydney issue and to that end we will develop a network of local governments to increase creative spaces across Sydney.

It is proposed that the City and the NSW Government each commit \$250,000 to assess the feasibility of establishing a Creative Land Trust in Sydney with the ability to act independently of government to establish and maintain the types of workspaces needed by creatives in Sydney. The City has funds available from its general contingency to contribute this amount for this purpose.

The City and the NSW Government have agreed that until a Creative Land Trust is established, the Committee for Sydney will act as the independent organisation that will manage the process of undertaking the feasibility study and implementation of the Trust.

As an independent urban policy think tank, supported by more than 150 members from the culture, property, legal, finance, design, education, and government sectors, with a focus on the creative and cultural life of Sydney, the Committee for Sydney is well placed to take on this role.

A steering committee comprising representatives from the City of Sydney, the NSW Government, the Committee for Sydney, and experts selected through an Expression of Interest process will oversee this process and provide recommendations to the Council and Minister for Arts.

Recommendation

It is resolved that:

- (A) Council note its support for the establishment of an independent not-for-profit Creative Land Trust in Sydney that will have the ability to act independently of government to establish and maintain the types of workspaces and housing needed by creatives in Sydney;
- (B) Council further note that:
 - (i) it is proposed to provide funds to The Committee for Sydney Incorporated ABN 30 332 296 773 to assess the feasibility of establishing a Creative Land Trust in Sydney;
 - (ii) it is proposed to sign a Memorandum of Understanding with the NSW Government (Create NSW) to govern the contributions and actions of the City of Sydney and the NSW Government in relation to the establishment of the Creative Land Trust; and
 - (iii) The Committee for Sydney Incorporated will work with the City of Sydney and the NSW Government when undertaking the feasibility study and implementing its outcomes;
- (C) subject to matched NSW Government support, Council approve the payment of \$250,000 (excluding GST) to be sourced from the 2024/25 General Contingency Fund, to The Committee for Sydney Incorporated ABN 30 332 296 773 to fund and manage the feasibility study and its outcomes;
- (D) authority be delegated to the Chief Executive Officer to:
 - (i) negotiate, execute and administer the funding agreement to The Committee for Sydney Incorporated;
 - (ii) negotiate, execute and administer any agreements with the NSW Government (Create NSW) required to govern and facilitate the participation of the City of Sydney and the NSW Government in work to progress the establishment of a Creative Land Trust in Sydney;
 - (iii) direct City of Sydney staff to commence consideration of existing building stock, land, or floor space that may be suitable to transfer to a Creative Land Trust, once established; and
 - (iv) direct City of Sydney staff to work with the NSW Government (Create NSW) to set up a Cultural Infrastructure working group, including other Greater Sydney councils, to monitor and increase the supply of creative space in Sydney; and

- (E) Council note that the outcomes of the feasibility study and review of existing assets will be reported back to Council.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

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

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

That the motion be amended such that a clause (B) be added as follows:

- (B) a criteria for the Land Trust include that public control over public creative spaces, assets and institutions be maintained.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

Amendment lost.

The substantive Minute was carried unanimously.

S051491

Item 3.6 Improving Safety for People Riding and Walking

Minute by the Lord Mayor

To Council:

The City of Sydney's commitment to creating a city for walking and cycling is a key part of our work to improve liveability and to address the climate emergency. It reduces emissions by providing clean and efficient alternatives to driving. Making it easier for people to walk and ride is also good for business and our community's health.

The City has delivered 25 kilometres of safe, separated cycleways, 66 kilometres of shared paths and 45 kilometres of other cycling infrastructure. Bike trips in our local area have more than doubled since 2010, and we estimate that more than 10,000 people now ride to work on weekdays. That is the equivalent of 10 full trains or 166 full buses.

Share bikes are a useful and sustainable means of transport for many people. Between January and June 2024, over 840,000 trips were made by share bike in the City, which equates to over 160,000 trips per month.

However, the number of share bikes in our area has drastically increased from 328 in January 2022 to 4,500 in May 2024, creating unacceptable clutter, and safety and access issues for people on footpaths and other public places.

Share bikes

The City has no direct involvement in the provision, regulation, or management of bike share schemes. They don't require permission to operate.

In 2017, before any bike share companies started operating in Sydney, I wrote to the then NSW Government asking them to regulate bike share operations. I also expressed concerns about how abandoned bikes would be dealt with.

In the absence of NSW Government action at that time, the City along with six other Sydney councils developed guidelines that set expectations for bike share operators. Unfortunately, despite our best efforts, there is no statutory requirement or incentives for bike share companies to comply.

In November 2022, the former NSW Government introduced the Public Spaces (Unattended Property) Act 2021, which makes operators responsible for removing share bikes quickly from public land if they are poorly parked, interfering with public amenity, or causing an obstruction or safety risk.

There are significant challenges for councils applying the legislation to share bikes. It does not provide any investigative powers and seven days is too long to wait before Council's Rangers can move problematic bikes. Further, the burden is placed on councils to store impounded bikes before they can be claimed or disposed of.

Despite the City's limited powers, we asked bike share operators in our area to implement designated bike parking areas through their apps to promote responsible parking. This means share bike users will only be able to finish their trip and stop the clock running on payment once they place the bike in the allocated area. They are charged a penalty if they fail to comply (e.g. capped at \$25 for Lime bike).

The City initiated trials in Pymont, Ultimo and Circular Quay allocating 60 dedicated bike parking areas on footpaths or public domain areas across these suburbs where there is sufficient space and strong demand from operators and riders for share bikes. Our records for the Pymont trial show that the percentage of share bikes with helmets has increased from 33 per cent to 61 per cent. Further, 77 per cent of share bikes are now parked within one metre of a designated parking area, which helps to contain the issues.

A second trial of 50 dedicated spaces is being established in Forest Lodge and Chippendale and will be operational by July 2024.

In March, I wrote to the Ministers for Roads, Transport and the Police, asking the NSW Government for regulation of share bike companies and to allow bike parking on the road at certain intersections where it does not pose a risk to safety, so we can free up more space on our footpaths. I have also asked Police to crack down on e-bikes that have been illegally modified to allow the motor assistance to exceed 25km/h.

The Minister for Police responded saying she has referred my concerns to the relevant Command so that police can monitor and address the issues.

Earlier this month, I also met with the Minister for Roads who acknowledged our concerns and advised that Transport for NSW is currently developing options for regulating share bikes and will be consulting on these very soon. At the same time, I note that an NSW Parliamentary Inquiry has been established into the use of e-scooters, e-bikes and related mobility options, which I welcome.

Before allocating any more resources to progressing additional designated bike parking trials in other areas of the City, we will wait until the NSW Government and the Parliamentary Inquiry engages with Councils and the community and report their findings.

The City's efforts to influence operator behaviour cannot address the causes of the issue, so NSW Government regulation is urgently required. As a priority, the NSW Government must limit the number of share bike operators and the number of share bikes available for use in our area.

Educating riders

We are aware that many of the people riding on footpaths - often at speed, and conflicting with people walking - are working as food delivery riders or use share bikes. The community increasingly demands and relies on deliveries by bicycle, and people working as delivery riders have the right to safe working conditions. People often ride on footpaths as they feel it is safest for them.

The City is investing over \$105 million over the next ten years to complete a safe and connected bike network, which will help get bikes off the footpath and make walking more pleasant. It will take pressure off roads and public transport by providing a viable alternative to cars for making short trips.

City staff run on-the-ground education programs where they speak to riders on popular commuting routes throughout the City at least twice a week and run regular courses to teach people to ride safely.

We are spending an additional \$120,000 in the 2024/25 financial year to expand our education programs so that our staff can speak to more riders across more areas, especially food delivery riders in high activity areas. We will also refresh our shared path signage so it is clear who can legally use our footpaths and shareways to encourage more courteous behaviour.

The City also spends over \$28 million each year to make walking easier and safer by improving pedestrian connections, widening and upgrading footpaths, and installing lighting and ramps. The City's Walking Strategy and Action Plan – Continuing the Vision outlines how we will continue and approve upon that work over the next ten years.

Recommendation

It is resolved that:

- (A) Council note:
- (i) creating a City for walking and cycling improves liveability, reduces emissions and provides cheaper and healthier alternatives to driving;
 - (ii) the number of share bikes in our area has drastically increased from 328 in January 2022 to 4,500 in May 2024 creating unacceptable clutter and safety and access issues for people on footpaths and other public places;
 - (iii) since 2017, the City of Sydney and the Lord Mayor have been advocating to the NSW Government for regulation of share bike schemes including letters to and meetings with Transport for NSW and relevant Ministers;
 - (iv) the Public Spaces (Unattended Property) Act 2021 is not an effective way for councils to manage issues with share bikes;
 - (v) Transport for NSW is developing options for regulating share bikes and will be consulting on them soon;
 - (vi) on 6 June 2024, a NSW Parliamentary Inquiry was established into the use of e-scooters, e-bikes and related mobility options;
 - (vii) the City of Sydney will wait until the NSW Government and the Parliamentary Inquiry engages with councils and the community and report their findings before progressing additional designated bike parking trials across our Local Government Area; and
 - (viii) the City of Sydney is allocating significant funding in the Long Term Financial Plan 2024/25 to 2033/34 to make walking safer and easier, to complete a safe and connected bike network and to expand our rider education programs to improve safety for people riding and walking; and
- (B) the Chief Executive Officer be requested to participate in upcoming consultation processes by Transport for NSW and in relation to the NSW Parliamentary Inquiry calling for:
- (i) a cap on the number of share bike operators in our Local Government Area as well as the number of share bikes available for use and setting expectations for equipment quality and safety, and circular economy obligations; and
 - (ii) changes to relevant NSW Roads Rules to enable councils to designate bike share parking areas on the road in locations where it is safe, such as within 'No stopping' areas at the departure side of some intersections.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

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

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

That the motion be amended to read as follows –

It is resolved that:

(A) Council note:

- (i) creating a City for walking and cycling improves liveability, reduces emissions and provides cheaper and healthier alternatives to driving;
- (ii) as of April 2024, approximately 4,700 trips are taken daily on share bikes within the City of Sydney;
- (iii) the number of share bikes in our area has drastically increased from 328 in January 2022 to 4,500 in May 2024 creating unacceptable clutter and safety and access issues for people on footpaths and other public places;
- (iv) since 2017, the City of Sydney and the Lord Mayor have been advocating to the NSW Government for regulation of share bike schemes including letters to and meetings with Transport for NSW and relevant Ministers;
- (v) the Public Spaces (Unattended Property) Act 2021 is not an effective way for councils to manage issues with share bikes;
- (vi) Transport for NSW is developing options for regulating share bikes and will be consulting on them;
- (vii) on 6 June 2024, a NSW Parliamentary Inquiry was established into the use of scooters, e-bikes and related mobility options;
- (viii) the City of Sydney is allocating significant funding in the Long Term Financial Plan 2024/25 to 2033/34 to make walking safer and easier, to complete a safe and connected bike network and to expand our rider education programs to improve safety for people riding and walking;
- (ix) pending review of the Parliamentary Inquiry, the NSW Government must delay action until the inquiry hands down findings;
- (x) the City of Sydney can action a larger trial of dockless parking zones prior to the completion of the NSW Parliamentary Inquiry and Government review;
- (xi) in February 2024, the City of Sydney rolled out a pilot program with designated parking zones for share bikes in Pyrmont and Circular Quay;
- (xii) in this trial the City worked with share bike operators to incentivise people who use the bikes to park in 19 zones in Pyrmont and 8 in Circular Quay, or riders would be at risk for further charges to their ride. This creates a dockless parking area for share bikes; and
- (xiii) the need for City action is urgent;

- (B) the Chief Executive Officer be requested to participate in upcoming consultation processes by Transport for NSW and in relation to the NSW Parliamentary Inquiry calling for:
- (i) a cap on the number of share bike operators in our Local Government Area as well as the number of share bikes available for use and setting expectations for equipment quality and safety, and circular economy obligations; and
 - (ii) changes to relevant NSW Roads Rules to enable councils to designate bike share parking areas on the road in locations where it is safe, such as within 'No stopping' areas at the departure side of some intersections; and
- (C) the Chief Executive Officer be requested to:
- (i) report back to Councillors via the CEO Update on the outcomes of the dockless parking area for share bikes trial;
 - (ii) ensure the roll out of the pilot program share bike parking allocated spaces in all suburbs in the City of Sydney as soon as is possible; and
 - (iii) allocate funding for the trial extension and for share bike parking infrastructure in areas where this is not already provided in the City of Sydney in the 2024/25 City budget.

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

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

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

Pursuant to the provisions of clause 10.3 of the Code of Meeting Practice, the amendment was declared lost.

Amendment lost.

The substantive Minute was carried unanimously.

S051491

Item 3.7 Housing Density in the City of Sydney

Minute by the Lord Mayor

To Council:

Last month, the NSW Government allocated new five-year housing targets to 43 councils to meet its commitment of delivering 377,000 new homes under the National Housing Accord. The City's new target is 18,900 new private homes to be completed by July 2029.

We know that Sydney is in the middle of a housing affordability crisis, which is making owning or renting unaffordable for many.

The City will, as it has always done, work to meet our new housing targets. However, it must be acknowledged that councils are facing significant challenges outside their control to not just plan for, but also deliver their housing targets.

The City's record

The City was tasked with delivering around one-third of the entire housing target set by the former NSW Government for the nine councils across eastern Sydney.

Within just seven years, we have met 71 per cent of our previous 20-year target of 56,000 private (market, affordable and social housing) and non-private dwellings (such as student housing and boarding houses), with over 21,000 dwellings built and almost 19,000 more in the pipeline.

Denser cities can be the healthiest, greenest, and most stimulating places for people to live with the least environmental impact.

It has been the City's policy to increase density in former industrial areas such as Green Square and Ashmore. These new communities are successful because development has been managed carefully, with increased height and density allocated to appropriate sites alongside infrastructure delivery that supports growth.

We're also increasing opportunities for more housing following the Council-endorsed Pyrmont Planning Review and introducing incentives to encourage more Build to Rent and Co-Living Housing in Central Sydney alongside recently implemented changes to the Botany Road corridor.

Progressing a Local Housing Accord

The NSW Government expects that 13,900 of our 18,900 private dwellings target can be delivered through existing planning controls in areas such as Green Square, Redfern-Waterloo and southern CBD. The other 4,900 'projected' dwellings are expected to be delivered under the NSW Government's proposed changes to create more low and mid-rise housing.

Those proposed low and mid-rise housing changes will rezone residential areas within 800 metres from stations and centres to allow for four to six storey buildings, which could reach up to nine storeys if an affordable housing bonus is taken up.

In February 2024, I hosted a briefing for local resident action groups so that City staff could explain what the proposed low and mid-rise planning changes mean for our area and to listen to their concerns.

Informed by that discussion, the City made a submission to the Department of Planning, Infrastructure and Housing ('the Department') about its Explanation of Intended Effect: Changes to create low-and mid-rise housing.

Our key concerns relate to the blanket application of the changes, incompatible height and floor space controls where development cannot be refused, their application to centres which do not meet National Housing Accord commitment for well-located homes, and that the changes effectively override local heritage protections.

That same month, a Parliamentary Inquiry was established into the development of the NSW Government's Transport Orientated Development Program, which also examined impacts of the low and mid-rise housing changes. The City also made a submission to that Inquiry which again opposes blanket changes without consideration of local conditions.

In March 2024, I met with the Minister for Planning and Public Spaces to explain the City's concerns with the proposed planning changes, which he acknowledged and agreed to work with us.

At the meeting, the Minister suggested there may be an opportunity for the City to enter into a Local Housing Accord instead of applying the low and mid-rise housing changes. A Local Housing Accord would identify places to be investigated to rezone for the 4,900 'projected' dwellings that are part of our new housing target. This would enable us to reduce impacts to our conservation areas in exchange for more development (rezonings) in other areas.

The Minister should also allow the City to count new 'non-private' as well as 'private' dwellings towards our target to enable us to plan for more student housing, seniors housing, co-living and boarding houses which all play an important role in accommodating our diverse community.

Increasing supply alone will not address housing unaffordability.

Currently, for rezonings that provide residential uplift, the City's Affordable Housing Program enables additional affordable housing contributions to be allocated to a Community Housing Provider for Affordable Housing in perpetuity above the 'base' local government area-wide levy.

I welcome the NSW Government's 2024/25 budget that includes \$5.1 billion towards social housing - the biggest single investment in social housing in the state's history that will deliver 6,200 new social housing dwellings. The City has a target of 7.5 per cent social housing and 7.5 per cent affordable housing by 2036, meaning we need around 12,000 additional affordable housing dwellings and 2,000 additional social housing dwellings.

The City's ambitious targets always envisaged a whole of government approach to delivering more social and affordable housing and relies heavily on everyone doing their bit including the development industry. Some of this investment must be spent in the inner City, close to services, facilities and jobs.

However, the NSW Government must also ensure that an Affordable Housing contribution will be applied where the residential development capacity of land has been increased.

Challenges

Starting in 2018, and intensified by Covid 19, a perfect storm of factors have made many new housing developments unfeasible. These include a 35 to 40 per cent increase in materials and labour costs, shortages of skilled labour, tougher financing hurdles after the Banking Royal Commission, steep interest rate rises, and a record number of insolvencies in the building industry.

While the planning system will not overcome the feasibility issues faced by the building industry, it is vital that the City's planning framework establishes the opportunity to deliver well-designed, sustainable homes and attractive neighbourhoods as market conditions allow.

Meeting our new housing targets largely relies on developers, builders and landowners who control the lodgement of applications and construction commencements. The sector is highly sensitive to economic conditions, availability of construction labour, materials and finance.

I note the NSW Government's announcement that new targets are accompanied by \$200 million of financial incentives to help planning performance and deliver infrastructure including roads, open spaces and community facilities. This funding is contingent on targets being met or exceeded and reduction of development assessment timeframes. However, councils will need significantly more infrastructure funding upfront with development so that essential community facilities can be delivered before people move in.

The broad application of the low and mid-rise housing reforms means it may be difficult to predict where additional infrastructure is needed. A more planned approach under a Local Housing Accord will enable the City to plan for local infrastructure.

The NSW Government must ensure that Councils can provide essential community infrastructure through contributions plans and that the NSW Government must also deliver the necessary State infrastructure such as public transport in a timely way. This will include slowing traffic on busy corridors such as Parramatta Road and Broadway so that more land is suitable for housing.

It is clear it will take all levels of government working together to meet the National Housing Accord and help address the current housing affordability crisis.

Recommendation

It is resolved that:

(A) Council note:

- (i) last month the NSW Government allocated new five-year housing targets to 43 councils to meet its commitment of delivering 377,000 new homes under the National Housing Accord;
- (ii) the City's new housing target is 18,900 new private homes to be completed by July 2029;
- (iii) in February and March 2024, the City made submissions to the NSW Government's Explanation of Intended Effect: Changes to create low-and mid-rise housing and the NSW Parliamentary Inquiry into the development of the Transport Orientated Development Program, which includes examining the impacts of more low and mid-rise housing, which was informed by discussion at a residents' community action group briefing hosted by the Lord Mayor; and
- (iv) in March 2024, the Lord Mayor met with the Minister for Planning and Public Spaces who suggested there may be an opportunity for the City to enter into a Local Housing Accord instead of the low and mid-rise housing changes applying in our area;

(B) Council commits to working with the NSW Government on a Local Housing Accord to ensure more opportunities for housing that deliver well-designed, sustainable homes and attractive neighbourhoods as market conditions allow;

- (C) the Lord Mayor be requested to write to:
- (i) the NSW Minister for Planning and Public Spaces inviting him to enter into a Local Housing Accord with the City of Sydney, which will:
 - (a) outline the City's plan for its projected dwellings target in place of the low and mid-rise housing planning changes;
 - (b) agree to count 'non-private' dwellings as well as 'private' dwellings towards our target to enable us to plan for more student housing, seniors housing, co-living and boarding houses which all play an important role in accommodating our diverse community;
 - (c) ensure the application of an additional Affordable Housing contribution where the development capacity of land is increased; and
 - (d) establish collaborative arrangements for the timely delivery of infrastructure and housing on recently rezoned NSW Government land such as Blackwattle Bay and Waterloo South; and
 - (ii) the Prime Minister and NSW Premier with a copy of this Minute and calling on the NSW and Federal Government to significantly increase funding to support the 43 eligible NSW councils to deliver adequate community infrastructure to be provided upfront to support new housing targets so it is in place when people move into new developments; and
- (D) the Chief Executive Officer be requested to report back to Council on progress of the draft Local Housing Accord for consideration before the end of this year.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

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

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

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

- (iv) in March 2024, the Lord Mayor met with the Minister for Planning and Public Spaces who suggested there may be an opportunity for the City to enter into a Local Housing Accord, to outline how the City will apply the new housing targets;

and clause (C)(i)(c) read as follows –

- (c) ensure the application of an additional Affordable Housing contribution, including but not limited to where the development capacity of land is increased.

The amendment was lost on the following show of hands –

Ayes (2) Councillors Scott and Weldon

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

Amendment lost.

The substantive Minute was carried unanimously.

S051491

Item 3.8 2024 Sydney Peace Prize**Minute by the Lord Mayor**

To Council:

Sydney prides itself as a city of peace. We are committed to universal human rights and justice, as are millions of people around the world.

But still, there are more than 120 armed conflicts globally.

For the past 26 years, the City of Sydney has partnered with the Sydney Peace Foundation to help create a peaceful, fair, just and compassionate world.

The Sydney Peace Foundation focuses on solutions that prove that peace with justice is possible, and inspires and empowers people everywhere to create that reality in their lives and communities.

The Foundation awards the Sydney Peace Prize, Australia's only international award for peace. Each year the Prize which reminds us of the urgent need to address conflict where we see it, and to think more deeply about the world and our values.

On Tuesday 18 June 2024 at Town Hall, I was proud to announce the International Red Cross and Red Crescent Movement as the recipient of the 2024 Sydney Peace Prize.

In a year marking the 75th anniversary of the adoption of the Geneva Conventions, and amid unprecedented challenges to International Humanitarian Law, the work of the International Red Cross and Red Crescent Movement is as important as it has ever been.

The Prize is awarded for "saving lives and preventing the suffering of people affected by armed conflict, for its advocacy for peace, and for its commitment to International Humanitarian Law".

This independent and impartial humanitarian network of 16 million volunteers and staff is saving lives every day in more than 90 countries.

The Prize offers a special acknowledgement of the Palestinian Red Crescent movement.

The City condemns the attacks on civilians by Hamas and Israel. In this most recent heightening of conflict, 1,139 Israelis have been killed and over 200 hostages taken, over 36,000 Palestinians have been killed and over 85,000 Palestinians injured. We condemn war crimes by all parties and demand justice, peace and human rights for all.

In the crisis in Gaza, the International Red Cross and Red Crescent Movement teams are working tirelessly, in shockingly difficult and dangerous circumstances, to save lives and reduce suffering.

