

25 November 2024

At 5.00 pm

Council

Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Minutes by the Lord Mayor**
 - 3.1 Vale Ian Stephenson
 - 3.2 Vale Sharne Dunsmore
 - 3.3 Vale Leon Paroissien AM
 - 3.4 Enhancing Street Cleaning and Urgent Action on Waste in NSW
 - 3.5 Haven House South Dowling Street
- 4. Memoranda by the Chief Executive Officer**
 - 4.1 Greater Sydney Parklands - Council Nomination for Centennial Parklands Community Trustee Board
- 5. Matters for Tabling**
- 6. Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Confirmation of Minutes
 - 6.2 Statement of Ethical Obligations and Disclosures of Interest
 - 6.3 2024/25 Quarter 1 Review – Delivery Program 2022-2026
 - 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
 - 6.5 Investments Held as at 31 October 2024
 - 6.6 Review of the Investment Policy and Strategy
 - 6.7 Proposed Land Re-Classification for Community Use

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- 6.8 Works Deed and Lease Approval - Taylor Square Substation and Underground Toilets
- 7. Report of the Environment and Climate Change Committee**
 - 7.1 Confirmation of Minutes
 - 7.2 Statement of Ethical Obligations and Disclosures of Interest
 - 7.3 Grants and Sponsorship - Environmental Grants
- 8. Report of the Cultural, Creative and Nightlife Committee**
 - 8.1 Confirmation of Minutes
 - 8.2 Statement of Ethical Obligations and Disclosures of Interest
 - 8.3 Post Exhibition - Cultural Strategy 2025-2035
 - 8.4 Grants and Sponsorship - Creative Grants
- 9. Report of the Community Services and Facilities Committee**
 - 9.1 Confirmation of Minutes
 - 9.2 Statement of Ethical Obligations and Disclosures of Interest
 - 9.3 Freedom Ride 60th Anniversary Event
 - 9.4 Grants and Sponsorship - Social Grants
- 10. Report of the Innovation, Business and Economy Committee**
 - 10.1 Confirmation of Minutes
 - 10.2 Statement of Ethical Obligations and Disclosures of Interest
 - 10.3 Grants and Sponsorship - Economic Grants

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- 11. Report of the Transport, Heritage and Planning Committee**
 - 11.1 Confirmation of Minutes
 - 11.2 Statement of Ethical Obligations and Disclosures of Interest
 - 11.3 Public Exhibition - Neighbourhood On-Street Parking Policy
 - 11.4 Public Exhibition - Central Sydney On-Street Parking Policy
 - 11.5 Public Exhibition - Car Sharing Policy
 - 11.6 Public Exhibition - Planning Proposal - Chinatown Heritage Items - Sydney Local Environmental Plan 2012 Amendment
 - 11.7 Post Exhibition - Planning Proposal - Dwelling Retention - Sydney Local Environmental Plan 2012 Amendment
 - 11.8 Fire Safety Reports
- 12. Exemption from Tender - Planning Agreement – 130 Joynton Avenue, Zetland**
- 13. Property Matter (Confidential)**
- 14. Questions on Notice**
- 15. Supplementary Answers to Previous Questions**
- 16. Notices of Motion**
 - 16.1 Flying All of The Pride Flags of Importance at Taylor Square
 - 16.2 Have Yourself a More Sustainable Christmas
 - 16.3 City of Sydney to Establish Guiding Principles for the Potential Public Land Divestment of Victoria Barracks
 - 16.4 The City of Sydney Council Condemns the Gender Based Violence at Sydney University
 - 16.5 More Recycled Roads and Sustainable Pavement Applications Across the City of Sydney

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- 16.6 City of Sydney Insourcing Framework
- 16.7 Abolishing University of Sydney Residential Colleges
- 16.8 Securing A Pay Rise for Early Childhood Education Workers
- 16.9 Democratic Right to Protest
- 16.10 Abolishing Subminimum Wages for Disabled Workers

Item 1

Confirmation of Minutes

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

Meeting of 28 October 2024

Item 2

Statement of Ethical Obligations

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

Disclosures of Interest

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

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

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

Item 3.1**Vale Ian Stephenson****File No: S051491****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 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

Item 3.2**Vale Sharne Dunsmore****File No: S051491****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

Item 3.3

Vale Leon Paroissien AM

File No: S051491

Minute by the Lord Mayor

To Council:

Australia's visual arts world is mourning the passing of Leon Paroissien AM on 5 November 2024. Curator and mentor to many, Leon made a significant contribution to Sydney's and Australia's cultural life, including as inaugural Chair of the City's Public Art Advisory Panel.

As with many professionals of his generation, Leon's career began with being awarded a trainee teacher's scholarship which enabled him to study at the Royal Melbourne Institute of Technology. After initially teaching in Victorian secondary schools, he taught art history at the Melbourne Teachers College and subsequently became a senior lecturer at the Tasmanian School of Art. Along the way, he completed a Bachelor of Arts at the University of Melbourne.

In December 1972, then Minister for the Arts, Gough Whitlam, revamped the Australia Council, establishing seven independent artform boards. Leon was founding director of the Visual Arts Board, a position he held from 1974 to 1980.

In this role he sought funding for exhibitions, and organisations that could support the visual arts, including the Art Association of Australia and New Zealand, which celebrates its 50th anniversary in December.

One significant achievement from those years was his role in establishing the Art Indemnity Scheme, which enables valuable international artworks to be seen in Australian galleries, by indemnifying their owners against loss and damage.

In late 1983, Leon and his partner Bernice Murphy were appointed as co-curators of the University of Sydney's Power Collection. In 1961, the University received a bequest of £2 million (valued at more than \$45 million today) from the estate of the artist, Dr John Wardell Power, to be used to introduce the latest artistic ideas from around the world to Australia. The University soon amassed an extensive diverse collection of contemporary art, and Leon and Bernice were determined that it would be more widely seen.

Negotiations with the then Premier, Neville Wran, led to the former Maritime Services Building at Circular Quay being secured. Plans to renovate the building were confirmed in 1989 and two years later it opened as the Museum of Contemporary Art (MCA) with Leon as its first Director and Bernice its Chief Curator.

As the MCA's Director, Leon continued a commitment to contemporary Australian art. It was the first major public institution dedicated to collecting and exhibiting contemporary Australian artworks, with Leon describing it as "a facility of national cultural significance."

Leon left the MCA in 1998 to develop a new Museum of Contemporary Art, Taipei as its first Director. It opened in 2001, the first museum in Taiwan to be dedicated exclusively to contemporary art.

Leon maintained his involvement in Australia's cultural life. He was a strong supporter of the Biennale of Sydney, having been its Artistic Director in 1984. He chaired many boards and committees, including the Sydney Olympic Public Art Advisory Committee and Object: Australian Design Centre, as well as the City's Public Art Advisory Panel. He edited *Art and Australia* and many other publications and authored several books. The most recent was *Andrew Andersons: Architecture and the Public Realm* (2020) co-authored with Bernice, which reflected his longstanding interest in the relationship between the visual arts and architecture.

