

Council

Meeting No 11

Monday 25 November 2024

Notice No 11/1669

Notice Date 21 November 2024

minutes

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Present

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

Members Deputy Lord Mayor - Councillor Zann Maxwell, Councillor Sylvie Ellsmore, Councillor Lyndon Gannon, Councillor Robert Kok, Councillor Jess Miller, Councillor Matthew Thompson, Councillor Yvonne Weldon AM, Councillor Mitch Wilson and Councillor Adam Worling.

At the commencement of business at 5.00pm, those present were:

The Lord Mayor, Deputy Lord Mayor Councillor Maxwell, and Councillors Ellsmore, Gannon, Kok, Miller, Thompson, Councillor Weldon, Wilson and Worling.

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

Acknowledgement of Country and Opening Prayer

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

Councillor Wilson left the meeting of Council at 5.45pm prior to discussion on Item 6.8, and returned at 5.46pm, after the vote on Item 6.8. Councillor Wilson was not present at, or in sight of, the meeting of Council during discussion or voting on Item 6.8.

Councillor Wilson left the meeting of Council at 5.55pm prior to discussion on Item 8.4, and returned at 6.10pm, after the vote on Item 8.4. Councillor Wilson was not present at, or in sight of, the meeting of Council during discussion or voting on Item 8.4.

Councillor Miller left the meeting of Council at 5.55pm prior to discussion on Item 8.4, and returned at 6.10pm, after the vote on Item 8.4. Councillor Miller was not present at, or in sight of, the meeting of Council during discussion or voting on Item 8.4.

Councillor Weldon left the meeting of Council at 6.10pm prior to discussion on Item 9.3, and returned at 6.12pm, after the vote on Item 9.3. Councillor Weldon was not present at, or in sight of, the meeting of Council during discussion or voting on Item 9.3.

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, 28 October 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

Councillor Clover Moore AO (the Lord Mayor) made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that the Chairperson of Qtopia Ltd who is the recommended lessee for the Taylor Square Substation and Underground Toilets is Elaine Czulkowski who was a candidate on the Clover Moore Independent Team for the 2021 Local Government elections. The Lord Mayor 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 Elaine, or anyone associated with Qtopia Ltd.
- a less than significant, non-pecuniary interest in Item 12 on the agenda, in that she owns property within the vicinity of the proposed public infrastructure works that are the subject of this planning agreement. The Lord Mayor considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because there is no reasonable likelihood or expectation of appreciable financial gain or loss as a result as per clause 4.1 of the Code of Conduct.

Councillor Zann Maxwell made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that Ian Roberts who is on the Board of Qtopia is a member of Sydney Labor and has been a long-standing member of the Labor Party who he has known over the years of his involvement with the Party. Councillor Maxwell considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as Ian has not made representations to him about this specific item coming to Council.
- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that Saba Fadjr Khalifah lives in the same building as one of the proposed sites to receive one of the Green Building Grant Funding packages. Saba was a member of the Sydney Labor Campaign in 2024. Councillor Maxwell considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because Saba has not made any representations to him about this matter coming to Council.
- a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that Aunty Norma Ingram was involved in the Sydney Labor Campaign in 2024 and is on the Board of Wyanga Aboriginal Aged Care, an organisation that is receiving a grant under the Social Grants Program. Councillor Maxwell considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because Aunty Norma has not contacted him or made representations to him relating to this grant in addition to these grants being decided prior to his appointment to Council.

Councillor Sylvie Ellsmore made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that she has a close personal relationship with Marjorie Tenchavez, a founder and Director of Welcome Merchant, who were unsuccessful in their application for a grant. She is not related to Marjorie Tenchavez and the nature of her relationship does fall into the definition of a significant relationship for the purpose of disclosure. Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she did not discuss the grant with the applicant. The applicant is not recommended for a grant.
- a less than significant, non-pecuniary interest in item 8.4 on the agenda, in that a member of the Organising Committee of Disability Pride Sydney made two donations totalling \$40 to the Greens for City of Sydney Campaign in 2023/24. Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the donation was a minor amount and not a reportable political donation. She was not aware the grant application had been made.

Councillor Robert Kok made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that the Chairperson of Qtopia Ltd who is the recommended lessee for the Taylor Square Substation and Underground Toilets is Elaine Czulkowski who was a candidate on the Clover Moore Independent Team for the 2021 Local Government elections. Councillor Kok 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 item with Elaine, or anyone associated with Qtopia Ltd.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that the director of the recipient of one of the grants is an acquaintance whom he met when attending the Serbian Festival, Mr Mihailo Mijatovic. Councillor Kok considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was not aware of the application by the group until it came to Council and he has not spoken to Mihailo or anyone associated with the Serbian Festival about the grant.
- a less than significant, non-pecuniary interest in Item 11.6 on the agenda, in that he is acquainted with one of the owners of the properties 90-100 Hay Street, Mr Lance Lai, as they attended university together. Councillor Kok considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he did not discuss the item with Lance.

Councillor Jess Miller made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that the Chairperson of Qtopia Ltd who is the recommended lessee for the Taylor Square Substation and Underground Toilets is Elaine Czulkowski who was a candidate on the Clover Moore Independent Team for the 2021 Local Government elections. Councillor Miller 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 Elaine, or anyone associated with Qtopia Ltd.
- a significant, non-pecuniary interest in Item 8.4 on the agenda, in that Dan Ling from Reco Pty Ltd is a friend. They have not discussed this grant.
- a significant, non-pecuniary interest in Item 8.4 on the agenda, in she was an Industry and Academic Advisor on the Creative and Environmental programming streams for SXSW 2024. This was an unpaid position.

- a significant, non-pecuniary interest in Item 8.4 on the agenda, in she is a Board Member of TEDxSydney.

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

- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that she is acquainted with James Thorpe from The Old Fitz. Councillor Miller considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not spoken to James about this grant.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that she has supported Shaun Christie-David from Plate It Forward with his restaurant openings. Councillor Miller considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not spoken to Shaun about this grant.

Councillor Matthew Thompson made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that a member of the Organising Committee of Disability Pride Sydney made two donations totalling \$40 to the Greens for City of Sydney Campaign in 2023/24. Councillor Thompson considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the donation was of a minor amount and not a reportable political donation. He has also not discussed the matter with the member or other members of Disability Pride Sydney.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that an organisation that applied, but is not recommended, for grant funding, Addison Road Community Centre, employed Councillor Thompson as a member of their staff in 2018 to 2019. He has ongoing connections with both current and former staff. Councillor Thompson considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his employment with them ended 5 years ago. He has also not discussed the matter with the member or other members of the Addison Road Community Centre.
- a less than significant, non-pecuniary interest in Item 11.6 on the agenda, in that the firm that was commissioned to undertake the heritage assessment report for this item, Hector Abrahams, is the former employer of his partner. Councillor Thompson considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his partner was not involved with the productions of this report, nor is he employed there now. Councillor Thompson has also not discussed the matter with anyone else in the organisation.

Councillor Yvonne Welson AM disclosed a significant, non-pecuniary interest in Item 9.3 on the agenda, in that she is a Board Member of the Metropolitan Local Aboriginal Land Council, the coordinating partner for these events.

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

Councillor Mitch Wilson made the following disclosures:

- a significant, non-pecuniary interest in Item 6.8 on the agenda, in that they have known Ian Roberts, a Board Member of Qtopia, for many years, and Ian has previously been a candidate for Labor on the City of Sydney in the past.

Councillor Wilson stated they will not be voting on this matter.

- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that Saba Fadjar Khalifah lives in a building to receive one of the Green Building Grants. Saba was a member of the City of Sydney Labor campaign in 2024 and made a non-reportable political donation. Councillor Wilson considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as Saba did not made representations to them about this matter coming to Council.
- a significant, non-pecuniary interest in Item 8.4 on the agenda, in that SXSX Sydney is a member of the Australian Festival Association, of which they are Managing Director. SXSX Sydney is also represented on the Association's Board by Jessie Parker, a Director of the Association representing Laneway Festival and TEG, which runs SXSX Sydney.
- a significant, non-pecuniary interest in Item 8.4 on the agenda, in that Sydney Comedy Festival is a member of the Australian Festival Association, of which they are a member. The General Manager of the Festival, James Declase, is also a close personal friend.

Councillor Wilson stated they will not be voting on this matter.

- a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that Aunty Norma Ingram was involved in the City of Sydney Labor Campaign in 2024 and is on the Board of Wyanga Aboriginal Aged Care. Aunty Norma was also previously a candidate for Labor for the City of Sydney in the past. Councillor Wilson considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as Aunty Norma has not contacted them or made representations to them relating to this grant in addition to these grants being decided prior to their appointment to Council.

Councillor Adam Worling made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that the Chairperson of Qtopia Ltd who is the recommended lessee for the Taylor Square Substation and Underground Toilets is Elaine Czulkowski who was a candidate on the Clover Moore Independent Team for the 2021 Local Government elections. He also has a close relationship with Qtopia's CEO, Greg Fisher, and has attended fundraisers in the past as a guest of Qtopia. 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 item with Elaine, Greg, or anyone associated with Qtopia Ltd.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that as an active member of the LGBTIQ+ community, he has worked and crossed paths with various staff at Acon Health Limited, an organisation that is recommended for funding. 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 item with anyone associated with Acon Health Limited.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that as an active member of the LGBTIQ+ community, he has a membership for Queer Screen Limited, an organisation who is recommended for funding. 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 item with anyone associated with Queer Screen Limited.

- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that as an active member of the LGBTIQA+ community, he has former professional relationships at The Aurora Group – A Ruby Foundation Limited, which is recommended for funding. He also attended The Aurora Ball as a guest of the organisation. 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 item with anyone associated with The Aurora Group – A Ruby Foundation Limited.

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

Item 3 Minutes by the Lord Mayor**Item 3.1 Vale Ian Stephenson****Minute by the Lord Mayor**

To Council:

I wish to inform Council of the passing of Ian Malcolm Stephenson, curator, educator, advocate and former President of the Glebe Society, at his home in Glebe on 24 October 2024.

Ian was born in Epping on 1 December 1955 to his mother Noreen and father, Austin, a pharmacist. His lifelong fascination for the world around him began in childhood, when he attended Newington College, followed by the Scots School at Bathurst and the University of Tasmania, where he studied history.

A career in taxation at the Australian Taxation Office in Hobart followed. It was during that time, that Ian got to know Clive Lucas OBE, the architect for the Australian Government-funded Port Arthur Conservation Project and pursued his passion for history and heritage.

In 1988, Ian completed a Diploma of Museum Studies at Sydney University while living in Glebe. A highly productive career across a range of heritage organisations ensued including Senior Curator at the National Trust of Australia (NSW), Director of Historic Places in Canberra, and CEO of the National Trust of Australia (South Australia).

While at the National Trust of Australia (NSW), Ian worked closely with Clive Lucas on a re-restoration of Old Government House in Parramatta restoring much of the early 19th century detail that was discarded during works carried out in the 1960s. Ian went on to project manage the re-interpretation of Old Government House to reflect the Macquarie period. Ian's enthusiasm and commitment secured volunteers for the National Trust for over 2 decades.

Through the 1990s, Ian attended the Victorian Society Summer School in Chicago, which is dedicated to architecture, art, landscape and preservation, and the Attingham Summer School, where the Attingham Trust provided Ian with an important international professional network for the study, curatorship and conservation of historic houses.

As a custodian of historic sites, Ian formed strong friendships with leading heritage thinkers in Australia, the UK and USA and many other people who might otherwise have opposed change.

Ian's heritage advocacy continued as a member of The Glebe Society, and later he became President followed by roles as Vice President, Planning Convener and Heritage Convener.

Alongside other members, Ian prepared many well-informed development submissions on behalf of the Glebe Society and addressed the City of Sydney Local Planning Panel on several occasions making an important contribution to achieving good outcomes.

During the City's review of its 75 conservation areas, I met with Ian to discuss Glebe's significance.

A tireless contributor to the Glebe Society's Bulletin, Ian was known for the delight he took in sharing his understanding of Glebe's unique social, political and architectural heritage. His enthusiasm was infectious, frequently leading popular walks through Glebe highlighting the importance of good design and tales of past residents.

Ian was passionate about protecting and preserving heritage listed Bidura House in Glebe and ensuring that repairs and maintenance were embedded in development approval. He opposed the relocation of the Powerhouse Museum from Ultimo, successfully fought for the retention of the Franklyn Street social housing estate, and worked with Hands Off Glebe on a campaign to stop the demolition of 82 Wentworth Park Road, another at-risk social housing estate.

Ian was a trustee and later became Chairman at the Copland Foundation, which sponsors significant acquisitions and conservation of historic Australian places. He also served as the director of Historic Places, ACT, curator of collections at the University of New England, and was a board member of the National Trust of Australia in 2010.

Ian is survived by his sister, Helen Brookes and her husband Michael, who were fortunate to have been reunited with him in the UK earlier this year, and his nieces Rachel and Anthea, who will cherish many happy memories with their uncle.

Ian was good-humoured, fiercely passionate and clever and he made a positive and lasting impact in our community and will be missed by all who knew him.

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Ian Stephenson and his contribution to heritage protection and preservation and the Glebe community;
- (B) Council express its condolences to Ian's sister, Helen Brookes, brother-in-law Michael and nieces Rachel and Anthea, The Glebe Society and the Glebe community; and
- (C) the Lord Mayor be requested to convey Council's condolences to Ian's sister, Helen Brookes, brother-in-law Michael and nieces Rachel and Anthea.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Moved by the Chair (the Lord Mayor) –

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

Carried unanimously.

S051491

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

Item 3.2 Vale Sharne Dunsmore**Minute by the Lord Mayor**

To Council:

I wish to inform Council of the passing of Sharne Dunsmore, CEO of The Fact Tree Youth & Community Services Waterloo, who sadly lost her brief battle with cancer on 31 October 2024. Sharne is survived by her daughters Marli and Georgia and their other mother, Marilen, and her sisters, Julie and Kerrie.

Sharne worked tirelessly for over 30 years as the CEO and driving force behind The Fact Tree having joined at 28, just three years after the service opened.

Sharne had previously made her mark in the Bondi community working at Ways Youth & Community Services. She brought that passion to the Waterloo community and was a fierce advocate, always making sure the community was treated fairly and with dignity.

She created a space that was warm and welcoming. Everyone always looked for her smile and wave as they walked past. She was devoted, always willing to give her time and have a yarn. Her open door policy created a second home for so many in the community.

Over the years, The Fact Tree has stood alongside the community in challenging times and has provided a consistent source of strength and advocacy. Under Sharne's leadership, The Fact Tree consistently advocated for policies and programs that prioritise the needs of those most vulnerable in the community.

The City has proudly supported The Fact Tree's After Hours service since 2011 and provides a fun and diverse program of activities for young people aged 11-18 years every Friday and Saturday night from 4pm-10pm.

Sharne was a unique and charismatic presence. She was the backbone of the community and so many who knew her and grew up in the youth service are full of gratitude that she was there to support them so passionately and for so long right up until the end.

As proud as Sharne was of all her work at The Fact Tree, there were no prouder moments than 14 and 12 years ago when she welcomed her two daughters, Marli and Georgia.

Sharne's passing is a huge loss to her family, friends and all the young people whose lives she enriched and supported over many years of outstanding and vital work within the community.

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Sharne Dunsmore, for her decade's long devotion as CEO of The Fact Tree Youth & Community Services and to the Waterloo community;
- (B) Council express its condolences to her daughters Marli and Georgia and their mother, Marilen, her sisters Julie and Kerrie, staff at the Fact Tree Youth & Community Services Waterloo, and the Waterloo community; and
- (C) the Lord Mayor be requested to convey Council's condolences to Sharne's family and the Fact Tree Youth & Community Services Waterloo.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Moved by the Chair (the Lord Mayor) –

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

Carried unanimously.

S051491

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

Item 3.3 Vale Leon Paroissien AM**Procedural Motion**

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

That Item 3.3 be deferred to the meeting of Council on 16 December 2024.

Carried unanimously.

Item 3.4 Enhancing Street Cleaning and Urgent Action on Waste in NSW**Minute by the Lord Mayor**

To Council:

Our changing city

The residential population of the City of Sydney is expected to grow by 27% by 2041, increasing the population from 244,000 to 310,000 people. There are also more people moving into the Green Square Urban Renewal area as developments are completed.

More people are enjoying our streets, parks and open spaces, especially during successful programs like Sydney Streets, while on-street dining has been embraced by many.

In June 2019 Council declared a climate emergency. We are already experiencing the impacts of climate change, and by 2050, urban heating is predicted to increase temperatures between 1.5 and 3 degrees.

We see trees and green spaces as essential infrastructure. Effective and extensive canopy cover can help reduce temperatures on the ground by up to 10 degrees. That's why we have planted more than 17,000 street trees across our local area since 2005, increasing canopy cover in the City by the equivalent of 80 Sydney Cricket Grounds. More trees create more leaf-drop, which requires more frequent street sweeping and cleaning.

We are also planning to establish Special Entertainment Precincts, building on the growing night life in areas such as King Street in Newtown and Crown Street in Surry Hills. These areas will need more intensive and frequent cleaning.

The City's street cleaning and sweeping services, work scheduling and staffing levels need to adapt to meet the expectations of our community.

This is in keeping with the recommendation to purchase more cleansing equipment and trucks so the City can increase public domain cleansing services, as outlined in the Quarter 1 Review which will be voted on by Council at this meeting.

Waste processing infrastructure

Following the first Sydney Mayoral Summit on Waste, in June 2023 Council unanimously supported my Lord Mayoral Minute - Collective Action on Waste that asked the NSW Government to set the waste levy at an appropriate level, reinvest 100% of the revenue into waste infrastructure and improve approval processes and licensing procedures for new waste processing facilities and landfill sites.

Since then, all 33 Councils of Greater Sydney through Resilient Sydney and their regional organisations have worked with the NSW Environment Protection Authority to address this crisis.

On 1 November 2024, the NSW Environment Minister Penny Sharpe and NSW Environment Protection Authority CEO Tony Chappel hosted the NSW Circular Economy Summit in Sydney.

Minister Sharpe acknowledged that Greater Sydney is on the brink of a waste crisis, and that without new waste and recycling solutions, and some quick decisions and choices, landfill space is predicted to run out by 2030.

It is important that the NSW Government has acknowledged the severity of the waste crisis and has committed to:

- plan and develop critical waste infrastructure;
- finalise the review of the waste levy and rolling out a NSW Reuse and Repair Strategy;
- legislate mandates to phase-in food organics and garden organics waste collection for businesses and households;
- increase recycling rates by taking certain plastics out of circulation; and
- take action to prevent contamination through product stewardship schemes for batteries and a review of settings around asbestos.