Their personnel, ambulances and hospitals have come under bombardment despite being explicitly protected under the Geneva Conventions and International Humanitarian Law and 20 Palestinian Red Crescent Society volunteers have been killed on duty.

As neutral intermediaries, they stand up for all people and work to reunite families, including hostages; improve access to essential services like water and electricity; advocate for safe and sustained humanitarian access; and advocate for international humanitarian law for the protection of civilians, medical facilities and humanitarian personnel.

As Ben Saul, United Nations Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism said at the Prize announcement:

“The Movement typically enjoys unparalleled trust, confidence and legitimacy among even the most bitter enemies because of its fundamental principles of independence, impartiality and neutrality, its confidential working methods, and its long and reliable track record in the field.”

This work is tragically in great need, and we are grateful for the contribution of these brave, unsung heroes.

I congratulate the Sydney Peace Foundation and its Jury – made up of representatives from business, media, public service, community services and academia – on awarding this year’s prize to the International Red Cross and Red Crescent Movement.

The Prize includes a \$50,000 donation to the recipient of which the City is providing \$25,000 towards as part of its Community Service Grant program. I propose the City donates an additional \$25,000 directly to the Australian Red Cross Society who is part of the International Red Cross and Red Crescent Movement with funds directly assisting people in need in the region.

At a time when the international situation is truly alarming, it is inspiring to know there are courageous people doing extraordinary work for the global community. They remind us how precious it is to live in peace.

This donation complies with the City of Sydney’s Support for Charities Policy adopted by Council on 21 November 2022, is in line with previous donations and aligns with objective 7.3.2 (2) of the City’s Operational Plan 2023/24, which states that the City will support communities beyond our local area and international communities experiencing emergency situations.

Recommendation

It is resolved that Council:

- (A) commend the Sydney Peace Foundation for its important work and its dedication to promoting peace and honouring the champions of social justice and human rights;
- (B) note and congratulate the International Red Cross and Red Crescent Movement as recipients of the 2024 Sydney Peace Prize; and
- (C) approve a direct donation of \$25,000, to be sourced from the 2023/24 General Contingency Fund, to the Australian Red Cross Society.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

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

Carried unanimously.

S051491

Item 4 Memoranda by the Chief Executive Officer

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

Item 5 Matters for Tabling

5.1 Disclosures of Interest

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

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

Carried unanimously.

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

The Lord Mayor Councillor Clover Moore AO
(Chair)

Deputy Lord Mayor Councillor Robert Kok
(Deputy Chair)

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

At the commencement of business at 2.01pm those present were -

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

Councillor Weldon left the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.18pm, prior to discussion on Item 6.9, and returned at 3.23pm, after the vote on Item 6.9. Councillor Weldon was not present at the meeting, which she was attending remotely, during discussion or voting on Item 6.9.

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillors Chan and Weldon were attending the meeting of the Corporate, Finance, Properties and Tenders Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 3.30pm.

Report of the Corporate, Finance, Properties and Tenders Committee

Moved by Councillor Kok, seconded by Councillor Worling –

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 17 June 2024 be received, with Items 6.1 and 6.2 being noted, the recommendations set out below for Items 6.4 to 6.8 inclusive, and Items 6.10 to 6.12 inclusive being adopted in globo, and Items 6.3 and 6.9 being dealt with as shown immediately following those items.

Carried unanimously.

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 6 May 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 6.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Items 6.3 and 6.4 on the agenda, in that she is the President of Australian Local Government Association (ALGA), of which Local Government NSW (LGNSW) is a member, which the City is a member of. The budget, should the Council choose to rejoin LGNSW, may fund this LGNSW membership in the future. She is the Chair of CareSuper, a profit to member superannuation fund, which the Council's budget may fund in the form of employee or Councillor superannuation payments, if staff or Councillors are members. This is the set of circumstances that would apply to any superannuation fund in Australia. She is also the Deputy President of the Australian Council of Superannuation Investors (ACSI), which provides with environmental, social and governance (ESG) advice, research and training about investments.

Councillor Scott considers that these non-pecuniary conflicts of interest are not significant and do not require further action in the circumstances because she applies her judgement to the decisions as a Councillor for the City of Sydney.

Councillor Yvonne Weldon disclosed a significant non-pecuniary interest in Item 6.9 on the agenda, in that she has a long-standing personal relationship with Emily McDaniel.

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

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

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

Item 6.3

Integrated Planning and Reporting Program and Budget 2024/25 – Adoption

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

It is resolved that:

- (A) Council note the submissions received from the community, and staff responses, on the exhibited suite of the Integrated Planning and Reporting documents as shown at Attachment C to the subject report;
- (B) Council note the proposed changes to the documents, including fees and charges, as incorporated within the Operational Plan and Resourcing Strategy, and set out in Attachment D to the subject report;
- (C) Council adopt the Operational Plan 2024/25, as shown at Attachment A to the subject report;
- (D) Council adopt the Resourcing Strategy 2024, as shown at Attachment B to the subject report including the revised Asset Management Policy now included as an appendix to the Community Asset Management Plan;

- (E) Council adopt the draft Operating and Capital Budgets and future years' forward estimates as reflected in the Operational Plan 2024/25 and 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 income, depreciation and capital contributions;
 - (ii) Capital Works expenditure of \$228.5M; including a capital 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;
- (F) Council adopt the Rates Structure, Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the Operational Plan 2024/25; and
- (G) authority be delegated to the Chief Executive Officer to approve any minor editorial and document design corrections prior to publication.

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

That the motion be amended such that a clause (H) be added as follows:

- (H) the Chief Executive Officer be requested to provide further advice to Council as to what options are available to Council to introduce differential rating categories to:
- (i) help ensure residential properties are not left vacant for extended periods of time where they could be used for housing; and
 - (ii) discourage shops on high streets from being left vacant for extended periods.

The amendment was carried on the following show of hands –

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

Noes (1) Councillor Jarrett.

Amendment carried.

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

That the motion be amended such that a clause (I) be added as follows:

- (I) the Chief Executive Officer be requested to provide further advice to Council as to opportunities for Council to expand its direct invest in affordable and Council-owned public housing through accessing Council's accumulated, unrestricted cash reserves.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

Amendment lost.

The substantive motion was carried unanimously.

X101909

Item 6.4

Investments Held as at 31 May 2024

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

Carried unanimously.

X020701

Item 6.5

Post Exhibition - Grants and Sponsorship Policy and Guidelines

Note – the recommendation of the Corporate, Finance, Properties and Tenders Committee was not adopted. The following alternative recommendation was adopted (as contained in the Information Relevant To Memorandum dated 21 June 2024 from the Director City Life, circulated prior to the meeting) as part of an in globo motion.

It is resolved that:

- (A) Council note the submissions received from the community on the draft Grants and Sponsorship Program Guidelines as shown at Attachment A to the subject report;
- (B) Council adopt the Grants and Sponsorship Program Guidelines as shown at Attachment B to the subject report, subject to the addition of the following on page 45 of the Guidelines
“Additional information: Please contact us to discuss possible options if your idea supports innovation or project development outside of the funding priorities”;
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to Grants and Sponsorship Program Guidelines in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication;
- (D) Council note that the implementation of the Grants and Sponsorship program will be monitored to ensure that the outcomes requested by Council following the Councillor workshop are achieved; and
- (E) Council note that in the new term of Council, another Councillor workshop will be scheduled to discuss how the Policy and Guidelines are performing and to consider any further suggestions that the incoming Council may have, such as how to ensure that grants are flowing to culturally diverse communities.

Carried unanimously.

S117676

Item 6.6**Public Exhibition - Naming Proposal - Ngamuru Avenue**

It is resolved that:

- (A) Council provide in-principle approval to name the new road connecting Bowden Street in Alexandria to Geddes Avenue in Zetland, "Ngamuru Avenue", and that the name be placed on public exhibition for a minimum period of 28 days; and
- (B) note that a further report will be submitted to Council on the results of the public consultation process.

Carried unanimously.

X100685

Item 6.7**Lease Approval - Woolstores Alexandria**

It is resolved that:

- (A) Council note the lease proposal information included in Confidential Attachment A to the subject report;
- (B) Council approve the granting of a new lease in accordance with the essential lease terms and conditions contained within Confidential Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to the exercise of the option, in accordance with the essential terms and conditions contained within Confidential Attachment B to the subject report.

Carried unanimously.

X091647.002

Item 6.8

Lease Approval - 180 George Street, Sydney

It is resolved that:

- (A) Council note the lease proposal information included in Confidential Attachment A to the subject report;
- (B) Council approve the granting of a new lease in accordance with the essential lease terms and conditions contained within Confidential Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to the exercise of the option, in accordance with the essential terms and conditions contained within Confidential Attachment B to the subject report.

Carried unanimously.

X100664.001

Item 6.9

Exemption From Tender – Curatorial Services - Eora Journey - Yananurala

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

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 for curatorial services for the Eora Journey: Recognition in the Public Domain – Yananurala with Emily McDaniel (ABN: 6745690104) for a three year term, with the option to extend for two additional 12-month terms, if appropriate, for the total contract value 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 of the following extenuating circumstances:
 - (i) the social and cultural complexities of the Eora Journey - Yananurala projects and the risk of the loss of goodwill and relationships built-up by the Yananurala Curator from engaging with Aboriginal and Torres Strait Islander artists and community members in the City of Sydney and more broadly over the past four years;
 - (ii) Ms McDaniel has developed cultural and community knowledge by working with local Aboriginal and Torres Strait Islander community members and consultants and changing now would be high risk to the City for the development of projects; and
 - (iii) the loss of professional insights gained by the Yananurala Curator in the development of Eora Journey - Yananurala projects which includes working with NSW government authorities on whose land Yananurala projects will be located;
- (C) Council note the total contract value for curatorial services for the Eora Journey: Recognition in the Public Domain – Yananurala is outlined in Confidential Attachment B to the subject report;

- (D) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute and administer (including exercising options, if appropriate) the contract relating for curatorial services for the Eora Journey: Recognition in the Public Domain – Yananurala for the term and total contract sum detailed in Confidential Attachment B to the subject report;
- (E) Council note the revised project timeline at Attachment A to the subject report for Yananurala which forms the basis of the contract award; and
- (F) Council note the expanded role of the Eora Journey – Yananurala Curator to include the implementation of the remaining Eora Journey: Recognition in the Public Domain projects relating to Aboriginal and Torres Strait Islander people in addition to Council endorsed Yananurala projects - the Redfern Terrace, in development as part of the Redfern Community Centre park upgrade; and future projects, the Avenue of Hope; the Eora Journey walk from the harbour to Redfern; and Redfern Tours.

Carried unanimously.

S110607.005

Item 6.10

Exemption from Tender - Barges and Tugs for 2024 and 2025 Sydney New Year's Eve

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 engage with a suitable service provider for Barge and Tug services for the 2024 and 2025 New Year's Eve events;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) given the industry capacity issues and ongoing discussions with the pyrotechnic service provider for the 2024 Sydney New Year's Eve event; there is insufficient time to undertake required market consultation, scoping discussions and then conduct a tender process for these services; and
 - (ii) the industry is currently experiencing ongoing high levels of demand and capacity issues. As a result, the City needs to work with service providers to determine the scope that can be delivered within the remaining timeframes and the appropriate engagement model;
- (C) Council approve the maximum total contract value under (A) for the provision of Barge and Tug services as outlined in Confidential Attachment A to the subject report, for a period of up to two years; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute and administer the contract for Barge and Tug services for up to two years.

Carried unanimously.

X100794.003

Item 6.11

Exemption from Tender - George Street Beacon Lights, Seasonal Star Lights and Central Management System

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 noting that, because of the extenuating circumstances, a satisfactory result would not be achieved by inviting tenders to provide and manage the George Street beacon lights, seasonal star lights and central management system;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) going to tender would not deliver a competitive process due to the inability of any other tenderer to provide the services using the existing hardware and control system; and
 - (ii) the existing beacon lights, seasonal star lights and central management system are still in good working order and significant cost would be incurred if they were replaced;
- (C) Council approve entering into a contract with Hub Australasia Pty Ltd for a maximum three year term;
- (D) Council note the revised total contract sum for the extended term is set out in Confidential Attachment A to the subject report; and
- (E) authority be delegated to the Chief Executive Officer to negotiate and finalise the terms of the contract with the contractor, provided that the contract is consistent with this resolution.

Carried unanimously.

S120340.002

Item 6.12**Exemption from Tender - ePlanning Phase-3 - Replacement of Planning Xchange and Extension of Pathway**

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 replace Technology One's Planning Xchange (ICON) application with a suitable solution that can integrate with the City's existing systems because a satisfactory result would not be achieved by inviting tenders;
- (B) Council note the reasons why a satisfactory outcome would not be achieved by inviting tenders are:
 - (i) a market scan has confirmed that a limited number of suppliers are able to provide a suitable solution to support planning lodgement, assessment and determination functionality that can integrate with City's existing systems to meet the City's ePlanning needs; and
 - (ii) adopting new systems would result in extensive business disruption associated with a transition of several core business functions to new systems and would result in significant additional costs;
- (C) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute, and administer (including exercising options, if appropriate) the contract with the selected provider on terms acceptable to the City;
- (D) 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 Infor Global Solutions (ANZ) Pty Limited for provision of the Pathway system for five years with two further optional extensions of two years each;
- (E) Council note the reasons why a satisfactory outcome would not be achieved by inviting tenders for provision of the Pathway system are:
 - (i) integration of the ePlanning solution and Pathway is required because Pathway is system of record for properties, names and addresses;
 - (ii) adopting new systems would result in extensive business disruption associated with a transition of several core business functions to new systems and would result in significant additional costs; and
 - (iii) the proposed contract term allows integration between systems to be implemented and embedded but also allows the City to exit the contract at appropriate intervals if market offerings for similar modules change;
- (F) Council note the total contract value for contract term with Infor Global Solutions (ANZ) Pty Limited for the Pathway system is outlined in Confidential Attachment A; and
- (G) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute, and administer (including exercising options, if appropriate) documentation required to contract with Infor Global Solutions (ANZ) Pty Limited for provision of the Pathway system.

Carried unanimously.

X101103

Adjournment

Following Item 6, at 6.26pm, it was moved by the Chair, seconded by Councillor Kok –

That the meeting be adjourned for approximately 15 minutes.

All Councillors were present at the resumption of the meeting of Council at 6.45pm.

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

The Lord Mayor Councillor Clover Moore AO
(Chair)

Councillor Adam Worling
(Deputy Chair)

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

At the commencement of business at 3.46pm those present were -

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

Councillor Ellsmore left the meeting of the Environment Committee at 4.03pm, prior to discussion on Item 7.6 and returned at 4.08pm, after the vote on Item 7.6. Councillor Ellsmore was not present at, or in sight of, the meeting during discussion or voting on Item 7.6.

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillors Chan and Weldon were attending the meeting of the Environment Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

The meeting of the Environment Committee concluded at 4.08pm.

Report of the Environment Committee

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

That the report of the Environment Committee of its meeting of 17 June 2024 be received, with Items 7.1 and 7.2 being noted, the recommendations set out below for Items 7.3 to 7.5 inclusive being adopted in globo, and Item 7.6 being dealt with as shown immediately following that item.

Carried unanimously.

Item 7.1**Confirmation of Minutes**

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

That the Minutes of the meeting of the Environment Committee of Monday 6 May 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 7.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Sylvie Ellsmore disclosed a significant, non-pecuniary interest in Item 7.6 on the agenda, in that she has a friendship with one of the members of the Design Advisory Residential Subcommittee, Dr Michael Zanardo.

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

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 7.6 on the agenda, in that Abbie Galvin is recommended for appointment on the City's Design Advisory Panel, whom he sits on the Central Sydney Planning Committee with. Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not discussed the proposed reappointments with Abbie, nor has he discussed her current or future position on the Panel.

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

The Environment Committee recommended the following:

Item 7.3

Grants and Sponsorship - Environmental Grants

It is resolved that:

- (A) Council approve the cash recommendations for the Green Building Grant program as shown at Attachment A to the subject report;
- (B) Council note that all grant amounts are exclusive of GST;
- (C) 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
- (D) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

Item 7.4**Project Scope - Cooper Street and Adelaide Street Reserves, Surry Hills**

It is resolved that Council:

- (A) endorse the scope of improvements to Cooper Street and Adelaide Street Reserves, Surry Hills as described in the subject report and shown in the Revised Concept Plan as Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation tender and construction; and
- (B) approve the additional funds required to deliver the project as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X090905.001

Item 7.5**Project Scope - Regent Street Reserve, Paddington**

Note – the recommendation of the Environment Committee was not adopted. The following alternative recommendation was adopted (as contained in the Information Relevant To Memorandum dated 20 June 2024 from the Chief Operating Officer, circulated prior to the meeting) as part of an in globo motion.

It is resolved that Council:

- (A) endorse the scope of improvements to Regent Street Reserve, Paddington as described in the subject report and shown in the Revised Concept Plan as Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation tender and construction;
- (B) note the matters raised at the Environment Committee will be further considered during the detailed design phase and that the final design will:
 - (i) consider sight lines and passive surveillance into the park from Regent Street and confirm if one or two tree removals will be required;
 - (ii) review the proposed colour of café table furniture in favour of muted tones; and
 - (iii) review pavement design and selection to ensure pavement longevity and pedestrian safety; and
- (C) approve the additional funds required to deliver the project as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X090896.001

Speaker

Dr Mary Kearney addressed the meeting of the Environment Committee on Item 7.5.

Item 7.6

Public Art Advisory Panel, Design Advisory Panel and Design Advisory Residential Subcommittee - Reappointment of Members

Moved by Councillor Worling, seconded by Councillor Kok -

It is resolved that:

- (A) Council endorse the reappointment of the following Design Advisory Panel members for a further three-year term ending on 30 June 2027: Professor Ken Maher (Chair) AO, Peter Mould (Deputy Chair), Professor Kerry Clare, NSW Government Architect Abbie Galvin, Professor Richard Johnson AO, Emeritus Professor James Weirick, Emily McDaniel, Rachel Neeson and Che Wall;
- (B) Council endorse the reappointment of Professor Ken Maher AO as Chair of the Design Advisory Panel and Peter Mould as Deputy Chair for a further three-year term ending on 30 June 2027;
- (C) Council endorse the revised Design Advisory Panel Terms of Reference as shown at Attachment B to the subject report;
- (D) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint any new members to the Design Advisory Panel within the three year term as per the revised Terms of Reference as shown at Attachment B, should the need arise;
- (E) Council endorse the reappointment of the following Design Advisory Panel Residential Subcommittee members for a further three-year term ending on 30 June 2027: Professor Kerry Clare, Dr Libby Gallagher, Dr Michael Zanardo, Matthew Pullinger, Paul Berkemeier, Alexander Koll and Tony Caro;
- (F) Council endorse the reappointment of Professor Kerry Clare as Chair of the Design Advisory Panel Residential Subcommittee for a further three-year term ending on 30 June 2027;
- (G) Council endorse the revised Design Advisory Panel Residential Subcommittee Terms of Reference as shown at Attachment D to the subject report;
- (H) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint any new members to the Design Advisory Panel Residential Subcommittee within the three-year term, as per the revised Terms of Reference as shown in Attachment D, should the need arise;
- (I) Council endorse the reappointment of the following Public Art Advisory Panel members for a further three-year term ending on 30 June 2027: Felicity Fenner (Chair); Anne Loxley (Deputy Chair), Tony Albert; Judith Blackall; Professor Richard Johnson AO; Janet Laurence and Louise Zhang;

- (J) Council endorse the reappointment of Felicity Fenner as Chair of the Public Art Advisory Panel and Anne Loxley as Deputy Chair for a further three-year term ending on 30 June 2027;
- (K) Council endorse the revised Public Art Advisory Panel Terms of Reference as shown at Attachment F to the subject report; and
- (L) authority be delegated to the Chief Executive Officer, in consultation with the Lord Mayor, to appoint any new members to the Public Art Advisory Panel within the three year term, as per the revised Terms of Reference as shown in Attachment F, should the need arise.

Carried unanimously.

X002289.005

Item 8 Report of the Housing For All Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor Sylvie Ellsmore

(Deputy Chair)

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

At the commencement of business at 4.09pm those present were -

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

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillors Chan and Weldon were attending the meeting of the Housing For All Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

The meeting of the Housing For All Committee concluded at 4.17pm.

Report of the Housing For All Committee

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

That the report of the Housing For All Committee of its meeting of 17 June 2024 be received, with Items 8.1 and 8.2 being noted, the recommendation set out below for Item 8.3 being adopted in globo.

Carried unanimously.

Item 8.1

Confirmation of Minutes

Moved by Councillor Ellsmore, seconded by Councillor Jarrett –

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

Carried unanimously.

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

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

The Housing For All Committee recommended the following:

Item 8.3**Post Exhibition - Planning Proposal - Build-to-Rent Housing and Co-Living Housing in Central Sydney**

It is resolved that:

- (A) Council note the issues raised during the public exhibition of the Planning Proposal - Build-to-rent housing and Co-living housing in Central Sydney as provided in the Summary of Submissions as shown at Attachment A to the subject report;
- (B) Council approve the Planning Proposal – Build-to-rent housing and co-living housing in Central Sydney (as amended) as shown in Attachment B to the subject report to be made as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to the Planning Proposal – Build-to-rent housing and co-living housing in Central Sydney (as amended) to correct any minor errors prior to finalisation.

Carried unanimously.

X103423

Item 9 Report of the Cultural and Creative Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO
(Chair)

Councillor Lyndon Gannon
(Deputy Chair)

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

At the commencement of business at 4.18pm those present were -

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

Councillor Davis left the meeting of the Cultural and Creative Committee at 5.10pm, prior to discussion on Item 9.5 and returned at 5.21pm, after the vote on Item 9.5. Councillor Davis was not present at, or in sight of, the meeting during discussion or voting on Item 9.5.

Councillor Ellsmore left the meeting of the Cultural and Creative Committee at 5.10pm, prior to discussion on Item 9.5 and returned at 5.21pm, after the vote on Item 9.5. Councillor Ellsmore was not present at, or in sight of, the meeting during discussion or voting on Item 9.5.

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillors Chan and Weldon were attending the meeting of the Cultural and Creative Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

The meeting of the Cultural and Creative Committee concluded at 5.21pm.

Report of the Cultural and Creative Committee

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

That the report of the Cultural and Creative Committee of its meeting of 17 June 2024 be received, with Items 9.1 and 9.2 being noted, and Items 9.3, 9.4 and 9.5 being dealt with as shown immediately following those items.

Carried unanimously.

Item 9.1

Confirmation of Minutes

Moved by Councillor Gannon, seconded by Councillor Worling –

That the Minutes of the meeting of the Cultural and Creative Committee of Monday 6 May 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 9.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that he has been involved in the following organisations: University of Sydney as a currently employed sessional academic in the School of Architecture, Design and Planning 2024; SXSW Sydney as a current conference speaker in 2023 and 2024, and a current industry and academic advisor 2024; Vivid Sydney as a Vivid Ideas speaker in 2023; Remix Summit Sydney as a speaker in 2022; and Soul of Chinatown as a volunteer in 2022.