In all these roles he mentored countless curators, arts administrators and others, including many City staff. Many will remember him for this support as much as for his public achievements.

In a statement describing Leon's contribution, Susan Templeman, the Australian Government's Special Envoy for the Arts said, "Leon planted seeds from which towering trees have grown".

We are fortunate that many of those seeds were planted in the City of Sydney.

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Leon Paroissien and his contribution to the visual arts, Australia's cultural life, and to the City of Sydney as inaugural Chair of the Public Art Advisory Panel and in other roles;
- (B) Council express its condolences to Leon's partner, Bernice Murphy, his son, David and daughter, Karen and his many friends and former colleagues; and
- (C) the Lord Mayor be requested to convey Council's condolences to Leon's partner, Bernice Murphy, his son, David and daughter, Karen and their families.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Item 3.4

Enhancing Street Cleaning and Urgent Action on Waste in NSW

Document to Follow

Item 3.5

Haven House South Dowling Street

File No: S051491

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

Item 4.1

Greater Sydney Parklands - Council Nomination for Centennial Parklands Community Trustee Board

File No: S127007.015

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

Attachments

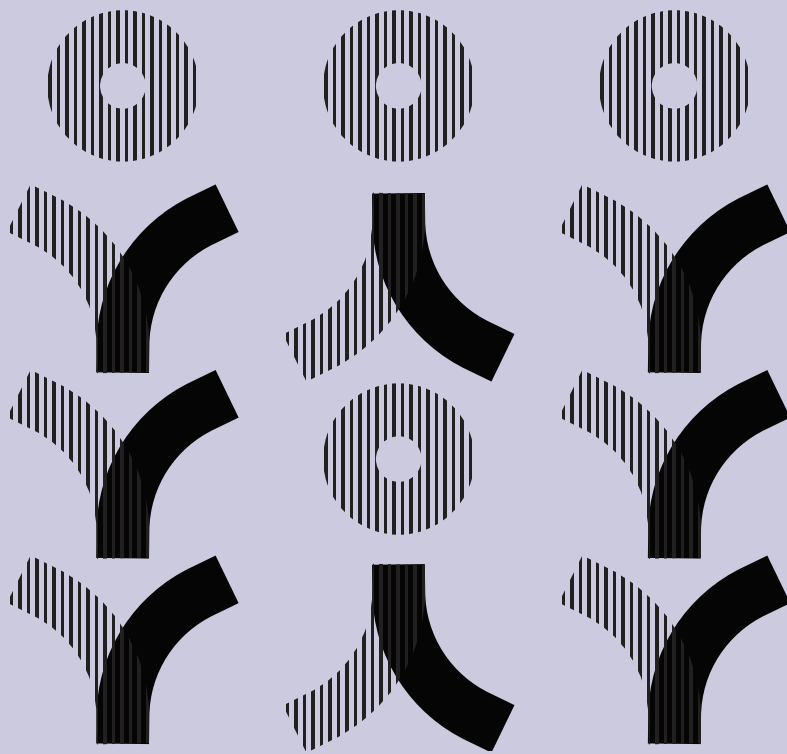
Attachment A. Community Trustee Board for Centennial Park and Moore Park Terms of Reference

Attachment A

**Community Trustee Board for Centennial
Park and Moore Park Terms of Reference**

Terms of Reference

Community trustee board
for Centennial Park and Moore Park



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About these Terms of Reference

The community trustee board Terms of Reference identify the membership, responsibilities, authority and operations of the Centennial Park and Moore Park community trustee board as part of Greater Sydney Parklands, part of the Department Planning, Housing and Infrastructure (the Department).

Community trustee board for Centennial Park and Moore Park

Purpose of the community trustee board

The community trustee board has been established to provide advice and recommendations to the Greater Sydney Parklands Trust (GSPT) in relation to the trust lands.

The role of the board is to provide advice, input and recommendations to planning, processes and policies that may impact future amenity and public access to the parklands as well as the ongoing management of the parklands.

In performing this role, the community trustee board will:

- Provide informed strategic advice to the GSPT Board on matters relating to Centennial Parklands (including Centennial Park, Moore Park and Queens Park)
- Advise, share information and facilitate partnerships that assist Greater Sydney Parklands to develop its plans and increase community connections
- Advocate on behalf of and promote understanding of the needs of and issues affecting the local community, ensuring inclusion and equity of access for community members
- Contribute local knowledge on relevant issues, emerging trends, opportunities and community needs.

Establishment

The community trustee board for Centennial Park and Moore Park has been established by legislation under *Greater Sydney Parklands Trust Act 2022* (the Act).

Responsibilities of the community trustee board

In accordance with section 39 of the Act, the community trustee board for Centennial Park and Moore Park has the following responsibilities:

- Provide advice and assistance to the GSPT in the development and review of the plan of management for Centennial Parklands and approve the plan of management for the parklands
- Provide advice to the GSPT about proposed new or modified services and facilities for Centennial Parklands, including priorities for investment
- Stay informed about current visitor and local community issues relating to the parklands and provide advice to the GSPT Board about the issues
- Be a consultative body for GSPT and the Centennial Park and Moore Park Trust for Centennial Parklands in relation to:
 - the development and review of the plan of management for the parkland
 - matters of local relevance to the parkland, including the protection and use of Centennial Parklands and the business, leasing and other activities carried out on, or to be carried out on the parkland, and
- Any other function given to community trustee boards by GSPT under this Act or another Act.

Responsibilities of the community trustee board Chair

The Chair of the community trustee board for Centennial Park and Moore Park will be a board member appointed to the role by the Minister. Applicants seeking to be considered as a community trustee board Chair will be asked to indicate their interest and expertise when nominating.

The Chair will be the key point of contact between the community trustee board and Greater Sydney Parklands.

The community trustee board Chair is expected to:

- Personally chair all community trustee board meetings
- Ensure that all matters dealt with by the community trustee board are consistent with the purpose of the community trustee board
- Be independent and impartial with respect to all community trustee board members
- Create an atmosphere of open and constructive participation within the community trustee board – respect and inclusion are fundamental to a harmonious, productive, and psychologically and culturally safe meeting where people feel safe to speak up.
- Actively work with community trustee board members to try and resolve any disputes that may arise during conduct of board activities
- Ensure confidential matters handled by the community trustee board are kept confidential, in accordance with the *Code of Conduct*
- Liaise with Greater Sydney Parklands to develop the agenda and key discussion items for meetings
- Advise Greater Sydney Parklands as soon as possible of any potential or actual conflict of interest that may affect their ability to fulfil their role as Chair
- Ensure community trustee board members comply with the *Code of Conduct*, notify any member who does not comply with the Code and refer any matters of concern to Greater Sydney Parklands through the Secretariat
- Oversee the community trustee board's annual self-review and report any concerns to Greater Sydney Parklands through the Secretariat
- Review and approve summary reports from community trustee board meetings for publication on the relevant Greater Sydney Parklands' webpage within 7 days of the meeting
- Liaise with Greater Sydney Parklands staff as required to assist the board to exercise its functions including to arrange their attendance at community trustee board meetings to provide information and respond to queries from members
- If there is an information access application relating to the community trustee board, liaise with the agency and/or Department's GIPA Unit and the board about the appropriate response.