The NSW Environmental Protection Agency must urgently finalise the NSW Waste Infrastructure Plan, which has been in development for over a year. A clear plan, developed in consultation with key stakeholders including Councils must provide certainty to attract the investment for desperately needed waste facilities.

In September 2024, the Australian Government launched the Great Unwaste, a nationwide campaign to reduce food waste and help households have a positive impact on the planet, and their pockets.

We must capitalise on this momentum by continuing to advocate to the Australian and NSW Governments and work with our new Environment and Climate Change Advisory Panel to develop waste prevention initiatives to change community behaviour and address the larger underlying issues of overconsumption and our throw away mentality.

Recommendation

It is resolved that:

(A) Council note that:

- (i) the population of the City of Sydney has nearly doubled since 2004 is expected to grow by 27% by 2041, and tree planting and night life activity has increased, which means we need to increase the City's street cleaning and sweeping services to meet the needs and expectations of our community; and
- (ii) at tonight's meeting, Council will vote on a recommendation to bring forward \$4.7M of funds into the 2024/25 and \$3.6M forward into the 2025/26 Plant and Equipment budget to purchase more cleansing plant and equipment to enable an increased public domain cleansing program;

(B) Council further note that:

- (i) without new waste and recycling solutions, landfill space in NSW is predicted to run out by 2030; and
- (ii) at the NSW Circular Economy Summit in Sydney on 1 November 2024, the NSW Government acknowledged the severity of the waste crisis and its responsibility to address it, including through a Waste Infrastructure Plan for NSW;

(C) the Chief Executive Officer be requested to:

- (i) allocate the additional staff and operational resources needed to improve our street cleaning and sweeping services to the draft 2025/26 Operating Budget;
- (ii) continue to work with the NSW Government, other Greater Sydney Councils, and the waste and recycling industry to achieve adequate and sustainable waste processing infrastructure in NSW to meet future needs; and
- (iii) consult with the City's new Environmental and Climate Change Advisory Panel to develop and implement programs and initiatives to help the community prevent and reduce waste; and

(D) the Lord Mayor be requested to:

- (i) write to Resilient Sydney and the four Sydney Regional Organisation of Councils offering to host a second Sydney Mayoral Summit on Waste in a City venue; and
- (ii) write to the NSW Minister for the Environment to invite the Minister to the Summit and ask the NSW Government to:
 - (a) urgently finalise the NSW Waste Infrastructure Plan, and
 - (b) establish a whole of government Waste Infrastructure Crisis Management Team, with representatives from Local Government and the waste and recycling industry, to expedite desperately needed waste infrastructure in NSW.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Moved by the Chair –

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

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

It is resolved that:

(A) Council note that:

- (i) the population of the City of Sydney has nearly doubled since 2004 is expected to grow by 27% by 2041, and tree planting and night life activity has increased, which means we need to increase the City's street cleaning and sweeping services to meet the needs and expectations of our community; and
- (ii) at tonight's meeting, Council will vote on a recommendation to bring forward \$4.7M of funds into the 2024/25 and \$3.6M forward into the 2025/26 Plant and Equipment budget to purchase more cleansing plant and equipment to enable an increased public domain cleansing program;

- (B) Council further note that:
- (i) without new waste and recycling solutions, landfill space in NSW is predicted to run out by 2030; and
 - (ii) at the NSW Circular Economy Summit in Sydney on 1 November 2024, the NSW Government acknowledged the severity of the waste crisis and its responsibility to address it, including through a Waste Infrastructure Plan for NSW;
- (C) Council note the City is preparing a business case for a new Food Organics and/or Food and Garden Organics service, including a service model to be brought to Council for the 2025/26 financial year;
- (D) the Chief Executive Officer be requested to:
- (i) allocate the additional staff and operational resources needed to improve our street cleaning and sweeping services to the draft 2025/26 Operating Budget;
 - (ii) continue to work with the NSW Government, other Greater Sydney Councils, and the waste and recycling industry to achieve adequate and sustainable waste processing infrastructure in NSW to meet future needs;
 - (iii) provide further updates to Councillors about the progress and/or outcomes of the current food recycling pilots being undertaken by the City; and
 - (iv) consult with the City's new Environmental and Climate Change Advisory Panel to develop and implement programs and initiatives to help the community prevent and reduce waste; and
- (E) the Lord Mayor be requested to:
- (i) write to Resilient Sydney and the four Sydney Regional Organisation of Councils offering to host a second Sydney Mayoral Summit on Waste in a City venue; and
 - (ii) write to the NSW Minister for the Environment to invite the Minister to the Summit and ask the NSW Government to:
 - (a) urgently finalise the NSW Waste Infrastructure Plan, and
 - (b) establish a whole of government Waste Infrastructure Crisis Management Team, with representatives from Local Government and the waste and recycling industry, to expedite desperately needed waste infrastructure in NSW.

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

S051491

Item 3.5 Haven House South Dowling Street**Minute by the Lord Mayor**

To Council:

For 3 years, the City of Sydney worked with the Property Industry Foundation to find an appropriate City-owned site for their Haven House project, which aims to provide long-term accommodation for young people experiencing or at risk of homelessness.

In 2020, Council approved a heavily discounted 50-year ground lease to the Property Industry Foundation worth \$5.9 million for our property at 545–549 South Dowling Street in Surry Hills. This site was chosen because it can accommodate more apartments, was available for 50 years providing security of tenure and is close to transport.

The Property Industry Foundation and the City entered into a formal agreement to secure the long-term lease and invest in redeveloping the property into a new flagship facility. This strong financial commitment enabled the Property Industry Foundation to leverage funding from the NSW Government and the Goodman property group towards planning and construction costs. Without this early commitment from the City and the tireless work of City staff, this project may not have got off the ground.

In February 2024, the Local Planning Panel greenlit the project to deliver a new four-storey building with 10 apartments that will be home for 19 young people. It includes communal recreation spaces and dedicated areas for support service providers.

The building is sensitively designed by architects, Fitzpatrick and Partners and is a modern interpretation of the traditional Victorian terrace, so it respects the streetscape. The design enables independent living with individual kitchens, living rooms and bathrooms in each apartment. Long-term, stable accommodation will promote long-term care and true transition to fully independent living.

While housing is primarily the responsibility of the NSW Government, the City uses every lever available to maximise Affordable Housing in our area. Long-term leasing or selling land at a discounted rate is one of these levers. Similar projects using this approach include Gibbons Street, Redfern, where we sold a former Council depot at a discount to St George Community Housing delivering 162 social and affordable units, with 45% for Aboriginal and Torres Strait Islander households. In Chippendale, we provided a \$3 million grant to St George Community Housing from our Affordable and Diverse Housing Fund to deliver 53 rooms for young people at risk of homelessness and 20 rooms for key workers.

Partnership model

The Property Industry Foundation's House Program leverages the skills and influence of property and construction industry leaders to build new facilities through in-kind contributions and increase affordable housing stock. They partner with frontline homelessness charities to provide safe, appropriate and affordable accommodation and the necessary wrap around support services.

To date the Property Industry Foundation has delivered 26 beds in NSW, Victoria and Queensland for young people at risk of homelessness. Haven House South Dowling Street will be their largest project delivered, adding another 19 beds to their portfolio.

For Haven House, the Property Industry Foundation has partnered with The Salvation Army to deliver early intervention programs and services on site to support young people once the development is complete. This means its future residents will have access to programs and services to support them through complex health and welfare needs, through services to improve education and financial skills, as well as providing employment training and mental health care.

I was very pleased when earlier this year, the NSW Government also agreed to support the project's construction through a \$3 million grant as well as \$1.5 million from private property group, Goodman. This project is a great example of what can be achieved when different levels of government, the private sector and the Community Housing sector work together.

Construction is due to start early next year and expected to be completed in 2026 with Roberts Co as lead construction partners. The Property Industry Foundation will be responsible for operational and structural maintenance and repair of the new building as well as all outgoings.

Haven House is about breaking the cycle of homelessness and providing young people the support and guidance they need in a safe environment.

Not all young people can rely on family support during their childhoods. This innovative model of care will provide those people with the time, personalised attention, mentoring, coaching and access to opportunities needed to lead fulfilling, independent and productive lives.

We are proud to see our initiative with the Property Industry Foundation and others come to fruition and for Haven House to take the next steps towards completion.

Recommendation

It is resolved that Council note:

- (A) the Haven House project at 545–549 South Dowling Street in Surry Hills will deliver long-term transitional housing for 19 young people experiencing or at risk of homelessness;
- (B) in order to bring this housing project to fruition, the City of Sydney provided the Property Industry Foundation with a heavily discounted 50-year ground lease for the site worth approximately \$5.9 million;
- (C) the additional financial support from the NSW Government, Goodman property group, as well as The Salvation Army who will provide on-site intervention programs and services to support future residents;
- (D) this project is a great example of what can be achieved when different levels of government, the private sector and the Community Housing sector work together; and
- (E) the important contribution of the City of Sydney's Chief Executive Officer, Executive team and staff to make this project possible all the way from idea to approval.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Moved by the Chair (the Lord Mayor) –

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

Carried unanimously.

S051491

Item 4 Memoranda by the Chief Executive Officer**Item 4.1 Greater Sydney Parklands - Council Nomination for Centennial Parklands Community Trustee Board****Memorandum by the Chief Executive Officer**

To Council:

Greater Sydney Parklands is a NSW Government agency established in July 2020 to manage some of Sydney's most iconic parks: Centennial Parklands (including Moore Park and Queens Park), Western Sydney Parklands, Parramatta Park, Callan Park and Fernhill Estate.

Each parkland in the Greater Sydney Parklands (GSP) estate – Callan Park, Centennial Parklands, Fernhill Estate, Parramatta Park and Western Sydney Parklands – has a Community Trustee Board (CTB). The boards provide advice and recommendations from a community perspective to make decisions about the parklands, and include community members with heritage, First Nations and local government expertise.

The Community Trustee Boards play a key advisory role for Greater Sydney Parklands. They represent a broad range of community interests and local perspectives on park stewardship, activities and usage. They also advise the Greater Sydney Parklands Trust (GSPT) on environmental, heritage and cultural matters.

The Greater Sydney Parklands Trust Act 2022 specifies that each Community Trustee Boards will have at least 7 members. This includes:

a member nominated by each relevant local council as community representatives – there is provision for City of Sydney, Randwick, Waverley and Woollahra councils to each nominate a representative to the Centennial Park and Moore Park Community Trustee Board. Note: additional Council representatives may attend Community Trustee Board meetings as non-voting observers.

up to 6 other members, including a First Nations representative and heritage representative, will be appointed by the Minister for Planning and Public Spaces, on the advice of the Greater Sydney Parklands Trust.

In line with the Act, positions on the Community Trustee Board for Centennial Park and Moore Park are voluntary and not remunerated.

On 31 October 2022, Council endorsed the nomination of the Lord Mayor Councillor Clover Moore AO, as the City of Sydney representative to the Community Trustee Board for Centennial Park and Moore Park. The Minister subsequently approved the appointment. At that meeting, Council also endorsed former City of Sydney Councillor, Philip Thalys as the Lord Mayor's delegate.

The first term of the Centennial Park and Moore Park Community Trustee Board expires on 31 December 2024.

Community Trustee Board members can hold office for a period not exceeding 5 years. Members are appointed by the Minister for 2 years in the first instance and are eligible (if otherwise qualified) for re-appointment – for a maximum of 2 consecutive terms.

All Community Trustee Board members for the next term need to be appointed by the Minister by late 2024. Greater Sydney Parklands have requested that the nomination for the representative for the Centennial Park and Moore Park Community Trustee Board be made by Monday 2 December 2024.

Recommendation

It is resolved that Council:

- (A) nominate and endorse _____ as the City of Sydney representative to the Community Trustee Board for Centennial Park and Moore Park; and
- (B) note the Community Trustee Board for Centennial Park and Moore Park Terms of Reference as shown at Attachment A to the subject memorandum.

MONICA BARONE PSM

Chief Executive Officer

Moved by Councillor Worling, seconded by Councillor Miller –

It is resolved that Council:

- (A) nominate and endorse Lord Mayor Clover Moore AO as the City of Sydney representative to the Community Trustee Board for Centennial Park and Moore Park;
- (B) nominate and endorse former City of Sydney Councillor, Philip Thalys, as the Lord Mayor's delegate who is an architect with expertise in heritage, urban design and public space projects; and
- (C) note the Community Trustee Board for Centennial Park and Moore Park Terms of Reference as shown at Attachment A to the subject memorandum.

Carried unanimously.

S127007.015

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)

Councillor Robert Kok

(Deputy Chair)

Deputy Lord Mayor Councillor Zann Maxwell, Councillors Sylvie Ellsmore, Lyndon Gannon, Jess Miller, Matthew Thompson, Yvonne Weldon AM, Mitch Wilson and Adam Worling.

At the commencement of business at 1.05pm those present were -

The Lord Mayor, Councillors Ellsmore, Gannon, Kok, Maxwell, Miller, Thompson, Wilson and Worling.

Councillor Weldon arrived at the meeting of the Corporate, Finance, Properties and Tenders Committee at 1.57pm during discussion and before the vote on Item 6.5.

Councillor Wilson left the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.05pm, prior to discussion on Item 6.8, and returned at 2.07pm, after the vote on Item 6.8. Councillor Wilson was not present at, or in sight of, the meeting during discussion or voting on Item 6.8.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.07pm.

Report of the Corporate, Finance, Properties and Tenders Committee

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 11 November 2024 be received, with Items 6.1 and 6.2 being noted, the recommendations set out below for Items 6.4, 6.6 and 6.7 being adopted in globo, and Items 6.3, 6.5 and 6.8 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 21 October 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 6.2**Statement of Ethical Obligations and Disclosures of Interest**

Councillor Clover Moore AO (the Lord Mayor) disclosed a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that the Chairperson of Qtopia Ltd who is the recommended lessee for the Taylor Square Substation and Underground Toilets is Elaine Czulkowski, who was a candidate on the Clover Moore Independent Team for the 2021 Local Government elections. The Lord Mayor 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 Elaine, or anyone else associated with Qtopia Ltd.

Councillor Robert Kok disclosed a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that the Chairperson of Qtopia Ltd who is the recommended lessee for the Taylor Square Substation and Underground Toilets is Elaine Czulkowski, who was a candidate on the Clover Moore Independent Team for the 2021 Local Government elections. Councillor Kok 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 item with Elaine, or anyone else associated with Qtopia Ltd.

Councillor Jess Miller disclosed a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that the Chairperson of Qtopia Ltd who is the recommended lessee for the Taylor Square Substation and Underground Toilets is Elaine Czulkowski, who was a candidate on the Clover Moore Independent Team for the 2021 Local Government elections. Councillor Miller 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 Elaine, or anyone else associated with Qtopia Ltd.

Councillor Mitch Wilson disclosed a significant, non-pecuniary interest in Item 6.8 on the agenda, in that one of the Board Members of Qtopia, Ian Roberts, is a friend who they have known for many years.

Councillor Wilson stated that they will not be voting on this matter.

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that the Chairperson of Qtopia Ltd who is the recommended lessee for the Taylor Square Substation and Underground Toilets is Elaine Czulkowski, who was a candidate on the Clover Moore Independent Team for the 2021 Local Government elections. Councillor Worling also has a close relationship with Qtopia's CEO, Greg Fisher. 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 item with Elaine, or anyone else associated with Qtopia Ltd.

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

2024/25 Quarter 1 Review – Delivery Program 2022-2026

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

It is resolved that:

- (A) Council note the financial performance of Council for the first quarter, ending 30 September 2024, including a Quarter 1 Operating Result (before depreciation, interest, capital related costs and income) of \$25.1M and the full year forecast of \$125.8M and a Net Operating Result of \$20.1M and a full year forecast of \$123.2M as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) Council note the Quarter 1 Capital Works expenditure of \$55.6M and a revised full year forecast of \$237.7M, and approve the proposed adjustments to the adopted budget, including bringing forward \$0.4M of funds into the 2024/25 capital budget, \$2.1M from the capital works contingency, and to reallocate funds within relevant programs within capital budget as detailed in Attachment B to the subject report;
- (C) Council note the Technology and Digital Services Capital Works expenditure of \$3.5M, and a full year forecast of \$25.3M as detailed in Attachment B to the subject report;
- (D) Council note the Quarter 1 Plant and Equipment expenditure of \$5.1M, net of disposals, and a revised full year forecast of \$31.0M, and approve bringing forward \$4.7M of funds into the 2024/25 and \$3.6M forward into 2025/26 budget as detailed in Attachment B to the subject report;
- (E) Council note minor net Property Divestments of \$0.3M as at Quarter 1, and the full year forecast for net Property Acquisitions of \$27.7M; and
- (F) Council note the supplementary reports, which detail the quick response, street banner and venue hire support grants and sponsorship programs, code of conduct, major legal issues, international travel, property and land use matters approved under delegation and contracts over \$50,000 in Quarter 1, as detailed in Attachment C to the subject report.

Carried unanimously.

X101909

Item 6.4**City of Sydney State of our City 2024, 2023/24 Annual Reporting and Public Presentation of the 2023/24 Financial Statements and Audit Reports to Council**

It is resolved that:

- (A) Council present the 2023/24 Annual Financial Statements and auditor's reports to the public as shown at Attachment A to the subject report;
- (B) Council adopt the 2023/24 Annual Financial Reports subject to the receipt of any submissions over the ensuing seven day period;
- (C) Council endorse the 2023/24 Annual Report, including the Financial Statements, Delivery Program 2022-2026 Progress Report and Statutory Returns for 2023/24 as shown at Attachments A, B and C to the subject report;
- (D) Council note the State of our City report 2024 as shown at Attachment D to the subject report;
- (E) Council note the 2023/24 annual report on the City's Inclusion (Disability) Action Plan 2021–2025 as shown at Attachment E to the subject report;
- (F) Council note the 2023/24 Green Report as shown at Attachment F to the subject report; and
- (G) authority be delegated to the Chief Executive Officer to make any minor amendments to the reports to correct any drafting errors and finalise design, artwork and accessible formats for publication.

Carried unanimously.

X105022

Item 6.5**Investments Held as at 31 October 2024**

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

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

Carried unanimously.

X020701

Item 6.6**Review of the Investment Policy and Strategy**

It is resolved that Council adopt the revised Investment Policy and Investment Strategy for the management and investment of Council's funds, as shown in Attachments A and B to the subject report.

Carried unanimously.