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

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that she has known and worked with people from the following organisations:
 - Jodie Ann Choolburra from Brolga Dance Academy.
 - Radio Skid Row (Where am I?).
 - Soul of Chinatown Incorporated (The Playground).
 - The Uniting Church in Australia Property Trust (NSW) as auspice for the Wayside Chape Foundation (Wayside Creates).
 - Moogahlin Performing Arts Incorporated (Yellamundie Development Festival – A PROGRAM OF First Peoples Story telling).
 - National centre of Indigenous Excellence Limited (NAIDOC).
 - Destination NSW (Vivid Sydney- Music HQ).

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because of her past grass roots community work and within the organisation of the Australian South Sea Islander Port Jackson (ASSIPJ), which she is the Chair. As Chair of ASSIPJ and Councillor on the City of Sydney Council, she had no knowledge of these organisations applying for the City of Sydney grants, nor did she provide any advice to these organisations.

- a significant non-pecuniary interest in Item 9.5 on the agenda, in that the Australian National Maritime Museum (Sugarfest – Sunset Nasara) is recommended for funding. As Chairwoman of ASSIPJ, she will be providing culturally specific advice on this year's 30th Anniversary Commonwealth recognition event to be held later this year.

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

Councillor Sylvie Ellsmore disclosed a significant, non-pecuniary interest in Item 9.5 on the agenda in that a grant recipient who is not recommended for funding – the Trustee for the Maquirang Family Trust – is a family friend.

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

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that she is Australian Local Government Association's (ALGA) representative on the Cultural Minister's meeting, representing local governments on this policy forum.

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

- a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that she has met with and knows a large number of the recommended successful and unsuccessful applicants, including Directors of Qtopia, Ian Roberts, and James Jay Moody. None have discussed their applications for Council grants with her.

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

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 9.5 on the agenda, in that Griffin Theatre Co, Hayes Theatre Co and Inner City Legal Centre are all recommended for funding as part of the Creative Grants Program. As a keen theatregoer, and in large part due to his partner's work as a talent agent, Councillor Worling has attended shows at both Griffin Theatre and Hayes Theatre as a guest. As a Surry Hills local and during his work as an elected Councillor, Councillor Worling has met with the Directors of the Inner City Legal Centre and continues to stay abreast of the work they do in the Darlinghurst community.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not discussed this funding or grant with anyone from Griffin Theatre Co, Hayes Theatre Co or Inner City Legal Centre, and this will not have an affect or influence his ability to vote on the recommendation.

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 recommended the following:

Item 9.3

Public Exhibition - Cultural Strategy 2025-2035

Note – the recommendation of the Cultural and Creative Committee was not adopted. The following alternative recommendation was adopted (as contained in the Information Relevant To Memorandum dated 21 June 2024 from the Director Strategic Development and Engagement, circulated prior to the meeting).

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

It is resolved that:

- (A) Council note the finalisation of the Creative City Cultural Policy and Action Plan 2014-2024, noting 191 actions are completed, 10 actions are in progress and 7 actions will not be implemented as outlined in Attachment A to the subject report;
- (B) Council note ten years of significant achievements under the guidance of the Creative City Cultural Policy and Action Plan 2014-2024, as outlined in Attachment B to the subject report;
- (C) Council approve for public exhibition the draft Cultural Strategy 2025-2035 as shown at Attachment C to the subject report, subject to the following amendments:

The proposed action on page 41 that reads “Research the barriers to affordable housing for artists and associated impacts on the creative sector, and work with key stakeholders to remove them where possible” be edited to:

- Work with affordable housing providers to promote affordable housing opportunities for artists and increase applications from creative workers in order to support artist into affordable housing.

The proposed action on page 41 that reads “Research appropriate and affordable housing models to support the creative sector including purpose-built artist housing with live/work or co-located workspace” be edited to:

- Identify appropriate housing models or opportunities to deliver purpose-built artist housing with live/work or co-located workspace for the creative sector.

- (D) Council note that the Cultural Strategy 2025-2035, including any recommended changes, will be reported to Council for adoption following the exhibition period;
- (E) 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 Cultural Strategy 2025-2035; and
- (F) Council note the Engagement Report summarising consultation for the development of the draft Cultural Strategy 2025-2035, as shown at Attachment D to the subject report.

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

It is resolved that:

- (A) Council note the finalisation of the Creative City Cultural Policy and Action Plan 2014-2024, noting 191 actions are completed, 10 actions are in progress and 7 actions will not be implemented as outlined in Attachment A to the subject report;
- (B) Council note ten years of significant achievements under the guidance of the Creative City Cultural Policy and Action Plan 2014-2024, as outlined in Attachment B to the subject report;
- (C) Council approve for public exhibition the draft Cultural Strategy 2025-2035 as shown at Attachment C to the subject report, subject to the following amendments:

The proposed action on page 41 that reads "Research the barriers to affordable housing for artists and associated impacts on the creative sector, and work with key stakeholders to remove them where possible" be edited to:

- Work with affordable housing providers to promote affordable housing opportunities for artists and increase applications from creative workers in order to support artist into affordable housing.

The proposed action on page 41 that reads "Research appropriate and affordable housing models to support the creative sector including purpose-built artist housing with live/work or co-located workspace" be edited to:

- Identify appropriate housing models or opportunities to deliver purpose-built artist housing with live/work or co-located workspace for the creative sector.

- (D) Council note that the Cultural Strategy 2025-2035, including any recommended changes, will be reported to Council for adoption following the exhibition period;
- (E) 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 Cultural Strategy 2025-2035;
- (F) Council note the Engagement Report summarising consultation for the development of the draft Cultural Strategy 2025-2035, as shown at Attachment D to the subject report; and
- (G) the Chief Executive Officer be requested to provide further information to Council about opportunities for Council to include specific commitments on an increase in the number of Council-owned creative live/work spaces to be delivered under the new plan, noting that the previous Creative City Cultural Policy and Action Plan included an action that 14 new live/work studios be established in a Council property, of which nine were delivered.

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

X099822

Speakers

Shaun Parker (Artistic Director of Shaun Parker & Company), H Morgan-Harris (Director of Tortuga Studios) and Justine Shih Pearson (CEO of PACT Centre for Emerging Artists) addressed the meeting of the Cultural and Creative Committee on Item 9.3.

Item 9.4

Bring Back Joy - Outcomes of Community Consultation

The Cultural and Creative Committee decided that consideration of this matter shall be deferred to the meeting of Council on 24 June 2024.

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

It is resolved that Council:

- (A) receive and note the Engagement Report - The 'Joy' Sculpture as outlined in Attachment B to the subject report; and
- (B) note that, given the recent feedback from the community, the Chief Executive Officer will investigate feasibility and cost of options to reinstate a replica of 'Joy' by artist Loui May (nee Fraser) on the corner of Stanley and Yurong Streets, Darlinghurst and report back to Council via the CEO update.

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

That the motion be amended to read as follows –

It is resolved that Council:

- (A) receive and note the Engagement Report - The 'Joy' Sculpture as outlined in Attachment B to the subject report;
- (B) note that, given the recent feedback from the community, the Chief Executive Officer will investigate feasibility and cost of options to reinstate a replica of 'Joy' by artist Loui May (nee Fraser) on the corner of Stanley and Yurong Streets, Darlinghurst;
- (C) ensure provision for Joy's restoration is made in the 2024/25 budget, pending appropriate City and any other relevant approvals; and
- (D) report back to Council via the CEO update.

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

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

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

Pursuant to the provisions of clause 10.3 of the Code of Meeting Practice, the amendment was declared lost.

Amendment lost.

Substantive motion carried unanimously.

X002646.001

Speakers

Julie Bates AO and Wendy Littlewood addressed the meeting of the Cultural and Creative Committee on Item 9.4.

Item 9.5

Grants and Sponsorship - Creative Grants

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

It is resolved that:

- (A) Council approve the cash and value in kind recommendations for the Creative Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Creative Grant program as shown at Attachment B to the subject report;
- (C) Council approve the cash and value in kind recommendations for the Festivals and Events Sponsorship program as shown at Attachment C to the subject report;
- (D) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Festivals and Events Sponsorship program as shown at Attachment D to the subject report;
- (E) Council note that all grant amounts are exclusive of GST;
- (F) 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
- (G) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

Speaker

Councillor Michael Mijatovic (Fairfield City Council) addressed the meeting of the Cultural and Creative Committee on Item 9.5.

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

The Lord Mayor Councillor Clover Moore AO
(Chair)

Councillor (Waskam) Emelda Davis
(Deputy Chair)

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

At the commencement of business at 5.39pm those present were -

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

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillors Chan and Weldon were attending the meeting of the Resilient Communities and Economy Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

The meeting of the Resilient Communities and Economy Committee concluded at 6.25pm.

Report of the Resilient Communities and Economy Committee

Moved by Councillor Davis, seconded by Councillor Kok –

That the report of the Resilient Communities and Economy Committee of its meeting of 17 June 2024 be received, with Items 10.1 and 10.2 being noted, the recommendation set out below for Item 10.4 being adopted in globo, and Items 10.3, 10.5 and 10.6 being dealt with as shown immediately following those items.

Carried unanimously.

Item 10.1**Confirmation of Minutes**

Moved by Councillor Davis, seconded by Councillor Kok –

That the Minutes of the meeting of the Resilient Communities and Economy Committee of Monday 6 May 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 10.2

Statement of Ethical Obligations and Disclosures of Interest

The Lord Mayor, Councillor Clover Moore, disclosed a significant non-pecuniary interest in Item 10.6 on the agenda, in that Finding Infinity Pty Ltd. is recommended for an Innovation and Ideas grant, shown at Attachment C to the Committee report.

The Lord Mayor has a close association with Jess Miller as she is a former Councillor and Clover Moore Independent Team (CMIT) candidate and is involved with Finding Infinity Pty Ltd. The Lord Mayor stated that she would not be voting on this matter.

Councillor Robert Kok disclosed a significant non-pecuniary interest in Item 10.6 on the agenda, in that Finding Infinity Pty Ltd. is recommended for an Innovation and Ideas grant, shown at Attachment C to the Committee report.

Councillor Kok has a close association with Jess Miller as she is a former Councillor and CMIT candidate and is involved with Finding Infinity Pty Ltd. Councillor Kok stated that he would not be voting on this matter.

Councillor Adam Worling made the following disclosures:

- a less than significant non-pecuniary interest in Item 10.4 on the agenda, in that Blaq Aboriginal Corporation is recommended for funding as part of the Community Services Grant Program, and the Food Support Grant Program – Summer Round – 2024/25. During his time as an elected Councillor, Councillor Worling has met a number of times with the Directors of the Blaq Aboriginal Corporation and continues to stay abreast of the work they do in the community, particularly with members of the LGBTQIA+ community.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not discussed this funding or grant with anyone from Blaq Aboriginal Corporation, and this will not have an affect or influence his ability to vote on the recommendation.

- a less than significant non-pecuniary interest in Item 10.4 on the agenda, in that the Inner City Legal Centre is recommended for funding as part of the Community Services Grant Program. As a Surry Hills local and during his work as an elected Councillor, Councillor Worling has met with the Directors of the Inner City Legal Centre and continues to stay abreast of the work they do in the Darlinghurst and Kings Cross community, particularly with members of the LGBTQIA+ community.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not discussed this funding or grant with anyone from the Inner City Legal Centre, and this will not have an affect or influence his ability to vote on the recommendation.

- a less than significant non-pecuniary interest in Item 10.6 on the agenda, in that Australian Fashion Council Ltd is recommended for funding as part of the Business Sector Support Grant Program – Summer Round – 2024/25. Councillor Worling has worked as a fashion publicist for 30 years which has meant there has been a lot of crossover with his clients and the Australian Fashion Council Ltd.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he had no prior knowledge about the grant application or its success until reading the committee papers, and he has not discussed the application or grant with anyone at Australian Fashion Council Ltd.

- a significant non-pecuniary interest in Item 10.6 on the agenda, in that Finding Infinity Pty Ltd. is recommended for an Innovation and Ideas grant, shown at Attachment C to the Committee report.

Councillor Worling has a close association with Jess Miller as she is a former Councillor and CMIT candidate and is involved with Finding Infinity Pty Ltd. Councillor Worling stated that he would not be voting on this matter.

Councillor Sylvie Ellsmore disclosed a less than significant non-pecuniary interest in Item 10.4 on the agenda, in that:

- she was formerly a board member for Inner Sydney Voice, who is an applicant for the Community Services grant. Councillor Ellsmore has not discussed this item with them; and
- she has previously been employed by an Aboriginal consultancy firm engaged by the NSW Government to review homelessness services. Several of the applicants for the Inner City Homelessness Services grants were mentioned in the report. Councillor Ellsmore has not discussed this item with any of the applicants.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not discussed the grants with the applicants.

Councillor HY William Chan made the following disclosures:

- a less than significant non-pecuniary interest in Item 10.4 on the agenda, in that he has been involved with the following organisations:
 - University of Sydney as a currently employed sessional academic in the School of Architecture, Design and Planning 2024; and
 - University of Technology Sydney (UTS) as a guest lecturer in 2022.

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

- a less than significant non-pecuniary interest in Item 10.6 on the agenda in that he has been involved with the following organisations:
 - University of Sydney as a currently employed sessional academic in the School of Architecture, Design and Planning 2024;
 - University of Technology Sydney (UTS) as a guest lecturer in 2022;
 - University of New South Wales (UNSW Sydney) as a guest lecturer in 2023;
 - Social Enterprise Council of NSW & ACT (SECNA) Ltd in its activities in 2021; and
 - Spark Festival Ltd as a speaker in 2020 and 2021.

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

- a significant non-pecuniary interest in Item 10.6 on the agenda, in that Finding Infinity Pty Ltd. is recommended for an Innovation and Ideas grant, shown at Attachment C to the Committee report.

Councillor Chan has a close association with Jess Miller as she is a former Councillor and CMIT candidate and is involved with Finding Infinity Pty Ltd. Councillor Chan stated that he would not be voting on this matter.

Councillor (Waskam) Emelda Davis made the following disclosures:

- a less than significant non-pecuniary interest in Item 10.4 on the agenda (Food Support Grants), in that she has known and worked with people who still work within the following organisations through her community work within her scope as chairperson for Australian South Sea Islanders Port Jackson (ASSIPJ):

- Aboriginal Medical Service Co-operative Limited;
- Blaq Aboriginal Corporation;
- Food Ladder; and
- Glebe Youth Services.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ASSIPJ has not engaged with these organisations since 2021.

- a less than significant non-pecuniary interest in Item 10.4 on the agenda, in that she has known and worked with people who still work within the following organisations through her community work within her scope as chairperson for Australian South Sea Islanders Port Jackson (ASSIPJ):

- Blaq Aboriginal Corporation;
- Counterpoint Community Services;
- Glebe Youth Services;
- Kinchella Boys Home Aboriginal Corporation;
- Redfern Legal Centre Ltd;
- Scarred Tree Indigenous Ministries (Larissa Minniecon);
- The Uniting Church in Australia Property Trust (NSW);
- The University of Sydney; and
- University of Technology Sydney

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ASSIPJ has not engaged with these organisations since 2021.

- a less than significant non-pecuniary interest in Item 10.4 on the agenda (Aboriginal and Torres Strait Islander Collaboration Fund), in that she has known and worked with people who still work within the Mudgin-gal Aboriginal Corporation organisations through her community work as chairperson for Australian South Sea Islanders Port Jackson (ASSIPJ).

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ASSIPJ has not engaged with these organisations since 2021.

- a less than significant non-pecuniary interest in Item 10.6 on the agenda, in that she has known and worked with people from Pymont-Ultimo Chamber of Commerce and Industry Inc through her community work as chairperson for Australian South Sea Islanders Port Jackson (ASSIPJ).

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because ASSIPJ has not engaged with these organisations since 2021.

- a significant non-pecuniary interest in Item 10.6 on the agenda, in that Finding Infinity Pty Ltd. is recommended for an Innovation and Ideas grant, shown at Attachment C to the Committee report.

Councillor Davis has a close association with Jess Miller as she is a former Councillor and CMIT candidate and is involved with Finding Infinity Pty Ltd. Councillor Davis stated that she would not be voting on this matter.

Councillor Shauna Jarrett disclosed a less than significant non-pecuniary interest in Item 10.6 on the agenda, in that through her business, she is a member of the CBD Sydney Chamber of Commerce.

Councillor Jarrett considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is only a member like many other businesses.

Councillor Linda Scott made the following disclosures:

- a less than significant non-pecuniary interest in Item 10.3 on the agenda, in that she, along with her husband, owns a house with a mortgage that is adjacent to one of the zones considered. She is also the Trustee of a Trust that owns a property for the benefit of a family member with a disability that is adjacent to one of the zones considered.

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

- a less than significant non-pecuniary interest in Item 10.4 on the agenda, in that she has met with and knows a large number of the recommended successful and unsuccessful applicants, including Directors of the Peace Prize (Joy Kyriacou). None have discussed their applications for Council grants with Councillor Scott.

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

- a less than significant non-pecuniary interest in Items 10.5 and 10.6 on the agenda, in that Councillor Scott has met with and knows a large number of the recommended successful and unsuccessful applicants. None have discussed their applications for Council grants with her.

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

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

Item 10.3

Public Exhibition - Review of Outdoor Alcohol Restrictions

The Resilient Communities and Economy Committee decided that consideration of this matter shall be deferred to the meeting of Council on 24 June 2024.

At the meeting of Council, the following alternative resolution was adopted (as contained in the Information Relevant To Memorandum dated 21 June 2024, circulated prior to the meeting).

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

It is resolved that:

- (A) Council approve the 30-day public exhibition of the list of proposed alcohol-free zones and alcohol-prohibited areas on City streets and public spaces for a four year period as outlined in Attachment A to the subject Information Relevant To memorandum; and
- (B) the Chief Executive Officer be requested to:
 - (i) write to the NSW Office of Local Government requesting the 2009 Ministerial Guidelines on Alcohol-free zones be revised to include provision for local governments to establish alcohol-free zones as timed sites where alcohol consumption is permissible within designated times as appropriate;
 - (ii) advocate to NSW Health and Homes NSW to work with social housing residents to develop and implement harm minimisation measures that improve the community's health and safety;
 - (iii) write to Homes NSW to take on responsibility and management of outdoor alcohol restrictions on their own land;
 - (iv) write to the Commissioner of the NSW Police Force to request NSW Police provide data on the use of enforcement under outdoor alcohol restrictions to inform the development and implementation of harm minimisation approaches to alcohol management within the community;
 - (v) write to NSW Bureau of Crime Statistics to notify them of those locations where outdoor alcohol restrictions have been removed and request they develop a methodology to appropriately assess the outcomes arising from those removals; and

- (vi) continue to work with community legal centres, Aboriginal and Torres Strait Islander community-controlled organisations, community groups, social housing residents, local business and NSW Government agencies to determine appropriate strategies for managing alcohol consumption in the public domain.

Carried unanimously.

X101671

Speaker

Andrew Woodhouse addressed the meeting of the Resilient Communities and Economy Committee on Item 10.3.

The Resilient Communities and Economy Committee recommended the following:

Item 10.4

Grants and Sponsorship - Social Grants

It is resolved that:

- (A) Council approve the cash and value-in-kind recommendations for the Community Services Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash or value-in-kind grant for the Community Services Grant program as shown at Attachment B to the subject report;
- (C) Council approve First Nations Response Ltd as the recipient of a City's Community Services Grant 2022/23 for the final year of their project (2024/25);
- (D) Council approve the cash recommendations for the Community Services Grant: Inner City Homelessness Services program as shown at Attachment C to the subject report;
- (E) Council approve the cash recommendations for the Food Support Grant program as shown at Attachment D to the subject report;
- (F) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Food Support Grant program as shown at Attachment E to the subject report;
- (G) Council approve the cash recommendations for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment F to the subject report;
- (H) Council approve a cash grant of \$100,000 per year for three years to the Inner City Legal Centre;
- (I) Council approve a cash grant of \$50,000 per year for three years to the University of Sydney as auspice for Animals in Need;
- (J) Council approve a cash grant of \$50,000 to Larissa Minneconn as auspice for Scarred Tree Indigenous Missionaries;
- (K) Council approve a cash grant to Glebe Youth Service Inc of \$349,448 in year one, \$356,500 in year two and \$363,566 in year three;

- (L) Council approve a cash grant of \$208,000 and \$53,000 value in kind to Access Sydney Community Transport Ltd;
- (M) Council note that all grant amounts are exclusive of GST;
- (N) 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
- (O) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

Speakers

Larissa Minneconn (Scarred Tree Indigenous Ministries) and Katie Green (Inner City Legal Centre) addressed the meeting of the Resilient Communities and Economy Committee on Item 10.4.