Compliance obligations of the board

The following instruments give rise to obligations with which the community trustee board for Centennial Park and Moore Park must comply:

- *Greater Sydney Parklands Trust Act 2022*
- *Greater Sydney Parklands' Consultation and Engagement Framework 2023*.

The following activities and actions will be undertaken to ensure compliance obligations are met:

- 4 meetings of the community trustee board will be held each year
- Summary reports will be produced as part of each meeting.

To provide reasonable assurance to the Minister that compliance obligations are met, the GSPT Board will provide annual reports:

- An attestation statement will be co-signed by the Chair of the GSPT Board and community trustee board Chair.

Community trustee board membership

The community trustee board for Centennial Park and Moore Park shall be comprised of the following positions:

- Between 3 and 4 members nominated by the relevant local council (i.e. Randwick, Waverley, Woollahra and City of Sydney councils) as a community representative
- Up to 6 other members appointed by the Minister on the advice of GSPT
- If more than 3 persons are nominated by local councils (i.e. Randwick, Waverley, Woollahra and City of Sydney councils) as community representatives:
 - a. The Minister must choose at least 3 and up to 4 members from the persons nominated, and
 - b. Any persons nominated, but not chosen by the Minister, may attend meetings of the board but are not members of the board, and are not entitled to vote at a meeting of the board.

Membership criteria:

- The person has sound knowledge of Centennial Parklands including the activities carried out in the parklands
- The person is able to communicate effectively with local residents, local community groups and other persons who use the parklands
- The overall membership of the board will be reflective of the broad range of views and interests of the community and persons who use Centennial Parklands, and must have regard to the need for the board to:
 - be representative of diversity including, for example, in relation to gender, age and cultural background
 - include representation for local First Nations peoples, and
 - include a representative who has experience or skills in heritage or heritage management.

Appointment of members

Members are selected by a panel following an Expression of Interest process and appointed by the Minister, in accordance with the approved *Consultation and Engagement Framework*, on the recommendation of the GSPT.

The Minister appoints the Chair to the community trustee board for Centennial Park and Moore Park, noting that the Chair must have demonstrated skills and experience to fulfil their role which includes running meetings, communicating effectively and providing recommendations. Further details of the role and function of the Chair are provided in the accompanying *Code of Conduct*.

The Minister may reappoint the Chair and members of the community trustee board for Centennial Park and Moore Park to serve one additional term only.

Terms of appointment

How long is membership for?

A community trustee board member holds office for a period not exceeding 5 years. Members will be appointed for 2 years in the first instance.

Members are eligible (if otherwise qualified) for re-appointment for a period of up to 3 years. However, a member cannot hold office for more than 2 consecutive terms.

Terms of individual members may be staggered to support board continuity and knowledge exchange.

What happens when new members are appointed?

Once appointed, members will be provided with appropriate documentation as part of a process of onboarding and induction. Each member must acknowledge in writing their acceptance of these documents and declare any conflicts of interest before commencing as a board member.

Resignations/terminations

The Minister may, on the recommendation of the Chair of the GSPT, remove a member from office at any time. A member may be removed prior to the expiry of their term if:

- The member cannot commit adequate time to their role
- There has been a disagreement with other members that cannot be resolved
- There is a conflict of interest that cannot be mitigated
- The member no longer meets the membership criteria
- The member has failed to attend an adequate number of meetings without providing an apology or valid reason (i.e. is absent from 3 consecutive meetings of the board)
- The member breached the community trustee board's *Code of Conduct*.

In the case of a termination, Greater Sydney Parklands will notify the relevant member of their intention and allow for the member to respond before a decision is made.

Meeting arrangements

Support during meetings

All records, including the agenda, outcomes and any reports or recommendations, will be prepared and kept by the officer responsible for secretariat support.

The Secretariat will coordinate with Greater Sydney Parklands and the community trustee board Chair as appropriate to draft and prepare the agenda for each board meeting. Agendas will be circulated to members one week prior to the meeting.

The Secretariat must also coordinate with the community trustee board Chair to ensure that the summary report of the meeting is promptly finalised, signed by the Chair, and distributed to members for confirmation as soon as is practicable after each meeting.

The summary report of the previous meeting should also be tabled at the next community trustee board meeting for approval.

Meeting frequency

The community trustee board for Centennial Park and Moore Park will meet at least 4 times per year.

A notice of each meeting confirming the date, time, venue and agenda will be sent to each member of the community trustee board as soon as practicable prior to the meeting date. Meeting dates for the full calendar year are set in advance to enable members to schedule meetings.

Board meetings may be held in a range of formats, including online using the relevant technology as agreed to by majority of members of the community trustee board, in order to provide flexibility and accessibility for members.

Business outside of meetings

The community trustee board for Centennial Park and Moore Park may, for urgent issues, consider a matter out-of-session by the circulation of papers among all the members. The resolution is to be approved in writing by a majority of members.

Matters decided by a community trustee board out-of-session must be noted by the community trustee board at the next formal meeting and be recorded in the summary report of that meeting.

Attendees

The community trustee board for Centennial Park and Moore Park may grant permission for non-member attendees to be present on the recommendation of the GSPT Board.

NSW Government MPs are welcomed and encouraged to attend meetings; however, they are not eligible to propose motions or vote on recommendations.

The persons nominated by relevant local councils (i.e. Randwick, Waverley, Woollahra and City of Sydney councils) as community representatives, but not chosen by the Minister, may attend meetings of the board but are not members of the board, and are not entitled to participate or vote at a meeting of the board.

Quorum

The quorum for a meeting of the board requires the following conditions to be met:

- Although not a decision-making body, a quorum is required for recommendations
- The quorum for a meeting of the community trustee board is a majority of its members.

Publication of decisions

The confirmed summary report of the meeting will be made publicly available. The summary report, including actions and recommendations, will be published on Greater Sydney Parklands' webpage within 7 days of each meeting, referred to the GSPT Board and circulated to members.

If Greater Sydney Parklands provides secretariat support and holds documents of the community trustee board, those documents may be subject to an information access application under the *Government Information (Public Access) Act 2009* (GIPA Act). If there is an information access application relating to the board, the agency and/or Department's GIPA Unit will liaise with the board about the appropriate response.

Please note that the Department is the decision maker in relation to GIPA applications made to it for documents it holds even though those documents that relate to the work of the community trustee board.

Conduct of members

The community trustee board will abide by the board *Code of Conduct*.