X020701

Item 6.7

Proposed Land Re-Classification for Community Use

It is resolved that Council:

- (A) endorse the proposed resolution for public notification: It is resolved to reclassify the following operational land to community land in accordance with section 33 of the Local Government Act 1993:
- (i) Arcadia Park and Toxteth Park, 137A Ross Street, Forest Lodge, being Lot 302 in Deposited Plan 1183176 (Reference A and B in Attachment A);
 - (ii) 6 Zenith Street, Erskineville, being Lots 9 and 10 in Deposited Plan 1251243 (Reference C in Attachment A);
 - (iii) 74D MacDonald Street, Erskineville, being Lot 13 in Deposited Plan 1251243 (Reference D in Attachment A);
 - (iv) The Drying Green, 103 Portman Street, Zetland, being Lot 3 in Deposited Plan 1280012 (Reference E in Attachment A);
 - (v) 847A South Dowling Street, Waterloo, being Lot 65 in Deposited Plan 1038380 (Reference F in Attachment A);
 - (vi) Watchful Harry Square, 14 Broome Street, Waterloo, being Lot 64 in Deposited Plan 1038380 (Reference G in Attachment A);
 - (vii) Crown Park, 22A Crystal Street, Waterloo, being Lot 53 in Deposited Plan 1038380 (Reference H in Attachment A);
 - (viii) Crystal Park, 7A Crystal Street, Waterloo, being Lot 51 in Deposited Plan 1038380 (Reference I in Attachment A);
 - (ix) Gadigal Avenue Reserve, 2A Gadigal Avenue, Waterloo, being Lot 63 in Deposited Plan 1038380 (Reference J in Attachment A); and
 - (x) Wimbo Reserve, 3 Olivia Lane, Surry Hills being Lots 2, 3 and 8 in Deposited Plan 1272206 (Reference K in Attachment A); and
- (B) note that a further report to Council, to inform the outcomes of public notification and recommendation on classification will follow the notification period.

Carried unanimously.

2024/595805

Item 6.8**Lease Approval - Taylor Square Substation and Underground Toilets**

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

It is resolved that:

- (A) Council approve entry into an agreement for lease with Qtopia Ltd in relation to the Taylor Square substation and underground toilets for the purpose of undertaking necessary improvement works to facilitate the long-term use of the building by Qtopia Ltd in accordance with the essential terms of the agreement for lease outlined in Confidential Attachment A to the subject report;
- (B) Council approve the grant of a new lease to Qtopia Ltd for the Taylor Square substation and underground toilets to commence following completion of the works outlined in (A) for a term of 5 years with 3 options of 5 years each in accordance with the essential lease terms and conditions outlined in Confidential Attachment A to the subject report;
- (C) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993, for undertaking of lessor's works under the agreement for lease with Qtopia Ltd to the structures to Taylor Square substation and underground toilets on behalf of City of Sydney as set out in Attachment A to the subject report noting that because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders;
- (D) Council note the reasons that a satisfactory result for the City would not be achieved by inviting tenders are the works are integral to the proposed long-term use of the premises by Qtopia Ltd, it is appropriate for the works to be managed by Qtopia Ltd without additional City staff involvement;
- (E) Council approve the funds detailed in Confidential Attachment A to the subject report for works to the structures to Taylor Square substation and underground toilets to be sourced from the 2024/25 Capital Works Contingency Fund; and
- (F) authority be delegated to the Chief Executive Officer to finalise the terms of the proposal and to negotiate, execute and administer the agreement and lease relating to the proposal in accordance with Confidential Attachment A to the subject report.

Carried unanimously.

X112191.001

Item 7 Report of the Environment and Climate Change Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor Adam Worling

(Deputy Chair)

Deputy Lord Mayor Councillor Zann Maxwell, Councillors Sylvie Ellsmore, Lyndon Gannon, Robert Kok, Jess Miller, Matthew Thompson, Yvonne Weldon AM and Mitch Wilson.

At the commencement of business at 2.08pm those present were -

The Lord Mayor, Councillors Ellsmore, Gannon, Kok, Maxwell, Miller, Thompson, Weldon, Wilson and Worling.

The meeting of the Environment and Climate Change Committee concluded at 2.35pm.

Report of the Environment and Climate Change Committee

Moved by Councillor Worling, seconded by Councillor Miller –

That the report of the Environment and Climate Change Committee of its meeting of 11 November 2024 be received, with Items 7.1 and 7.2 being noted, and the recommendation set out below for Item 7.3 being adopted in globo.

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 17 June 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 7.2**Statement of Ethical Obligations and Disclosures of Interest**

Councillor Zann Maxwell disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that Saba Fadjr Khalifah lives in the same building as one of the proposed sites to receive one of the Green Building Grant Funding packages. Saba was a member of the Sydney Labour campaign in 2024. Councillor Maxwell considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because Saba did not make any representations to him about this matter coming to Committees.

Councillor Mitch Wilson disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that Saba Fadjr Khalifah lives in a building recommended to receive one of the Green Building Grants. Saba was a member of the City of Sydney Labour campaign in 2024 and made a non-reportable political contribution. Councillor Wilson considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as Saba did not make any representations to them about this matter coming to Committees.

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

The Environment and Climate Change 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 the applicants who were not recommended in obtaining a cash for the Green Building Grant program as shown at Attachment B to the subject report;
- (C) Council note that all grant amounts are exclusive of GST;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (E) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

Item 8 Report of the Cultural, Creative and Nightlife Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor Mitch Wilson

(Deputy Chair)

Deputy Lord Mayor Councillor Zann Maxwell, Councillors Sylvie Ellsmore, Lyndon Gannon, Robert Kok, Jess Miller, Matthew Thompson, Yvonne Weldon AM and Adam Worling.

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

The Lord Mayor, Councillors Ellsmore, Gannon, Kok, Maxwell, Miller, Thompson, Weldon, Wilson and Worling.

Councillor Ellsmore left the meeting of the Cultural, Creative and Nightlife Committee at 3.27pm, prior to discussion on Item 8.4, and returned at 3.38pm, after the vote on Item 8.4. Councillor Ellsmore was not present at, or in sight of, the meeting during discussion or voting on Item 8.4.

Councillor Miller left the meeting of the Cultural, Creative and Nightlife Committee at 3.27pm, prior to discussion on Item 8.4, and returned at 3.38pm, after the vote on Item 8.4. Councillor Miller was not present at, or in sight of, the meeting during discussion or voting on Item 8.4.

Councillor Wilson left the meeting of the Cultural, Creative and Nightlife Committee at 3.27pm, prior to discussion on Item 8.4, and returned at 3.38pm, after the vote on Item 8.4. Councillor Wilson was not present at, or in sight of, the meeting during discussion or voting on Item 8.4.

The meeting of the Cultural, Creative and Nightlife Committee concluded at 3.38pm.

Report of the Cultural, Creative and Nightlife Committee

Moved by Councillor Wilson, seconded by Councillor Miller –

That the report of the Cultural, Creative and Nightlife Economy Committee of its meeting of 11 November 2024 be received, with Items 8.1 and 8.2 being noted, and Items 8.3 and 8.4 being dealt with as shown immediately following those items.

Carried unanimously.

Item 8.1**Confirmation of Minutes**

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

That the Minutes of the meeting of the Cultural and Creative Committee of Monday 22 July 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

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

Councillor Sylvie Ellsmore made the following disclosures:

- a significant, non-pecuniary interest in Item 8.4 on the agenda, in that she has a close personal relationship with Marjorie Tenchavez, founder and Director of Welcome Merchant, who were unsuccessful in their application for a grant.

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

- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that a member of the Organising Committee of Disability Pride Sydney made two donations totalling \$40 to the Greens for City of Sydney Campaign in 2023/24. Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the donation was of a minor amount and not a reportable political donation. She was not aware the grant application had been made.

Councillor Robert Kok disclosed a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that the director of the recipient of one of the grants is an acquaintance whom he met when attending the Serbian Festival, Mr Mihailo Mijatovic. Councillor Kok considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was not aware of the application by the group until it came to Council and he did not speak to Mihailo or anyone associated with the Serbian Festival about the grant.

Councillor Jess Miller made the following disclosures:

- a significant, non-pecuniary interest in Item 8.4 on the agenda, in that Dan Ling from Reco Pty Ltd is a friend. They have not discussed this grant.
- a significant, non-pecuniary interest in Item 8.4 on the agenda, in that she was an Industry and Academic Advisor on the Creative and Environmental programming streams for SXSW in 2024. This was an unpaid position.
- a significant, non-pecuniary interest in Item 8.4 on the agenda, in that she is a Board Member of TEDxSydney.

Councillor Miller stated she will not be voting on this matter.

- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that she supported Shaun Christie-David from Plate It Forward with his restaurant openings. Councillor Miller considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not spoken to him about this grant.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that she is acquainted with James Thorpe from The Old Fitz. Councillor Miller considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not spoken to him about this grant.

Councillor Matthew Thompson disclosed a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that a member of the Organising Committee of Disability Pride Sydney made two donations totalling \$40 to the Greens for City of Sydney Campaign in 2023/24. Councillor Thompson considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the donation was of a minor amount and not a reportable political donation. He also had not discussed the matter with the member or other members of Disability Pride Sydney.

Councillor Mitch Wilson made the following disclosures:

- a significant, non-pecuniary interest in Item 8.4 on the agenda, in that SXSW Sydney is a member of the Australian Festival Association, of which they are Managing Director. SXSW Sydney's appointed representative is also a Board Member of the Association.
- a significant, non-pecuniary interest in Item 8.4 on the agenda, in that Sydney Comedy Festival is a member of the Australian Festival Association, of which they are Managing Director. The General Manager of the Festival is also a close personal friend.

Councillor Wilson stated they will not be voting on this matter.

Councillor Adam Worling made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that as an active member of the LGBTIQ+ community, he has worked and crossed paths with various staff at Acon Health Limited, an organisation who is recommended for funding. 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 item with anyone associated with Acon Health Limited.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that as an active member of the LGBTIQ+ community, he has a membership with Queer Screen Limited, an organisation who is recommended for funding. 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 item with anyone associated with Queer Screen Limited.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that as an active member of the LGBTIQ+ community, he has formed professional relationships at The Aurora Group – A Ruby Foundation Limited, who is recommended for funding. He also attended The Aurora Ball as a guest for the organisation. 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 item with anyone associated with The Aurora Group – A Ruby Foundation Limited.

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

The Cultural, Creative and Nightlife Committee recommended the following:

Item 8.3

Post Exhibition - Cultural Strategy 2025-2035

Moved by Councillor Wilson, seconded by Councillor Miller –

It is resolved that:

- (A) Council note the submissions received from the community on the exhibited draft Cultural Strategy 2025-2035, as shown at Attachment B to the subject report;
- (B) Council adopt the Cultural Strategy 2025-2035, as shown at Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make amendments to the Cultural Strategy 2025-2035 in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

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

- (D) Council commit to expanding the creative live/work spaces program to ensure the extending tenancies from one to 2 years does not result in a reduction of the overall number of tenancies available to early career artist.

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

X099822

Speakers

Tian Zhang and Kerri Glasscock (CEO and Festival Director, Sydney Fringe Festival) addressed the meeting of the Cultural, Creative and Nightlife Committee on Item 8.3.

Item 8.4**Grants and Sponsorship - Creative Grants**

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

It is resolved that:

- (A) Council approve the cash and value in kind recommendations for the Festivals and Events Sponsorship program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Festivals and Events Sponsorship program as shown at Attachment B to the subject report;
- (C) Council approve Destination NSW as the recipient of a Festival and Event Grant 2023/24 for the second and third year of the project where funding was previously paid to Premier's Department;
- (D) Council note that all grant amounts are exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

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

It is resolved that –

- (A) Council defer consideration of the cash and value in kind recommendation for the Festivals and Events Sponsorship program Tier 1 – General Festivals and Events to the December 2024 Council meeting;
- (B) the Chief Executive Officer be requested to provide an updated report to be considered at the December 2024 Council meeting. The updated report should provide clarification about ranking of recommended grants under the current policy, and options for Council to consider awarding unspent funding from the Environment Grants (\$228,000), to the Creative Grants, Community Grants and/or Economic Grants programs;
- (C) Council approve Destination NSW as the recipient of a Festival and Event Grant 2023/24 for the second and third year of the project where funding was previously paid to Premier's Department;
- (D) Council note that all grant amounts are exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

The amendment was lost on the following show of hands –

Ayes (2) Councillors Ellsmore and Thompson

Noes (6) The Chair (the Lord Mayor), Councillors Gannon, Kok, Maxwell, Weldon* 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.

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

It is resolved that:

- (A) Council decline to award the Tier 2 – Major Festivals and Events grant to SXSW Sydney this round;
- (B) Council agree to re-allocate the funding allocated to the Tier 2 – Major Festivals and Events this round, and instead redirect the funding to support the expansion of Council's artist live/work program;
- (C) Council approve Destination NSW as the recipient of a Festival and Event Grant 2023/24 for the second and third year of the project where funding was previously paid to Premier's Department;
- (D) Council note that all grant amounts are exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Thompson and Weldon

Noes (5) The Chair (the Lord Mayor), Councillors Gannon, Kok, Maxwell and Worling.

Amendment lost.

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

Ayes (5) The Chair (the Lord Mayor), Councillors Gannon, Kok, Maxwell and Worling

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

Carried.

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

Item 9 Report of the Community Services and Facilities Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor Sylvie Ellsmore

(Deputy Chair)

Deputy Lord Mayor Councillor Zann Maxwell, Councillors Lyndon Gannon, Robert Kok, Jess Miller, Matthew Thompson, Yvonne Weldon AM, Mitch Wilson and Adam Worling.

At the commencement of business at 3.39pm those present were -

The Lord Mayor, Councillors Ellsmore, Gannon, Kok, Maxwell, Miller, Thompson, Weldon, Wilson and Worling.

Councillor Weldon left the meeting of the Community Services and Facilities Committee at 3.41pm, prior to discussion on Item 9.3, and returned at 3.45pm, after the vote on Item 9.3. Councillor Weldon was not present at, or in sight of, the meeting during discussion or voting on Item 9.3.

The meeting of the Community Services and Facilities Committee concluded at 3.54pm.

Report of the Community Services and Facilities Committee

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

That the report of the Community Services and Facilities Committee of its meeting of 11 November 2024 be received, with Items 9.1 and 9.2 being noted, and Items 9.3 and 9.4 being dealt with as shown immediately following those items.

Carried unanimously.

Item 9.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Community Services and Facilities Committee of Monday 21 October 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

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

Councillor Zann Maxwell disclosed a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that Aunty Norma Ingram was involved in the Sydney Labor Campaign in 2024 and is on the Board of Wyanga Aboriginal Aged Care, an organisation that is receiving a grant under the Social Grants Program. Councillor Maxwell considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because Aunty Norma has not contacted him or made representations to him relating to this grant in addition to these grants being decided prior to his appointment to Committees.

Councillor Matthew Thompson disclosed a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that an organisation that applied, but is not recommended, for grant funding, Addison Road Community Centre, employed him as a member of their staff in 2018 to 2019. He has ongoing connections with both current and former staff. Councillor Thompson considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his employment with them ended 5 years ago. He has also not discussed the matter with the member or other members of the Addison Road Community Centre.

Councillor Yvonne Weldon AM disclosed a significant, non-pecuniary interest in Item 9.3 on the agenda, in that she is a Board Member of the Metropolitan Local Aboriginal Land Council, the coordinating partner for these events.

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

Councillor Mitch Wilson disclosed a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that Aunty Norma Ingram was involved in the Sydney Labor Campaign in 2024 and is on the Board of Wyanga Aboriginal Aged Care. Councillor Wilson considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because Aunty Norma has not contacted them or made representations to them relating to this grant in addition to these grants being decided prior to their appointment to Committees.

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

The Community Services and Facilities Committee recommended the following:

Item 9.3**Freedom Ride 60th Anniversary Event**

Moved by Councillor Ellsmore, seconded by Councillor Wilson –

It is resolved that:

- (A) Council note the 60th anniversary of the Freedom Ride on 12 February 2025;
- (B) Council note the impact and legacy of the Freedom Ride as one of Australia's most significant civil rights events;
- (C) Council approve a total expenditure of up to \$135,300 (including GST) to deliver a program of events to mark the 60th anniversary of the Freedom Ride from the 2024/25 General Contingency Fund or savings from the City Life 2024/25 operating budget;

- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer any contracts with suitable supplier(s) relating to the events; and
- (E) Council note further details of the event will be shared with Council through the CEO Update.

Carried unanimously.

X092336

Item 9.4

Grants and Sponsorship - Social Grants

Note - The Community Services and Facilities Committee decided that consideration of this matter shall be deferred to the meeting of Council on 25 November 2024.

At the meeting of Council, the Officer's recommendation was moved by Councillor Ellsmore, seconded by Councillor Miller –

It is resolved that:

- (A) Council approve the cash and value-in-kind recommendations for the Food 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 Food Support Grant program as shown at Attachment B to the subject report;
- (C) Council note that all grant amounts are exclusive of GST;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (E) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

Item 10 Report of the Innovation, Business and Economy Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor Lyndon Gannon

(Deputy Chair)

Deputy Lord Mayor Councillor Zann Maxwell, Councillors Sylvie Ellsmore, Robert Kok, Jess Miller, Matthew Thompson, Yvonne Weldon AM, Mitch Wilson and Adam Worling.

At the commencement of business at 3.56pm those present were -

The Lord Mayor, Councillors Ellsmore, Gannon, Kok, Maxwell, Miller, Thompson, Weldon, Wilson and Worling.

The meeting of the Innovation, Business and Economy Committee concluded at 4.00pm.

Report of the Innovation, Business and Economy Committee

Moved by Councillor Gannon, seconded by Councillor Kok –

That the report of the Innovation, Business and Economy Committee of its meeting of 11 November 2024 be received, with Items 10.1 and 10.2 being noted, and Item 10.3 being dealt with as shown immediately following that item.

Carried unanimously.

Item 10.1**Confirmation of Minutes**

There are no minutes for confirmation for this meeting of the Innovation, Business and Economy Committee.

Item 10.2**Statement of Ethical Obligations and Disclosures of Interest**

No Councillors disclosed any pecuniary or non-pecuniary interests in any matters on the agenda for this meeting of the Innovation, Business and Economy Committee.

The Innovation, Business and Economy Committee recommended the following:

Item 10.3

Grants and Sponsorship - Economic Grants

Moved by Councillor Gannon, seconded by Councillor Kok –

It is resolved that:

- (A) Council approve the cash and value in kind recommendations for the Innovation and Ideas 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 Innovation and Ideas Grant program as shown at Attachment B to the subject report;
- (C) Council note that all grant amounts are exclusive of GST;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (E) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

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

It is resolved that:

- (A) Council approve the cash and value in kind recommendations for the Innovation and Ideas Grant program as shown at Attachment A to the subject report with the exception of the proposed \$71,000 grant to the University of Sydney for the 'Raising the Bar' project;
- (B) the Chief Executive Officer be requested to provide advice to the December 2024 Council meeting about other priority applications from the Innovation and Ideas Grant Program that could be funded instead;
- (C) 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 B to the subject report;
- (D) Council note that all grant amounts are exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

The amendment was lost on the following show of hands –

Ayes (2) Councillors Ellsmore and Thompson

Noes (8) The Chair (the Lord Mayor), Councillors Gannon, Kok, Maxwell, Miller, Weldon*, Wilson 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.