Item 10.5

Grants and Sponsorship - Accommodation Grants

Moved by Councillor Davis, seconded by Councillor Kok –

It is resolved that:

- (A) Council note the continuation of the current Accommodation Grant leases and licences for the 70 lease holders that have satisfactorily completed their annual performance review for the 2023 calendar year and are continuing in the Program;
- (B) Council note that Innovillage Pty Ltd (trading as Greenhouse) located at the Business Innovation Space, 180 George Street, Sydney were not required to complete an annual performance review as it had not been in the Program for a full 12 months and is continuing in the Program;
- (C) Council approve a lease for SDN Children's Services at 60 Pine Street Chippendale from 1 January 2025 to 30 June 2029 on the following rental subsidy:

Year	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 1 1 January 2025 - 31 December 2025	\$153,000	100%	\$153,000	\$0
Year 2 1 January 2026 - 31 December 2026	\$157,590	98%	\$154,438	\$3,152

Year	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 3 1 January 2027 - 31 December 2027	\$162,317	96%	\$155,824	\$6,493
Year 4 1 January 2028 - 31 December 2028	\$167,187	94%	\$157,156	\$10,031
Year 5 1 January 2029 - 30 June 2029	\$86,101	92%	\$79,213	\$6,888

- (D) Council approve an ad-hoc grant to Larissa Minniecon representing Scarred Trees Ministries to licence Meeting Room 1 and Meeting Room 2 and Office 1 (including adjoining reception area), Ground Floor, Glebe Town Hall, 160 St John's Road, Glebe for two years from 1 July 2024 to 30 June 2026 in accordance with section 356 of the Local Government Act 1993 on the following rental subsidy which incorporates outgoings and utilities:

Year	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 1 1 July 2024 - 30 June 2025	\$73,224	100%	\$73,224	\$0
Year 2 1 July 2025 - 30 June 2026	\$75,421	100%	\$75,421	\$0

- (E) Council approve a lease renewal for Weave Youth & Community Services Ltd located at Space 1 and 2, Waterloo Town Hall, 770 Elizabeth Street, Waterloo for five years from 1 July 2024 to 30 June 2029 on the following subsidy:

Year	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 1 1 July 2024 - 30 June 2025	\$25,200	80%	\$20,160	\$5,040
Year 2 1 July 2025 - 30 June 2026	\$25,956	80%	\$20,765	\$5,191
Year 3 1 July 2026 - 30 June 2027	\$26,735	80%	\$21,388	\$5,347
Year 4 1 July 2027 - 30 June 2028	\$27,537	80%	\$22,029	\$5,508
Year 5 1 July 2028 - 30 June 2029	\$28,363	80%	\$22,690	\$5,673

- (F) Council approve a lease renewal for Hayes Theatre Co at Reginald Murphy Hall, Reginald Murphy Centre at 19 Greenknowe Street Elizabeth Bay, for five years from 1 July 2024 to 30 June 2029, on the following subsidy:

Year	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 1 1 July 2024 - 30 June 2025	\$95,000	75%	\$71,250	\$23,750
Year 2 1 July 2025 - 30 June 2026	\$97,850	75%	\$73,387	\$24,463

Year	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 3 1 July 2026 - 30 June 2027	\$100,786	75%	\$75,590	\$25,196
Year 4 1 July 2027 - 30 June 2028	\$103,809	75%	\$77,857	\$25,952
Year 5 1 July 2028 - 30 June 2029	\$106,923	75%	\$80,193	\$26,730

- (G) Council approve a lease renewal for 107 Projects Incorporated at Joynton Avenue Creative Centre, 3 Joynton Avenue, Zetland for two years from 1 July 2024 to 30 June 2026 on the following subsidy:

Year	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 1 1 July 2024 - 30 June 2025	\$500,000	100%	\$500,000	\$0
Year 2 1 July 2025 - 30 June 2026	\$515,000	100%	\$515,000	\$0

- (H) Council approve the new subsidy and grant level for Darlinghurst Theatre Company Ltd at The Eternity Playhouse, 39 Burton Street, Darlinghurst for its current five year lease, for the period 1 July 2024 to 30 June 2025 on the following rental subsidy:

Year	Market Rental Value	Grant Subsidy (Rounded)	Grant Amount	Rent to be paid
Year 1 1 July 2024 - 30 June 2025	\$208,669	100%	\$208,669	\$0

- (I) Council note that Darlinghurst Theatre Company has provided notice of their intention to vacate Suite 3.02 and Suite 3.03 101-111 William Street, Darlinghurst and the property will be offered by an expression of interest application through the Accommodation Grants Program;
- (J) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the lease agreement with: SDN Children's Services at 60 Pine Street Chippendale; Weave Youth & Community Services Ltd. located at Space 1 & 2, 770 Elizabeth Street, Waterloo; Hayes Theatre Co for Reginald Murphy Hall, Reginald Murphy Centre at 19 Greenknowe Street Elizabeth Bay; 107 Projects Incorporated at Joynton Avenue Creative Centre, 3 Joynton Avenue, Zetland; Darlinghurst Theatre Company Ltd for The Eternity Playhouse, 39 Burton Street, Darlinghurst; and the licence agreement to Larissa Minniecon representing Scarred Trees Ministries to licence Meeting Room 1 and Meeting Room 2 and Office 1 (including adjoining reception area), Ground Floor, Glebe Town Hall, 160 St John's Road, Glebe on terms consistent with this resolution and in accordance with the Grants and Sponsorship Policy; and
- (K) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipients will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

The motion was carried on the following show of hands –

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

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

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.

S117676

Item 10.6

Grants and Sponsorship - Economic Grants

The Resilient Communities and Economy Committee decided that consideration of this matter shall be deferred to the meeting of Council on 24 June 2024.

At the meeting of Council, the following alternative recommendation was adopted (as contained in the Information Relevant To Memorandum dated 21 June 2024 from the Director City Life, circulated prior to the meeting).

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

It is resolved that:

- (A) Council approve the cash recommendations for the Business Sector Support Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Business Sector Support Grant program as shown at Attachment B to the subject report;
- (C) Council approve the cash and value in kind recommendations for the Innovation and Ideas Grant program as shown at Attachment C to the subject report except for the Innovation and Ideas Grant to Finding Infinity Pty Ltd;
- (D) authority be delegated to the Chief Executive Officer to determine the Innovation and Ideas Grant to Finding Infinity Pty Ltd, in accordance with Clause 5.13 of the City of Sydney Code of Conduct;
- (E) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Innovation and Ideas Grant program as shown at Attachment D to the subject report;
- (F) Council note that all grant amounts are exclusive of GST;
- (G) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (H) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

Item 11 Report of the Transport, Heritage and Planning Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO
(Chair)

Councillor HY William Chan
(Deputy Chair)

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

At the commencement of business at 6.25pm those present were -

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

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillors Chan and Weldon were attending the meeting of the Transport, Heritage and Planning Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

The meeting of the Transport, Heritage and Planning Committee concluded at 7.29pm.

Report of the Transport, Heritage and Planning Committee

Moved by Councillor Chan, seconded by Councillor Kok –

That the report of the Transport, Heritage and Planning Committee of its meeting of 17 June 2024 be received, with Items 11.1 and 11.2 being noted, the recommendations set out below for Items 11.5 and 11.7 being adopted in globo, and Items 11.3, 11.4 and 11.6 being dealt with as shown immediately following those items.

Carried unanimously.

Item 11.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Transport, Heritage and Planning Committee of Monday 6 May 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 11.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Shauna Jarrett disclosed a less than significant, non-pecuniary interest in Item 11.6 on the agenda, in that she has a personal and professional relationship with Rob Stokes. Councillor Jarrett considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he is just a professional colleague and friend.

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

The Transport, Heritage and Planning Committee recommended the following:

Item 11.3

Post Exhibition - A City for Walking Strategy and Action Plan - Continuing the Vision

Note – the recommendation of the Transport, Heritage and Planning Committee was not adopted. The following alternative recommendation was adopted (as contained in the Information Relevant To Memorandum dated 21 June 2024 from the Chief Operating Officer, circulated prior to the meeting).

Moved by Councillor Chan, seconded by Councillor Kok –

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition period as shown at Attachment A to the subject report;
- (B) Council adopt A City for Walking Strategy and Action Plan - Continuing the Vision incorporating amendments following the public exhibition process, as shown at Attachment C to the subject report, noting that the City will more closely examine and address the accessibility issues associated with raised crossings for people with low vision or blindness once the Strategy is adopted; and
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to A City for Walking Strategy and Action Plan - Continuing the Vision in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

Amendment. Moved by Councillor Ellsmore –

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition period as shown at Attachment A to the subject report;
- (B) Council adopt A City for Walking Strategy and Action Plan - Continuing the Vision incorporating amendments following the public exhibition process, as shown at Attachment C to the subject report, noting that the City will more closely examine and address the accessibility issues associated with raised crossings for people with low vision or blindness once the Strategy is adopted;

- (C) authority be delegated to the Chief Executive Officer to make minor amendments to A City for Walking Strategy and Action Plan - Continuing the Vision in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication; and
- (D) the Chief Executive Officer be requested to provide further advice to Council as to opportunities to update the City of Sydney's Operational Plan, A City for Walking: Strategy and Action Plan and other relevant strategies or plans, by including clear targets for achieving accessible streets and public places for people with a disability, including clear timeframes that Council will work towards.

Councillor Ellsmore withdrew her amendment.

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

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition period as shown at Attachment A to the subject report;
- (B) Council adopt A City for Walking Strategy and Action Plan - Continuing the Vision incorporating amendments following the public exhibition process, as shown at Attachment C to the subject report, noting that the City will more closely examine and address the accessibility issues associated with raised crossings for people with low vision or blindness once the Strategy is adopted;
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to A City for Walking Strategy and Action Plan - Continuing the Vision in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication; and
- (D) the Chief Executive Officer urgently review and report back to Council in relation to a recent disability discrimination complaint to the Australian Human Rights Commission concerning the installation and design of floating bus stops as part of the Oxford Street West cycleway.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Jarrett, Scott and Weldon

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

Amendment lost.

Substantive motion carried unanimously.

X092554

Speakers

Gisele Mesnage, Dr Megan Sharkey (BetterStreets) and Regina Haertsch (WalkSydney Inc) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.3.

Item 11.4**Public Exhibition - Planning Proposal - 242-258 Young Street, Waterloo - Sydney Local Environmental Plan 2012 Amendment and Draft Design Guide**

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

It is resolved that:

- (A) Council approve Planning Proposal - 242-258 Young Street, Waterloo, 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 - 242-258 Young Street, Waterloo, 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 - 242-258 Young Street, Waterloo;
- (D) Council approve the draft Design Guide 242-258 Young Street, Waterloo, as shown at Attachment B to the subject report, for public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - 242-258 Young Street, Waterloo, 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 the draft Design Guide 242-258 Young Street, Waterloo, 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 2 May 2024, shown 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.

The motion was carried on the following show of hands –

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

Noes (1) Councillor Ellsmore.

Carried.

X093892

Speakers

Richard Huynh (Sustainable Development Group Limited) and Ben Craig (Ethos Urban) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.4.

Item 11.5

Public Exhibition - Planning Proposal - 8-24 Kippax Street, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendments

It is resolved that:

- (A) Council approve Planning Proposal – 8-24 Kippax Street, Surry Hills, 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 – 8-24 Kippax Street, Surry Hills, 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 – 8-24 Kippax Street, Surry Hills;
- (D) Council approve the Draft Sydney Development Control Plan 2012 – 8-24 Kippax Street, Surry Hills, 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 – 8-24 Kippax Street, Surry Hills, to correct any drafting errors or to ensure consistency with the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to make any variations to Draft Sydney Development Control Plan 2012 – 8-24 Kippax Street, Surry Hills, to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination.

Carried unanimously.

X101286

Speaker

Juliet Wittenoom Louw (Ethos Urban) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.5.

The Transport, Heritage and Planning Committee recommended the following:

Item 11.6

Local Planning Panel - Appointment of Members

Moved by Councillor Chan, seconded by Councillor Kok –

It is resolved that Council:

- (A) endorse the appointment of Robert Stokes as Chair of the City of Sydney Local Planning Panel for a three-year period commencing 1 July 2024;
- (B) endorse the appointment of Jan Murrell as Alternate Chair of the City of Sydney Local Planning Panel until 28 February 2027;
- (C) endorse the appointment of Graham Brown as Alternate Chair of the City of Sydney Local Planning Panel for a three year period commencing 1 July 2024;
- (D) endorse the appointments of four additional expert members from the Minister's list of eligible expert members to the City of Sydney Local Planning Panel, being Elizabeth Kinkade, Kara Krason, Elisabeth Peet and Louise Sureda for a period of three years from the date of appointment;
- (E) endorse the appointment of one additional community representative to the City of Sydney Local Planning Panel, being David Green (subject to probity checks) for a period of three years from the date of appointment; and
- (F) endorse the use of the appointed expert members for the independent role on Council's Review of Determinations Panel, subject to their acceptance of the invitation.

The motion was carried on the following show of hands –

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

Noes (2) Councillors Ellsmore and Weldon*.

*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.

Carried.

X102821

Point of Order

During discussion of this item, Councillor Scott raised a point of order, stating that false statements had been made.

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

Item 11.7

Fire Safety Reports

It is resolved that:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to 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 359-361 Pitt Street, Sydney 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 156-160 Goulburn Street, Surry Hills 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 405-411 Sussex Street, Haymarket at this time;
- (F) note the contents of Attachment E and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 301 Kent Street, Sydney;
- (G) note the contents of Attachment F and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 782 Bourke Road, Waterloo;
- (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 252 Botany Road Alexandria at this time; and
- (I) note the contents of Attachment H and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 33-35A York Street, Sydney.

Carried unanimously.

S105001.002

Item 12 Questions on Notice

1. NSW Government Kerbside Charging Grant Program – Round 1 Outcome

By Councillor Jarrett

In 2023, the NSW Government announced an investment of \$10 million, with \$3 million to a Kerbside Charging Grant program to support local governments and Charge Point Operators (CPOs) to install electric vehicle (EV) kerbside chargers across metropolitan NSW.

The grant process encouraged Charging Point Operators (CPOs) to apply, but only proposals with support from the relevant Council were eligible.

The City received and assessed several proposals and determined to support eight proposed pole-based chargers.

Question

1. How many proposals from Charging Point Operators did the City receive and assess?
2. Why were Councillors not given a breakdown of the assessment criteria, how the proposal did/did not meet the criteria and the outcome of each proposal?
3. Can Councillors be given the above-mentioned breakdown of each proposal?
4. According to the Daily Telegraph article 'Hundreds of new kerbside chargers coming. Here's where you will be able to power up your EV', the Inner West Council is receiving 136 new chargers, with Randwick and Waverley receiving 83 and 70 respectively. Given the City's position as the leading Council in Australia, why are we only proceeding with eight proposals when other, smaller Councils, are supporting hundreds of proposals?
5. Has the City considered the impacts only approving such a small number of new EV chargers will have on our sustainability targets?
6. If so, can Councillors receive this information?
7. If not, why not?

X086666

Answer by the Chief Executive Officer

1. There are 200+ existing public chargers including nine existing on-street locations in the City of Sydney local government area. The CEO Update of 19 April 2024 outlined this information.

The Council approved Electrification of Transport Strategy and Action Plan contains the following action:

Action 20: Work with private sector providers to trial paid on-street charging in residential areas with constrained private charging opportunities. This should be cost neutral to the City and avoid negative impacts on the public domain including footpaths and planting.

The City subsequently received five proposals from Charge Point Operators, and one late proposal.

2. The City conducted the consideration in the context of the recently adopted Electrification of Transport Strategy and Action Plan, which was designed to provide the framework for the City to take action. Action 20 was used as the basis of the City’s assessment criteria, namely “trial paid on-street charging in residential areas with constrained private charging opportunities. This should be cost neutral to the City and avoid negative impacts on the public domain including footpaths and planting”.

is important to cater for the local demand for residents with constrained private charging opportunities, but not to induce additional vehicle movements into the Local Government Area and increasing parking demand.

Charging Point Operators were aware that, for any proposal that the NSW Government eventually supported, any proposed changes to kerbside controls would require subsequent resident consultation and proceed via the Local Pedestrian, Cycling and Local Traffic Calming Committee.

3. Proposals that the City considered and chose not to support generally related to proposals with:

- public domain impacts;
- the location;
- the rationale for the type of charging proposed;
- issues relating to technical feasibility;
- off-street car parks, some of which the City does not own; and
- the impact on other types of parking in the area.

4. The City supported proposals that were consistent with the Electrification of Transport Strategy and Action Plan. The NSW Government made the final decisions on which proposals it would approve and fund.

The eight new chargers/16 spaces proceeding from the grants, as part of the City’s trial with Ausgrid and EVX, add to the 200+ existing public chargers in the City of Sydney. The CEO Update of 19 April 2024 outlined this information.

Subject to community consultation on the eight new on street charging sites, EVX charges will located in the following streets:

Proposed eight new locations/chargers – pending community consultation

Across the road from 36 Napier Street, Paddington
In front of 228-320 Moore Park Road, Paddington
Across the road from 112A Burton Street, Darlinghurst
In front of 15 Boundary Street, Darlinghurst
In front of 9-11 Layton Street, Camperdown
Across the road from 166 Wyndam Street, Alexandria
In front of 726 Bourke Street Redfern

In front of 322 Bourke Street, Surry Hills
--

Existing nine locations in trial:

16 Kent Street, Millers Point
8 Brown Street, Newtown
2 Huntley Street, Alexandria
12 Trinity Avenue, Dawes Point
15 Carillion Avenue, Camperdown
27 Morley Avenue, Rosebery
55 Pyrmont Street, Pyrmont
3-19 Yurong Street, Darlinghurst
75 St Johns Road, Glebe

5. There are 200+ existing public chargers in the City of Sydney local government area. The additional eight chargers/16 spaces under the grant specifically is consistent with the Electrification of Transport Strategy and Action Plan and target existing gaps in areas with constrained private charging opportunities. The trial of on-street charging facilities responds to one action in the City's Strategy and Action Plan, which has 21 actions. There are six specific actions that work together to address the issue of public charging opportunities that have limited impact on the public domain.
6. The City's approach is guided by the adopted Electrification Strategy and Action Plan.
7. Refer to response to part 6 above.

2. Harry Noble Reserve Update

By Councillor Jarrett

The City's website details that 'the City is preparing a detailed design for the upgrade of this park and playground. Works are expected to start in mid-2024 and take approximately 6 months to complete.'

Question

1. It is now mid-2024, has the City prepared the necessary design for the upgrade of the Harry Noble Reserve?
2. If not, why not?
3. If so, when is the City going to put the design and recommendation to Council?
4. What is the new expected timeframe for the starting time of the works?

X086666

Answer by the Chief Executive Officer

1. The Detailed Design for Harry Noble Reserve is currently progressing to 95 per cent documentation. The design and implementation is complicated by a Sydney Water drainage culvert underneath part of the park and negotiations with Housing NSW who own part of the park.
2. Refer to response to 1 above.
3. The City is in ongoing co-ordination with Sydney Water for approval to build over a drainage culvert located beneath the park. Once this approval has been completed, a new licence agreement will then be finalised with Housing NSW.
4. The ongoing coordination with Sydney Water will add approximately three to six months to the delivery program with current forecast for tender in early 2025.

3. Asbestos in the City of Sydney

By Councillor Scott

Question

1. According to the City's website (14 June 2024) the following parks still have asbestos clean-up underway: Belmore Park (west side), Blackwattle Bay Park, Cook + Phillip Park, Harold Park, Observatory Hill Park, Wentworth Park, and Victoria Park. What is the estimated time frame for the complete removal of asbestos in each of these parks?
2. According to the City's website (14 June 2024) the following parks have asbestos removal plan finalised or in development: Giba Park, John Street Reserve, Minogue Reserve, Munn Reserve and Stewart Street Reserve. What is the estimated time frame for the complete removal of asbestos in each of these parks?
3. How much contract work time has it taken for contractors to clear asbestos in affected parks since February 2024? What is the number of contractors that have been assigned to help with the removal of asbestos since February 2024? Broken down by month, what is the total cost of the City funded asbestos removal?
4. Will the Council provide more frequent asbestos testing considering the scale of the recent asbestos crisis?
5. What is the current provision we have made for the removal process of asbestos found in City of Sydney parks and garden beds?
6. What financial year/s has this provision been made in the City's budget?
7. As of 18 June 2024, how much money has the City spent in the remediation process of asbestos removal in parks?
8. As of 18 June 2024, how much money has the City spent in the remediation process of asbestos removal in garden beds?
9. As of 18 June 2024, what has been the most expensive park for asbestos removal? How much was spent on this park?
10. What is the total provision for the cost of asbestos clean up, from recycled mulch? Over how many years?

11. What is the date that all asbestos laid by City contractors in our parks and garden beds will be removed in the City?
12. What is the City of Sydney's current risk from the extended exposure period, considering the first confirmed exposure was on 12 February 2024?
13. What is the public risk from the extended exposure period, considering the first confirmed exposure was on 12 February 2024?
14. Has the City considered these risks, and how have they been mitigated? Has the City sought external and independent advice on these risks, and how to mitigate them? If so, who, when and at what cost?
15. How will the City continue to consider and mitigate these risks post asbestos clean up?
16. Are there any penalties for the Council that has been imposed, or threatened to be imposed, by regulators?
17. We understand the City has established the Asbestos Incident Management Team. How many members of staff are in this team? What is the cost of the staff time dedicated to this?
18. Has the City been offered any assistance by any Government or other organisations to assist in the clean up of the asbestos found in the City of Sydney parks and garden beds? If yes, have these offers been accepted? If no, why have these offers been declined?
19. Does the City have an asbestos exposure register? If no, why not?
20. If the City does not have an asbestos exposure register, will it create one for members of the community who have been exposed to asbestos for a long period of time?

X086668

Answer by the Chief Executive Officer

1. The City is continuing to work with its contractor to ensure parks are cleaned and reopened as quickly as possible. Clean up is dependent on approvals outside of our control and is weather dependent. Stages within parks are being progressively re-opened to the public once mulch has been cleared and clearance is received.
2. Clean up of all parks is occurring as quickly as possible, dependent on approvals outside of our control and is weather dependent. Clean up has been significantly impacted by heavy rain during this period.
3. To expedite remediation seven different licensed asbestos removalist companies have been engaged by the contractor to work concurrently so that remediation of multiple parks can occur and areas be returned to the community as quickly as possible. Companies are using multiple teams with a total of approximately 150 people currently working across all sites each day. The City has not funded contaminated mulch removal.
4. No further testing is proposed. Working with the NSW Environmental Protection Authority (EPA), locations with contaminated mulch have been identified through supply chain investigations and testing. Clean up and clearance is underway. There is no known contamination of mulch beyond the identified sites with negligible ongoing risk. The City will continue to manage sites in line with its Incident Management Process for Asbestos and Other Hazardous Materials.
5. Nil.
6. Not applicable.

7. The City's parks and open space maintenance contractor is currently meeting remediation costs in accordance with the contract. The EPA is continuing to investigate the source of the contaminated mulch and the allocation of costs of mitigation and remediation is likely to be impacted by the outcome of that investigation. There may be additional financial implications in relation to remediation costs, insurance and other matters. Councillors will be updated as part of the quarterly review or in other budget updates.
8. Refer to response to part 7 above.
9. Refer to response to part 7 above. Costs are a matter for the contractor.
10. Refer to response to part 7 above.
11. Refer to response to part 2 above.
12. The City's current risk exposure to claims arising from asbestos contaminated mulch is considered to be negligible in line with NSW Health advice on the public health risk arising from the contaminated mulch. This risk is not expected to change during the clean up period.
13. The risk is considered to be negligible. The City is guided by the advice of NSW Health in making this assessment and advice from the licensed asbestos assessor. On sites yet to be cleaned, where bonded asbestos has been found, controls such as barriers and signage have been installed to restrict access. All removal of contaminated mulch is in line with work health and safety regulations, SafeWork NSW guidelines and NSW Environment Protection Authority (EPA) guidance.
14. The City has taken an informed risk based approach to the management of asbestos related mulch in the public domain based on NSW Health and EPA advice. The City has also relied on advice and risk assessments from licensed asbestos assessors. Risk assessments were covered through internal staff costs and costs for the licensed asbestos assessor to undertake testing and reporting. Total costs for testing and reporting by the licensed asbestos assessor were approximately \$320,000 excluding GST.
15. The clean-up addresses the known public health risks of the contaminated mulch. Following clearance there should be negligible risk to the community. The City will continue to manage sites in line with its Incident Management Process for Asbestos and Other Hazardous Materials. The following additional controls have also been implemented to reduce risks from a contamination incident of this nature recurring:
 - virgin mulch materials are currently being used (non-recycled product);
 - compliance certificates for mulch submitted quarterly for all major supply and service contracts;
 - contractual obligations in relation to mulch supply and compliance with legislative requirements (POEA, mulch orders, mulch exemptions) and standards is being discussed in contract meetings;
 - contractor and City standard operating procedures for installing mulch is being reviewed and updated; and
 - pre-start check to be undertaken by operational staff including a visual inspection for foreign material/unexpected finds on site.
16. No.