Conflicts of interest

Conflicts of interest must be disclosed and dealt with by the community trustee board for Centennial Park and Moore Park in a transparent way and in accordance with Departmental policy.

A conflict of interest arises in relation to a person's duties as a member of the community trustee board, if for example:

- The member has interests which could improperly influence the performance of his or her responsibilities as a board member
- There is the potential for a board member to personally benefit or provide benefits to associates from access to non-public information, or the results of non-public discussions, or decision-making processes.

Communication with the media and third parties

Views that are publicly expressed by a community trustee board member may be perceived or construed by the broader community as those of the community trustee board for Centennial Park and Moore Park, Greater Sydney Parklands and/or the Department. Community trustee board members may speak to the media about their own views but must not purport to represent Greater Sydney Parklands.

Any requests from the media to a community trustee board member or Chair should be forwarded to Greater Sydney Parklands' Director Community, Engagement and Partnerships who will liaise with the Chair regarding the media request.

General correspondence and enquiries should be made through the Secretariat.

Submissions to the community trustee board for Centennial Park and Moore Park must be addressed to the Chair.

The Chief Executive is the designated media spokesperson for Greater Sydney Parklands.

Remuneration and allowances

Remuneration and out-of-pocket expenses

In line with the Act, positions on the community trustee board for Centennial Park and Moore Park are voluntary and not remunerated.

The Chair and members of community trustee board for Centennial Park and Moore Park are not entitled to out-of-pocket expenses.

Review

Periodic reporting on performance

Unless otherwise provided for by the establishing legislation, the community trustee board for Centennial Park and Moore Park will conduct an annual evaluation of its performance and self-evaluate its level of effectiveness. The evaluation framework will be prepared by the Secretariat and endorsed by the members.

The evaluation report should identify:

- How the board or committee is delivering on its objectives including a summary of key activities undertaken during the period
- Meetings held during the period and attendance
- Current membership and any changes that have occurred during the period
- Risk management strategies
- Results of any reviews undertaken, and
- Ratification of the terms of reference and any subsequent amendments.

Board review

Formal reviews are generally undertaken every 5 years. Greater Sydney Parklands must review the approved *Consultation and Engagement Framework* at least every 5 years, under the Act. An evaluation and review of the community trustee board's performance may be considered as part of this review.

A formal review of a community trustee board and its members may consider whether:

- The board is fulfilling its functions and objectives, its successes and the outcomes of its work in respect of its Terms of Reference and the legislation
- Delivery through the board is the most cost-effective approach
- The board has an appropriate number of members for the functions being performed
- Members have the appropriate mix of skills, experience, and diversity, and/or
- Individual members are fulfilling their responsibilities.

Review of Terms of Reference

Greater Sydney Parklands will review the Terms of Reference annually to ensure they remain consistent with the community trustee board's objectives and responsibilities.

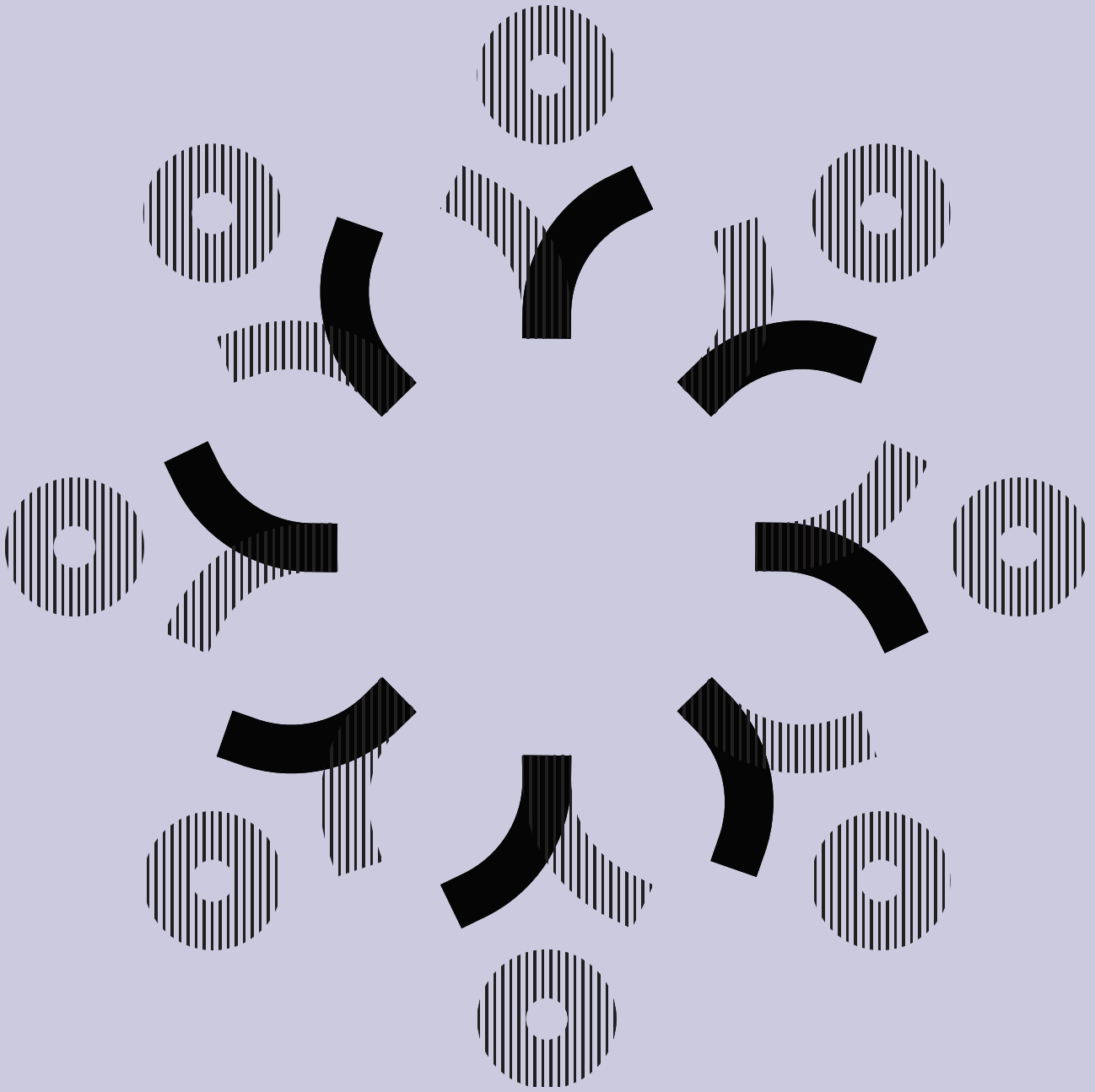
Agreement

These terms of reference are agreed by the community trustee board for Centennial Park and Moore Park as at / / [Insert Date] and remain in force until otherwise amended, replaced or voided.