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

That the motion be amended by the addition of a clause (D) to read as follows –

(D) grants be approved on the condition that, where Council funds research through the grants program, it is a condition of the funding that the research be freely available for use by the Council and the public, where appropriate;

The amendment was carried on the following show of hands –

Ayes (9) The Chair (the Lord Mayor), Councillors Ellsmore, Gannon, Kok, Maxwell, Miller, Thompson, Wilson and Worling

Noes (1) Councillor Weldon*.

Carried.

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

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

Ayes (7) The Chair (the Lord Mayor), Councillors Gannon, Kok, Maxwell, Miller, Wilson and Worling

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

Carried.

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

S117676

Item 11 Report of the Transport, Heritage and Planning Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor Jess Miller

(Deputy Chair)

Deputy Lord Mayor Councillor Zann Maxwell, Councillors Sylvie Ellsmore, Lyndon Gannon, Robert Kok, Matthew Thompson, Yvonne Weldon AM, Mitch Wilson and Adam Worling.

At the commencement of business at 4.00pm those present were -

The Lord Mayor, Councillors Ellsmore, Gannon, Kok, Maxwell, Miller, Thompson, Weldon, Wilson and Worling.

Adjournment

At 4.36pm, following the vote on Item 11.3, it was moved by the Chair (the Lord Mayor), seconded by Councillor Miller –

That the meeting of the Transport, Heritage and Planning Committee be adjourned for 10 minutes.

Carried unanimously.

At the resumption of the meeting of the Transport, Heritage and Planning Committee at 4.46pm, those present were –

The Lord Mayor, Councillors Ellsmore, Gannon, Kok, Miller, Thompson, Weldon, Wilson and Worling.

Councillor Maxwell returned at 4.49pm, during discussion and before the vote on Item 11.5.

The meeting of the Transport, Heritage and Planning Committee concluded at 5.29pm.

Report of the Transport, Heritage and Planning Committee

Moved by Councillor Miller, seconded by Councillor Worling –

That the report of the Transport, Heritage and Planning Committee of its meeting of 11 November 2024 be received, with Items 11.1 and 11.2 being noted, the recommendations set out below for Items 11.3 to 11.6 inclusive, and Item 11.8 being adopted in globo, and Item 11.7 being dealt with as shown immediately following that item.

Carried unanimously.

Item 11.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Transport, Heritage and Planning Committee of Monday 21 October 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 11.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Robert Kok disclosed a less than significant non-pecuniary interest in Item 11.6 on the agenda, in that he is acquainted with one of the owners of the properties at 90-100 Hay Street, Mr Lance Lai, from attending university together.

Councillor Kok 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 item with Mr Lai.

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.

Item 11.3**Public Exhibition - Neighbourhood On-Street Parking Policy**

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

It is resolved that:

- (A) Council approve the draft Neighbourhood On-Street Parking Policy, as shown at Attachment A to the subject report, for public exhibition, subject to the inclusion of an additional principle in Section 2:

2.4 Accessibility and inclusion

The City recognises that parking is a key component of the access system that supports economic, social and environmental outcomes and that in a city for walking, cycling and public transport, motor vehicles continue to play a vital role. Access needs vary from household to household. Not everyone can use public transport, or walk distances, meaning they may need to travel by vehicles and require space for either parking or drop off and pick up. The City will therefore consider accessibility and inclusion in its parking management.

Additions shown in ***bold italics***.

(Remaining principles to be renumbered accordingly);

- (B) Council note that the Neighbourhood On-Street Parking Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Neighbourhood On-Street Parking Policy.

Carried unanimously.

X111976

Item 11.4**Public Exhibition - Central Sydney On-Street Parking Policy**

It is resolved that:

- (A) Council approve the draft Central Sydney On-street Parking Policy, as shown at Attachment A to the subject report, for public exhibition;
- (B) Council note that the Central Sydney On-street Parking Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Central Sydney On-street Parking Policy.

Carried unanimously.

X111978

Item 11.5**Public Exhibition - Car Sharing Policy**

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

It is resolved that:

- (A) Council approve the draft Car Sharing Policy, as shown at Attachment A to the subject report, for public exhibition, subject to the following amendment to Section 2 – Obligations of car share operators:

*i. Vehicle Environmental Impact – An operator must not use any passenger vehicle in a dedicated on-street space which emits more than 175g/km of CO₂. [...] While the City recognises that car sharing contributes to emissions reduction by lowering private car use, the City is aiming to reduce emissions as quickly as possible. The aim is for car sharing vehicles to be electric by 2030, as part of the path to Net Zero Emissions by 2035. All car sharing fleets will need to be zero emissions by 2035. **Each policy review that the City undertakes in advance of these dates will consider this obligation, including the impact of market conditions, trends in mobility and car share, including the availability and affordability of electric vehicles and associated charging requirements and infrastructure in the City of Sydney and the use of the car sharing system at the time, along with any other relevant information;***

Additions shown in ***bold italics***.

- (B) Council note that the Car Sharing Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Car Sharing Policy.

Carried unanimously.

Speaker

Tom Davey (GoGet) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.5.

X111618

Item 11.6

Public Exhibition - Planning Proposal - Chinatown Heritage Items - Sydney Local Environmental Plan 2012 Amendment

It is resolved that:

- (A) Council approve the Planning Proposal - Chinatown Heritage Items, Haymarket as shown at Attachment A to the subject report for submission to the Department of Planning, Housing and Infrastructure with a request for gateway determination;
- (B) Council approve the Planning Proposal - Chinatown Heritage Items, Haymarket as shown at Attachment A for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;
- (C) Council seek authority from the Department of Planning, Housing and Infrastructure 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 the planning proposal; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Heritage Items - Chinatown to correct any drafting errors or to ensure consistency with the gateway determination.

Carried unanimously.

X099927

Speakers

Lance Lai (Emperor's Garden) and Giovanni Cirillo (Planning Lab) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.6.

Item 11.7**Post Exhibition - Planning Proposal - Dwelling Retention - Sydney Local Environmental Plan 2012 Amendment**

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 November from the Executive Director City Planning, Development and Transport, circulated prior to the meeting).

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

It is resolved that:

- (A) Council note the issues raised during the public exhibition of Planning Proposal - Dwelling Retention as provided in the Summary of Submissions, shown at Attachment A to the subject report;
- (B) Council approve the Planning Proposal - Dwelling Retention, as amended following public exhibition, shown at Attachment B to the subject report, to be sent to the Department of Planning, Housing and Infrastructure to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979, subject to the following amendments (additions shown in ***bold italics***):

Executive summary:

The City of Sydney (the City) has seen some reduction of dwellings due to the redevelopment of existing residential flat buildings, particularly towards the eastern suburbs. This occurs through the consolidation of two apartments into one, replacement of residential flat buildings with a single dwelling house or the speculative redevelopment of a large residential flat building containing smaller apartments into a development containing significantly fewer, larger apartments. This is ***concurrently*** leading to a reduction in the diversity of housing in parts of the local government area...

... In response to this ongoing loss of dwellings and diversity of housing supply, this planning proposal introduces a new development standard to be inserted into the Sydney Local Environmental Plan 2012 (LEP) that limits the reduction in the number of dwellings through redevelopment of buildings that contain dwellings. This is to ensure that development does not significantly reduce the ***number and*** diversity of dwellings available particularly for smaller and more affordable apartment sizes.

Explanation of provisions

Has an objective that seeks to minimise the loss of ***dwellings and dwelling*** diversity resulting from the consolidation of existing dwellings or the demolition of existing dwellings for the construction of new dwellings.

Justification

The types of apartments currently being lost are smaller, unlikely to be replaced and are relatively affordable. Average existing apartment sizes in four of the above examples range from 32 to 42 square metres and are being replaced with apartments averaging 133 to 192 square metres. In contrast, developments under this proposed clause would result in average apartment sizes that are larger than existing but smaller than proposed in the example development applications. This will ensure that ***the number of dwellings and*** dwelling diversity can be maintained and that redevelopment of apartment buildings maintains smaller apartments while still offering the opportunity to provide some larger dwellings in a redeveloped building; and

- (C) authority be delegated to the Chief Executive Officer to make minor amendments to the Planning Proposal - Dwelling Retention to correct any minor errors prior to finalisation by the Department of Planning, Housing and Infrastructure.

Carried unanimously.

X101840

Speakers

Julian Bowditch, Angeline Antony and Scott MacKay (Keyton) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.7.

Item 11.8**Fire Safety Reports**

It is resolved that Council:

- (A) note the contents of the Fire Safety Reports 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 D 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 35-39 Ultimo Road, Haymarket 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 307 Pitt Street, Sydney at this time; and
- (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 200-218 Goulburn Street, Surry Hills at this time.

Carried unanimously.

S105001.002

Adjournment

At this stage of the meeting, at 6.28pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 6.46pm.

Item 12 Exemption from Tender - Planning Agreement – 130 Joynton Avenue, Zetland

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

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 to contribute \$2,379,739 to the Planning Agreement for 130 Joynton Avenue, Zetland;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) the developer will be delivering community infrastructure in the form of new public roads and parks as works-in-kind required by Clause 6.14 of Sydney Local Environmental Plan 2012;
 - (ii) the infrastructure works will be coordinated and delivered as one project in a timely manner as part of the re-development of the entire site at 130 Joynton Avenue, Zetland;
 - (iii) delivery as part of the Planning Agreement will facilitate completion of public infrastructure approximately 4 years earlier, which will reduce disruption to the local community as works could not otherwise commence until the developer's works were completed and land dedicated to the City;
 - (iv) physical constraints prevent the separate delivery of works by the City in a cost-efficient manner, due to substantial level changes necessitating temporary and redundant works such as retaining walls;
 - (v) delivering the works separately would restrict the pedestrian and vehicle access to the new development, necessitating a lengthy and expensive construction methodology by the City; and
 - (vi) the engagement of the developer to do the works provides value for money to the City as the offer by Deicorp Projects (Joynton Ave) Pty Ltd has been peer reviewed by the City's quantity surveyor and provides financial savings when compared to the works being undertaken separately by the City in the future, including through elimination of temporary works, whole-of-site access for excavation, bulk earthworks, etc and given the developer's existing knowledge, resources and experience associated with the project site; and
- (C) Council endorse the City's payment of \$2,379,739 from the Epsom Park Precinct New Open Space project and Traffic Signals project contained in the capital works budget and Long Term Financial Plan as a partial payment of the cost of the developer's works as part of the Planning Agreement for 130 Joynton Avenue, Zetland.

Carried unanimously.

VPA/2023/4

Item 13 Property Matter (Confidential)

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

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

Carried unanimously.

X109578

Item 14 Questions on Notice**1. Update on Share Bike Dumping Measures**

By Deputy Lord Mayor Councillor Maxwell

Question

1. How many designated share bike parking areas exist across the City of Sydney Local Government Area?
2. Which share bike operators have added parking areas to their apps, and which have not?

X113780

Answer by the Chief Executive Officer

With the increase in the popularity of using share bikes, share bike parking causing clutter on the footpath as they wait for their next trip is a growing problem in the City of Sydney.

We have identified 126 share bike parking areas across Pyrmont, Circular Quay, Ultimo, Chippendale and Forest Lodge.

We have negotiated with operators to designate these bike parking areas as mandatory through their apps.

- Pyrmont – 20
- Circular Quay – 8
- Ultimo – 32
- Chippendale – 46
- Forest Lodge – 20

Both Lime and HelloRide have implemented restrictive “designated” parking geofencing in these suburbs. These are the only bike share providers currently operating in the City of Sydney.

Although we don’t have suburb specific complaint information, we can see that at an Local Government Area? level complaints regarding share bikes causing obstructions when parked by users at the end of their trip, have decreased since the implementation of restrictive parking geofencing from share bike operators.

FY2023/24: We received an average of 22 contacts per month regarding poorly parked share bikes.

The City implemented the first designated bike parking areas in November 2023

FY2024/25: We received an average of 6 contacts per month (year to date) regarding poorly parked share bikes.

2. City Waste Residential Trial with Goterra

By Deputy Lord Mayor Councillor Maxwell

Question

1. If successful, when will the program be rolled out to all City of Sydney residents?
2. Can the trial be expanded beyond the 22,000 current participants within 12 months, given landfill capacity issues by 2030?
3. What is the cost of the 12-month trial for the current participants?

X113780

Answer by the Chief Executive Officer

The trial is planned to end by January 2026. Trial results will be reported via CEO Updates and briefings as required.

The timeline for expanding this program to all City of Sydney residents is unknown - dependent on when the food scraps recycling service will be expanded to all residents, the results of the insect farming trial and appropriate procurement processes.

The processing module will service all of the households that are currently participating in our food scraps recycling service. Currently there are approximately 22,000 households that have access to the service.

There are limited places still available for apartment buildings to join the food scraps recycling service and new apartment buildings are gradually added to the service overtime as buildings register their interest. This will continue throughout the insect farming trial period.

The insect farming trial is estimated to cost \$220,610. This includes processing fees (per tonne), works required to site, the processing unit and a monthly equipment rental fee.

3. DA Approval Times in the City of Sydney

By Deputy Lord Mayor Councillor Maxwell

Question

1. How many active Development Applications (DAs) are awaiting processing in the City of Sydney?
2. On average, how long does each DA take to be processed, and how does this compare to other Local Government Areas?
3. How many DAs have been withdrawn after lodgement in the City of Sydney?

X113780

Answer by the Chief Executive Officer

1. There are currently 240 Development Applications (DAs) under assessment. There are a further 258 development related applications also being assessed including Modifications and Review applications to previous DA approvals, outdoor dining applications and minor heritage works exemptions.

2. The NSW Planning Portal Council League Table, which is publicly available, tracks and ranks all Councils by their DA assessment times, the City of Sydney's average for financial year 2024-25 up to 31 October 2024 is 87 days – please see <https://www.planning.nsw.gov.au/policy-and-legislation/housing/faster-assessments-program/council-league-table>
3. Since start of the 2024 calendar year, the City has determined 960 DAs and 70 DAs have been withdrawn by the applicant.

4. Sydney Gay and Lesbian Mardi Gras 2025

By Deputy Lord Mayor Councillor Maxwell

Question

With the TOGA development on Oxford Street not completed until November 2025, what actions are planned to activate the City of Sydney for Mardi Gras 2025?

X113780

Answer by the Chief Executive Officer

In June 2023, Council approved \$340,000 in cash funding and \$70,776 in value-in-kind funding through the Festival and Events sponsorship grant program for the 2025 Sydney Gay and Lesbian Mardi Gras Festival. The funding will contribute to the activation of the City throughout the festival period, including the delivery of the Mardi Gras Parade and Party and other signature events such as Fair Day and the Flag Raising Ceremony. The value-in-kind funding includes street banner hire fee waiver for 96 banner poles along Oxford Street, Taylor Square and Darlinghurst Road and venue hire fee waiver for Sydney Town Hall. During the Mardi Gras Festival, the City also installs 286 x Progress Pride banners in various locations across the City which are in addition to the 18 x Progress Pride Banners that have been permanently installed in Taylor Square North.

5. Recycle It Saturday

By Deputy Lord Mayor Councillor Maxwell

Question

How many residents used the Recycle It Saturday service in the last 12 months, and how much waste was recycled using the program?

X113780

Answer by the Chief Executive Officer

Over the last 12 months there have been 4 Recycle It Saturday events in partnership with Waverley and Woollahra councils, attended by a total of 3,321 attendees. Of these, 2,298 (69%) were City of Sydney residents.

70.78 tonnes has been recycled through the Recycle It Saturday events in the last 12 months?

Current results show that the quarterly frequency suits both current demand for the service and available resources. The majority of the items that are accepted at the Recycle It Saturday events can also be recycled outside of event times at these services:

[Ultimo Recycling Pop-Up](#) - open Tuesdays 2pm to 7pm

[Doorstep Recycling Service](#) - weekly collection of items from the resident's doorstep

[Recycling stations](#) - located in 17 customer service and community centres around the local government area.

6. Maddox Street Pedestrian Refuge

By Deputy Lord Mayor Councillor Maxwell

Question

1. How many days did the community consultation on the Maddox Street pedestrian refuge last and what date was the community notice delivered to residents?
2. How long after the consultation letter was sent were the works completed?
3. How many objections were received about the Maddox Street pedestrian refuge?
4. Were nearby small businesses consulted before the refuge installation? If so, what responses were received?

X113780

Answer by the Chief Executive Officer

1. Community engagement about the pedestrian refuge has occurred on two occasions for the following number of days:

33 days - Erskineville and Alexandria Traffic and Transport Study (which recommended the pedestrian refuge). Letter sent 29 May 2023.

14 days - Design Plan for the Pedestrian Refuge. Letter sent 15 May 2024.
2. Approximately 18 months after the initial community engagement letter and 5 months after the second letter.
3. The community engagement specifically for the Design Plan for the Pedestrian Refuge generated a total of 7 responses, with 3 objections.
4. Yes. The community engagement letter for the Erskineville and Alexandria Traffic and Transport Study was sent to approximately 7000 properties within the study catchment. The community engagement letter for the Design Plan for the Pedestrian Refuge was sent to all properties within a 50m radius of the proposed refuge. The 3 submissions objecting to the Design Plan for the Pedestrian Refuge consisted of:
 - One objection expressing that it would be better to install a pedestrian crossing (which would still result in loss of parking).
 - One from a nearby property and business owner who considered that the loss of parking would adversely affect businesses without having many improvements to pedestrian safety.

- One response concerned that the loss of parking would impact nearby small business and did not consider the pedestrian refuge would benefit pedestrian safety.

7. Tobacconists Across the City of Sydney LGA

By Deputy Lord Mayor Councillor Maxwell

Question

How many tobacconists are currently in the City of Sydney Local Government Area, and how many new ones are expected in the next 12 months?

X113780

Answer by the Chief Executive Officer

Tobacconists are required to register with NSW Health – please see <https://www.service.nsw.gov.au/transaction/apply-to-be-a-tobacco-e-cigarette-retailer#:~:text=Before%20you%20start%20selling%20tobacco,apply%20for%20an%20RIN%20online>. The City of Sydney does not have records of the number of tobacconists. Tobacconists are a type of retail premises and do not require a separate approval from councils.