17. The Asbestos Incident Management Team (IMT) has 13 members and is chaired by the Director City Services and consists of representatives from City Greening and Leisure, Security and Emergency Management, Media and Communications, Work, Health and Safety, Risk and Governance, Infrastructure Delivery, Legal, Customer Service and City Life. The full IMT last met in March 2024 with a small team continuing beyond this to manage operations associated with the clean up. Costs have been met from within existing resources.
18. The EPA had offered assistance in February 2024 with testing at five of our parks. However, as they could not start this testing straight away and could not confirm a time frame for completing the testing, the City commenced our own testing so that we could start this process immediately. There has been no further assistance offered from Government or other agencies to physically assist with the clean up.

Since the contamination was found, the City has been in constant contact with the EPA via multiple emails and phone calls across the various management levels of the organisation, including the Chief Executive Officer, senior staff, and our media team. The City has continuously sought and welcomed technical advice from the EPA and Local Government NSW (LGNSW). We have worked closely and collaboratively with the EPA, LGNSW, as well as SafeWork NSW and NSW Public Works. The City of Sydney has not declined any assistance from government or other agencies.

19. No. For the reasons outlined in the confidential legal advice to Councillors dated 1 March 2024.
20. Refer to response to part 19 above.

4. Snap Send Solve Reporting Process

By Councillor Scott

Question

The City of Sydney currently use the Snap Send Solve app, for residents to report issues to Council.

1. How are issues classified as complete when an issue is reported in Snap Send Solve? How is this audited?
2. What are the three main issues reported by City of Sydney residents through the Snap Send Solve app?
3. Broken down by month, what is the average time of resolution? What is the longest outstanding issue?
4. Broken down by month, how many reports have been made for city of Sydney issues via 'Snap Send Solve' over the past 12 months?
5. Broken down by month, of these reports, how many have been completed and incomplete?
6. Broken down by month, how many reports have been made in the past 12 months regarding missed waste collection?
7. Broken down by month, of these reports, how many have been solved?
8. Broken down by month, of these reports, how many have been left unattended?
9. Please detail the process of prioritisation for issues reported in Snap Send Solve?

10. What is the cost for the City of Sydney using Snap Send Solve as a reporting mechanism?
11. Can all forms of rubbish dumping be selected in the Snap Send Solve reporting mechanism? If no, why not?
12. Can all bins (red, yellow and green) be selected as a 'missed collection service' in Snap Send Solve? If no, why not?

X086668

Answer by the Chief Executive Officer

The City of Sydney receives emails from residents who use Snap Send Solve to send service requests. The City of Sydney does not have a commercial license for Snap Send Solve, as the City has developed its own online platform that integrates with our core enterprise systems.

Our new CityConnect platform launched in April 2024, provides more local information to better assist community members at the time of reporting, manages the issue of duplicate reports, provides progress notifications, and provides our maintenance teams with the information to resolve the request without the need to re-enter the information into other databases.

As the City does not hold a commercial license for Snap Send Solve, we are unable to provide much of the information requested. The City records, monitors and acts on information for total service requests regardless of how they are lodged, including Snap Send Solve requests.

The table below shows the number of reports made via Snap Send Solve for the last seven months:

Month	Snap Send Solve Total requests
Nov-23	1,311
Dec-23	1,261
Jan-24	1,690
Feb-24	1,743
Mar-24	1,604
Apr-24	1,723
May-24	1,673

Reported issues regardless of source or contact channel are work flowed through One CRM. We do not prioritise Snap Send Solve over other channels.

There is no cost for the City of Sydney using Snap Send Solve as the City does hold a commercial license.

Snap Send Solve is an independent platform and has a Dumped Rubbish category where people can add a description of the dumped items.

Snap Send Solve is an independent platform and has a Rubbish and Bins category where people can add a description of the issue.

5. Soft Plastic Recycling in the City of Sydney

By Councillor Scott

Question

Following the collapse of Australia's largest soft plastic recycling program in 2022, City of Sydney residents do not have opportunity to recycle soft plastics. The City's website currently outlines soft plastics such as a plastic bags, bread bags, wrappers, chip packets or bubble wrap must go in the red bin.

In early 2024, five Melbourne supermarkets across 12 suburbs returned to recycling soft plastics through a trial with one yellow bin placed outside of their storefront

(<https://wastemanagementreview.com.au/soft-plastics-recycling-trial-starts-in-12-melbourne-suburbs/>).

In light of this:

1. What does the process for recycling soft plastics look like in the City of Sydney?
2. Are there any cost-free ways for residents to recycle their soft plastics? If yes, please outline the cost-free ways.
3. Does the City have any plans to bring back soft plastic recycling? If yes, what are these plans and their corresponding timeframes?
4. What is the process of setting up a soft-plastics recycling zone in the City?

X086668

Answer by the Chief Executive Officer

1. The City of Sydney does not currently provide a soft plastics recycling service to residents. We tested the market to find a suitable processor to recycle soft plastics for City of Sydney residents and this included a site visit to a soft plastics recycling facility in Melbourne. Unfortunately, we found there was no processing solution to meet our requirements. The technology to process our soft plastics needs to be reliable, robust and have long-term viability. It must be capable of recycling large volumes of soft plastics into useful products.

Our ongoing investigations have confirmed that the industry is still in the trial phase of testing soft plastics processing technology and the market is not yet ready to process the volumes of soft plastics waste that we would generate through a collection service.

We are across the supermarket trial in Melbourne and have met with the Soft Plastics Taskforce. The article in the Waste Management Review validates our current approach, explaining that a lack of specialised soft plastic recycling capacity was the catalyst to the collapse of REDcycle. The recent opening of the two new facilities in Melbourne has enabled the small-scale trial, which is only collecting soft plastics from a select few Melbourne supermarkets. The spokesperson for the Soft Plastics Taskforce emphasised the importance of shoppers only dropping off small volumes of soft plastics to avoid overwhelming the new recyclers. The City of Sydney will keep a close eye on the progress of the trial in Melbourne.

2. Unfortunately, there is currently no cost-free way available to our residents that results in their soft plastics being recycled.
3. Yes. We will continue to monitor industry developments, liaise with the key stakeholders and re-test the soft plastics market as new information, technology or service providers become available. Unfortunately, there are currently no timeframes on this.

4. When we have a suitable soft plastics recycling solution in place, we will again accept soft plastics recycling at our Recycle It Saturday events, Doorstep Recycling Service and at the Ultimo Recycling Pop-up.

6. City of Sydney Aquatic Centre Funding

By Councillor Scott

Question

1. What are the current entry prices for a City of Sydney resident at City owned aquatic centres?
2. Has this cost increased over the last five years?
3. If yes, by how much? Please provide a breakdown year by year of the increases, if any.
4. Have the City increased fees for senior citizens entering City owned aquatic centres over the past five years?
5. If yes, by how much?
6. Is there a difference in cost for ratepayers and non-ratepayers of the City of Sydney?

X086668

Answer by the Chief Executive Officer

Over the past five years, entry prices at City-owned aquatic centres have been adjusted annually based on the Consumer Price Index (CPI). Our centres provide excellent programs and services in industry leading venues, offering great value benchmarked to the broader industry. We offer a general concession rate of 25 per cent for pensioners, children and students. Since 2006, Commonwealth benefit recipients have been eligible for reduced rates of \$2.00 for casual swim entry and \$5.50 for casual gym entry, with eligibility extended to non-residents in 2022/23. Starting from 1 July, holders of a Senior Card (excluding the Senior Saver Card) will be eligible for concessions for both casual entry and any category with an approved concession fee or charge. There is no price difference between ratepayers and non-ratepayers to access our centres. The table below provides current fees and charges and the previous four years.

Year	Category	Andrew (Boy) Charlton	Cook + Phillip Park Pool	Gunyama Park Aquatic & Rec Centre	Ian Thorpe Aquatic Centre	Prince Alfred Park Pool	Victoria Park Pool
2019/20	Adult (swim)	\$6.70	\$7.80	\$0.00	\$7.80	\$6.70	\$6.70
	Concession (Swim) Access Card (Swim)	\$5.10	\$5.80	\$0.00	\$5.80	\$5.10	\$5.10
	Family (swim)	\$2.00	\$2.00	\$0.00	\$2.00	\$2.00	\$2.00
	Adult (gym)	\$19.10	\$20.70	\$0.00	\$20.70	\$19.10	\$19.10
	Concession (Gym)	\$19.20	\$21.60	\$0.00	\$21.60	\$19.20	\$19.20
	Access Card (Gym)	\$14.40	\$16.20	\$0.00	\$16.20	\$14.40	\$14.40
	Access Card (Gym)	\$5.50	\$5.50	\$0.00	\$5.50	\$5.50	\$5.50
2020/21	Adult (swim)	\$6.90	\$8.00	\$8.00	\$8.00	\$6.90	\$6.90
	Concession (Swim) Access Card (Swim)	\$5.20	\$5.90	\$5.90	\$5.90	\$5.20	\$5.20
	Family (swim)	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
	Adult (gym)	\$19.50	\$21.10	\$21.10	\$21.10	\$19.50	\$19.50
	Concession (Gym)	\$19.60	\$22.00	\$22.00	\$22.00	\$19.60	\$19.60
	Access Card (Gym)	\$14.70	\$16.50	\$16.50	\$16.50	\$14.70	\$14.70
	Access Card (Gym)	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50
2021/22	Adult (Swim)	\$7.00	\$8.15	\$8.15	\$8.15	\$7.00	\$7.00
	Concession (Swim) Access Card (Swim)	\$5.00	\$6.00	\$6.00	\$6.00	\$5.00	\$5.00
	Family (Swim)	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
	Adult (Gym)	\$20.00	\$21.50	\$21.50	\$21.50	\$20.00	\$20.00
	Concession (Gym)	\$20.00	\$22.50	\$22.50	\$22.50	\$20.00	\$20.00
	Access Card (Gym)	\$15.00	\$17.00	\$17.00	\$17.00	\$15.00	\$15.00
	Access Card (Gym)	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50
2022/23	Adult (Swim)	\$7.20	\$8.30	\$8.30	\$8.30	\$7.20	\$7.20
	Concession (Swim) Access Card (Swim)	\$5.20	\$6.20	\$6.20	\$6.20	\$5.20	\$5.20
	Family (Swim)	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
	Adult (Gym)	\$20.50	\$22.00	\$22.00	\$22.00	\$20.50	\$20.50
	Concession (Gym)	\$20.50	\$23.00	\$23.00	\$23.00	\$20.50	\$20.50
	Access Card (Gym)	\$15.30	\$17.50	\$17.50	\$17.50	\$15.30	\$15.30
	Access Card (Gym)	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50
2023/24	Adult (Swim)	\$7.50	\$8.50	\$8.50	\$8.50	\$7.50	\$7.50
	Concession (Swim) Access Card (Swim)	\$5.40	\$6.40	\$6.40	\$6.40	\$5.40	\$5.40
	Family (Swim)	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
	Adult (Gym)	\$21.30	\$22.50	\$22.50	\$22.50	\$21.30	\$21.30
	Concession (Gym)	\$21.00	\$24.00	\$24.00	\$24.00	\$21.00	\$21.00
	Access Card (Gym)	\$15.70	\$18.00	\$18.00	\$18.00	\$15.70	\$15.70
	Access Card (Gym)	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50	\$5.50

*Concession includes child/ student/ health care card holders

7. FOGO Food Recycling in the City of Sydney

By Councillor Scott

Question

1. How many residents currently have FOGO?
2. What is the current cost of the City's FOGO service?
3. What is the cost for the City of Sydney to have FOGO across all residential properties?
4. What is the estimated timeframe for which the food scraps recycling service will be available for all City of Sydney residents?
5. What are the restricted areas for the food scraps recycling service within the City of Sydney?
6. What are the main restrictions to ensuring the FOGO roll out is the same as the Inner West?

X086668

Answer by the Chief Executive Officer

1. About 22,000 households (16 per cent) across the City have access to the food scraps recycling service. Note that none of our residents have a FOGO service, i.e. a combined Food Organics and Garden Organics bin.
2. The estimated cost of the current food scraps recycling project for the 2023/24 financial year is \$268,220. This includes processing fees, education and communication costs, equipment, grants income (where applicable) and project administration costs). It does not include in-house collection costs, salaries or plant and asset costs.
3. The City is continuing to work on the business case for the implementation of a FO or FOGO service. Costs will be dependent on the service type, processing method and collection arrangements.
4. The service will be available to all residents before the NSW Government mandated deadline of 1 July 2030. It is proposed that the full rollout of the service will be phased over a two-year period. The City is working towards providing the service when there is adequate food organics waste processing capacity to handle the volume generated in the City of Sydney. It is noted that there are a number of challenges (outside the control of the City) including a limited number of suppliers, a lack of processing infrastructure and a shortage of readily accessible waste collection and transfer sites. The NSW Environmental Protection Authority is continuing to develop the NSW Waste Infrastructure Plan to address infrastructure needs across the state.
5. There are no restricted areas for the food scraps recycling service. We intend to make the service available to all residential properties.
6. The City's rollout of a FO or FOGO service will be designed to suit the specific needs of our residents. We aim to learn from the experience of the Inner West Council and consider additional factors that are unique to the City of Sydney, including:
 - Most residential properties in the City do not have a green garden organics bin. Most Inner West properties already had a green bin prior to the FOGO rollout.
 - Around 80 per cent of City residents live in apartment buildings and do not generate much, if any, garden waste.

- A large proportion of houses in the City are bald-faced terraces and/or semi-detached properties with little or no storage space at the front or back of the property for an additional 120 litre FOGO bin.
- The City only collects 1,800 tonnes of garden organics waste per year through its optional garden organics service. This suggests that most City households do not want, or need, a garden organics bin.
- On average, around 40 per cent of the residential red bin contains food waste. A dedicated food organics (FO) bin would suit most City households that generate significant amounts of food waste, though very little garden waste.

The City is working towards providing the service when there is adequate food organics waste processing capacity to handle the volume generated in the City of Sydney. It is noted that there are a number of challenges (outside the control of the City) including a limited number of suppliers, a lack of processing infrastructure and a shortage of readily accessible waste collection and transfer sites. The NSW Environmental Protection Authority is continuing to develop the NSW Waste Infrastructure Plan to address infrastructure needs across the state.

8. City of Sydney Plaque Removal

By Councillor Scott

Question

1. What is the City's annual expenditure or budget for the removal of plaques, broken down by financial year since 2004?
2. Has this cost increased over the last five years?
3. If yes, by how much? Please provide a breakdown year by year of the increases, if any.
4. What is the process of selection for the removal of a plaque. Please detail the selection and removal process.
5. Please list, broken down by year, since 2004 how many City plaques have been removed. Please detail why each was removed, the original wording of the plaque, the location and cost.
6. Has there been an increase in removal over the last five years?
7. If yes, by how much? Please provide a breakdown year by year of the increases, if any.
8. Has the City ever removed an existing plaque for the installation of another?
9. If yes, please detail each instance, outlining why it was replaced, the old and new wording, location, and the cost of re-installation for each instance.

X086668

Answer by the Chief Executive Officer

There is no budget allocated for removal / replacement of plaques and generally speaking we do not remove plaques.

Very infrequently a plaque is damaged beyond repair or stolen and where appropriate these plaques are replaced funded from the general plaques budget. Replacement plaques are copies and the wording is not changed.

A recent example of a damaged plaque that was replaced is the Mum Shirl plaque on Redfern Street, where the City responded to community requests to replace it.

Very infrequently the replacement of a plaque is included in the public art conservation program if the original plaque was damaged or missing. These are typically replaced with a City Art plaque in the new template, and typically funded by the conservation project budget. The wording is the same or, in consultation with the artists if possible, an edited version of the same text is developed to comply with the new template.

A recent example of a missing plaque that was replaced is the plaque for the Wimbo Paddock mural that was reframed as part of the Wimbo Park upgrade. The missing plaque is being replaced by a City Art plaque in the new template.

Item 13 **Supplementary Answers to Previous Questions**

Supplementary Answers to Questions on Notice are as follows:

Question on Notice – Council 13 May 2024

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

Answer by the Chief Executive Officer

The City of Sydney's carbon emissions have dropped 74.5 per cent since our 2005/06 baseline. The City has switched to 100 per cent renewable electricity from July 2020.

The City of Sydney has installed 7,081 solar panels across 45 City owned buildings, with just over two megawatts (MW) in total. We installed a 500kWh Tesla battery at our depot in Alexandria.

We report on our progress in the [Green Reports](#) that are published annually.

Council Owned Buildings with Solar PV installed

Site	Street Address
277-279 Bourke St	277-279 Bourke St
343 George St	343 George St
Abraham Mott Hall	2 Watson Rd

Site	Street Address
Alexandria Child Care Centre	41 Henderson Rd
Alexandria Park - Toilets & Changeroom	10 Buckland St
Alexandria Town Hall	73 Garden St
Andrew Boy Charlton Pool	1C Mrs Macquarie's Rd
Coronation Recreation Centre and Tennis Courts	1007 Chalmers St
Depot - Bourke St (Plunkett St)	75 Bourke St
Depot-Alexandria Canal	67 Bourke Rd
Depot-Nursery	38 Barwon Park Rd
East Sydney Community and Arts Centre (ESCAC) - Formerly known as Heffron Hall	225-245 Palmer Street OR 30/40 Burton St
Erskineville Oval Grandstand	149 Mitchell Rd
Erskineville Town Hall	104 Erskineville Rd
Eternity Playhouse (Tabernacle)	39 Burton St
Events Depot	34-42 Bourke Road
Glebe Town Hall	160 St Johns Rd
Gunyama Park Pool	17 Zetland Avenue
Huntley Street Early Learning Centre	4H Huntley Street
Joynton Ave - Waranara Child Care	3 Joynton Ave
Joynton Ave - West Land Holding ('Hospital Site') -GIC Building	3 Joynton Ave
Juanita Nielsen	31 Nicholson St
King George V Recreation Centre	15 Cumberland St
King St Retail Holding - Harry Burland Hall	218-222 King St
Library Link and Customer Service Green Square	100 Joynton Ave
Paddington Town Hall	247 Oxford St
Perry Park Recreation Centre	1B Maddox Street
Pine Street Creative Arts Centre	62-64 Pine Street
Pirrama Park	22-24 Pirrama Road
Redfern Community Centre	12-36 Caroline St
Redfern Occasional Care Centre	55 Pitt Street

Site	Street Address
Redfern Park & Oval	51 Elizabeth St
Redfern Town Hall	73 Pitt St
SES	107-125 Railway Parade
St James Park	3 Woolley Street
Surry Hills Community, Child Care Centre & Library	405 Crown St
Sydney Park Cycling Centre	171-203 Euston Rd
Sydney Park Pavilion	418 Sydney Park Rd
Sydney Town Hall	483 George St
The Crescent Early Learning Centre	7 Chapman Road
Turuwul Park Tennis Centre and Kiosk	115 Rothschild Avenue, Rosebery
Ultimo Community Centre	Harris St - 525 Harris St
Victoria Park Pool	1001 City Rd
Waterloo Town Hall & Library	770 Elizabeth St
Wilcox Mofflin Building	46-52 Mountain Street

All Council Owned Buildings with Battery Energy Storage

Site	Street Address
Depot-Alexandria Canal	67 Bourke Rd

Council Owned Buildings with Approved Solar PV (2024-2027)

Site	Street Address
Huntley Street Recreation Centre	6-8 Huntley St

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

Answer by the Chief Executive Officer

1. The City of Sydney is currently achieving the operational water target (zero increase in potable water use to June 2025, from the 2006 baseline of 431 ML/year). In FY23 we achieved six per cent potable use reduction against the 2006 baseline. This water use reduction is being achieved by rectifying water leaks, installing water-efficient fixtures and prioritising non-potable water utilisation and water efficiency efforts on the largest water-consuming assets. Reference: <https://www.cityofsydney.nsw.gov.au/research-reports/green-reports>

	Building Name	Address	Water Saving Infrastructure
1	Ian Thorpe Aquatic Centre	67c Bourke Rd, Alexandria	Rainwater Reuse System
2	Bourke Street Community Garden	103-107 Bourke Street, Woolloomooloo	Rainwater Reuse System
3	East Sydney Community & Arts Centre	34/40 Burton St, Darlinghurst	Rainwater Reuse System
4	Gunyama Park Aquatic and Recreation Centre	17 Zetland Ave, Zetland	Rainwater Reuse System, Recycled Water (Scheme-based)
5	Eternity Playhouse	39 Burton St, Darlinghurst	Rainwater Reuse System
6	Erskineville Town Hall	104 Erskineville Rd, Erskineville	Rainwater Reuse System
7	St Helens Community Garden	184 Glebe Point Rd, Glebe	Rainwater Reuse System
8	Hilda Booler Child Care Centre	Jubilee Park, Eglinton Rd, Glebe	Rainwater Reuse System
9	Ultimo Community Centre	40 William Henry Street corner, Bulwara Rd, Ultimo	Rainwater Reuse System
10	Eveleigh Early Education Centre	41 Henderson Rd, Eveleigh	Rainwater Reuse System
11	Broughton Street Kindergarten	80 Broughton Street, Glebe	Rainwater Reuse System
12	Jane Evans Day Centre (Newtown Community Garden)	8-10 Victoria Street, Newtown	Rainwater Reuse System
13	Nurses Quarters	184 Glebe Point Rd, Glebe	Rainwater Reuse System
14	Abraham Mott Hall – Millers Point Community Garden	17 Argyle Pl, Millers Point	Rainwater Reuse System
15	Coronation Recreation Centre & Tennis Courts	Prince Alfred Park, Chalmers St, Surry Hills	Rainwater Reuse System
16	Cycling Centre - Sydney Park	410-416 Sydney Park Road, Alexandria	Rainwater Reuse System
17	Phillip Park Community and Childrens Centre	2/10 Yurong Pkwy, Sydney	Rainwater Reuse System
18	Redfern Occasional Child Care Centre	55 Pitt St, Redfern	Rainwater Reuse System

	Building Name	Address	Water Saving Infrastructure
19	Juanita Neilsen Community Centre	31 Nicholson Street, Woolloomooloo	Rainwater Reuse System
20	Booler Community Centre	25-27 Lambert St, Camperdown	Rainwater Reuse System
21	Chippendale Childcare Centre	60 Pine St, Chippendale	Rainwater Reuse System
22	Glebe Library	186 Glebe Point Rd, Glebe	Rainwater Reuse System
23	Rosebery Community Centre	78 Harcourt Parade, Rosebery	Rainwater Reuse System
24	Banga Community Shed	3 Joynton Avenue, Zetland	Rainwater Reuse System
25	Pine Street Creative Arts Centre	64 Pine St, Chippendale	Rainwater Reuse System
26	Huntley Street Early Learning Centre	4 Huntley St, Alexandria	Rainwater Reuse System
27	Maybanke Recreation Centre	87/89 Harris St, Pyrmont	Rainwater Reuse System
28	The Crescent Early Learning Centre	7 Chapman Rd, Annandale	Rainwater Reuse System
29	Turruwul Park Tennis Centre	115 Rothschild Avenue, Rosebery	Rainwater Reuse System
30	James Street Reserve Community Garden	1 Young Ln, Redfern	Rainwater Reuse System
31	Surry Hills Library and Community Centre	405 Crown St, Surry Hills	Rainwater Reuse System
32	Green Square Library	355 Botany Rd, Zetland	Recycled Water (Scheme-based)
33	The Drying Green	103 Portman Street, Zetland	Recycled Water (Scheme-based)
34	Joynton Avenue Creative Centre Building	3 Joynton Avenue, Zetland	Recycled Water (Scheme-based)

2. Refer to response to part 1 above.

3.