Chair [Insert Name]:

Signature:

Date: / /



Item 5

Matters for Tabling

5.1 Disclosures of Interest

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

Recommendation

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

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 11 November 2024

Item 6.1

Confirmation of Minutes

Moved by Councillor Kok, seconded by Councillor Worling –

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

Item 6.3

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

It is resolved that:

- (A) Council note the financial performance of Council for the first quarter, ending 30 September 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.

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

X101909

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

Item 6.4

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.

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

X105022

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

Item 6.5

Investments Held as at 31 October 2024

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

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

X020701

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

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.

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

X020701

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

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.

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

2024/595805

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

Item 6.8

Lease Approval - Taylor Square Substation and Underground Toilets

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.

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

X112191.001

Item 7

Report of the Environment and Climate Change Committee - 11 November 2024

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 Fadjah 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 Fadjah 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 recommends the following:

Item 7.3

Grants and Sponsorship - Environmental Grants

It is resolved that:

- (A) Council approve the cash recommendations for the Green Building Grant program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash 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.

(Note – at the meeting of the Environment and Climate Change Committee, this recommendation was moved by Councillor Worling, seconded by the Chair (the Lord Mayor), and 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 and Thompson abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillors Ellsmore and Thompson are taken to have voted against the motion.)

S117676

Item 8

Report of the Cultural, Creative and Nightlife Committee - 11 November 2024

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 recommends the following:

Item 8.3

Post Exhibition - Cultural Strategy 2025-2035

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.

(Note – at the meeting of the Cultural, Creative and Nightlife Committee, this recommendation was moved by Councillor Wilson, seconded by the Chair (the Lord Mayor), and 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.

The Cultural, Creative and Nightlife Committee recommends the following:

Item 8.4

Grants and Sponsorship - Creative Grants

It is resolved that:

- (A) Council approve the cash and value in kind recommendations for the Festivals and Events Sponsorship program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant or value-in-kind for the Festivals and Events Sponsorship program as shown at Attachment B to the subject report;
- (C) Council approve 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.

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

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

Noes (2) Councillors Thompson* and Weldon*

Carried.

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

S117676

Item 9

Report of the Community Services and Facilities Committee - 11 November 2024

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 recommends the following:

Item 9.3

Freedom Ride 60th Anniversary Event

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.

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

X092336

Item 9.4**Grants and Sponsorship - Social Grants**

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

Officer's Recommendation

The officer's recommendation to the Community Services and Facilities Committee was as follows -

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.

Officer's Report

The officer's report on this matter can be found at Item 4 on the agenda of the meeting of the Community Services and Facilities Committee on 11 November 2024.

S117676

Item 10

Report of the Innovation, Business and Economy Committee - 11 November 2024

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 recommends the following:

Item 10.3

Grants and Sponsorship - Economic Grants

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.

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

Ayes (8) The Chair (the Lord Mayor), Councillors Gannon, Kok, Maxwell, Miller, Weldon, Wilson and Worling

Noes (2) Councillors Ellsmore* and Thompson*.

Carried.

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

S117676

Item 11

Report of the Transport, Heritage and Planning Committee - 11 November 2024

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**

The Transport, Heritage and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 25 November 2024.

Officer's Recommendation

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

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;
- (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.

Officer's Report

The officer's report on this matter can be found at Item 3 on the agenda for the meeting of the Transport, Heritage and Planning Committee on 11 November 2024.

X111976

The Transport, Heritage and Planning Committee recommends the following:

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.

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

X111978

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

The Transport, Heritage and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 25 November 2024.

Officer's Recommendation

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

It is resolved that:

- (A) Council approve the draft Car Sharing Policy, as shown at Attachment A to the subject report, for public exhibition;
- (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.

Officer's Report

The officer's report on this matter can be found at Item 5 on the agenda for the meeting of the Transport, Heritage and Planning Committee on 11 November 2024.

Speaker

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

X111618

The Transport, Heritage and Planning Committee recommends the following:

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.

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

Extension of Time

During discussion on this matter, pursuant to the provisions of clause 9.29 of the Code of Meeting Practice, it was –

Moved by Councillor Miller, seconded by Councillor Wilson -

That Lance Lai be granted an extension of time to speak on this matter.

Carried unanimously.

The Transport, Heritage and Planning Committee recommends the following:

Item 11.7

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

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; 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.

(Note - at the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Miller, seconded by Councillor Ellsmore, and 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.

Extension of Time

During discussion on this matter, pursuant to the provisions of clause 9.29 of the Code of Meeting Practice, it was –

Moved by Councillor Miller, seconded by Councillor Maxwell –

That Angeline Antony be granted an extension of time to speak on this matter.

Carried unanimously.

The Transport, Heritage and Planning Committee recommends the following:

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.

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

S105001.002

Item 12

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

File No: VPA/2023/4

Summary

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

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

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

On 25 June 2024, the developer of 130 Joynton Avenue, Zetland, Deicorp Projects (Joynton Ave) Pty Ltd, submitted a Development Application for excavation, remediation and construction of a mixed-use development comprising nine new buildings and two levels of basement car parking. Five of the buildings will have ground floor commercial / retail uses (D/2024/514). The Development Application is currently scheduled to be presented to the Central Sydney Planning Committee at its meeting on 12 December 2024.

In relation to the Development Application, the developer has made a public benefit offer to dedicate land and undertake works to deliver the new infrastructure outlined in the City's Public Domain Concept and Civil Design plans. This includes completion of Zetland Avenue, extensions of Grandstand Avenue, Victoria Park Parade, George Julius Avenue, Ascot Avenue, Defries Avenue, Woolwash Park, Biyanbing Green and Zetland Avenue Open Space. The substantial land dedication and public infrastructure delivery is proposed to be secured in a Planning Agreement.

Under the Development Application, the contributions for this development will be \$17,126,955, comprising community infrastructure under clause 6.14 of the Sydney Local Environment Plan 2012 (SLEP) and Section 7.11 contributions.

The total value of the complete land dedication and public infrastructure works detailed above is \$19,506,694.

In addition, the developer will be required to pay affordable housing contributions in accordance with the SLEP.

The City has an opportunity to accept an offer from Deicorp Projects (Joynton Ave) Pty Ltd to complete all the works as part of the Planning Agreement. This will ensure the new infrastructure is delivered earlier and at less cost as part of the new development, rather than if the City is to construct it after the land has been remediated and dedicated at the end of the development. To do so, the City would transfer \$2,379,739 to cover the additional works.

The City has funding allocated for the Epsom Park Precinct New Open Space and Traffic Signals projects contained in the capital works budget and Long Term Financial Plan. A payment of \$2,379,739 will be eligible for contribution funding recoupment by other developers in the area.

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

This report recommends that Council approve the engagement of Deicorp Projects (Joynton Ave) Pty Ltd to undertake the works without inviting tenders as it will provide an advantageous financial outcome when compared to the works if they were to be undertaken by the City in the future, and facilitate the early completion in line with the completion of the adjacent buildings.