8. Waste Processing Facilities in the City of Sydney

By Deputy Lord Mayor Councillor Maxwell

Question

Can you provide a breakdown of the dedicated waste processing facilities in the Sydney Local Government Area and indicate the types of waste they process?

X113780

Answer by the Chief Executive Officer

There are no dedicated large scale waste processing facilities in the City of Sydney local government area. It is understood there are a small number of operators processing their own waste under a NSW EPA licence exemption e.g. Goterra insect processing in Barangaroo for food waste. NSW does not publish named operators that hold an exemption on their website.

There are 3 non-putrescible (dry waste only) waste transfer facilities (facilities that accept and aggregate waste or recycling for onward transport to processing facilities) in our local government area.

- Bingo Industries Recycling Centre 76 Burrows Road (accepts construction and demolition waste, mattresses, vegetation, polystyrene) Bingo's main NSW processing facility is located in Eastern Creek.
- Visy Alexandria Dry Recyclables Transfer Facility 85 Burrows Road (accepts mixed recycling from households and commercial businesses) Visy's main NSW processing facilities are located in Smithfield and Tumut. The City uses this facility for residential yellow bin mixed recycling (dry waste).
- Australian Metal Co Pty 15 Bourke Road, Alexandria (ferrous and non ferrous metals) metals will likely be sold onto open market note: website is no longer active so not sure if they are still operating.

9. City of Sydney Burial Sites

By Deputy Lord Mayor Councillor Maxwell

Question

1. How many cemeteries are there within the City of Sydney Local Government Area?
2. What is the current capacity and available space in cemeteries within the City of Sydney Local Government Area?
3. Are there plans to expand existing cemeteries or develop new ones in the City of Sydney in the future?

X113780

Answer by the Chief Executive Officer

1. There are no operational cemeteries, with available plots, within the City of Sydney Local Government Area.
2. Refer response to part 1 above.
3. Large scale cemeteries are State Significant Development. Minor works are enabled through exempt and complying provisions. City staff are not aware of any proposals to develop new cemeteries in the City of Sydney Local Government Area.

10. A Fresh Start For Local Government Apprentices, Trainees And Cadets - Round One Grants

By Deputy Lord Mayor Councillor Maxwell

Question

1. How much money, if any, did the City of Sydney apply for in the NSW Government's A Fresh Start For Local Government Apprentices, Trainees And Cadets - Round One Grants?
2. How much money, if any, is the City of Sydney planning to receive from the NSW Government's A Fresh Start For Local Government Apprentices, Trainees And Cadets - Round One Grants?
3. How many Apprentices, Trainees and Cadets, if any, is the City of Sydney planning to train as a result of the NSW Government's A Fresh Start For Local Government Apprentices, Trainees And Cadets - Round One Grants?

X113780

Answer by the Chief Executive Officer

The City of Sydney applied for 12 apprentices, cadets and trainees to commence with us in late January 2025. The program, *Building Critical Skills in Sydney*, aims to cultivate a skilled local workforce in building certification, cybersecurity, digital media design, engineering, horticulture, parks management, and surveying. Through hands-on training and mentorship, participants will gain essential skills, reducing outsourcing costs, improving service delivery across public spaces and infrastructure.

In Round One Grants, we applied for:

No.	Type	Position title	Annual salary
2	Cadetship	Building Surveyor	\$81,503
1	Cadetship	Cyber Security Analyst	\$81,503
1	Cadetship	Digital Designer	\$81,503
1	Cadetship	Engineer	\$81,503
1	Apprenticeship	Apprentice Horticulturalist	\$51,123
1	Traineeship	Trainee Parks and Leisure Projects Officer	\$51,123
1	Cadetship	Surveyor	\$81,503
4	Traineeship	Trainee Childcare Assistant	\$69,451
12		TOTAL	\$579,212

It is anticipated that we will receive support for 8 positions in total, in Round One.

The NSW Government Program will fund:

- 100% of the applicable award wage for a new apprentice, trainee or cadet.
- 15% of on-costs. (Note the on-cost rate will not be increased as any additional allocation will take from the number of positions that can be funded.)

11. Active Transport Fund Grants

By Deputy Lord Mayor Councillor Maxwell

Question

Has the City of Sydney applied or plans to apply for funding from the Federal Government's Active Transport Fund to support new or upgraded bike and walking paths?

X113780

Answer by the Chief Executive Officer

Yes, the City will put in an application for the Australian Government's Active Transport Fund. Though we note that the total available funding is \$100 million over 4 years across Australia, with all state governments and 500 local councils able to apply.

12. City of Sydney Staff Numbers Breakdown

By Councillor Wilson

Question

The 2023/24 Annual Report Statutory Returns states that as of 14 February 2024 the City had 2,128 staff including permanent full-time, permanent part-time, casual and fixed term contract. Can you please provide the break down for each employment type:

1. Permanent full-time.
2. Permanent part-time.
3. Casual.
4. Fixed-term contract. (For fixed term contract can you also provide the average length of contract.)

X113776

Answer by the Chief Executive Officer

The total number of employees within the City of Sydney as of 14 February 2024 (Annual Reporting of Labour statistics prescribed reporting date) comprise:

Permanent full-time	1,559
Permanent part-time	213
Casual	252
Fixed term	104
TOTAL	2,128

The length of fixed term contract for 104 employees varies, depending on nature of their engagement and requirements set out in the City of Sydney Award and the Local Government Act. 1993

The Chief Executive Officer is appointed via Office of Local Government Senior Staff Contract for 5 years. All other fixed term employees are engaged to special projects of limited duration (including our significant events), or primarily to replace temporary vacancies occasioned by long term leave (parental, long service, or unplanned personal/carer's leave). Our casual employees deliver irregular and unsystematic work, supporting events (such as New Year's Eve) and activities that occur periodically throughout the year.

13. Where and How Council Banks Our Funds

By Councillor Thompson

Question

1. Which State policies, strategies, plans or other documents guide where Council can bank our funds or otherwise invest?
2. Which City of Sydney policies, strategies, plans or other documents currently guide where Council can bank our funds or otherwise invest?
3. Under Council's investment policies and strategies, what obligations are there for Council to bank or invest in ethical businesses?
4. What obligations are there for Council *not* to bank or invest in banks or invest in organisations which fund social or environmentally harmful activities, such as coal mining?
5. Do Council's current policies prevent Council banking or otherwise investing in organisations which fund social or environmentally harmful activities, such as coal mining? Please provide details.

In relation to *Item 5 - Investments Held as at 31 October 2024* and *Item 6 – Review of the Investment Policy and Strategy*, of the 11 November 2024 meeting of the Corporate, Finance, Properties and Tenders Committee:

6. Exactly how much money, expressed as a dollar figure, is banked with institutions that fund or support socially or environmentally harmful programs or organisations?
 - (a) Of that amount, how much, expressed as a dollar figure, is banked with Westpac Banking Corporation?
 - (b) Of that amount, how much, expressed as a dollar figure, is banked with Commonwealth Bank of Australia?
 - (c) Of that amount, how much, expressed as a dollar figure, is banked with National Australia Bank?
 - (d) Of that amount, how much, expressed as a dollar figure, is banked with Australian and New Zealand Banking Group?
 - (e) Of the remaining amount banked with institutions that support socially or environmentally harmful programs and organisations, what are they and how much do each of them have, in terms of the City's funds, banked with them, expressed as a dollar figure?
 - (f) What is the amount of money banked, expressed as a percentage of total funds banked by the City of Sydney, that sits within aforementioned institutions?
7. Exactly how much money, expressed as a dollar figure, is banked with institutions that do not fund or support socially or environmentally harmful programs or organisations?
 - (a) What are the names of the institutions these funds sit within?
 - (b) How much do each of the institutions have in City of Sydney funds, expressed as a dollar figure?

8. What is the full list of Approved Deposit Taking Institutions under the Banking Act? Of these institutions, which ones do not engage, fund or support any socially or environmentally harmful programs?
9. Where can the public access a copy of the City's Investment Policy and Strategy?
10. Is it possible for Council to bank a larger percentage of Council's funds with institutions that do *not* fund or support socially or environmentally harmful programs or organisations, taking into account legislation and regulation, direction and guidelines implemented by the Minister for Local Government for which we would still need to comply?
 - (a) If yes, would Council need to amend current policies and strategies to facilitate this?
 - (b) If not, why?
11. Are there different rules or requirements for how Council banks or invests its restricted funding and its unrestricted funding?
12. Where can Councillors access relevant legislation, regulation, direction and guidelines issued by the Office of Local Government and the Minister for Local Government that pertain to our ability to store and invest Council funds?

X113778

Answer by the Chief Executive Officer

1. The documents that *guide where Council can bank funds or otherwise invest* are set out in the Investment Policy (see below).
 - Australian Accounting Standards
 - Office of Local Government – Local Government Code of Accounting Practice & Financial Reporting
 - Office of Local Government Circulars
 - Office of Local Government Investment Policy Guidelines
 - Local Government (General) Regulation 2021
 - Local Government Act 1993
 - Minister's Investment Order (gazetted)
 - Trustee Act 1925 (NSW)
2. The Investment Policy and Investment Strategy.
3. As noted in the Investment Policy, subject to compliance with legislation and investment policy objectives and parameters, the City preferences investment securities and financial institutions that meet our socially responsible investments (SRI) criteria, while also meeting the overall investment selection criteria detailed in the Investment Policy.

SRI status may be in respect of the individual investment, the issuer of the investment, or both, and should be endorsed by an accredited environmentally and socially responsible industry body or institution.

As noted in the Investment Policy, subject to compliance with legislation and investment policy objectives and parameters, the City preferences investment securities and financial institutions that meet our socially responsible investments (SRI) criteria, while also meeting the overall investment selection criteria detailed in the Investment Policy.

SRI status may be in respect of the individual investment, the issuer of the investment, or both, and should be endorsed by an accredited environmentally and socially responsible industry body or institution.

4. Refer response to part 3 above.
5. No. Refer response to part 3 above for more details.
6. The amount invested with individual institutions is shown in Attachment B to Item 5 - Investments Held as at 31 October 2024 of the 11 November 2024 meeting of the Corporate, Finance, Properties and Tenders Committee. All amounts are denominated in Australian Dollars, and are correct at 31 October 2024. There is currently no definitive, universally accepted list of institutions which do not engage, fund or support any socially or environmentally harmful programs. In respect of fossil fuel connected lending by Authorised Deposit-taking Institutions, a publicly available listing provided by advocacy group 'Market Forces' has been referred to in sections 6 and 7 of this response.

The amount invested with individual institutions is shown in Attachment B to Item 5 - Investments Held as at 31 October 2024 of the 11 November 2024 meeting of the Corporate, Finance, Properties and Tenders Committee. All amounts are denominated in Australian Dollars, and are correct at 31 October 2024. There is currently no definitive, universally accepted list of institutions which do not engage, fund or support any socially or environmentally harmful programs. In respect of fossil fuel connected lending by Authorised Deposit-taking Institutions, a publicly available listing provided by advocacy group 'Market Forces' has been referred to in sections 6 and 7 of this response

- (a) \$268.7M, noting that as at 31 October 2024, this total includes \$41.7M of funds 'held at bank' and \$80.0M held in sixteen tranches in Green Tailored deposits with Westpac, which meet Climate Bonds Initiative Programmatic Certification.
 - (b) \$41.4M.
 - (c) \$214.7M
 - (d) \$23.0M
 - (e) With reference to the listing prepared by advocacy group Market Forces, at 31 October 2024, the City holds funds with ING (\$100.0M) and Macquarie Bank (\$14.0M), who are listed as "funding fossil fuels and their subsidiaries".
 - (f) The Investments Held as at 31 October 2024 report to Council shows (in Attachment B) the total amounts held with individual institutions, expressed in dollars and as a percentage of the overall portfolio.
7.
 - (a) At 31 October 2024, the City holds funds with the following institutions, listed by the Market Forces advocacy group as having "no record of funding fossil fuels since 2016".
 - Bank of Australia - \$9.5M
 - Bank of Queensland – \$28.0M
 - Bendigo and Adelaide Bank – \$13.0M

- Great Southern Bank – \$6.5M
- Suncorp Bank – \$ 91.5M
- Newcastle Greater Mutual Group Ltd – \$7.3M
- Northern Territory Treasury Corporation – \$10M

The Northern Territory Treasury Corporation is not listed on the Market Forces group website, however the NT Treasury Corporation bonds prospectus notes that “These monies help fund the Territory’s infrastructure requirements, such as housing, transport, health and education services.”

(b) Included in response to 7(a) above.

8. APRA provide a list at the following link:

<https://www.apra.gov.au/register-of-authorised-deposit-taking-institutions>

As noted at part 7. above, there is currently no definitive, universally accepted list of institutions which do not engage, fund or support any socially or environmentally harmful programs. The City makes assessments of institutions when considering placing an investment both at an individual product and institutional level. The listing provided by Market Forces is available at the following link:

<https://www.marketforces.org.au/info/compare-bank-table/>

9. Via the City’s website:

<https://www.cityofsydney.nsw.gov.au/policies/investment-policy>

<https://meetings.cityofsydney.nsw.gov.au/documents/s87526/Attachment%20B%20-%202024-25%20Investment%20Strategy.pdf>

10. As detailed at part 3. above, the City currently gives preference to these institutions when making investment decisions, under the framework set out in the Investment Policy.

(a) The City could, subject to the limitations of Ministerial Investment Orders, amend the Investment Policy to loosen criteria applied to investment decisions – in particular, credit risk and liquidity risk parameters – to increase investment limits with certain institutions, and/or increase the number of institutions it invests with.

Depending on what additional criteria were adopted in the policy, beyond increased risks described above, such changes may also negatively impact investment returns, noting that market factors also play a significant role in available rates of return and individual institutions’ capacity to accept funds.

(b) Refer part 10(a) above

11. No.

12. The Office of Local Government website contains links to relevant information:

<https://www.olg.nsw.gov.au/councils/council-finances/investments/>

Details of relevant legislation can be found at the following links:

<https://legislation.nsw.gov.au/view/html/inforce/current/act-1993-030>

<https://legislation.nsw.gov.au/view/html/inforce/current/sl-2021-0460>

<https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-1925-014>

14. Narrowing of Erskineville Footpaths

By Councillor Thompson

Question

In relation to the recent narrowing of footpaths in Erskineville to install garden beds and the discrimination complaint lodged against Council to the Australian Human Rights Commission:

1. What footpaths have been affected by the recent work? Could you please supply a map outlining which footpaths have been changed by the recent works?
2. Were the works compliant with Transport NSW's Walking Space Standard?
3. Where the works compliant with the City of Sydney's Disability and Inclusion Strategy?
4. What are the minimum disability access standards for footpath upgrades included in Council strategies or plans?
5. Does the City of Sydney's Disability and Inclusion Strategy include a requirement that footpath upgrades improve or maintain disability access? Is this commitment included in any other Council strategies or plans?
6. Does the City of Sydney's Disability and Inclusion Strategy include a requirement that footpath upgrades meet Transport NSW's Walking Space Standard? Is this commitment included in any other Council strategies or plans?
7. What plans are there to restore the footpaths?
8. What plans are there to otherwise respond to the recent community concerns?
9. If there are no plans to amend the footpaths, why not?
10. What steps are being taken to ensure that future footpath upgrades are not too narrow?

X113778

Answer by the Chief Executive Officer

The matter is the subject of a confidential conciliation process, and a confidential CEO Update will be prepared.

15. Grants Funding Allocation and Recommendations

By Councillor Thompson

Question

At the November 2024 meeting of Council Committees, Councillors considered a number of recommendations from staff, that grant funding be allocated. This included:

- *Item 3 – Grants and Sponsorships – Environmental Grants*, of the 11 November 2024 meeting of the Environment and Climate Change Committee,
- *Item 4 – Grants and Sponsorships – Creative Grants*, of the 11 November 2024 meeting of the Cultural, Creative and Nightlife Committee,
- *Item 4 - Grants and Sponsorship - Social Grants* (food insecurity) of the 11 November 2024 meeting of the Community Services and Facilities Committee,
- *Item 3 – Grants and Sponsorships – Economic Grants*, of the 11 November 2024 meeting of the Innovation, Business and Economy Committee:

In relation to these grant recommendations:

1. What grant funding was proposed to be moved from one grant fund to a different grant fund? Please provide details.
2. What, in the opinion of the staff, is the reason that only 12 applications were received for the Green Building Grants this cycle?
3. What steps are taken to advertise and broadcast the grants to all eligible residential apartments and stratas within the Local Government Area?
 - (a) Were applicants who were eligible but not successful in previous years contacted and encouraged to reapply?
 - (b) Are there changes to this process that could be implemented to encourage increased uptake of this grant stream? If so, what are they?
4. In relation to the creative grants, including festivals grant funding, what funding was recommended by staff (in total):
 - (a) For for-profit organisations?
 - (b) For not-for-profit organisations?
5. In relation to the creative grants, including festivals grant funding, who were eligible to receive funding, but *not* recommended for funding because there was not enough funding available or allocated:
 - (a) How many were not-for-profit organisations?
 - (b) What was the total that these not-for-profit organisations requested?
6. In relation to the creative grants, major festivals funding, what funding was proposed for SXSW Sydney Pty Ltd?
 - (a) Cash
 - (b) In kind

7. What are the outcomes purported to be achieved for our community and Council?
8. How much money has the City contributed to SXSWSydney Pty Ltd in the past?
9. What were the outcomes achieved with this historical funding and how were they measured?
10. Where can reports or evaluations be accessed, outlining the outcomes achieved by SXSWSydney from previous Council funding?
11. Have other organisations, applied for Council funding to support their participation in SXSWSydney before?
 - (a) If yes, please provide details?
 - (b) Was this funding granted? If not, why not.
12. Has the NSW Government or Destination NSW requested, either formally or informally, that the City of Sydney help fund SXSWSydney?
13. Has the NSW Government or Destination NSW previously funded SXSWSydney?
 - (a) If so, how much, expressed as a dollar figure, broken down by financial year?
 - (b) Is there any indication that the NSW Government or Destination NSW is about to reduce their contributions to SXSWSydney?
14. In relation to the cultural and economic grants, why were programs recommended for funding for UNSW and USYD over smaller community organisations and groups given their sizeable cash reserves and income stream?
15. In relation to the social grants, proposed to help address food insecurity:
 - (a) How many applications were received from not-for-profit organisations?
 - (b) How many of these were eligible and recommended for funding?
 - (c) What was the total recommended for funding?
 - (d) How many were eligible but not recommended for funding, due to the size of the funding pool?
 - (e) What was the total amount requested from groups who were eligible for funding, but not recommended for funding?