	Building Name	Address	Water Saving Infrastructure
1	Bay Street Depot	10-16 Bay St, Ultimo	Rainwater Reuse System
2	Alexandra Canal Depot	67c Bourke Rd, Alexandria	Rainwater Reuse System
3	Redfern Oval Grandstand	602 Elizabeth St, Redfern	Rainwater Reuse System
4	Bellevue Cottage Blackwattle Bay	55 Leichhardt St, Glebe	Rainwater Reuse System
5	Woolloomooloo Depot	75 Bourke Street, Woolloomooloo	Rainwater Reuse System
6	Victoria Park Gardeners Lodge	3 City Rd, Camperdown	Rainwater Reuse System
7	Goodstart East Sydney Early Learning Centre	277-279 Bourke Street	Rainwater Reuse System

4. Green Square Water Reuse Scheme Expansion Project. Current Phase: Implementation.
Bay Street Depot Redevelopment. Current Phase: Design.
Rainwater Reuse Expansion Program (sites to be finalised).

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 (2024/5)?

X086664

Answer by the Chief Executive Officer

1. There are eighteen automated public toilets approved and being installed at the following locations:
 - Hickson Road and Lower Fort Street – Sydney
 - City Road opposite Myrtle Street – Chippendale
 - Wattle Street and Quarry Street – Ultimo
 - Oxford Street at William Street – Paddington
 - Quay Street and George Street – Sydney
 - Castlereagh Street and Park Street – Sydney
 - Cowper Wharf Road near Brougham Street – Woolloomooloo
 - Crewe Place opposite Primrose Avenue – Rosebery
 - Dowling Street and Stephen Street – Woolloomooloo
 - College Street (Hyde Park) after William Street - Sydney
 - St James Road after Macquarie Street - Sydney
 - York Street before Erskine Street - Sydney
 - Elizabeth Street before Market Street - Sydney
 - Elizabeth Street at Park Street - Sydney

- York Street after Grosvener Street - Sydney
- Hay Street after Castlereagh Street - Sydney
- Forbes Street (Taylor Square) at Bourke Street - Darlinghurst
- Marlborough Street at Devonshire Street (Ward Park) – Surry Hills

There is one public automated toilet under development assessment:

- Erskineville Road – Erskineville (DA under assessment)

The community can access details of current public toilets at - <https://toiletmap.gov.au/> - website with the location of all public toilets (not only City of Sydney)

2. The DA for the proposed automated public toilet at Erskineville D/2024/129 was out for public comment until 11 April 2024. The DA will now be referred to the Local Planning Panel for consideration and determination. The Panel meeting date is likely to be in the later half of this year.

The Erskineville Town Hall is only open during business hours. Leaving the building open to the public poses a number of safety and security risks, given the location of the toilets within the building.

3. The City provides water bubblers in our open spaces and along key walking routes. There are currently more than 250 water bubblers in these locations.

Current locations can be found at - <https://www.cityofsydney.nsw.gov.au/lists-maps-inventories/water-bubblers>

4. Opportunities for new water bubblers to refill water bottles are considered as part of the design of each project within the City's park renewal program and major public domain upgrades.

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:
- What amount were the City of Sydney's cash investments projected to have been reduced to by 2023/24?
 - What were the key assumptions or aspects of the model used to make these ten year long term financial projections in 2019/20?
 - 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.
- Have the same assumptions and/or modelling that were used in 2014/15 and 2019/20 to make the ten-year cash investment projections been used again for the ten-year projection for 2024/25?
 - If yes, please provide of the updated assumptions and/or modelling?

X086664

Answer by the Chief Executive Officer

- The total City of Sydney's cash investments at 30 June 30 2014/15 was \$624.4M. This information is shown on page 37 of the 2014/15 Annual Financial Statements available on the City's website.
- The amount of \$171.4M which is shown on page 43 of the Long Term Financial Plan 2014/15 to 2023/24, available on the City's website.
 - The assumptions and financial forecasts are outlined in the on pages 6 to 26 of the Long Term Financial Plan 2014/15 to 2023/24, available on the City's website.
 - The operations of the City are large and complex with financial modelling needing to consider the income and expenditure generated by over 40 different business operations and the largest local government capital project delivery program in NSW. Together these operations and works generate more than 60,000 individual data points.

Over a 10 year financial planning horizon, a wide variety of factors impact funding timing and needs. Key amongst these are levels of inflation, interest rates, salary increases, construction costs and resource availability, outcomes of community consultation on services and projects, asset conditions, property acquisitions and sales, heritage floorspace sales, property market conditions and pandemics. Given the challenging and ever evolving financial environment, the Long Term Financial Plan (LTFP) is recalibrated annually to account for variations of all known factors, and latest economic and programming estimates.

Since the development of the 2014/15 LTFP, there have been many significant variances that impact the estimated final cash balance. Major factors include a higher cash opening balance, delayed capital works expenditure, increased property disposal income, higher developer and heritage floor space contributions, changes to the level and timing of capital contributions, and better than anticipated operating results. These changes have allowed the City to expand the size and ambition of its operational services, grants and capital works program.

3. The total City of Sydney's cash investments at 30 June 2019/20 was \$632.8M. This information is available on page 29 of the 2019/20 Annual Financial Statements available on the City's website.
4. Consistent with the Local Government Code of Accounting Practice, page 48 of the 2022/23 Annual Financial Statements identifies that the City held investment properties valued at \$509.6M.

It is the underlying purpose for which individual properties are held that determines their classification. The City's investment properties comprise a mix of commercial and industrial properties that are held for long-term rental yield and capital appreciation, and not occupied by the Council. These investment properties are revalued by independent valuers every year.

The City also holds non-'investment' buildings, including buildings valued at a net carrying amount of \$1.8B, a value for the physical building excluding any land value. These buildings are held at fair value. Independent comprehensive valuations are performed on these buildings at least every five years, with the carrying amount of these assets assessed by Council annually at each reporting date to confirm that they materially reflect fair value.

A number of these non-investment property buildings generate commercial property income for the City. Examples include the buildings held at Town Hall Square which have been acquired over a long period of time, for strategic purposes related to a proposed future project. However, in the interim they are tenanted for commercial rent, which contributes to offset their maintenance costs and the City's financial position.

5.
 - (a) The amount of \$376.4M which is shown on page 51 of the Long Term Financial Plan 2019/20 to 2028/29, available on the City's website.
 - (b) The assumptions and financial forecasts are outlined in the on pages 6 to 32 of the Long Term Financial Plan 2019/20 to 2028/29, available on the City's website.
 - (c) As noted in part 2, each year the Long Term Financial Plan is recalibrated. Since the development of the 2019/20 LTFP, major variances from the plan that have impacted the final cash balance have occurred. These include a higher cash opening balance than anticipated, delays to the planned capital works expenditure, changes to the timing of a significant property sale, higher developer and heritage floor space contributions, the level and timing of capital contributions, and better than estimated operating results. Again these changes have allowed the City to expand the size and ambition of its capital works program and service offering.
6.
 - (a) The assumptions are reviewed and revised annually.
 - (b) The assumptions and financial forecasts are outlined in the on pages 6 to 32 of the draft City of Sydney Long Term Financial Plan (2024/25), available on the City's website.

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 2024/5?
 - (b) to be sold or otherwise divested by Council in 2024/5?
6. What is the projected yield in 2024/5 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 \$189.5 million in 2023/24, but that -\$2.9 million is forecast.
8. Please provide details as to difference between the budget versus the projected figures.

X086664

Answer by the Chief Executive Officer

The City's property portfolio comprises 277 buildings valued at \$2.7 billion plus property interests including strata units that are broadly categorised into Corporate, Community, Strategic, Investment and Other Interests including strata units and footways.

Revenue may be generated from property either in whole or part (such as a commercial shop forming part of a corporate property or within a community facility) and from other interest such as strata units. Collectively the buildings and spaces (the properties) that generate this revenue is generally referred as Commercial Property or Commercial Property Revenue or Income.

The purpose for which individual properties are held determines their required accounting classification.

Consistent with the Local Government Code of Accounting Practice, page 48 of the 2022/23 Annual Financial Statements identifies that the City held Investment properties valued at \$509.6M representing about 21% of the total property portfolio carrying value, noting the total carrying value excludes land value.

The City's Investment properties comprise a mix of office and industrial properties that are held for long-term rental yield and capital appreciation, and not occupied by the Council. These investment properties are revalued by independent valuers every year.

The City also holds non-‘investment’ buildings, including buildings valued at a net carrying amount of \$1.8 billion, a value for the physical building excluding any land value. These buildings are held at fair value. Independent comprehensive valuations are performed on these buildings at least every five years, with the carrying amount of these assets assessed by Council annually at each reporting date to confirm that they materially reflect fair value.

A number of these non-investment property buildings generate commercial property income for the City. Examples include the buildings held at Town Hall Square which have been acquired over a long period of time, for strategic purposes related to a proposed future project. However, in the interim they are tenanted for commercial rent, which contributes to offset their maintenance costs and the City’s financial position.

Property Income for 2024/25 is forecast to be \$78.5 million, including income generated from its “investment” properties, properties held for “strategic” purposes, and long term “ground” leases such as Queen Victoria Building.

It is important to recognise that there are recurrent operating and maintenance costs, renewal and upgrade capital costs where the upgrade costs are incrementally recognised as expenses over their useful life. Despite unfavourable commercial rental market conditions, the City has been able to negotiate key rent increases that have resulted in a favourable 2023/24 budget performance.

As noted in the April 2024 Investment report to Council the City has achieved an annual rolling return of 5.07% for cash investments. This is expected to continue for the remainder of the financial year. Cash investment returns generally follow the Official Cash Rates as determined by the Reserve Bank of Australia (RBA), which are expected to decline over the next couple of years. The projected cash investments yield for 2024/25 is 4.8%

Property investments are long term investments. There are no equivalent yields measures for commercial properties as long term returns include the capital growth over long time periods. There are no other investment categories for the City.

The City’s Long Term Financial Plan (LTFP) includes allowances to acquire property to meet the City’s future requirements including open space and recreational needs, corporate and community needs and properties suitable as long-term Investments generating revenue.

The total provisional budget for acquisition in 2023/24 is \$208.7 million including a provision for Investment property that may include commercial office or industrial of \$152.3 million. The budget provides for funding within our Long Term Financial Plan to expand the diversification of our “own source” revenue, enabling the Council to expand its service delivery and works program, and remain financially sustainable without placing additional burden on our ratepayers. For each expected acquisition, the LTFP then includes anticipated future rental revenue.

The budget is only a provisional funding source, should appropriate properties that meet the Council’s needs, risk and return become available in the market. In accordance with the Local Government Act 1993, Council makes all decisions in regard to the acquisition and divestment of properties from the portfolio.

Note that the forecast has been revised down substantially for 2023/24, as no suitable and significant commercial property purchase have been identified during the year that represent an appropriate risk/return. A provisional sum has again been incorporated within the draft 2024/25 acquisition budget.

Similarly, the LTFP includes allowances for divesting property that is no longer supports the City’s operational needs and/or strategic objectives.

The budget for the proceeds from properties divestments in 2023/24 was \$19.1 million, funds that contribute to funding the City’s capital works program.

The total draft budget for the acquisition of property in 2023/24 is \$197.2 million, including a provisional budget for the acquisition of commercial properties of \$93 million. As above, the anticipated revenues that would follow on from the acquisition have also been factored into the commercial property income.

The draft budget for the proceeds from properties divestments in 2024/25 is \$169.2 million, significantly more than the usual budget, reflecting the final payment for the divestment of the former Fig and Wattle depot site. The majority of these funds have already been used to contribute to the funding of the City's future capital works program. Proceeds from the sale of a small number of residential properties will be allocated, in accordance with a Council resolution, to the Supported Accommodation, Affordable and Diverse Housing fund.

The main driver of the variance between the provisional budget and current forecast, is the deferred timing to acquire commercial property and open space, which relies on the availability of suitable properties being offered in the market for purchase.

These substantial purchases have now been included in the draft 2024/25 budget within the City's Long Term Financial Plan, to ensure adequate funding is available as and when appropriate properties arise on the market.

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

Answer by the Chief Executive Officer

1. City of Sydney Green report www.cityofsydney.nsw.gov.au/research-reports/green-reports
City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney
2. City of Sydney Green report www.cityofsydney.nsw.gov.au/research-reports/green-reports
City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney

3. City of Sydney Green report www.cityofsydney.nsw.gov.au/research-reports/green-reports
City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney
4.
 - (a) City of Sydney Green report www.cityofsydney.nsw.gov.au/research-reports/green-reports
City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney
 - (b) City of Sydney Green report www.cityofsydney.nsw.gov.au/research-reports/green-reports
 - (c) Actual figures will be published as part of the annual Green Report in November 2024.
 - (d) Actual figures will be published as part of the annual Green Report in November 2025.
5. Yes
6. Fuel usage by contractors to provide services to City of Sydney.
7. Yes.
8. Yes.
9.
 - (e) City of Sydney Green report www.cityofsydney.nsw.gov.au/research-reports/green-reports
City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney
 - (f) City of Sydney Green report www.cityofsydney.nsw.gov.au/research-reports/green-reports
 - (g) Actual figures will be published as part of the annual Green Report in November 2024.
 - (h) Actual figures will be published as part of the annual Green Report in November 2025.
10.
 - (a) City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney
 - (b) Public Disclosure Statement to be made available on Climate Active website later in 2024.
 - (c) Purchased to date: City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney
Projected - Undisclosed, commercial in confidence.
 - (d) Purchased to date: City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney
Projected - Undisclosed, commercial in confidence.

- 11.
- (a) City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney
 - (b) This information will be available when the disclosure statement is published later in 2024.
 - (c) This information will be available when the disclosure statement is published in 2025.
 - (d) This information will be available when the disclosure statement is published in 2026.
12. City of Sydney Climate Active Public Disclosure Statement www.climateactive.org.au/buy-climate-active/certified-members/city-sydney
- 13.
- (a) Undisclosed, commercial in confidence.
 - (b) Undisclosed, commercial in confidence.
 - (c) Undisclosed, commercial in confidence.
 - (d) To be determined once final emission figures are known.
14. The Environmental strategy 2021-2025 explains our commitment to remaining carbon neutral www.cityofsydney.nsw.gov.au/strategies-action-plans/environmental-strategy
Carbon offsets are procured through a public tender and RFQ process.
15. In 2022, 21 per cent of our emissions were offset from Indigenous savannah fire and land management in northern Australia. Our aim is for 100 per cent high-quality Australian regenerative offsets by 2025.
16. Yes.
17. The City only purchases ACCUs that are recognised by the Australian Government's Climate Active Program and the Clean Energy Regulator.
18. Refer response to part 14 above. Refer to the Environmental strategy 2021-2025 www.cityofsydney.nsw.gov.au/strategies-action-plans/environmental-strategy

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 2024/25?
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 2024/25?
 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 2024/25?
 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 2024/25?
 5. What new initiatives for food recycling are included in the draft 2024/25 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

Answer by the Chief Executive Officer

1. Below are estimates only of the approximate amount of food scraps in the residual bin based on residential kerbside bin audits conducted in 2019/20 that shows approximately 35 per cent of the residual (red-lid) bin consists of food and audits in 2023/24 that showed approximately 34 per cent of the residual (red-lid) bin consists of food.
 - (a) 15,837 tonnes;

- (b) 15,604 tonnes;
 - (c) 15,749 tonnes;
 - (d) 15,082 tonnes;
 - (e) 10,511 tonnes (approx. tonnes from July 2023 to March 2024); and
 - (f) 16,000 tonnes.
2. The approximate total number of households participating in the trial each financial year are:
- (a) 4,300 households;
 - (b) 13,300 households;
 - (c) 19,000 households;
 - (d) 20,600 households;
 - (e) At 30 April 2024 - 21,446 households; and
 - (f) 22,000 households.
3. Below are the operational budgets for the food scraps recycling trial project for the following financial years:
- (a) \$180,075 (includes grant income);
 - (b) \$410,342 (includes grant income);
 - (c) \$82,793 (includes grant income);
 - (d) \$208,771;
 - (e) \$268,220; and
 - (f) \$337,610 (draft only).
- The budgets include processing fees, education and communication costs, equipment, grant income (where applicable) and project administrative costs. They do not include in-house collection costs, salaries or plant and asset costs.
4. The amount of food scraps recycling through the City's food scraps recycling trial for the following years is:
- (a) 200 tonnes;
 - (b) 370 tonnes;
 - (c) 534 tonnes;
 - (d) 521 tonnes;
 - (e) 417 tonnes; and
 - (f) 600 tonnes.
5. Implementing the insect farming trial using black soldier fly larvae to process residential food scraps.
6. The City will continue to offer the food scraps collection service in 2024/25 to properties participating in the trial. This is a separate service to the existing garden organics collection service, which is available to all residents.

7. The City will have the service available by the 2030 NSW Government mandated deadline. The City is working towards providing the service when there is adequate food organics waste processing capacity to handle the volume generated in the City of Sydney. It is noted that there are a number of challenges (outside the control of the City) including a limited number of suppliers, a lack of processing infrastructure and a shortage of readily accessible waste collection and transfer sites. The NSW Environmental Protection Authority is continuing to develop the NSW Waste Infrastructure Plan to address infrastructure needs across the state.

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 Local Government Area 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

Answer by the Chief Executive Officer

1. The value of approved development applications in the City of Sydney:
- (a) In 2019/20 = \$2.83 billion
 - (b) In 2020/21 = \$1.39 billion
 - (c) In 2021/22 = \$3.45 billion
 - (d) In 2022/23 = \$2.51 billion
 - (e) In 2023/24 = \$2.57 billion
 - (f) Anticipated for 2024/25 = unknown
2. The value of affordable housing contributions that the City of Sydney collected from development:
- (a) In 2019/20 = \$24.11 million
 - (b) In 2020/21 = \$20.19 million
 - (c) In 2021/22 = \$24.75 million
 - (d) In 2022/23 = \$12.35 million
 - (e) In 2023/24 = available at end of financial year
 - (f) Anticipated for 2024/25 = not possible to predict with any level of certainty

It is noted that the requirement to pay a contribution is made at the approval stage via a condition of consent on the approval. The contribution is not actually payable until a construction certificate is issued and the project proceeds.

3. The City's contribution scheme now applies to almost all of the Local Government Area, except where the Sydney LEP 2012 (essentially NSW Government lands) or the Green Square Town Centre LEPs do not apply, such as Barangaroo, Darling Harbour, Central Park, Walsh Bay, The Rocks, parts of north and south Everleigh and Moore Park and parts of the LGA that are subject to the South Sydney LEP 1998, such as Rosebery, Waterloo Estate (north and central), and Redfern Estate.

A contribution is required to the former Redfern Waterloo Authority areas, if the State Government is the consent authority for a development, under the Redfern Waterloo Affordable Housing Contribution Plan.

4. Contribution rates are not based on the cost of development. They are based on a proportion of floor space. The contribution rates that apply in the Sydney LEP 2012 and Green Square Town Centre LEPs are three per cent of residential floor space and one per cent of non-residential floor space.
5. The higher contribution rate applies only where there is a planning proposal to increase the residential development capacity on a site. Currently, the requirement applies to several sites in the Waterloo Estate, several sites in the Botany Road Precinct, and the 923 Bourke Street, Waterloo (Woolworths site).

Notwithstanding the above, it is noted that the introduction of the levy that applies in Ultimo/Pymont (1996), Green Square (1998) and the Southern Employment Lands (2015) were all introduced when those areas were rezoned.

6. Rates of affordable housing developer contributions are set out in the Affordable Housing Program as:
 - 13% of new residential floor space in Central Sydney
 - 12% of new residential floor space in the South Precinct
 - 12% of new residential floor space in the West precinct
 - 21% of new residential floor space in the East precinct
7. The value of approved development applications in the City of Sydney CBD:
 - (a) In 2019/20 = \$1.56 billion
 - (b) In 2020/21 = \$630 million
 - (c) In 2021/22 = \$2.3 billion
 - (d) In 2022/23 = \$1.5 billion
 - (e) In 2023/24 = \$1.4 billion
 - (f) Anticipated for 2024/25 = unknown
8. The City of Sydney Local Government Area wide levy contribution scheme applies in Central Sydney.

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 Pymont trial.
3. Following the City's Pymont 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

Answer by the Chief Executive Officer

1. There are around 3,800 bike racks installed on streets and public domain in the City of Sydney. These are available for everyone to use to lock their bicycles.

Bike racks are not dedicated for specific use by e-bikes or e-scooters.

The use of private e-scooters on public land is illegal in NSW. The use of share e-scooters is only permitted in areas undergoing a Transport for NSW (TfNSW) trial. No such trial is underway in City of Sydney.

In response to requests from the community and businesses, the City asked operators to implement designated bike parking programs through their apps. These programs restrict where users can end their trips to approved locations. For share bike riders ending their trips outside the dedicated parking areas, they are charged time fees plus a penalty (e.g. \$25 for Lime bike).

- Pyrmont, Circular Quay and Ultimo: We allocated 60 dedicated bike parking areas across these suburbs as the first stage of this initiative. We have dedicated these areas on footpaths or public domain where there is sufficient space and strong demand from operators and riders for share bikes.
- Forest Lodge and Chippendale: We allocated around 50 dedicated bike parking areas across these suburbs as the second stage of this initiative. These will be operational by July 2024.

2. City staff have been conducting regular compliance audits of dedicated parking areas since March 2024:

In Pyrmont, 77% of share bikes are now parked within one metre of a designated parking station (in areas where operator-applied parking restrictions are in place).

3. Following the trials of dedicated share bike parking in Pyrmont, Circular Quay and Ultimo, dedicated share bike parking areas will come on line in Forest Lodge and Chippendale.

Before allocating any more resources to progressing additional locations, the City will now wait until the NSW Government engages with local government on its proposed options for regulating share bike operations and options for on-street bike parking.

4. The Public Spaces (Unattended Property) Act 2021 (PSUP Act) gives Council limited practical / useable powers to remove dumped or illegally / badly parked share bikes.

Rangers may take possession of bikes if they determine the bikes are:

(a) unattended, and

(b) the bike

(i) is obstructing access to or within a public place, or

(ii) poses a risk to persons, animals or the environment, or

(iii) is interfering with public amenity, or

(iv) has been in the same or substantially the same place for 7 days; or

(v) is unattended in another circumstance prescribed by the regulations including in contravention of the 'Code of Practice for Class 2 Items—Shopping Trolleys and other Sharing Service Items'.