The prospect of this approach was noted in a report to Council in May 2024, where Council approved a similar exemption from tender to engage Meriton to deliver Mulgu Park, the adjoining pedestrian areas and two pocket parks, as part of its development at 118-130 Epsom Road, Zetland. The City's contribution payment through that Planning Agreement was \$7.16 million.

In July 2016, Council also approved a similar exemption from tender to engage Mirvac to deliver new roads as part of its development at 13-21 Lachlan Street, Waterloo. The City's contribution payment through that Planning Agreement was \$1.37 million and ensured the coordinated delivery of the works adjacent to Dyuralya Square at the least cost to the City.

Recommendation

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 to contribute \$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.

Attachments

Attachment A. Epsom Park Precinct Concept Plan

Attachment B. Public Benefit Offer from Deicorp Projects (Joynton Ave) Pty Ltd for 130 Joynton Avenue, Zetland

Attachment C. Site Plan – Works Associated with Development

Attachment D. Cost Estimate (Confidential)

Background

1. In May 2012, Council adopted the Sydney Development Control Plan 2012 (DCP). It includes Epsom Park Precinct as a Specific Area under section 5.
2. The DCP states that Epsom Park is to be a new neighbourhood with a strong sense of place and public life, where residents enjoy proximity to the City, easy access to the Green Square Town Centre, good transport links, open parklands and recreational opportunities, and specialty retail activities. It is to have a strong urban character and identity built on the quality of the streets, architecture, good public transport, facilities and services.
3. The precinct has experienced significant transformation in the last 8 years, with new residential developments, new streets and Gunyama Park Aquatic and Recreation Centre.
4. The Epsom Park Precinct is bounded by Joynton Avenue, Epsom Road, South Dowling Street and Zetland Avenue, Zetland.
5. The DCP identifies a network of streets, through site links and open spaces to revitalise the Precinct and provide connectivity to surrounding areas for pedestrians and cyclists. It includes Zetland Avenue and George Julius Avenue, both part of the 'Eastern Transit Corridor', a significant future mass transit corridor through the Precinct connecting to the Green Square town centre to the west and Rosebery to the south.
6. In 2015, the City prepared detailed Public Domain and Civil Design Concept plans to guide the delivery of new infrastructure in the Epsom Park Precinct. The general arrangement drawing at Attachment A.
7. The City is responsible for infrastructure delivery in the urban renewal area and has the option to undertake the work itself, or to engage developers to undertake the work on their land as their sites re-develop.
8. On 25 June 2024, the developer of 130 Joynton Avenue, Zetland, Deicorp Projects (Joynton Ave) Pty Ltd, submitted a Development Application for excavation, remediation and construction of a mixed-use development comprising nine new buildings and two levels of basement car parking. Five of the buildings will have ground floor commercial / retail uses (D/2024/514). The Development Application is currently scheduled to be presented to the Central Sydney Planning Committee at its meeting on 12 December 2024.
9. On 19 July 2024, Deicorp Projects (Joynton Ave) Pty Ltd also submitted a Development Application for public domain works associated with the new mixed-use development including bulk excavation, remediation, civil infrastructure, new and connecting roads, pedestrian and bicycle paths, public open space, lighting and landscaping works (D/2024/601). That Development Application is currently under assessment.
10. The proposed development seeks to utilise additional floor space available under Clause 6.14 of the SLEP when providing community infrastructure. An additional 14,243.5m² floor space, generates a community infrastructure contribution of \$6,765,662. Additionally, the development generates \$10,361,293 in section 7.11 contributions (as at October 2024).

11. This development site includes extensions of Zetland Avenue, Grandstand Avenue, Victoria Park Parade, George Julius Avenue, Ascot Avenue, Defries Avenue, Woolwash Park, Biyanbing Park and Zetland Avenue Open Space as identified in the Sydney Development Control Plan 2012.
12. To accommodate flood management strategies, the new infrastructure is required to be constructed above existing ground levels. These level changes will require strategic coordination of works within the site to ensure impacts external to the site and downstream are minimised.
13. Deicorp Projects (Joynton Ave) Pty Ltd has made a public benefit offer to enter into a Planning Agreement in relation to the development applications. The public benefit offer is at Attachment B.
14. In summary, the total public benefit offer of \$19,481,034 consists of dedication of 13,955sqm of land for new roads and parks (\$2,799,040) and embellishment works for the construction of new roads and parks on the land (\$16,707,654).
15. The scope of works is in accordance with the City's Public Domain and Civil Design Concept Plans for the Epsom Park Precinct. A site plan showing the extent of the works is at Attachment C.
16. The City engaged an independent Quantity Surveyor to confirm the offer as a reasonable cost estimate of works. The cost estimate is included at confidential Attachment D.
17. The total contributions generated by the development for community infrastructure (\$6,765,652) and section 7.11 (\$10,361,293) will be \$17,126,955.
18. The total value of public benefits if delivered in full, exceeds the development contributions required under the SLEP by \$2,379,739.
19. The City has an opportunity through the proposed Planning Agreement to pay \$2,379,739 towards the construction of the new roads and parks by the landowner to facilitate the delivery of all the community infrastructure in conjunction with, and as an integral part of, the development.
20. Payment of this amount would be required on a milestone basis and completion of the works to the City's satisfaction.
21. Having regard to the nature of the development, the necessary infrastructure works to service the development and the cost estimate of the works, it is recommended that Council approve this payment.
22. If approved by Council, acceptance of the public benefit offer and approval to exhibit the draft Planning Agreement will be sought from the Chief Executive Officer in accordance with the delegations.
23. The draft Planning Agreement will be exhibited for 28 days.
24. Council approved similar exemptions from tender in May 2024 for Meriton to deliver Mulgu Park, the adjoining pedestrian areas and two pocket parks as part of its development at 118-130 Epsom Road, Zetland (\$7.16 million) and in July 2016 for Mirvac to deliver new roads as part of its development at 13-21 Lachlan Street, Waterloo (\$1.37 million).

Key Implications

Risks

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

Financial Implications

31. There are sufficient funds allocated for the payment of \$2,379,739 within the Epsom Park Precinct New Open Space project and Traffic Signals project and Traffic Signals projects contained in the capital works budget and Long Term Financial Plan.
32. It is anticipated that works would be undertaken no earlier than 2027, so the payment is required at the earliest in the 2026/27 financial year.
33. The delivery of the infrastructure works will have minimal impact on the organisation, as the project is proposed to be delivered by the developer of 130 Joynton Avenue, Zetland.
34. City officers who oversee the implementation of the Planning Agreement will ensure the works are delivered to a high standard.

Relevant Legislation

35. An exemption from tender is sought in accordance with section 55(3)(i) of the Local Government Act 1993 (the Act).
36. The exemption from tender process has been conducted in accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2021.
37. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

38. Attachment D contains confidential commercial information which, if disclosed, would:
 - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
 - (b) prejudice the commercial position of the person who supplied it.
39. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.
40. Environmental Planning and Assessment Act 1979.
41. Environmental Planning and Assessment Regulations 2021.