X113778

Answer by the Chief Executive Officer

1. Details were reported in the November Committee reports; please see the budget section of each report.
2. Applications require the approval and input from owner corporations at Annual General Meetings and/or strata committee meetings. This process can be slow and take considerable effort from individuals and therefore can limit the number of applications received.

3. Please see Information Relevant To Item 7.3 - Grants and Sponsorship – Environmental Grants
 - (a) All applicants can select to subscribe to the grants mailing list when they apply. Applicants can receive feedback on their applications and are encouraged to reapply if eligible.
 - (b) Please see Information Relevant To Item 7.3 - Grants and Sponsorship – Environmental Grants.
4.
 - (a) Out of a total of 37 applications recommended, 11 for profit organisations were recommended to receive a total of \$145,000 in cash and \$112,612 value-in-kind (venue hire fee waiver and street banner) for 2024/25. Details are included in the Committee report for Item 8.4 – Grants and Sponsorships – Creative Grants.
 - (b) Out of a total of 37 applications recommended, 23 not for profit organisations were recommended to receive a total of \$561,600 in cash and \$100,655 value-in-kind (venue hire fee waiver and street banner) for 2024/25. Details are included in the Committee report for Item 8.4 – Grants and Sponsorships – Creative Grants.

Additionally, out of a total of 37 applications recommended, the remaining 3 applications were from Sole Traders or Individuals auspiced by eligible not for profit organisations, who were recommended to receive a total of \$45,000 in cash and \$0 value-in-kind (venue hire fee waiver and street banner) for 2024/25. Details are included in the Committee report for Item 8.4 – Grants and Sponsorships – Creative Grants.
5.
 - (a) 31 not for profit organisations were not recommended for funding but were eligible to apply.
 - (b) The details are included in the Committee report for Item 8.4 – Grants and Sponsorships – Creative Grants.
6. Details were reported in the November Committee reports, please see the budget section of each report.
 - (a) The details are included in the Committee report for Item 8.4 – Grants and Sponsorships – Creative Grants.
 - (b) The details are included in the Committee report for Item 8.4 – Grants and Sponsorships – Creative Grants.
7. Please see Information Relevant To Item 8.4 - Grants and Sponsorship – Creative Grants.
8. Please see Information Relevant To Item 8.4 - Grants and Sponsorship – Creative Grants.
9. Please see Information Relevant To Item 8.4 - Grants and Sponsorship – Creative Grants.
10. Outcomes are reported through acquittal reports, noting that, to date, the City of Sydney has only funded SXSU in 2023 and 2024. Only one acquittal has been received and the second is due shortly.

11. The City has received applications from organisations wishing to participate in SXSW however we do not currently collate reporting in this area and would require more time to respond.
12. The City of Sydney was not approached by the NSW Government or Destination NSW. It was approached by SXSW directly.
13.
 - (a) The City of Sydney is aware that the NSW Government provides funding to SXSW but the details are held commercially in confidence.
 - (b) The City of Sydney has not been made aware of this.
14. All applications are assessed and ranked according to their merit and how well they meet the assessment criteria. The current funding guidelines and who is eligible to apply has been approved by Council at the June 2024 Council meeting.
15.
 - (a) 24 eligible applications were received.
 - (b) The details are included in the Committee report Item 9.4 - Grants and Sponsorship - Social Grants (food support).
 - (c) The details are included in the Committee report Item 9.4 - Grants and Sponsorship - Social Grants (food support).
 - (d) The details are included in the Committee report Item 9.4 - Grants and Sponsorship - Social Grants (food support).
 - (e) The details are included in the Committee report Item 9.4 - Grants and Sponsorship - Social Grants (food support).

16. Gambling Advertising

By Councillor Ellsmore

Question

As advised in answers to Questions on Notice to the October 2024 Council meeting, on the 17 October 2024, the City of Sydney instructed QMS to remove gambling advertisements from City of Sydney screens.

1. What were the nature and description of these advertisements?
2. What organisation or business was the advertising for?
3. Was the advertising for a greyhound race?
4. Was the advertising for the 'Wentworth Millions' greyhound race at Wentworth Park?
5. How many unique advertisements were removed?
6. What was the date the removed advertisements first displayed?
7. What is total number of hours the removed advertisements were displayed for before being removed, if known.

In 2023 QMS screens featured advertising for Crown and Star, the two large casino complexes that are based in the City of Sydney. Examples of this advertisements were reported to the City of Sydney by the Office of Councillor Ellsmore.

8. Does the City of Sydney consider these to be gambling advertising?

9. Did the City of Sydney take any action in relation this advertising?

On 2 November 2024, City of Sydney street furniture featured advertising by the Sydney Everest Carnival, a horse race. The advertisements featured a web URL for the Australian Turf Club. The URL took visitors to a web page which featured details on how to gamble on the horse race, alongside advertising by Star Casino and TAB.

10. Does the City of Sydney consider this advertising to be gambling advertising?

11. Did the City of Sydney take any action in relation this advertising?

12. Is the City of Sydney aware of when and where promotions for the Sydney Everest Carnival were featured on the City of Sydney street furniture?

13. Under Council's agreement with QMS that gambling not feature on City street furniture, how many breaches are required before enforcement or penalty provisions are applied?

X113783

Answer by the Chief Executive Officer

1. The advertisement was promoting the purchase of tickets to attend the Million Dollar Chase event being held on 18 October 2024 at Wentworth Park.

2. Greyhound Racing NSW hosts the Million Dollar Chase event

3. People attending the event can witness greyhound races.

4. The advertisement stated the event was to be held at Wentworth Park.

5. 2.

6. October 2024

7. Approximately 3.5 days

8. Yes, as the advertising displayed images referencing gambling.

9. Yes, when the City became aware of the advertisement, the City addressed the performance issue with QMS in accordance with the contract terms.

10. No.

11. No.

12. 21 to 28 October 2024 on various screens in the Local Government Area.

13. The contract is not structured to apply enforcement or penalty provisions for a certain count of breaches. Each breach is required to be considered in accordance with contract performance provisions and the performance of QMS Media continues to be managed.

17. Live Work Artist Spaces

By Councillor Ellsmore

Question

1. How many artist live-work spaces are owned or managed by the City of Sydney?
2. What the locations of the artist live-work spaces?
3. What was the cost of establishing the artist live-work spaces?
4. What is the estimated annual cost to council to provide the artist live-work spaces?
5. Is the City of Sydney developing any additional artist live-work spaces? If yes:
 - (a) Where are these located
 - (b) When are they due to become available, and
 - (c) What is their value?
6. Is the creation of any additional artist live-work spaces including in the Council's current Long Term Financial Plan? If yes, please provide details.
7. Does the City of Sydney have any current Voluntary Planning Agreements or other arrangements with private developers, which will deliver additional artist live-work spaces? If yes:
 - (a) Where are these located
 - (b) When are they due to become available, and
 - (c) What is their value?

X113783

Answer by the Chief Executive Officer

1. Through the Live/Work Artist Space program, the City manages six 1-bedroom apartments in Darlinghurst and one 3-bedroom apartment in Waterloo.
2. (1) 113-115 William Street, Darlinghurst
(2) Caretakers flat at rear of Waterloo Library, 770 Elizabeth Street Waterloo.
3. (1) The six 1-bedroom apartments in Darlinghurst are long-term City-owned properties and commenced use as a Creative Live Work Space in 2013. Minor works only were required to refresh the apartments prior to offering the spaces through the Creative Live Work Space program.
(2) The one 3-bedroom apartment in Waterloo is a former caretakers residence connected to the Waterloo Library (former Town Hall) and commenced use as a Creative Live Work Space in 2016. The apartment was refreshed prior to offering the space through the Creative Live Work Space program.
4. See Operational Plan 2024-25, page 97, adopted by Council on 24 June 2024.

5.
 - (a) One 3-bedroom unit at 247 Bulwara Rd Ultimo.
 - (b) The unit was leased at market rates. The tenant has recently vacated the property, and a refresh of the property is now being completed prior to making the unit available through the Creative Live Work Space program in 2025.
 - (c) This unit is part of a larger building which is leased through the City's Accommodation grants program. There is not stand-alone value for the space.
6. There are no current plans for creation of any additional artist live-work spaces included in the current Long Term Financial Plan. However, subject to Council endorsement of the Cultural Strategy 2025-2035, proposals are being considered to be put forward as part of the annual budget process.
7. A studio apartment at the City of Sydney Creative Studios on Bathurst Street was delivered through a Voluntary Planning Agreement. This space is a Live/Work space managed by Brand X who manage the City of Sydney Creative Studios on behalf of the City of Sydney.

There are no current Voluntary Planning Agreements or other arrangements with private developers which will deliver additional artist live-work spaces.

Item 15 Supplementary Answers to Previous Questions

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

Item 16 Notices of Motion

Item 16.1 Flying All of The Pride Flags of Importance at Taylor Square

Moved by Councillor Worling, seconded by Councillor Miller –

It is resolved that:

(A) Council note:

- (i) Oxford Street is long recognised as the heart and home of the LGBTIQ+ community in Sydney. It is a global beacon for pride, diversity and solidarity, synonymous with LGBTIQ+ life;
- (ii) one of the transformative projects of Sustainable Sydney 2030-2050: Continuing the Vision is to revitalise the Oxford Street precinct;
- (iii) as retail, nightlife and inner-city living evolves, new investment and planning changes bring opportunity to revive and strengthen the identity of Oxford Street;
- (iv) the Oxford Street LGBTIQ+ Social and Cultural Place Strategy, adopted by Council in October 2022, is the overarching strategy that currently guides the City's work in the Oxford Street precinct to support the LGBTIQ+ community;
- (v) key priorities of the Place Strategy include increasing LGBTIQ+ visibility and identity throughout the precinct; recognising historic LGBTIQ+ places and spaces; and increasing LGBTIQ+ cultural and social spaces;
- (vi) flags have always been an integral part of the LGBTIQ+ movement. They are a visible representation meant to educate, celebrate progress, advocate for representation, and amplify the demand and drive for collective action;
- (vii) there have been many LGBTIQ+ flags over the years. San Francisco artist Gilbert Baker designed the first Pride Rainbow flag for the 1978 San Francisco Freedom Day Parade. It is widely recognised as the symbol of lesbian, gay, bisexual and transgender (LGBT) communities; and
- (viii) beyond the rainbow flag that represents the whole community, there are also [individual identity, gender and sexuality flags](#) that represent the diversity of the LGBTIQ+ community. These include: the Progress Pride Flag, the Unity Pride Flag, Trans Flag, Bisexual Flag, Asexual Flag, Intersex Flag, Gay Flag, Lesbian Flag, Non-Binary Flag, Genderqueer Flag, Pansexual Flag and Genderfluid Flag, among others;

(B) Council further note;

- (i) the City of Sydney is home to Australia's highest population of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) people, with 21.4% of residents in our Local Government Area identifying as part of this community;
- (ii) the central flagpole at Taylor Square (on the southern side) flies the Progressive Pride Flag every day;
- (iii) there are currently 18 smart banner poles at Taylor Square north flying Progressive Pride banners, with an additional 18 smart banner poles available at Taylor Square south;

- (iv) for this precinct to continue to thrive as a global LGBTIQ+ destination, it must be signposted, and the full spectrum and evolution of queer culture, must be on display year-round;
 - (v) the City understands that visibility and inclusion are vital to a vibrant and safe City, and is committed to elevating and celebrating the broad spectrum of LGBTIQ+ experiences, residents and visitors;
 - (vi) a new progress pride crossing is currently underway at the intersection of Bourke and Forbes Street, outside Qtopia Sydney (Darlinghurst Police Station); and
 - (vii) the City has advocated for the fences outside the Darlinghurst Courthouse to be removed, to return the grassed area to the community and reuse of the court building for more cultural space. This area, once reclaimed, could provide an opportunity for a more permanent iteration of this concept; and
- (C) the Chief Executive Officer be requested to:
- (i) investigate a permanent location for Pride Flags of Importance (in the short term at Taylor Square, and in the longer-term, outside the Darlinghurst Courthouse), where each flagpole is clearly marked with a dedicated QR code or plaque for education purposes;
 - (ii) meanwhile, explore the feasibility of dedicating the remaining 18 smart banner poles at Taylor Square south to additional Progressive Pride banners;
 - (iii) investigate the capabilities of the City's current smart banner poles to support different formats, such as horizontal Progressive Pride flags rather than vertical banners;
 - (iv) consult with City staff, key stakeholders, other levels of government, key LGBTIQ+ organisations and the wider community to see what flags they would like to see flown permanently at Taylor Square or the Darlinghurst Courthouse; and
 - (v) report back to Council with the findings, a timeline and cost estimate for this schedule of work.

Carried unanimously.

X113756

Item 16.2 Have Yourself a More Sustainable Christmas

Moved by Councillor Worling, seconded by Councillor Gannon –

It is resolved that:

(A) Council note:

- (i) local households create and throw out close to 400 tonnes of extra waste at Christmas;
- (ii) in the City of Sydney, specifically, approximately 70 extra garbage trucks are filled with waste over the holiday season; and
- (iii) the City already encourages its residents to think about the environment and discard of waste responsibly at Christmas via opportunities such as:
 - (a) accepting natural Christmas trees in the green-lid garden organics bin, or via a free weekly pick-up service for bulky items;
 - (b) popular holiday items such as batteries, Christmas lights and polystyrene can be dropped off at the City's recycling stations at libraries, customer service and community centres; taken to the Ultimo recycling pop-up; brought to the quarterly Recycle It Saturday events, or booked in for a doorstep recycling collection; and
 - (c) the City has dedicated pick-ups for garden waste, mixed recycling, food scraps (for some properties) and general waste; and

(B) the Chief Executive Officer be requested to:

- (i) investigate opportunities to expand our promotion of the City's many recycling services available to residents and how to responsibly discard of unwanted items during the holiday season;
- (ii) expand the City's education about how to avoid and reduce waste over the festive season, including how to responsibly discard your Christmas tree and seafood scraps;
- (iii) as part of the promotional material, include links to the City's other circularity initiatives and Good News Stories of where these items can end up if disposed of correctly; and
- (iv) provide an update to Councillors via the CEO Update on actions undertaken.

Carried unanimously.

X113756

Item 16.3 City of Sydney to Establish Guiding Principles for the Potential Public Land Divestment of Victoria Barracks

Moved by Councillor Maxwell, seconded by Councillor Ellsmore –

It is resolved that:

(A) Council note:

- (i) the Victoria Barracks was built in 1841. It was the third barracks built in Sydney and housed British soldiers until 1870 when it was occupied by colonial forces and the Australian army. It included accommodation, a hospital and prison;
- (ii) the site is on the State Heritage Register, the Commonwealth Heritage List and is locally heritage listed;
- (iii) the Victoria Barracks precinct is seen as the finest complex of colonial barracks (pre-1850) in Australia and is still currently in military use;
- (iv) it contains one of the most important groups of Edwardian military buildings in Australia and is a good and intact example of nineteenth century military barracks;
- (v) the site is the only substantial military barracks complex built in Australia in the early Victorian period;
- (vi) the precinct is also seen as a valuable site for future archaeological investigation of past methods of construction and ways of life;
- (vii) **Audit of ADF Land:** The 2024 National Defence Strategy (NDS) recommended an audit of Australian Defence Force (ADF) land holdings, including the Victoria Barracks site in Sydney. The audit report was submitted to federal ministers in December 2023 but has not been made public. The auditors, Jan Mason, former Managing Director of Defence Housing Australia, and Jim Miller, Chair of Infrastructure Victoria, were tasked with assessing whether Defence's high-density urban property holdings align with the military's current requirements;
- (viii) **Plans for Victoria Barracks:** During a Senate estimate in February 2024, Celia Perkins, Deputy Secretary for ADF's Security and Estate Group, stated that the ADF regularly reviews and manages its land holdings, balancing investments to support ADF capabilities;
- (ix) **Current Use:** The Victoria Barracks is home to Forces Command (FORCOMD), which oversees 85% of Army personnel, and the Australian Army Band Sydney;
- (x) **Heritage and Redevelopment Potential:** The barracks, including its green space, is listed on the Commonwealth Heritage Register. About 30% to 50% of the site is heritage-protected, but the remaining area could potentially be redeveloped if the site is divested;
- (xi) **Land Area and Housing Potential:** The site covers 0.15km². Given the density of surrounding Paddington, it's a site that could potentially accommodate the growing demand for new housing and could provide housing solutions for City of Sydney residents in the future;

- (xii) **Location and Accessibility:** The site is strategically located on Oxford Street near Moore Park, which currently has limited public access. Redevelopment could improve community access to green space and bike paths and would have public benefit in a variety of domains;
 - (xiii) **Potential Public Benefit:** If the Victoria Barracks site is divested, it could provide significant public benefits, including housing and enhanced community amenities for the diverse residents of the City of Sydney; and
 - (xiv) it is in the City's interests to be prepared for the possibility that this land could be available for alternate uses and should be proactive in its approach to this should the opportunity arise in the future;
- (B) the Chief Executive Officer be requested to:
- (i) ask City of Sydney staff to establish a set of guiding principles for the potential use of the Victoria Barracks site should the land be up for divestment. These principles will provide the Council with a framework should divestment come up in future;
 - (ii) recommend that these principles should consider the high heritage value of the site and should also be open to meeting the needs of the community. This should include prioritising considerations of public greenspace, cultural uses and affordable housing, as well as ensuring there is meaningful community engagement in decision making processes; and
 - (iii) prepare initial guidelines for community consultation on potential land use of the site for maximum public benefit. These and the guiding principles could be used in future for a study or masterplan commissioned by the City of Sydney staff in relation to the use of the Victoria Barracks site; and
- (C) the Lord Mayor be requested to write to the Minister for Defence Richard Marles to request a briefing for the City of Sydney Council on future plans for Victoria Barracks in Paddington and other ADF owned land in our Local Government Area, and a commitment to consult with the City of Sydney and the local community about future plans for the site.

Carried unanimously.