Rangers can issue \$660 (individual) and \$1320 (corporation) penalties for non-compliance. In addition, Rangers can issue \$66 (individual) and \$132 (corporation) penalties for each additional shared bike left in the same public space.

Alternatively, Rangers may move the bike to another place in the same general area so that the bike does not obstruct access to or within a public place, or pose a risk to persons, animals or the environment, or interfere with public amenity. Rangers could move shared bikes if they reasonably believe the bike is unattended, but it is not necessary to take possession of the bike. In such circumstances Rangers must:

- (a) move the item to a place where it is reasonably likely to be found by a responsible person for the item, or*
- (b) if it is not practicable to move the item as referred to in paragraph (a) — take reasonable steps to notify a responsible person for the item of the place to which the item has been moved.*

In addition, Rangers may give a written notice directing bike user or bikes scheme operator to:

- (a) remove the unattended bike, or*
- (b) prevent it becoming unattended again.*

If this direction is not complied with, Rangers can issue \$1320 (individual) and \$2640 (corporation) penalties for non-compliance.

5. There are no shared e-scooters in the City of Sydney. Shared e-bikes – none. For the reasons outlined above, the PSUP laws and regulations are an ineffective tool for councils to address complaints. The City has been working with bike share operators to ensure they clear the bikes reasonably quickly.

When contacted, the City advises people to report issues directly with the operators.

Item 14 Notices of Motion

Item 14.1 Setting the Record Straight – Easter 2024

Moved by Councillor Jarrett, seconded by Councillor Gannon -

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.

The motion was lost on the following show of hands –

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

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

Motion lost.

X086666

Item 14.2 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 advertising 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.

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

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

- (A) Council note:
- (i) Honey Birdette is primarily a lingerie store that also sells bondage, sex toy and fetish themed items;
 - (ii) Honey Birdette has 46 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 advertising 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;
 - (xiii) the NSW Planning Legislation and Economic Policy Director has advised that the NSW Planning Department have no power to act; and
 - (xiv) a Development Application is not required for shop fit out and signage for stores within shopping centres where the signage is not visible from the public domain and planning controls cannot control advertisements or signage within shopping centres;
- (B) the Chief Executive Officer be requested to 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.

The motion was carried on the following show of hands –

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

Noes (1) Councillor Jarrett.

Carried.

X086655

Item 14.3 Museum of Contemporary Art Australia Congratulations and Funding

Moved by Councillor Scott, seconded by Councillor Ellsmore –

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.

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

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) many of these organisations and institutions, including but not only the Museum of Contemporary Art Australia, are facing serious financial pressures, in part due to insufficient funding from the Commonwealth and NSW Governments which are and should be their major source of public funding;
 - (iv) Commonwealth and NSW Government funded cultural organisations and institutions are however able to apply for funding under the City's Grants and Sponsorships Policy and Guidelines;

- (v) several Commonwealth and NSW Government funded cultural organisations and institutions have received cash grants and sponsorships from the City, primarily for specific projects and activities, or to assist with or promote specific projects and activities through value in kind banner pole or venue hire grants, including:
 - (a) Art Gallery of NSW;
 - (b) Australian Museum;
 - (c) National Maritime Museum;
 - (d) Museums of History; and
 - (e) Powerhouse Museum; and
 - (vi) the City has also provided one off grants (as opposed to ongoing operational funding) to Commonwealth and NSW Government funded cultural organisations and institutions, including \$1 million in 2008 towards the Museum of Contemporary Art Australia's capital works expansion project; and
- (B) the Lord Mayor be requested to write to the Minister for the Arts requesting the NSW Government ensures that all cultural institutions and organisations playing a crucial role in NSW's cultural life receive the funding needed to fulfill their important role and optimise their full potential.

The amendment was carried on the following show of hands –

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

Noes (3) Councillors Jarrett, Scott and Weldon.

Amendment carried.

Amended motion carried unanimously.

X086655

Item 14.4 LGBTQIA+ Community-Led Safety Training

Moved by Councillor Ellsmore, seconded by Councillor Worling –

It is resolved that:

- (A) Council note that the City of Sydney currently funds a wide range of LGBTQIA+ organisations, programs and events, and support initiatives such as Wear it Purple, Trans Day of Visibility, Rainbow story time and other library events;
- (B) Council reaffirms its commitment to supporting LGBTQIA+ inclusive events to be held in the City of Sydney Local Government Area and Council venues, including Trans and Gender Diverse Swim Days and Drag Story Time;
- (C) Council note that LGBTQIA+ community members, LGBTQIA+ organisations and allies have historically - and continue to – provide important support for these events when they are subject to homophobic and transphobic commentary, threats or organised protests, including through safety training;
- (D) Council note that following the Lord Mayor's LGBTQIA+ 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 LGBTQIA+ people safe and supported;
- (E) Council note that:
 - (i) an example of a community-led initiative is the Rainbow Community Angels. The Rainbow Community Angels is an LGBTQIA+ community-led safety initiative that trains and supports LGBTQIA+ people and allies to take part in community events, to ensure those events remain safe and inclusive for LGBTQIA+ 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 LGBTQIA+ events and activities;
 - (b) provide training and practical advice for community members, council staff and others about how to constructively respond to threats against LGBTQIA+ community events, with an emphasis on inclusion, de-escalation and fun;
 - (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 LGBTQIA+ events;
 - (iv) Rainbow Community Angels have offered to collaborate with the City of Sydney and Inner West Councils to pilot a community safety training program, based on what has worked in Victoria, to train community members in strategies to support LGBTQIA+ events; and

- (v) the Inner West Council recently resolved to investigate opportunities to work with the Rainbow Community Angels, other relevant organisations, and other councils including the City of Sydney, to initiatives to develop and strengthen LGBTIQ+ community safety; and
- (F) consistent with the unanimous resolution of 19 February 2024 arising from the LGBTIQ+ Safety Summit, the Chief Executive Officer be requested to meet with Rainbow Community Angels, other relevant organisations, and other councils including Inner West Council, to discuss opportunities to support or deliver LGBTQIA+ community-led safety training, and report back to Council.

Carried unanimously.

X086659

Item 14.5 Fitzroy Gardens Playground – Additional Fence Works

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

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 City undertakes, daily, quarterly and annual safety and condition assessments of its playgrounds to identify risks, and to make sure that they comply with Australian Standards;
- (iii) quarterly audits and annual inspections are completed by an independent playground assessor, and at the last audit in January 2024 no safety risks were identified;
- (iv) the Playground is incredibly popular with local families and children, and extensively used by families visiting the area on weekends;
- (v) 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;
- (vi) however, sections of the fence are easily wide enough for a toddler to walk through; and
- (vii) 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) that Council further note:

- (i) this notice of motion was submitted at last Council meeting - 13 May 2024;
- (ii) however, due to the meeting going overtime the notice of motion was not addressed in the meeting;
- (iii) the Chief Executive Officer and City staff have though, acted on this notice of motion and begun working on a solution; and
- (iv) works have commenced, which include having commissioned someone to fabricate and install mesh to the existing fence and having the gate latch fixed, which was done on 18 June 2024.

Carried unanimously.

X086658

Item 14.6 City of Sydney Council Condemns Modern Slavery

Moved by Councillor Scott, seconded by Councillor Weldon –

It is resolved that:

(A) Council note:

- (i) the NSW 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.

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

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 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;
 - (e) forced marriage – where an individual is forced or deceived into marrying;
 - (f) debt bondage – where a victim's services are pledged as security for a debt and the debt is excessive, the length and nature of services are not defined or the value of the services is not applied against the debt;
 - (g) deceptive recruiting for labour or services – where a victim is deceived about the conditions in which they will be working; and
 - (h) the worst forms of child labour - situations where children are subjected to slavery or similar practices, or engaged in hazardous work which could harm their health and safety;

(B) Council further note that:

- (i) on 21 December 2023, councils were made aware by Office of Local Government circular that the NSW Anti-Slavery Commissioner had published a document providing guidance on steps government agencies are required to take to manage modern slavery risks in their supply chains;
- (ii) the document provides comprehensive guidance over 180 pages and contains seven key areas for progressive improvement and implementation into financial year 2026 with a plan for continuous improvement over that period;

- (iii) the NSW Anti-Slavery Commissioner published a template modern slavery policy in late May 2024;
 - (iv) further guidance material from the NSW Anti-Slavery Commissioner, including a risk management framework for modern slavery has been foreshadowed but is yet to be published;
 - (v) City staff are working to understand the guidance material and are developing an approach to update and implement changes to existing measures, including resourcing to support this significant ongoing work;
 - (vi) 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
 - (vii) 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 and the NSW Anti-Slavery Commissioner's template policy;
 - (ii) continue work to establish a three-year plan to achieve the Anti-Slavery Commissioner's guidance for compliance, performance and reporting on modern slavery risks in its supply chains;
 - (iii) bring an amended City of Sydney Modern Slavery Policy back to Council for consideration; and
 - (iv) report back to the Audit, Risk and Compliance Committee and Councillors via the CEO Update on progress on the above.

The amendment was carried on the following show of hands –

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

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

Amendment carried.

Amended motion carried unanimously.

X086655

Item 14.7 Local Youth Services and Programs

Moved by Councillor Weldon, seconded by Councillor Jarrett –

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 City provides substantial funding and in-kind support to a range of services and projects for young people. Furthermore, the City provides sector support through the coordination of a quarterly Youth Services Interagency and the Connect Sydney program;
- (ix) the dedication and skills of youth workers and the vital role they play in supporting young people; and
- (x) supporting young people is a whole-of-community responsibility and all levels of government have a role to play; and

(B) Council commend staff for their ongoing work to ensure young people are engaged, supported and valued, including recent commitments 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.

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

(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 City provides substantial funding and in-kind support to a range of services and projects for young people. Furthermore, the City provides sector support through the coordination of a quarterly Youth Services Interagency and the Connect Sydney program;
- (ix) the dedication and skills of youth workers and the vital role they play in supporting young people; and
- (x) supporting young people is a whole-of-community responsibility and all levels of government have a role to play;

(B) Council further note that following community meetings on 30 April 2024, 2 May 2024 and 30 May 2024, and a Resolution of Council on 13 May 2024 - the City:

- (i) has increased Community BBQs at Peter Forsyth Auditorium from monthly to weekly, providing more opportunities for young people to have meaningful, activities, connect with services and the community to come together;
- (ii) is adding Glebe to the Youth in the City School Holiday Programs pick up locations from 1 July 2024. There are also 100 per cent fee waivers available to families for the school holidays program;
- (iii) has offered a bus to Glebe Youth Service free of charge to enable them to take young people home on when the After Dark program finishes;
- (iv) has provided a dedicated staff member for six months to work with Glebe Youth service, community groups, residents including local Aboriginal Elders, and within the City to map services for young people in Glebe and to help identify gaps;
- (v) has negotiated with Homes NSW that they prioritise the maintenance of housing in Glebe for families with children and young people; and

- (iii) is recommending Glebe Youth Services for \$1,069,514 million of Community Services grant funding over three years; and
- (C) Council commend staff for their ongoing work to ensure young people are engaged, supported and valued, including recent commitments 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.

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

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

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

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

Pursuant to the provisions of clause 10.2 of the Code of Meeting Practice, the amendment was declared carried.

Amended motion carried unanimously.

X086653

Adjournment

At this stage of the meeting, at 8.15pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 10 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.26pm.

Item 14.8 Share Bikes in the City of Sydney

Moved by Councillor Scott, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) share-bikes play an important role in assisting members of our community to travel efficiently, safely and environmentally around the City;
- (ii) as of April 2024, since 2019 there have been more than 2.9 million share bike trips taken in the City of Sydney;
- (iii) as of April 2024, approximately 4,700 trips are taken daily on share bikes within the City of Sydney;
- (iv) as of April 2024, share bike rides are saving approximately 1,426 tonnes of carbon emissions each year;
- (v) bikes left parked unattended on footpaths and roads can cause unreasonable hazards, posing as a significant safety risk for cyclists and pedestrians;
- (vi) share bike private companies utilise geofencing, creating a geographical boundary that restricts the stopping of a ride in certain areas outside the company's specific boundary;
- (vii) in February 2024, the City of Sydney rolled out a pilot program with designated parking zones for share bikes in Pyrmont and Circular Quay;
- (viii) in this trial the City worked with share bike operators to incentivise people who use the bikes to park in 19 zones in Pyrmont and eight in Circular Quay, or riders would be at risk for further charges to their ride. This creates a dockless parking area for share bikes;
- (ix) this trial was aimed to reduce clutter on footpaths; and
- (x) the City does not have regulatory control over share bike operators; and

(B) the Chief Executive Officer be requested to:

- (i) report back to Councillors via the CEO Update on the outcomes of the dockless parking area for share bikes trial;
- (ii) ensure the roll out of the pilot program share bike parking is allocated spaces in all suburbs in the City of Sydney as soon as possible; and
- (iii) allocate funding for the trial extension and for share bike parking infrastructure in areas where this is not already provided in the City of Sydney in the 2024/25 City budget.

The motion was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

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

Motion lost.

X086655

Item 14.9 Drag Queen Storytime in the City of Sydney

Moved by Councillor Scott

It is resolved that:

(A) Council note:

- (i) the City's 2018 Community Wellbeing Survey indicated 21.3 per cent of respondents identified as being part of the LGBTQIA+ community;
- (ii) the City of Sydney is the home for the largest LGBTQIA+ community across Australia;
- (iii) Drag Queen Storytime is a children's event started in 2015 in San Francisco, aiming to promote diversity within a community;
- (iv) the Storytime event is directed at children between the ages of three to six, hosted by drag queens who read children's picture books in public libraries;
- (v) Drag Queen Storytime is a fun and inclusive event that celebrates the diversity we have within the City of Sydney;
- (vi) Drag Queen Storytime is especially important for children in rainbow families who may not see themselves represented in mainstream media;
- (vii) Rainbow Families is a charity that helps to support and advocate for LGBTQIA+ parents and families, running programs and support for families at every stage of their journey;
- (viii) in March 2024, the Inner West Council unanimously resolved to work with Rainbow Families to present a series of Drag Queen Storytime events at an Inner West Council library, ensuring community groups continue to feel safe, connected and supported;
- (ix) the Inner West Council now regularly hosts a series of Drag Queen Storytime events;
- (x) the City of Sydney has previously hosted and promoted successful Rainbow Families Drag Queen Storytime events, but there are no future events listed;
- (xi) a range of Drag Queen Storytime events have had to be cancelled due to groups of extremists threatening the safety of organisers and participants; and
- (xii) everyone should feel safe, welcome and represented within the City of Sydney; and

(B) the Chief Executive Officer be requested to:

- (i) allocate funding for City run Drag Queen Storytime sessions in the 2024/25 City budget;
- (ii) guarantee the City run a series of Drag Queen Storytimes at all City of Sydney libraries; and
- (iii) report back to Councillors with progress of the above in the CEO Update.

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

Moved by Councillor Scott, seconded by Councillor Worling –

It is resolved that:

(A) Council note:

- (i) according to the City's 2018 Community Wellbeing Survey indicated 21.3 per cent of respondents identified as being part of the LGBTQIA+ community;
- (ii) the City of Sydney is the home for the largest LGBTQIA+ community across Australia;
- (iii) everyone should feel safe, welcome and represented within the City of Sydney;
- (iv) the City of Sydney Library holds and maintains one of the largest LGBTQIA+ collections in the country, established in 2006. The collection covers physical and digital books, movies and audio for children, young adults and adults;
- (v) the City of Sydney library team strongly advocates for defending the rights of the LGBTQIA+ community and creating a welcoming and safe space for all;
- (vi) Drag Queen Storytime is a children's event started in 2015 in San Francisco, aiming to promote diversity within a community;
- (vii) The Storytime event is directed at children between the ages of three to six, hosted by drag queens who read children's picture books in public libraries;
- (viii) Drag Queen Storytime is a fun and inclusive event that celebrates the diversity we have within the City of Sydney;
- (ix) Drag Queen Storytime is especially important for children in rainbow families who may not see themselves represented in main-stream media;
- (x) Rainbow Families is a charity that help to support and advocate for LGBTQIA+ parents and families, running programs and support for families at every stage of their journey;
- (xi) in March 2024, the Inner West Council unanimously resolved to work with Rainbow Families to present a series of Drag Story Time events at an Inner West Council Library, ensuring community groups continue to feel safe, connected and supported;
- (xii) the Inner West Council now regularly hosts a series Drag Storytime events;
- (xiii) a range of Drag Queen Storytime events have had to be cancelled due to groups of extremists threatening the safety of organisers and participants;
- (xiv) the City hosts an annual library stall at Mardi Gras Fair Day and an online Pride book club theme every March to coincide with Mardi Gras Festival;
- (xv) in August of 2023, Tranby presented First Nations LGBTQIA+ performers reading poetry from their anthology published for Sydney World Pride in Darling Square Library;
- (xvi) in 2024, for Mardi Gras a series of four special event rainbow storytimes were delivered by library staff;

(xvii) the City of Sydney has previously hosted and promoted successful Rainbow Families Drag Queen Storytime events, open to the Rainbow Family Community, but there are no future City of Sydney run Drag Queen Story Time events listed; and

(xviii) City run Drag Queen Story Times be held on hold a regular basis in the City's own library event calendar, open to all members of the public;

(B) the Chief Executive Officer be requested to:

(i) allocate funding for City run Drag Queen Storytime sessions in the 2024/25 City budget;

(ii) guarantee the City run a series Drag Queen Storytimes at all City of Sydney libraries;
and

(iii) report back to councillors with progress of the above in the CEO Update.

Carried unanimously.

X086655

Item 14.10 City of Sydney Nomination Policy

Moved by Councillor Scott, seconded by Councillor Jarrett –

It is resolved that:

- (A) Council note there is no current City of Sydney Nomination Policy, approved by Council, that details the process of the City of Sydney nominating representatives to external boards or taskforces, or appointments to City planning or other advisory panels; and
- (B) the Chief Executive Officer be requested to:
 - (i) bring a policy to Council, prior to September 2024, detailing the City of Sydney's nominations and appointments process for Council approval; and
 - (ii) include policy commitments to:
 - (a) transparent, public expressions of interest for all appointments and reappointments;
 - (b) gender and diversity equity aligned to City communities, where possible;
 - (c) compliance with City conflict of interest policies, and disclosure requirements;
 - (d) term limits of no more than two, four-year terms;
 - (e) a Council approved skills matrix for each recruitment to progress against;
 - (f) clear Council delegations, aligned to any relevant NSW Government legislation and probity agency advice, about who makes recommendations, decisions and appointments for internal and external appointments;
 - (g) specifying that where the Lord Mayor is consulted, all elected representatives are also consulted;
 - (h) a commitment to share minutes with Councillors via the CEO Update, and that Councillors can attend to observe where not members; and
 - (i) that the policy be reviewed by Council on a bi-annual basis.

Foreshadowed motion. Councillor Kok foreshadowed that, should the motion moved by Councillor Scott be lost, he would move an alternative motion.

The motion was lost on the following show of hands –

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

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

Motion lost.

Moved by Councillor Kok, seconded by Councillor Worling –

It is resolved that:

(A) Council note:

- (i) the process for creating and appointing members to the Local Planning Panel is a matter for the NSW Government. It is outlined on the NSW government website. The City follows those processes as set out by the Department and directions from the Minister for Planning;
 - (iii) the City of Sydney has Terms of Reference for all of its advisory panels, which are publicly available on the City of Sydney website, regularly reviewed and reported to Council each time the Chief Executive Officer recommends Council endorse the appointment of members;
 - (a) Aboriginal and Torres Strait Islander Advisory Panel;
 - (b) Business, Economic Development and Covid Recovery Advisory Panel;
 - (c) Cultural and Creative Sector Advisory Panel;
 - (d) Design Advisory Panel and Design Advisory Panel Residential Subcommittee;
 - (e) Housing for All Working Group;
 - (f) Inclusion (Disability) Advisory Panel;
 - (g) Multicultural Advisory Panel; and
 - (h) Public Art Advisory Panel; and
 - (iii) the Terms of Reference establish panel numbers, expression of interest processes, selection criteria and processes for members and chairs, terms, diversity principles, and governance and probity arrangements, including Code of Conduct and Conflicts of Interest, and reporting requirements; and
- (B) the Chief Executive Officer be requested to review all of the City of Sydney's Advisory Panel's Terms of Reference to improve consistency and strengthen diversity of panel members and report back to Council via a CEO Update on outcomes of the review.

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

That clause (B) be amended such that it read as follows –

- (B) the Chief Executive Officer be requested to review all of the City of Sydney's Board, Governance Group, Planning Panel and Advisory Panel Terms of Reference to improve consistency and strengthen diversity of panel members and report back to Council via a CEO Update on outcomes of the review.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

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

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

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

Noes (1) Councillor Weldon.

Substantive motion carried.

X086655

Point of Order

During discussion of Item 14.10, Councillor Chan raised a point of order, in accordance with clause 14.19 of the Code of Meeting Practice in relation to comments made by Councillor Weldon.

The Chair (the Lord Mayor) upheld the point of order.

Item 14.11 Support for Boarding Houses in Sydney

Moved by Councillor Ellsmore, seconded by Councillor Scott –

It is resolved that:

- (A) Council note that:
- (i) traditional boarding houses continue to play an important role in providing relatively affordable housing in the City of Sydney, and in neighbouring Local Government Areas including the Inner West and Waverley. Traditional boarding houses tend to be established in older buildings with a long history of use as a boarding house, featuring small rooms and shared facilities;
 - (ii) in the City of Sydney there are an estimated 294 registered boarding houses with an estimated total of 4,031 rooms;
 - (iii) the number of traditional boarding houses are reducing over time, with development applications approved to convert 14 boarding houses to other housing since 2013, and the most recent City of Sydney Housing Audit 2023 finding that 64 boarding house rooms had been removed from the city's non-private dwelling stock in the twelve months to June 2023; and
 - (iv) in 2023, the City of Sydney Council refused two applications for boarding house conversions in Paddington. There is currently an appeal in the Land and Environment Court by the proponent in relation to the refusal by the City of Sydney of the Development Application to convert the boarding houses at 58-60 and 62-64 Selwyn Street Paddington into four dwellings. These boarding houses currently provide 32 rooms between them;
- (B) Council note that Council has been exploring opportunities to increase protections for traditional boarding houses;
- (C) Council note that:
- (i) although they are required to be registered, traditional boarding houses are not formally considered 'affordable housing', because there are no legal requirements that rooms be rented affordably. With Sydney rents at record highs, rising 13 per cent in one year alone, one of the key risks for traditional boarding house tenants is eviction as a result of unaffordable rent increases;
 - (ii) the Paddington Society is calling for an immediate moratorium on rent increases for boarding houses, to support boarding houses tenants, many of whom are older, on very low incomes, are living with a disability, and face few or no other housing options if evicted; and
 - (iii) the Paddington Society is also calling on the City of Sydney to purchase boarding houses at risk of being lost using affordable housing developer contributions;
- (D) the Lord Mayor be requested to write to the NSW Minister for Housing and the NSW Rental Commissioner calling for the introduction of an immediate moratorium on rent increases for boarding houses; and

- (E) the Chief Executive Officer be requested to:
- (i) undertake an assessment of options for Council to protect boarding houses through direct purchase, either directly or in coordination with Community Housing Providers, including with the use of affordable housing contributions from development;
 - (ii) provide advice to Council about potential amendments to the Council's affordable housing contribution schemes to encourage permanent protection of boarding houses; and
 - (iii) provide advice to Council about whether there are further potential amendments to Council planning instruments to protect against the loss of boarding houses, including through specific provisions in relation to the draft no net dwelling loss/dwelling retention provisions which are due to go on exhibition later this year.