Critical Dates / Time Frames

42. The Development Application for 130 Joynton Avenue, Zetland is currently scheduled to be presented to the Central Sydney Planning Committee at its meeting on 12 December 2024.
43. If the opportunity for the developer to construct all of the new roads and parks in association with their building works is not taken, access to the land for the City to undertake the work will not be available until the building works are completed and the land dedicated.

Options

44. If the developer were to construct only part of the infrastructure up to the value of the contributions, this would result in:
 - (a) ground floor levels and entry ways of the adjoining buildings being above ground level;
 - (b) substantial works-in-kind being redundant, including temporary retaining walls, batters and interim landscaping;
 - (c) the completed development having restricted access to significant new public open space;
 - (d) the timeframe to deliver all the required new infrastructure being extended as the location of the new roads and parks are too constrained for the City to undertake the works concurrently with the development; and
 - (e) restriction of the pedestrian and vehicle access to the new development when delivering the remaining elements, necessitating a lengthy and expensive construction methodology by the City.

45. The City could complete missing the new roads and parks after the land has been remediated and dedicated and the development completed. This would result in:
- (a) a significant delay in the roads and parks being completed;
 - (b) the City being subject to increased construction costs;
 - (c) the City incurring the additional costs of a separate contractor engagement;
 - (d) the reworking of some temporary and interim works undertaken by the developer; and
 - (e) the City contributing the cost of the temporary, interim and redundant work.
46. Delivery by the City in the future is not recommended due to the impractical and costly outcomes of delivering the community infrastructure in a piecemeal manner after the development is completed.

Public Consultation

47. A draft Planning Agreement will be exhibited for 28 days in accordance with Environmental Planning and Assessment Act and Regulations 2021.

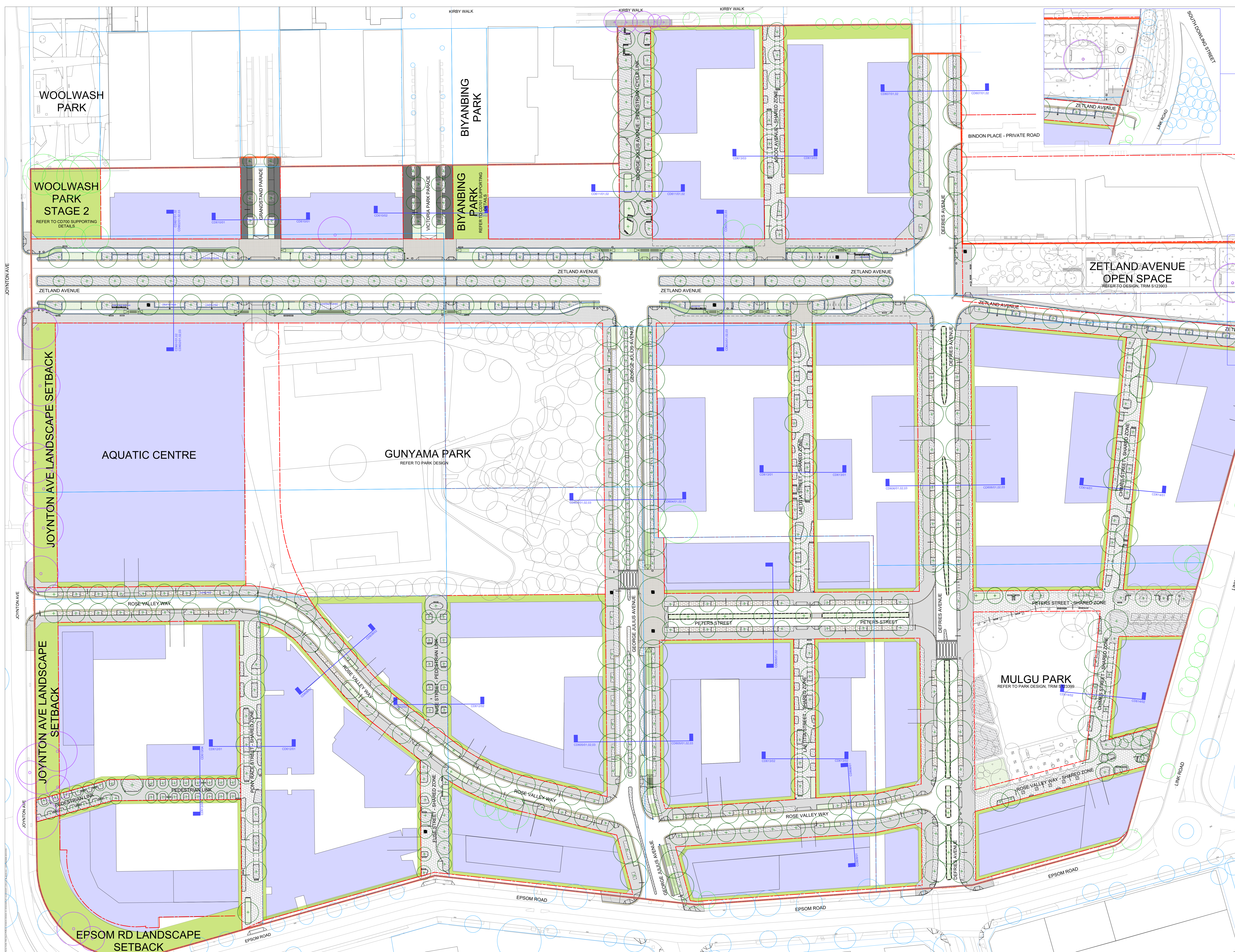
KIM WOODBURY

Chief Operating Officer

Greg Longmuir, Senior Project Manager Planning Agreements

Attachment A

Epsom Park Precinct Concept Plan

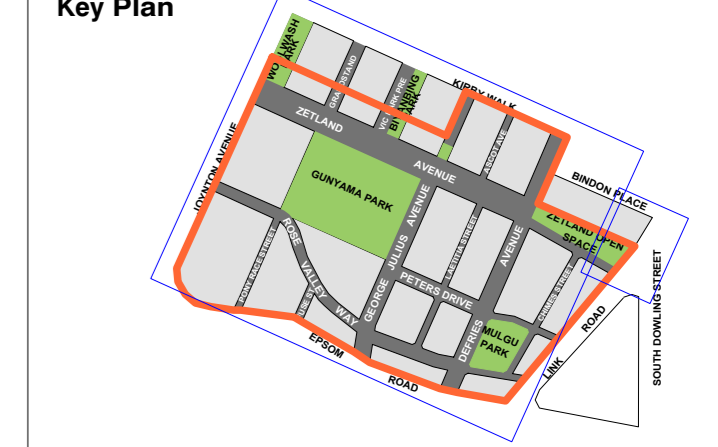


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Revisions

No.	Date	Description
A	02/04/2015	50% Issue
B	07/07/2015	90% Issue
C	14/06/2015	95% Issue
D	23/10/2015	100% Issue