X113762

Item 16.4 The City of Sydney Council Condemns the Gender Based Violence at Sydney University

By Councillor Maxwell

It is resolved that:

(A) Council note:

- (i) on 30 October 2024, University of Sydney students were filmed tearing up the Red Zone Report, which exposed a rape and sexual violence epidemic in universities. The incident occurred during a USYD Student Representative Council meeting, when two conservative club members destroyed copies of the report on sexual violence and hazing in university colleges;
- (ii) in response, over 100 students and community members attended a vigil hosted by the USYD Women's Collective. Speakers, including outgoing and newly elected Women's Officers, emphasised the need to abolish university colleges to prevent misogyny and violence towards women;
- (iii) reports of sexual assault and harassment at the University of Sydney more than doubled last year, with nearly 250 victims, according to the second Annual Report on Sexual Misconduct;
- (iv) National Survivors Day on 12 November commemorates the courage of survivors of sexual assault and institutional abuse, as well as their supporters and whistleblowers across Australia;
- (v) in April 2024, an international student from the University of Sydney tragically died in the Westfield Bondi Junction stabbing attacks;
- (vi) in August 2024, another University of Sydney student, Xiaoting, was also tragically killed as a result of gender-based violence;
- (vii) in 2023, another local university student from within the Sydney Local Government Area, Lillie James, was horrifically murdered in her workplace at St Andrew's Cathedral School as a result of gender-based violence;
- (viii) the critical need for the University of Sydney to be a safe space for all students and staff, and stress the importance of fully implementing the Red Zone Report to prevent future violence at the University of Sydney;
- (ix) the ongoing work required to prevent sexual assault and harassment by all universities, and the failure of the Sydney University Colleges to address these issues effectively;
- (x) the City of Sydney has continually supported efforts to combat gendered violence by working with local groups, key stakeholders, and governments at all levels to assist victim-survivors;
- (xi) the City of Sydney's continued advocacy, in particular recognising the March 2024 Gender-Based Violence Lord Mayoral Minute, which emphasised the City's role in leading and supporting interagency networks to improve responses to gender-based violence and to promote gender equality; and

- (xii) that tackling gender-based violence is a shared responsibility at local, state, and federal levels, with ongoing collaborative engagement and measures consistently taken to prevent such tragedies in the future;
- (B) Council reaffirm that the City of Sydney Council condemns acts of gender based violence in all forms and that this includes any gender-based violence at local universities; and
- (C) the Lord Mayor be requested to:
 - (i) write to the Vice Chancellor, Chancellor and heads of all residential colleges of the University of Sydney:
 - (a) to express the City of Sydney's denunciation of gender-based violence and affirm its commitment to stand in solidarity with victims of gendered based violence alongside Sydney Universities in the City of Sydney Local Government Area;
 - (b) about the failure to make substantial changes to prevent and change attitudes towards sexual assault, sexual harassment, bullying, hazing, and alcohol abuse in the residential colleges. In addition to pushing for further commitments from the University to prevent gender-based violence and their causes in all colleges in the future; and
 - (c) requesting that the University implements the findings and recommendations of the 2018 Red Zone Report into Sexual Violence and Hazing in Australian university residential colleges undertaken by 'End Rape on Campus Australia';
 - (ii) write to the Women's Officer of the University of Sydney to thank them for organising the University of Sydney vigil to remember and recognise victims and survivors of gender-based violence; and
 - (iii) write to the Federal Minister for Education, Jason Clare and the NSW Minister for Education, Prue Car requesting a response on the actions that the Federal and NSW Governments will take to prevent these types of incidences occurring in future at the University of Sydney and at other universities, as well as the measures taken to address this issue at the University of Sydney specifically.

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

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

It is resolved that:

- (A) Council note:
 - (i) on 30 October 2024, University of Sydney students were filmed tearing up the Red Zone Report, which exposed a rape and sexual violence epidemic in universities. The incident occurred during a USYD Student Representative Council meeting, when two conservative club members destroyed copies of the report on sexual violence and hazing in university colleges;
 - (ii) in response, over 100 students and community members attended a vigil hosted by the USYD Women's Collective. Speakers, including outgoing and newly elected Women's Officers, emphasised the need to abolish university colleges to prevent misogyny and violence towards women;
 - (iii) reports of sexual assault and harassment at the University of Sydney more than doubled last year, with nearly 250 victims, according to the second Annual Report on Sexual Misconduct;

- (iv) that there currently exists a campaign calling for the abolition of the University of Sydney colleges by some advocacy groups in Sydney;
 - (v) National Survivors Day on 12 November commemorates the courage of survivors of sexual assault and institutional abuse, as well as their supporters and whistleblowers across Australia;
 - (vi) in April 2024, an international student from the University of Sydney tragically died in the Westfield Bondi Junction stabbing attacks;
 - (vii) in August 2024, another University of Sydney student, Xiaoting, was also tragically killed as a result of gender-based violence;
 - (viii) in 2023, another local university student from within the Sydney Local Government Area, Lillie James, was horrifically murdered in her workplace at St Andrew's Cathedral School as a result of gender-based violence;
 - (ix) the critical need for the University of Sydney to be a safe space for all students and staff, and stress the importance of fully implementing the Red Zone Report to prevent future violence at the University of Sydney;
 - (x) the ongoing work required to prevent sexual assault and harassment by all universities, and the failure of the Sydney University Colleges to address these issues effectively;
 - (xi) the City of Sydney has continually supported efforts to combat gendered violence by working with local groups, key stakeholders, and governments at all levels to assist victim-survivors;
 - (xii) the City of Sydney's continued advocacy, in particular recognising the March 2024 Gender-Based Violence Lord Mayoral Minute, which emphasised the City's role in leading and supporting interagency networks to improve responses to gender-based violence and to promote gender equality; and
 - (xiii) that tackling gender-based violence is a shared responsibility at local, state, and federal levels, with ongoing collaborative engagement and measures consistently taken to prevent such tragedies in the future;
- (B) Council reaffirm that the City of Sydney Council condemns acts of gender based violence in all forms and that this includes any gender-based violence at local universities; and
- (C) the Lord Mayor be requested to:
- (i) write to the Vice Chancellor, Chancellor and heads of all residential colleges of the University of Sydney:
 - (a) to express the City of Sydney's denunciation of gender-based violence and affirm its commitment to stand in solidarity with victims of gendered based violence alongside Sydney Universities in the City of Sydney Local Government Area;
 - (b) about the failure to make substantial changes to prevent and change attitudes towards sexual assault, sexual harassment, bullying, hazing, and alcohol abuse in the residential colleges. In addition to pushing for further commitments from the University to prevent gender-based violence and their causes in all colleges in the future; and

- (c) requesting that the University implements the findings and recommendations of the 2018 Red Zone Report into Sexual Violence and Hazing in Australian university residential colleges undertaken by 'End Rape on Campus Australia'. This includes committing to reforming all University of Sydney residential colleges to better protect students on campus;
- (ii) write to the Federal Minister for Education, Jason Clare and the NSW Minister for Education, Prue Car requesting a response on the actions that the Federal and NSW Governments will take to prevent these types of incidences occurring in future at the University of Sydney and at other universities, as well as the measures taken to address this issue at the University of Sydney specifically; and
- (iii) write to the Women's Officer of the University of Sydney to thank them for organising the University of Sydney vigil to remember and recognise victims and survivors of gender-based violence.

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

It is resolved that:

(A) Council note:

- (i) the findings of the Red Zone report, co-authored by investigative journalist, Nina Funnell and End Rape on Campus Ambassador, Anna Hush, including:
 - (a) that a culture of misogyny and sexism is rife within residential colleges;
 - (b) a longstanding history of aggressive, sexually violent and dangerous behaviours exhibited within residential colleges, including gang rape and murder, over many decades;
 - (c) that hazing and ritual humiliation of students within residential colleges has a long and well-documented history, with victim-survivors reporting self-harm and, in some cases, suicide; and
 - (d) that the very social structure of the residential colleges creates the conditions that enable and propagate rampant abuse and misogyny;

(B) Council further note:

- (i) on 30 October 2024, University of Sydney students were filmed tearing up the Red Zone Report, which exposed a rape and sexual violence epidemic in universities. The incident occurred during a USYD Student Representative Council meeting, when two conservative club members destroyed copies of the report on sexual violence and hazing in university colleges;
- (ii) in response, over 100 students and community members attended a vigil hosted by the USYD Women's Collective. Speakers, including outgoing and newly elected Women's Officers, emphasised the need to abolish university colleges to prevent misogyny and violence towards women;
- (iii) reports of sexual assault and harassment at the University of Sydney more than doubled last year, with nearly 250 victims, according to the second Annual Report on Sexual Misconduct;
- (iv) that there currently exists a campaign calling for the abolition of the University of Sydney colleges by some advocacy groups in Sydney;

- (v) National Survivors Day on 12 November commemorates the courage of survivors of sexual assault and institutional abuse, as well as their supporters and whistleblowers across Australia;
 - (vi) in April 2024, an international student from the University of Sydney tragically died in the Westfield Bondi Junction stabbing attacks;
 - (vii) in August 2024, another University of Sydney student, Xiaoting, was also tragically killed as a result of gender-based violence;
 - (viii) in 2023, another local university student from within the Sydney Local Government Area, Lillie James, was horrifically murdered in her workplace at St Andrew's Cathedral School as a result of gender-based violence;
 - (ix) the critical need for the University of Sydney to be a safe space for all students and staff, and stress the importance of fully implementing the Red Zone Report to prevent future violence at the University of Sydney;
 - (x) the ongoing work required to prevent sexual assault and harassment by all universities, and the failure of the Sydney University Colleges to address these issues effectively;
 - (xi) the City of Sydney has continually supported efforts to combat gendered violence by working with local groups, key stakeholders, and governments at all levels to assist victim-survivors;
 - (xii) the City of Sydney's continued advocacy, in particular recognising the March 2024 Gender-Based Violence Lord Mayoral Minute, which emphasised the City's role in leading and supporting interagency networks to improve responses to gender-based violence and to promote gender equality; and
 - (xiii) that tackling gender-based violence is a shared responsibility at local, state, and federal levels, with ongoing collaborative engagement and measures consistently taken to prevent such tragedies in the future;
- (C) Council recognise the collective efforts and campaign for decades to end these practices, including the long-running campaign led by the University of Sydney Women's Collective to abolish the colleges;
- (D) Council reaffirm that the City of Sydney Council condemns acts of gender based violence in all forms and that this includes any gender-based violence at local universities; and
- (E) Council adopt the position that:
- (i) all students should live free from the threat of sexual violence, bullying, intimidation and hazing rituals; and
 - (ii) all students deserve access to affordable, accessible and safe housing;
- (F) the Lord Mayor be requested to:
- (i) write to the Vice Chancellor, Chancellor and heads of all residential colleges of the University of Sydney:
 - (a) to express the City of Sydney's denunciation of gender-based violence and affirm its commitment to stand in solidarity with victims of gendered based violence alongside Sydney Universities in the City of Sydney Local Government Area;

- (b) about the failure to make substantial changes to prevent and change attitudes towards sexual assault, sexual harassment, bullying, hazing, and alcohol abuse in the residential colleges. In addition to pushing for further commitments from the University to prevent gender-based violence and their causes in all colleges in the future; and
- (c) requesting that the University implements the findings and recommendations of the 2018 Red Zone Report into Sexual Violence and Hazing in Australian university residential colleges undertaken by 'End Rape on Campus Australia'. This includes committing to reforming all University of Sydney residential colleges to better protect students on campus;
- (ii) write to NSW Premier, Chris Minns; NSW Minister for Skills, TAFE and Tertiary Education, Steve Whan; NSW Minister for Education, Prue Car; and the Federal Minister for Education, Jason Clare, requesting a response on the actions that the Federal and NSW Governments will take to prevent these types of incidences occurring in future at the University of Sydney and at other universities, as well as the measures taken to address this issue at the University of Sydney specifically; and
- (iii) write to the Women's Officer of the University of Sydney to thank them for organising the University of Sydney vigil to remember and recognise victims and survivors of gender-based violence.

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

That the varied motion be amended by the addition of clauses as follows –

- (E)(iii) the New South Wales Government should abolish private residential colleges and replace them with affordable, accessible, safe housing for students, that are publicly-owned or student-owned and run; and
- (F)(i)(d) in support of the campaign to abolish the private residential colleges and replace them with affordable, accessible and safe student housing, that is publicly-owned or student-owned and run.

The amendment was lost on the following show of hands –

Ayes (4) Councillors Ellsmore, Thompson, Weldon and Wilson

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

Amendment lost.

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

Ayes (9) The Chair (the Lord Mayor), Councillors Ellsmore, Gannon, Kok, Maxwell, Thompson, Weldon, Wilson and Worling

Noes (1) Councillor Miller.

The motion, as varied by consent, was carried.

X113765

Item 16.5 More Recycled Roads and Sustainable Pavement Applications Across the City of Sydney

Moved by Councillor Maxwell, seconded by Councillor Worling –

It is resolved that:

(A) Council note:

- (i) the City of Sydney's Environmental Strategy 2021-2025 prioritises initiatives that reduce the amount of waste sent to landfill through resource recovery and the development of circular economy systems. The use of recycled materials in infrastructure pavements represents a significant opportunity to support these actions;
- (ii) the City of Sydney has been at the forefront of promoting sustainability in infrastructure pavements over many years. This is reflected by the ongoing use of recycled materials in pavements and our active participation in trials to consider the viability of more sustainable materials;
- (iii) in 2021 the City of Sydney started delivering road works under the Southern Sydney Regional Organisation of Councils (SSROC's) 'Paving the way' program. The program has already successfully ensured that 10.8 million glass containers are recycled for use in asphalt each year, when they are not able to be used to make another glass container. Each year the City of Sydney is now recycling more than 500,000 glass containers into asphalt pavements under this program;
- (iv) SSROC has also recently proceeded with a crumb rubber asphalt demonstration project. Northern Beaches Council, Burwood Council and the City of Sydney were selected for a more in-depth investigation into the potential environmental benefits of using crumb rubber in council asphalt roads. The findings were promising and indicated that the project was a success;
- (v) the City of Sydney routinely uses recycled asphalt and crushed recycled glass in asphalt mixes where available. The ongoing use of these recycled materials by the broader sector has cleared backlogs of these materials and has ensured they have an ongoing circular reuse;
- (vi) in recent years the City of Sydney has conducted various trials testing the use of sustainable materials in asphalt pavements including recycled crumb rubber, recycled soft plastic, recycler toner and recycled aggregates. The City of Sydney has also used warm mix asphalts, which have a reduced carbon footprint;
- (vii) a geopolymers concrete blend has also been trialled in a City of Sydney road pavement in Wyndham Street Alexandria. The sustainable concrete blend uses an alternative cement that generates only 180 kilograms of CO₂ per tonne, compared to 900 kilograms used in producing traditional cement. With 70% of the concrete produced today going into pavements and footpaths, considering alternative materials with lower carbon footprints has great potential to further lower emissions from our operations;
- (viii) the City of Sydney now uses a low carbon concrete for our footpath pavement renewal works which incorporates substituted cementitious products to replace cement, recovered sands and aggregates and recycled water. Demolished materials from these works are also recycled where practical; and

- (ix) generally, the City of Sydney finds that all the innovative sustainable materials trialled are proven to be technically feasible. The ongoing use of many of the trialled products is possible once supply chain barriers are removed and when there is strong sector uptake to overcome operational and cost limitations; and
- (B) the Chief Executive Officer be requested to report to Council via a CEO Update:
- (i) the total volumes of asphalt and concrete road pavement materials projected to be used within the City of Sydney's annual road pavement programs;
 - (ii) further information about the proportion of sustainable materials used in road pavement works delivered by the City of Sydney;
 - (iii) further advice regarding the barriers that may be limiting the use of materials already trialled, and what further consideration is being given to overcome these barriers;
 - (iv) further detail about what other sustainable materials are planned to be trialled in infrastructure pavements, including consideration of recycled sand and low carbon asphalt;
 - (v) a summary of the findings resulting from the trial of geopolymer concrete in the road pavement on Wyndham Street, Alexandria; and
 - (vi) a summary of the findings resulting from the use of recycled crushed glass in the asphalt pavement on Clarence Street, Sydney.

Carried unanimously.

X113762

Item 16.6 City of Sydney Insourcing Framework

Moved by Councillor Wilson, seconded by Councillor Maxwell –

It is resolved that:

- (A) Council thank the staff of the City of Sydney for their hard work and dedication to the delivery of world class public services for the residents and businesses of our city;
- (B) Council support the ongoing delivery of good public services for the benefit of the community and residents of the City of Sydney;
- (C) Council support the delivery of key council services by City staff where appropriate;
- (D) Council acknowledge that delivering key council services by City staff provides secure, well paid public service jobs in the City;
- (E) Council acknowledge the growing recognition of the need for governments to reduce reliance on external consultants and contractors, particularly as highlighted in recent state government initiatives such as the Building up NSW Public Service Capability and Driving Down Use of Consultants (June 2024) report. The report underscores the significant costs and risks associated with outsourcing, including the erosion of in-house expertise, the loss of institutional knowledge, and the lack of long-term accountability;
- (F) Council recognise that the increased use of external contractors and consultants in local government services, while often necessary, has seen examples of inefficiencies, inflated costs, and a growing overdependence on external expertise;
- (G) Council note the Commonwealth, ACT and NSW Governments are prioritising the development of public service capabilities to insource key functions and reduce outsourcing expenditure, a strategy that has proven to increase service quality, foster innovation, and generate long-term savings;
- (H) Council note that the ACT Insourcing Framework (2023) and ACT Insourcing Policy (2023) is a detailed guide for assessing the benefits and challenges of insourcing and has been instrumental in shifting service delivery back into the ACT public sector;
- (I) Council note key findings from the Building up NSW Public Service Capability and Driving Down Use of Consultants report, which recommends a shift from an overreliance on external consultants towards building strong, capable in-house teams. The report stresses that by investing in local workforce capabilities, councils can develop the expertise required to provide high-quality services at a lower long-term cost. Specifically, it mentions:
 - (i) Improved Service Delivery: Direct control over services results in higher responsiveness, better quality, and alignment with community needs;
 - (ii) Cost Savings: By reducing dependency on consultants and external contractors, significant savings can be reinvested in core public services and community projects;
 - (iii) Stronger Workforce Capability: Insourcing can create more sustainable, skilled jobs within the community, improving local economic resilience and workforce development; and
 - (iv) Enhanced Accountability: In-house teams are more directly accountable to local communities and elected officials, which leads to greater transparency and improved service outcomes;

- (J) Council note that the contracts register published by the City does not currently differentiate goods acquired from services engaged by the City in the 296 outsourced contracts entered into over periods of up to 15 years; and
- (K) the Chief Executive Officer be requested to:
- (i) develop an Insourcing Framework for the City of Sydney to be brought back to Council by 30 June 2025;
 - (ii) consult with local stakeholders, relevant unions, community groups, and industry experts, in the development of the Framework for the City;
 - (iii) develop an Oncosts Policy for Council outlining standard assumptions made by City staff about the cost and staff required for the delivery of a service in-house; and
 - (iv) provide a report to Council outlining the City's major service contracts on the contracts register including the contract terms, cost and number of jobs supported.