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

It is resolved that:

- (A) Council note that:
- (i) traditional boarding houses continue to play an important role in providing relatively affordable housing in the City of Sydney, and in neighbouring Local Government Areas including the Inner West and Waverley. Traditional boarding houses tend to be established in older buildings with a long history of use as a boarding house, featuring small rooms and shared facilities;
 - (ii) in the City of Sydney there are an estimated 294 registered boarding houses with an estimated total of 4,031 rooms;
 - (iii) the number of traditional boarding houses are reducing over time, with development applications approved to convert 14 boarding houses to other housing since 2013, and the most recent City of Sydney Housing Audit 2023 finding that 64 boarding house rooms had been removed from the city's non-private dwelling stock in the twelve months to June 2023; and
 - (iv) in 2023, the City of Sydney Council refused two applications for boarding house conversions in Paddington. There is currently an appeal in the Land and Environment Court by the proponent in relation to the refusal by the City of Sydney of the Development Application to convert the boarding houses at 58-60 and 62-64 Selwyn Street Paddington into four dwellings. These boarding houses currently provide 32 rooms between them;
- (B) Council note that Council has been exploring opportunities to increase protections for traditional boarding houses;
- (C) Council note the City's Affordable and Diverse Housing Fund provides grants to support a wide range of affordable and diverse rental housing in the Local Government Area, including boarding houses and our Affordable Housing contributions program already enables Community Housing Providers to use funds for boarding houses;

(D) Council note that:

- (i) although they are required to be registered, traditional older stock boarding houses are not formally considered 'affordable housing', because there are no legal requirements that rooms be rented affordably. With Sydney rents at record highs, rising 13 per cent in one year alone, one of the key risks for traditional boarding house tenants is eviction as a result of unaffordable rent increases;
- (ii) the City's advocacy led to NSW Government changes under the Housing SEPP (2021) which ensure that any new boarding house project must be managed by a Community Housing Provider in perpetuity and rented to eligible households at affordable rents;
- (iii) the Affordable Rental Housing SEPP Guidelines for Retention of Existing Affordable Rental Housing 2009 (the Guidelines) that the City must assess Development Applications against are outdated, do not prevent the loss of boarding houses and do not consider the current housing affordability crisis. For example, a developer can argue that a boarding house is not financially viable to maintain;
- (iv) following a Lord Mayoral Minute in October 2023, the Lord Mayor wrote to the NSW Government to request they:
 - (a) implement the recommendations of the report on the statutory review of the Boarding Houses Act 2012 and consult with local government before making legislative changes;
 - (b) immediately review the Housing SEPP provisions for the retention of existing affordable rental housing, and the Guidelines including the viability provisions, in consultation with Local Government to allow for a more balanced assessment of Development Applications resulting in a loss of boarding houses;
 - (c) review the circumstances in which contributions are to be paid when development results in a loss of affordable accommodation so the loss is appropriately mitigated and contributions allocated in the area the housing is lost, in consultation with local government;
 - (d) provide funding for boarding house owners to bring stock up to contemporary standards, noting that any such funding should only be provided where owners do not increase rents beyond affordable rates; and
 - (e) include requirements for financial compensation of displaced residents where a Development Application has been approved for a change of use from a boarding house;
- (v) this year, the Minister for Better Regulation and Fair Trading, Minister for Planning and Public Spaces and Acting Minister for Housing responded to the Lord Mayor confirming that the NSW Government is progressing the recommendations of the 2020 statutory review and is reviewing the Guidelines, however no timeframe was provided for this;
- (vi) the Paddington Society is calling for an immediate moratorium on rent increases for boarding houses, to support boarding houses tenants, many of whom are older, on very low incomes, are living with a disability, and face few or no other housing options if evicted;
- (vii) in 2023, Council resolved to call on the NSW Government to prevent unlimited rent increases;
- (viii) the Paddington Society is also calling on the City of Sydney to purchase boarding houses at risk of being lost using affordable housing developer contributions;

- (E) the Lord Mayor be requested to write to the NSW Minister for Customer Service, who administers the Boarding Houses Act to again call on the NSW Government to implement the recommendations in the statutory review of the Act and to consult with councils before making changes; and
- (F) the Chief Executive Officer be requested to provide advice to Council about whether there are further potential amendments to Council planning instruments to protect against the loss of boarding houses, including through specific provisions in relation to the draft no net dwelling loss/dwelling retention provisions which are due to go on exhibition later this year, once the NSW Government reviews its guidelines.

The amendment was carried on the following show of hands –

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

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

Amendment carried.

Amended motion carried unanimously.

X086659

Item 14.12 Increasing Creative Live/Work Spaces

Moved by Councillor Weldon, seconded by Councillor Jarrett –

It is resolved that:

(A) Council note:

- (i) the City's draft Cultural Strategy 2025-2035 identifies that unaffordable housing is displacing creative workers. It notes, "While there are efforts at a federal and state level to increase housing supply, our consultation suggests that it will be too late for Sydney's artists if we do not act urgently with cost of living and rent relief";
- (ii) the City's analysis shows that the number of creative artists, musicians, writers and performers living in the City has plunged more than 11 per cent over the last decade. It's been reported that we're the only capital city that has lost creative workers over this time;
- (iii) if we are to maintain a vibrant, diverse and accessible City, we must urgently address the lack of affordable housing for creative workers;
- (iv) the City has a small number of residential properties which it rents to artists and creative practitioners to live and work in the city at below market rental. Properties include six one-bedroom apartments on William Street in Darlinghurst and a three-bedroom apartment above Waterloo Library;
- (v) the first tenancies commenced in 2013. Since then, the Creative Live/Work Spaces program has supported 64 mostly early-stage artists and creative workers to hone their practice within the City of Sydney, contributing to the City's cultural life;
- (vi) at the last Expression of Interest, the City received 105 applications for the seven available residences; and
- (vii) the City's draft Cultural Strategy 2025-2035 recommends extending creative/live work tenancies from 18 month to two-year leases and researching affordable housing models to support the creative sector including purpose-built artist housing with live/work or co-located workspace;

(B) Council commit to expanding the City's Creative Live/Work Spaces Program; and

(C) the Chief Executive Officer be requested to allocate funding within the 2024/25 budget and Long Term Financial Plan for the acquisition and fit-out of additional properties or the conversion of suitable commercial property within our existing portfolio.

The motion was lost on the following show of hands –

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

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

Motion lost.

X086653

Point of Order

During discussion of Item 14.12, Councillor Worling raised a point of order in relation to comments made by Councillor Weldon.

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

Item 14.13 Report on City of Sydney Suppliers and Investments in Relation to the Boycott, Divestment and Sanctions Campaign and Israel

Moved by Councillor Ellsmore, seconded by Councillor Weldon –

It is resolved that:

(A) Council note that:

- (i) on 7 October 2023, Hamas attacks on Israel involved the targeting and death of 1,139 Israelis and foreign nationals including children, and the taking of hostages;
- (ii) the Israeli military declared “a state of war alert,” and moved troops into Gaza. According to the United Nations, to date, the Israeli military operation has resulted deaths of an estimated 37,000 Palestinians, and displaced over two million individuals, with an estimated one million at risk of starvation. The International Court of Justice has ruled that all steps to prevent genocide in Gaza must be taken; and
- (iii) in June 2024, the United Nations Security Council adopted a resolution calling for an immediate, full and complete ceasefire;

(B) Council note that:

- (i) on 23 October 2023, Council voted to unanimously support peace in Israel and Gaza;
- (ii) on 11 December 2023, Council reaffirmed there can be no path to peace without respect for human rights and international law, and urged the Australian Government to support international efforts for an immediate, sustainable and humanitarian ceasefire, to enable peace negotiations and a pathway to achieving lasting peace; and
- (iii) the impacts of the conflict and the decades of struggle continue to be felt deeply in the Sydney community;

(C) Council note that the City of Sydney in 2023 adopted an Investment Policy that committed the City to avoiding investments that may involve socially harmful activities, defined as:

- (i) abuse of Human Rights and Labour Rights;
- (ii) involvement in bribery/corruption;
- (iii) production or supply of armaments; and
- (iv) manufacture of alcohol, tobacco, or gambling products;

(D) Council note that the United Nations Office of the High Commissioner for Human Rights maintains a database of companies involved in one of ten defined activities (paragraph 96 A/HRC/22/63) that raise particular human rights violations concerns regarding Israeli settlements throughout the Occupied Palestinian Territory, with 97 companies currently listed that have, directly and indirectly, enabled, facilitated and profited from the construction and growth of the settlements; and

- (E) the Chief Executive Officer be requested to:
- (i) prepare a report for Council on divestments that have or may be undertaken, to ensure that Council's Investment Policy 2023 fully consider companies involved in, or profiting from, any human rights violations including the illegal occupation of the settlements in Palestinian territories, and the supply of weapons;
 - (ii) ensure this report considers both suppliers used by the City of Sydney and the City's investments and contractual obligations;
 - (iii) ensure this report includes advice on any legislative and/or legal considerations that may affect Council's ability to implement restrictions of this nature;
 - (iv) make recommendations, if needed, of changes that Council make to its suppliers and investments, to ensure that Council is not purchasing from companies involved in weapons or human rights abuses; and
 - (v) make recommendations, if needed, about changes to Council investment and procurement policies and practices, to ensure that the ethical screen that the City applies to its procurement and investments adequately cover companies involved in activities that involve human rights violations, including human rights abuses in Palestine; and
 - (vi) report back to the elected Council within three months, or as soon as practical.

Variation. At the request of Councillor Weldon, and by consent, the motion was varied by the addition of a clause (F) to read as follows –

- (F) all persons attending this meeting of Council observe one minute's silence to acknowledge the loss of human lives and the impacts of the conflict in Israel and Gaza.

The motion, as varied by consent, was carried on the following show of hands –

Ayes (8) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok, Scott, Weldon and Worling.

Noes (2) Councillors Gannon and Jarrett.

Varied motion carried.

X086659

Note – All those present at the meeting observed a minute's silence to acknowledge the loss of lives in Israel and Gaza.

Item 14.14 Housing Co-Ops in Sydney

Moved by Councillor Ellsmore, seconded by Councillor Worling –

It is resolved that:

(A) Council note that:

- (i) housing cooperatives play an important role in keeping housing affordable in cities around the world. They provide 10 per cent of the housing across Europe. More than half of the housing in Vienna is either city-owned flats or cooperative apartments;
- (ii) in Australia, housing cooperatives account for only 0.3 per cent of housing. The recent housing cooperative project by Common Equity and All Nations Housing - which the City of Sydney Council unanimously voted to support through the discounted sale of a row of terraces in Darlinghurst - is estimated to be the first new housing cooperative in the inner city in more than 30 years;
- (iii) a recent national study of housing cooperatives, as reported in *The Value of Housing Co-operatives in Australia* by Professor Louise Crabtree et al, found that cooperative housing's costs were similar to those of other types of community housing, with housing cooperative residents having a generally higher level of satisfaction and agency, compared to other housing tenures, especially renting;
- (iv) the Housing for All Working Group visited a number of inner-city housing cooperatives in 2022. Housing cooperatives in the City of Sydney include but are not limited to Alpha House artist cooperative, Emohrua artist cooperative and STUCCO student cooperative. All were all established with government and institutional support;
- (v) the City of Sydney provided \$31,000 to Cohousing Australia Cooperative Limited in 2022 through our Knowledge Exchange grants to develop practical guidance material to help strengthen the finance of resident-led housing groups and develop cohousing in the Sydney Local Government Area; and
- (vi) the City of Sydney provided \$10,000 to Housing All Australians Limited in 2020 to a study into the long-term cost of not building sufficient social and affordable housing across the City of Sydney, to seek potential social infrastructure investment; and

(B) the Chief Executive Officer be requested to review and provide advice to Council on opportunities to increase support for housing cooperatives through Council's affordable housing schemes.

Carried unanimously.

X086659

Item 14.15 Safety Issues Bridge Road Temporary Cycleway, Glebe

Moved by Councillor Weldon, seconded by Councillor Jarrett –

It is resolved that:

(A) Council note:

- (i) our public duty to ensure that all cycleways (including pop-up cycleways) are safe before and after opening, encouraging cyclists to use them in the reasonable expectation that all safety issues have been fully assessed;
- (ii) the similarly titled October 2023 Council motion documenting serious safety concerns with the Bridge Road Temporary Cycleway;
- (iii) during the four years the cycleway has been operating on Bridge Road there have been several accidents on the cycleway and officials in Transport for NSW and City of Sydney have warned that the temporary cycleway on Bridge Road is dangerous;
- (iv) Transport for NSW datahub reports cyclist usage of the temporary cycleway is low, at approximately 200 trips per day;
- (v) according to NSW Centre for Road Safety data more than 60 documented accidents have occurred on Bridge Road, Glebe in the period from 2018-2022;
- (vi) in March 2022, a few days prior to the planning permission expired, then Minister for Transport Rob Stokes announced the temporary cycleway on Bridge Road would be made permanent, based on the findings of a Review of Environmental Factors (REF) undertaken from October 2020 until early 2022;
- (vii) the REF for the permanent cycleway on Bridge Road was released to the public for the first time as part of the May 2024 Community Update on the cycleway by Transport for NSW in an email advising it "is closer to delivering the upgraded and permanent cycleway on Bridge Road";
- (viii) the REF has been criticised for failing to examine safety issues and negative impacts on resident safety and access to their properties;
- (ix) in April 2023 a Road Safety Auditor who is part of CCHD PTY LTD conducted a so-called Independent Road Safety Audit on the project phase of Pre-construction Detail Design developed by the same company;
- (x) the CCHD PTY LTD audit excluded the following elements:
 - (a) the street lighting design;
 - (b) stormwater drainage regime; and
 - (c) right turn turning lane lengths;

- (xi) other issues of concern regarding the thoroughness of the Design Stage Road Safety Audit conducted for Transport for NSW are:
 - (a) no night time inspection was conducted by the auditor contrary to usual practice;
 - (b) vehicle swept path drawings and utility relocations were not provided to the auditor;
 - (c) traffic counts were not provided to the auditor;
 - (d) pre-existing asset protection issues which have significant road safety impacts were not part of the scope; and
 - (e) traffic accidents involving cyclists, motorists and pedestrians were not properly quantified and only included reportable accidents which are 12 months behind real time on the Road Safety website;
 - (xii) City staff have repeatedly raised safety concerns about the design proposed by Transport for NSW for a permanent cycleway on Bridge Road Glebe; and
 - (xiii) Councillor Weldon has received complaints from residents and cyclists that there was no media release or letterbox drop to the wider Forest Lodge and Glebe community about the timetable for delivering a permanent cycleway on Bridge Road;
- (B) Council also note:
- (i) over the past four years, discussions have taken place between the City of Sydney and Transport for NSW officials about banning right hand turns from Bridge Road to Glebe Point Road (in both directions) and westbound on Ross Street due to concerns for safety of cyclists;
 - (ii) Transport for NSW have recently advised via an Addendum to the REF that, after construction of the rest of the cycleway is completed, it will implement a trial of shorter right turn bays at the Ross Street and Glebe Point Road intersections, enabling the cycleway to extend closer to intersections, using temporary materials and will be evaluated to determine if there are any safety or traffic congestion issues;
 - (iii) Transport for NSW states, if the reduced right turn bays cause safety issues or unacceptable impacts to the road corridor, the temporary materials would be removed, and the length of the right turn bays would be adjusted to be consistent with the Addendum REF design; and
 - (iv) if the evaluation determines that the trial of reduced right turn bays is successful, the arrangement would be made permanent. The trial will only commence once the permanent cycleway has been constructed. There is no plan to shorten the bus right hand turn lane into Ross Street;
- (C) the Lord Mayor be requested to write to the Minister for Transport:
- (i) noting that the Independent Road Safety Audit conducted in 2023 on the design for the permanent cycleway on Bridge Road Glebe for Transport for NSW did not include in the audit the right turn bays at the Ross Street and Glebe Point Road intersections and other serious safety issues;

- (ii) emphasising that these issues present sufficient safety concerns for cyclists, pedestrians and motorists that another daytime independent design stage safety audit should be conducted without delay on the proposed design for the permanent cycleway to consider all safety risks prior to construction commencing on the permanent cycleway;
 - (iii) recommending a nighttime independent Road Safety Audit should be conducted on the cycleway design prior to construction commencing because feedback from cyclists, motorists and residents that the lighting scheme on Bridge Road is not of a sufficient standard for safe cycling in the evening and the bus stops present particular safety risks for pedestrians and cyclists; and
 - (iv) noting that not all residents in Glebe are registered for community updates via email and suggest a letter box drop be arranged by Transport to all residences within 1km of the cycleway to inform them about the release of the REF and Addendum REF pertaining to the cycleway and the final design; and
- (D) the Chief Executive Officer be requested to provide an update to Councillors on outstanding safety issues for the Bridge Road Cycleway.

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

It is resolved that:

- (A) Council note:
- (i) our public duty to ensure that all cycleways (including pop-up cycleways) installed by the City of Sydney Council are safe before and after opening, encouraging cyclists to use them in the reasonable expectation that all safety issues have been fully assessed;
 - (ii) the similarly titled October 2023 Council motion documenting serious safety concerns with the Bridge Road Temporary Cycleway;
 - (iii) during the four years the cycleway has been operating on Bridge Road there have been several accidents on the cycleway and officials in Transport for NSW and City of Sydney have warned that the temporary cycleway on Bridge Road is dangerous;
 - (iv) Transport for NSW's cycling counts dashboard reports an average of 512 bike trips per day on the Bridge Road cycleway over the last 12 month period;
 - (v) according to NSW Centre for Road Safety data 16 crashes have occurred on the Bridge Road pop-up cycleway between Lyons Road and Taylor Street between September 2020 when the pop-up cycleway was installed and December 2022. Of those, seven crashes involved people riding with five of those caused by vehicle drivers;
 - (vi) in March 2022, the Review of Environmental Factors (REF) was finalised enabling the pop up cycleway to remain in place;
 - (vii) the REF for the permanent cycleway on Bridge Road was released to the public for the first time as part of the May 2024 Community Update on the cycleway by Transport for NSW in an email advising it "is closer to delivering the upgraded and permanent cycleway on Bridge Road";

- (viii) the REF has been criticised for failing to examine safety issues and negative impacts on resident safety and access to their properties;
 - (ix) in April 2023 a Road Safety Auditor who is part of CCHD PTY LTD conducted a so-called Independent Road Safety Audit on the project phase of Pre-construction Detail Design developed by the same company;
 - (x) the CCHD PTY LTD audit excluded the following elements:
 - (a) the street lighting design;
 - (b) stormwater drainage regime; and
 - (c) right turn turning lane lengths;
 - (xi) other issues of concern regarding the thoroughness of the Design Stage Road Safety Audit conducted for Transport for NSW are:
 - (a) no night time inspection was conducted by the auditor contrary to usual practice;
 - (b) vehicle swept path drawings and utility relocations were not provided to the auditor;
 - (c) traffic counts were not provided to the auditor;
 - (d) pre-existing asset protection issues which have significant road safety impacts were not part of the scope; and
 - (e) traffic accidents involving cyclists, motorists and pedestrians were not properly quantified and only included reportable accidents which are 12 months behind real time on the Road Safety website;
 - (xii) City staff have repeatedly raised safety concerns about the design proposed by Transport for NSW for a permanent cycleway on Bridge Road Glebe; and
 - (xiii) Councillor Weldon has received complaints from residents and cyclists that there was no media release or letterbox drop to the wider Forest Lodge and Glebe community about the timetable for delivering a permanent cycleway on Bridge Road;
- (B) Council also note:
- (i) over the past four years, discussions have taken place between the City of Sydney and Transport for NSW officials about reducing the length of sections where people need to ride in mixed traffic conditions by increasing the length of separated cycleways along the route;
 - (ii) Transport for NSW have recently advised via an Addendum to the REF that, after construction of the rest of the cycleway is completed, it will implement a trial of shorter right turn bays at the Ross Street and Glebe Point Road intersections, enabling the cycleway to extend closer to intersections, using temporary materials and will be evaluated to determine if there are any safety or traffic congestion issues;
 - (iii) Transport for NSW states, if the reduced right turn bays cause safety issues or unacceptable impacts to the road corridor, the temporary materials would be removed, and the length of the right turn bays would be adjusted to be consistent with the Addendum REF design; and

- (xiv) if the evaluation determines that the trial of reduced right turn bays is successful, the arrangement would be made permanent. The trial will only commence once the permanent cycleway has been constructed. There is no plan to shorten the bus right hand turn lane into Ross Street;
- (C) the Lord Mayor be requested to write to the Minister for Transport:
- (i) noting that the Independent Road Safety Audit conducted in 2023 on the design for the permanent cycleway on Bridge Road Glebe for Transport for NSW did not include in the audit the right turn bays at the Ross Street and Glebe Point Road intersections and other serious safety issues but we welcome Transport for NSW's commitment to monitoring the impacts of the changes and addressing any safety issues identified with them during the trials;
 - (ii) recommending that Transport for NSW ensure that the lighting scheme on Bridge Road is of a sufficient standard for safe cycling in the evening and the bus stops to address safety risks for pedestrians and cyclists; and
 - (iii) noting that not all residents in Glebe are registered for community updates via email and suggest a letter box drop be arranged by Transport to all residences within 1km of the cycleway to inform them about the release of the REF and Addendum REF pertaining to the cycleway and the final design; and
- (D) the Chief Executive Officer be requested to provide an update to Councillors on outstanding safety issues for the Bridge Road Cycleway.

The amendment was carried on the following show of hands:

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

Noes (2) Councillors Jarrett* and Weldon.

Amendment 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 amendment.

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

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

Noes (2) Councillors Jarrett* and Weldon.

Amended motion 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.

X086653

Point of Order

During discussion of Item 14.15, Councillor Chan raised a point of order, in accordance with clause 14.19 of the Code of Meeting Practice in relation to comments made by Councillor Weldon.

The Chair (the Lord Mayor) upheld the point of order.

Monday 24 June 2024

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At 9.26 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 29 July 2024 at which
meeting the signature herein was subscribed.