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

It is resolved that:

- (A) Council note that the City delivers services and capital works through a mix of in house delivery and external contractors;
- (B) Council support the ongoing delivery of good public services for the benefit of the community and residents of the City of Sydney;
- (C) Council support the delivery of key council services by City staff where appropriate but recognises that using external providers can offer the opportunity to save ratepayers money, provide a higher level of service through access to specialised skills, expertise, technology and equipment, and increase our service flexibility and scalability;
- (D) Council thank the staff of the City of Sydney and its contractors for their hard work and dedication to the delivery of world class public services for the residents and businesses of our city;
- (E) Council note that ensuring Australia's global city is the best place to live, work and visit is a unique responsibility and requires sound financial management and effective analysis of the best methods of service delivery;
- (F) Council note the City currently gives practical consideration as to how services are best delivered to ensure efficient, effective and sustainable delivery of our many and complex roles. This includes undertaking business cases for new services to determine whether external organisations or in-house delivery provides the best quality services and the best value for money for ratepayers;
- (G) Council note that whenever the City engages external expertise and services we do so through a robust procurement process and Independent Probity Auditors are used to provide assurance of major tender processes;
- (H) Council acknowledge that delivering key council services by City staff and external contractors provides secure, well paid jobs in the City;
- (I) Council recognise that the increased use of external contractors and consultants in local government services, while often necessary, has seen examples of inefficiencies, inflated costs, and a growing overdependence on external expertise;

- (J) Council note the Commonwealth, ACT and NSW Governments are prioritising the development of public service capabilities to insource key functions and reduce outsourcing expenditure, a strategy that has proven to increase service quality, foster innovation, and generate long-term savings;
- (K) Council note that the ACT Insourcing Framework (2023) and ACT Insourcing Policy (2023) is a detailed guide for assessing the benefits and challenges of insourcing and has been instrumental in shifting service delivery back into the ACT public sector;
- (L) Council support the development of a City of Sydney Sourcing Framework to build on the City's current practices and enhance the information and evidence base to Council in making decisions on service delivery methods for new services and the renewal of key service delivery contracts;
- (M) Council note that the contracts register published by the City does not currently differentiate goods acquired from services engaged by the City in the 296 outsourced contracts entered into over periods of up to 15 years; and
- (N) the Chief Executive Officer be requested to:
 - (i) develop a Sourcing Framework for the City of Sydney to be brought back to Council by 30 June 2025;
 - (ii) consult with local stakeholders, relevant unions, community groups, and industry experts, in the development of the Framework for the City;
 - (iii) develop an Oncosts Policy for Council outlining standard assumptions made by City staff about the cost and staff required for the delivery of a service in-house; and
 - (iv) provide a report to Council outlining the City's major service contracts on the contracts register including the contract terms, cost and number of jobs supported.

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

Ayes (5) The Chair (the Lord Mayor), Councillors Kok, Gannon, Miller and Worling

Noes (5) Councillors Ellsmore, Maxwell, Thompson, Wilson and Weldon.

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

Amendment carried.

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

Ayes (5) The Chair (the Lord Mayor), Councillors Kok, Gannon, Miller and Worling

Noes (5) Councillors Ellsmore, Maxwell, Thompson, Wilson and Weldon.

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

Amended motion carried.

X113758

Misrepresentation

During discussion of Item 16.6, Councillor Miller stated that comments by Councillors Ellsmore and Thompson constituted misrepresentation and clarified her position accordingly.

Point of Order

Councillor Miller also raised a point of order pursuant to clause 6.4 of the Code of Meeting Practice, stating that Councillor Thompson had made imputations of improper motives.

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

Adjournment

At this stage of the meeting, at 8.30pm, 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 8.41pm.

Procedural Motion

At this stage of the meeting, it was moved by Councillor Thompson, seconded by Councillor Miller -

That Items 16.7 and 16.8 be withdrawn.

Carried unanimously.

Item 16.9 Democratic Right to Protest

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) the right to protest remains a cornerstone of democracy;
- (ii) Council has passed a number of recent motions in support of the right to protest including on 21 November 2022:
 - (a) Council resolved to acknowledge that the right to protest is fundamental in a democratic society, condemn harsh police practices with respect to protesters and commit to support and facilitate the right of the community to peacefully protest in the City of Sydney, including outside Sydney Town Hall; and
 - (b) Council requested that the Lord Mayor urgently write to the NSW Attorney General, NSW Shadow Attorney General, the NSW Minister for Police and the Commissioner for Police to express support for the right of peaceful gathering meeting and assembly in NSW, and to express the City's support for the repeal of new laws passed which have criminalised - or increased penalties – protests, through the *Roads and Crimes Legislation Amendment Act 2022*;
- (iii) in May 2024, the City of Sydney made a submission to the statutory review of the *Roads and Crimes Legislation Amendment Act 2022*. The review was carried out by Transport for NSW and the Department of Communities and Justice. The Council's submission restated the Council's position that the laws should be repealed;
- (iv) on 14 November 2024, Transport for NSW tabled their report from the statutory review. The review had a strong community response, with 1,462 individual submissions and 20 organisational submissions, nearly all opposing the new laws. It is notable that the Transport for NSW report did not acknowledge the City of Sydney as one of the organisations that had made a submission in relation to the *Roads and Crimes Legislation Amendment 2022*;
- (v) the Transport for NSW review report recommended establishing a cross government working group with stakeholder agencies to "investigate difficulties with interpretation and enforcement of the legislation";
- (vi) on 13 November 2024 the Attorney General introduced further changes to criminalise or increase penalties for protest activities, this time through the *Crimes Amendment (Obstructing a Railway) Bill 2024* to NSW Parliament. The Bill seeks to introduce \$22,000 fines for obstructing light rail, railways and trams;
- (vii) the proposed changes would have a particularly strong impact on restricting public protests outside the Sydney Town Hall, due to the light rail; and
- (viii) on 13 November 2024, 13 civil society organisations wrote to the Premier and Attorney General stating their opposition to the latest bill and proposed new fines;

(B) Council affirm that community consultation is essential in the process of introducing or sustaining any legislative changes that limit the right to protest;

- (C) Council reaffirm its support for the right of people to peacefully protest, including outside the Sydney Town Hall, and on property and spaces that it owns or controls; and
- (D) the Lord Mayor be requested to urgently write to the NSW Attorney General, NSW Shadow Attorney General and the NSW Minister for Police and the Commissioner for Police:
 - (i) to express support for the right of peaceful gathering, meeting, and assembly in NSW;
 - (ii) to express the City's opposition to the proposed expansion of anti-protest laws through \$22,000 fines for obstructing light rail, railways and trams;
 - (iii) to ask why the City of Sydney submission to the statutory review of the 2022 laws was not considered by Transport for NSW; and
 - (iv) to request that any cross government working group formed to consider the implementation of the 2022 laws include City of Sydney and civil society representatives.

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

Moved by Councillor Ellsmore, seconded by Councillor Thompson -

It is resolved that:

- (A) Council note:
 - (i) the right to protest remains a cornerstone of democracy;
 - (ii) Council has passed a number of recent motions in support of the right to protest including on 21 November 2022:
 - (a) Council resolved to acknowledge that the right to protest is fundamental in a democratic society, condemn harsh police practices with respect to protesters and commit to support and facilitate the right of the community to peacefully protest in the City of Sydney, including outside Sydney Town Hall; and
 - (b) Council requested that the Lord Mayor urgently write to the NSW Attorney General, NSW Shadow Attorney General, the NSW Minister for Police and the Commissioner for Police to express support for the right of peaceful gathering meeting and assembly in NSW, and to express the City's support for the repeal of new laws passed which have criminalised - or increased penalties – protests, through the *Roads and Crimes Legislation Amendment Act 2022*;
 - (iii) in May 2024, the City of Sydney made a submission to the statutory review of the *Roads and Crimes Legislation Amendment Act 2022*. The review was carried out by Transport for NSW and the Department of Communities and Justice. The Council's submission restated the Council's position that the laws should be repealed;
 - (iv) on 14 November 2024, Transport for NSW tabled their report from the statutory review. The review had a strong community response, with 1,462 individual submissions and 20 organisational submissions, nearly all opposing the new laws. It is notable that the Transport for NSW report did not acknowledge the City of Sydney as one of the organisations that had made a submission in relation to the *Roads and Crimes Legislation Amendment 2022*;
 - (v) the Transport for NSW review report recommended establishing a cross government working group with stakeholder agencies to "investigate difficulties with interpretation and enforcement of the legislation";

- (vi) on 13 November 2024 the Attorney General introduced further changes to criminalise or increase penalties for protest activities, this time through the *Crimes Amendment (Obstructing a Railway) Bill 2024* to NSW Parliament. The Bill seeks to introduce \$22,000 fines for obstructing light rail, railways and trams;
 - (vii) the bill was passed by the NSW Parliament on 21 November 2024;
 - (viii) the changes will particularly threaten public protests outside the Sydney Town Hall, due to the light rail; and
 - (ix) on 13 November 2024, 13 civil society organisations wrote to the Premier and Attorney General stating their opposition to the latest bill and proposed new fines;
- (B) Council affirm that community consultation is essential in the process of introducing or sustaining any legislative changes that limit the right to protest;
- (C) Council reaffirm its support for the right of people to peacefully protest, including outside the Sydney Town Hall, and on property and spaces that it owns or controls; and
- (D) the Lord Mayor be requested to urgently write to the NSW Attorney General, NSW Shadow Attorney General and the NSW Minister for Police and the Commissioner for Police:
- (i) to express support for the right of peaceful gathering, meeting, and assembly in NSW;
 - (ii) to express the City's opposition to the expansion of anti-protest laws through \$22,000 fines for obstructing light rail, railways and trams;
 - (iii) to ask why the City of Sydney submission to the statutory review of the 2022 laws was not considered by Transport for NSW; and
 - (iv) to request that any cross government working group formed to consider the implementation on the 2022 laws include City of Sydney and civil society representatives.

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

It is resolved that:

- (A) Council note:
- (i) the right to protest remains a cornerstone of democracy;
 - (ii) Council has passed a number of recent motions in support of the right to protest including on 21 November 2022:
 - (a) Council resolved to acknowledge that the right to protest is fundamental in a democratic society, condemn harsh police practices with respect to protesters and commit to support and facilitate the right of the community to peacefully protest in the City of Sydney, including outside Sydney Town Hall; and
 - (b) Council requested that the Lord Mayor urgently write to the NSW Attorney General, NSW Shadow Attorney General, the NSW Minister for Police and the Commissioner for Police to express support for the right of peaceful gathering meeting and assembly in NSW, and to express the City's support for the repeal of new laws passed which have criminalised - or increased penalties – protests, through the *Roads and Crimes Legislation Amendment Act 2022*;

- (iii) in May 2024, the City of Sydney made a submission to the statutory review of the *Roads and Crimes Legislation Amendment Act 2022*. The review was carried out by Transport for NSW and the Department of Communities and Justice. The Council's submission restated the Council's position that the laws should be repealed;
 - (iv) on 14 November 2024, Transport for NSW tabled their report from the statutory review. The review had a strong community response, with 1,462 individual submissions and 20 organisational submissions, nearly all opposing the new laws. It is notable that the Transport for NSW report did not acknowledge the City of Sydney as one of the organisations that had made a submission in relation to the *Roads and Crimes Legislation Amendment 2022*;
 - (v) the Transport for NSW review report recommended establishing a cross government working group with stakeholder agencies to "investigate difficulties with interpretation and enforcement of the legislation";
 - (vi) on 13 November 2024 the Attorney General introduced further changes to criminalise or increase penalties for protest activities, this time through the *Crimes Amendment (Obstructing a Railway) Bill 2024* to NSW Parliament. The Bill seeks to introduce \$22,000 fines for obstructing light rail, railways and trams;
 - (vii) the bill was passed by the NSW Parliament on 21 November 2024;
 - (viii) the changes will particularly threaten public protests outside the Sydney Town Hall, due to the light rail; and
 - (ix) on 13 November 2024, 13 civil society organisations wrote to the Premier and Attorney General stating their opposition to the latest bill and proposed new fines;
- (B) Council affirm that community consultation is essential in the process of introducing or sustaining any legislative changes that limit the right to protest;
 - (C) Council reaffirm its support for the right of people to peacefully protest, including outside the Sydney Town Hall, and on property and spaces that it owns or controls;
 - (D) Council note that the City of Sydney has declared a climate emergency and over many years undertaken significant action to reduce its own emissions and adapt to the impacts of climate change;
 - (E) Council note that coal exports from the port of Newcastle are responsible for exporting more than 95M tonnes each year;
 - (F) Council note that over the weekend, 170 adults and 14 young people were arrested at the Rising Tide Peoples' Blockade in Newcastle and 40 under section 241A(b) of the Crimes Act 1900 (NSW) (anti protest laws);
 - (G) the Lord Mayor be requested to urgently write to the NSW Attorney General, NSW Shadow Attorney General and the NSW Minister for Police and the Commissioner for Police:
 - (i) to express support for the right of peaceful gathering, meeting, and assembly in NSW;
 - (ii) to express the City's opposition to the expansion of anti-protest laws through \$22,000 fines for obstructing light rail, railways and trams;
 - (iii) to ask why the City of Sydney submission to the statutory review of the 2022 laws was not considered by Transport for NSW; and

(iv) to request that any cross government working group formed to consider the implementation on the 2022 laws include City of Sydney and civil society representatives; and

(H) that Council approve a donation of \$22,000 from the 2024/25 General Contingency Fund be made to Rising Tide.

The motion was carried on the following show of hands –

Ayes (9) The Chair (the Lord Mayor), Councillors Ellsmore, Kok, Maxwell, Miller, Thompson, Weldon, Wilson and Worling.

Noes (1) Councillor Gannon.

The motion, as varied by consent, was carried.

X113765

Item 16.10 Abolishing Subminimum Wages for Disabled Workers

By Councillor Thompson

It is resolved that:

- (A) Council note that:
- (i) disabled workers are currently paid as little as \$3.01 an hour for their work through the supported wage system, a carve-out in national employment law that allows companies to pay workers up to \$24.10 less than the national minimum wage;
 - (ii) this practice of paying disabled workers a subminimum wage is unacceptable and does not help disabled people find work;
 - (iii) the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability recommended that the Federal Government aim to reduce workplace segregation and achieve wage parity for people with disability by 2034; and
 - (iv) community support of abolishing the practice of paying disabled workers a subminimum wage is growing rapidly, including internationally in the USA where 19 states and the District of Columbia have already eliminated the practice;
- (B) Council endorse the community campaign for disabled workers to be paid a minimum wage through abolishing the supported wage system, ensuring companies and Australian Disability Enterprises pay disabled workers the same as everyone else;
- (C) Council agree to:
- (i) support an immediate ban on providing grants, funding, and other forms of support, including non-financial support, to Australian Disability Enterprises or companies that pay their workers less than the national minimum wage; and
 - (ii) sign on in support of the open letter demanding that subminimum wages for disabled workers be abolished, joining over 37 other national organisations and 223 state and local organisations;
- (D) the Lord Mayor be requested to write to the Industrial Relations Minister, on behalf of the City of Sydney, requesting that the Federal Government urgently implement the recommendations tabled by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and abolish the practice of allowing Australian Disability Enterprises and other companies to pay disabled workers a subminimum wage; and
- (E) the Chief Executive Officer be requested to provide advice to Council about other potential amendments to policies and processes to ensure the City of Sydney is not supporting organisations or groups that undertake the practice of paying disabled workers a subminimum wage.

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

Moved by Councillor Thompson, seconded by Councillor Worling –

It is resolved that:

(A) Council note that:

- (i) disabled workers are currently paid as little as \$3.01 an hour for their work through the supported wage system, a carve-out in national employment law that allows companies to pay workers up to \$24.10 less than the national minimum wage;
- (ii) this practice of paying disabled workers a subminimum wage is unacceptable and does not help disabled people find work;
- (iii) the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability recommended that the Federal Government aim to reduce workplace segregation and achieve wage parity for people with disability by 2034;
- (iv) community support of abolishing the practice of paying disabled workers a subminimum wage is growing rapidly, including internationally in the USA where 19 states and the District of Columbia have already eliminated the practice; and
- (v) on 11 December 2023, Council resolved to request that:
 - (a) the Chief Executive Officer as a priority review relevant policies to ensure City services don't procure from, create, fund or participate, or award new grants for, organisations that participate in segregated services or employment, or engage in restrictive practices; and
 - (b) the Lord Mayor to write to the Federal Minister for the National Disability Insurance Scheme and the NSW Minister for Disability Inclusion to advocate for the Australian and NSW Governments to adopt the recommendations of the Royal Commission;

(B) Council further note:

- (i) the City has in effect implemented a ban on the City supporting Australian Disability Enterprises and segregated employment through the following actions the City and the Lord Mayor have taken in response to the 11 December 2023 Council Resolution:
 - (a) reviewed successful grant recipients since 2021/22 to confirm no grants were awarded to organisations that might be engaging in segregated services, employment or restrictive practices;
 - (b) reviewed the Grants and Sponsorship Policy and Guidelines to ensure they continue to meet best practice in grants management;
 - (c) reviewed suppliers listed in its internal Guidelines for producing and procuring inclusive and accessible communication materials to ensure that no inappropriate organisations are included; and
 - (d) audited web pages and list of support services for older people and/or people with disability to ensure there are no references to Australian Disability Enterprises;

- (ii) on 24 January and 9 April 2024 respectively, the Minister for Social Services and the NSW Minister for Disability Inclusion responded to the Lord Mayor's letter advising the Australian and NSW Governments were still considering their responses to the Disability Royal Commission; and
 - (iii) the [Australian Government Response to the Disability Royal Commission](#) (July 2024) indicated that it needs to consult with a broad range of stakeholders further before committing to paying employees with disability the full minimum wage;
- (C) Council endorse the community campaign for disabled workers to be paid a minimum wage through abolishing the supported wage system, ensuring companies and Australian Disability Enterprises pay disabled workers the same as everyone else;
- (D) Council agree to:
- (i) support, in principle, a ban on providing grants, funding, and other forms of support, including non-financial support, to Australian Disability Enterprises or companies that pay their workers less than the national minimum wage; and
 - (ii) sign on in support of the open letter demanding that subminimum wages for disabled workers be abolished, joining over 37 other national organisations and 223 state and local organisations;
- (E) the Lord Mayor be requested to write to the Industrial Relations Minister, on behalf of the City of Sydney, requesting that the Federal Government urgently implement the recommendations tabled by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and abolish the practice of allowing Australian Disability Enterprises and other companies to pay disabled workers a subminimum wage; and
- (F) the Chief Executive Officer be requested to provide advice to Council about other potential amendments to other policies and processes to ensure the City of Sydney is not supporting organisations or groups that undertake the practice of paying disabled workers a subminimum wage.

Carried unanimously.

X113760

At 9.06 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 16 December 2024 at which
meeting the signature herein was subscribed.