- LEGEND**
- GENERAL**
- PUBLIC DOMAIN SCOPE OF WORKS
 - EXISTING PROPERTY BOUNDARY
 - EXISTING SURVEY
 - PROPOSED LOT BOUNDARY
 - DCP LANDSCAPE SETBACK
 - DCP BUILDING FOOTPRINT
- SOFTWORKS - PLANTING**
- EXISTING TREE TO BE RETAINED - GREEN
 - Subject to Civil Coordinator & Approval
 - ARBORIST APPROVED FOR RETENTION - PURPLE
 - EXISTING TREE OUT OF SCOPE OF WORKS - BLUE
 - PROPOSED PARK TREES - GREY
 - Refer to relevant park design
 - PROPOSED TREE 1000 Trunk (T) Zetland Ave, 4000 on Local Streets
 - TP1 - TREE PIT BLISTER (Broken Kerb - Zetland Ave & Rose Valley Way)
 - TP2 - TREE PIT IN ROAD PLANTER (Wheel Stop - Zetland Ave & Epsom Road)
 - TP3 - TREE PIT IN PAVING (Tree Grate & Guard)
 - TP4 - TREE PIT IN DECO GRANITE (Grand Stand Parade & Victoria Park Parade)
 - TP4 - TREE IN MASS PLANTING (Passive mitigation system connected to stormwater)
 - TP5 - TREE IN SWALE / RAIN GARDEN (Passive mitigation system connected to stormwater)
 - MP1 - MASS PLANTING (With Street Edge, Drainage system connected to stormwater as per Civil Streets Code)
 - MP2 - SWALE / RAIN GARDEN PLANTING (Drainage system connected to stormwater as per Civil Streets Code - Technical Guide)

- HARDWORKS - PAVING**
- PV1 - CONCRETE UNIT PAVING (Zetland Avenue, Victoria Park Parade, George Julius Ave, 4000 on Local Streets, 2000 on Local Streets)
 - PV2 - STANDARD GREEN INSITU CONCRETE (Rose Valley Way, DeRIES Avenue, Victoria Park Parade)
 - PV3 - SHARED ZONE PAVING (Zetland Avenue, Peters Street, Rose Valley Way, Epsom Road, George Julius Ave)
 - PV4 - Car Parking Bays High Order (Epsom Road Silver - Zetland Ave & George Julius Ave)
 - PV5 - Car Parking Bays Low Order (Epsom Road Silver - Zetland Ave & George Julius Ave)
 - PV6 - SHARED ENVIRONMENT (Water)
 - PV7 - ASPHALT FOOTPATH (Water)

- HARDWORKS - KERBS**
- KB1 - BLUE STONE KERB
 - KB1 - BLUE STONE FLUSH KERB
 - KB2 - CONCRETE KERB
 - KB3 - FLUSH CONCRETE KERB
 - KB4 - BROKEN KERB (300mm)
 - KB5 - DOLPHIN KERB (300mm)
 - G1 - CONCRETE GUTTER
 - W1 - CONCRETE WALL

- CYCLEWAY**
- UNIDIRECTIONAL CYCLEWAY
 - BIDIRECTIONAL CYCLEWAY
 - SPEED BUMP & CROSSING
 - COS SHARED PATH LOCATION

- FURNITURE & FIXTURES**
- TZANNES VILLAGE SUITE BENCH
 - TZANNES VILLAGE SUITE BIN
 - TZANNES VILLAGE SUITE BOLLARD
 - TZANNES VILLAGE SUITE BUBBLER
 - STANDARD PARKS BIKE RAIL
 - CITY OF SYDNEY SMART POLE
 - CITY STANDARD LIGHTPOLE (6-8000, 6-12000)
 - TZANNES VILLAGE SUITE LIGHTPOLE (6-8000, 6-12000)
 - BUS STOP & SHELTER
 - TZANNES VILLAGE SUITE GATEGUARD
 - TRAFFIC SIGN NEEDED



Project
Epsom Park Precinct
 Public Domain Concept Design

Designer
City of Sydney
 CITY DESIGN

Drawing Name
 General Arrangement Plan

Sheet No.
CD001

Scale
 1:500 @ A0

Drawing
 Designed: AC, JV
 Checked: AC, JV

Issue
 D

Attachment B

**Public Benefit Offer from Deicorp Projects
(Joynton Ave) Pty Ltd for 130 Joynton
Avenue, Zetland**

APPLICANT'S PUBLIC BENEFIT OFFER IN CONNECTION WITH A DEVELOPMENT APPLICATION

This is an offer by: Deicorp Projects (Joynton Ave) Pty Ltd

For: A mixed use development comprising nine new buildings and two levels of basement car parking.

At: 130 Joynton Avenue, Zetland NSW 2017

This offer has been made with the consent of the registered owner(s) of the land.

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

- Delivery and dedication of the eastern extension of Zetland Avenue (7,956sqm).
- Delivery (interim treatment) and dedication of Woolwash Park (904.4sqm).
- Delivery and dedication of the southern extension of Grandstand Avenue (525.5sqm).
- Delivery and dedication of the southern extension of Victoria Park Parade (678.8sqm).
- Delivery and dedication of Biyanbing Park (476sqm).
- Delivery and dedication of the southern extension of George Julius Avenue (1,280sqm).
- Delivery and dedication of the southern extension of Ascot Avenue (823.3sqm).
- Delivery (interim treatment) and dedication of the extension of Zetland Avenue open space (1,172sqm).
- Dedication of land for proposed Letitia Street (7.7sqm)
- Dedication of land for proposed Defries Avenue (8.8sqm)
- Dedication of land for proposed George Julius Avenue, south of Zetland Avenue (34.4sqm)
- Dedication of land for proposed Gunyama Park Stage 2 (128.3sqm)

Total land dedication: 13,995.2sqm

The Table below provides further details of the material public benefits:

Item	Value (excl GST)
Community infrastructure floor space contribution	\$6,765,662
Site area:	
- Lot 1 DP 850686: 28,487m ²	
- Lot 11 DP 1271716: 300.5m ²	
- Total: 28,788m ²	
Base FSR permitted by LEP:	
- Lot 1 DP 850686: 1.25:1	
- Lot 11 DP 1271716: 0.35:1	
Amount of additional FSR sought as Green Square Community Infrastructure under cl 6.14:	
- 0.5:1 applicable to Lot 1 DP 850686 only :	
- 0.5 x 28,487m ² = 14,243.50m ²	
- Bonus FSR rate: \$475.00 per m ²	

14,243.50m2 x \$475.00 = \$6,765,662	
S7.11 contribution	\$10,361,293
Total contributions	\$17,126,955
Land dedications (13,995.2sqm)	\$2,799,040
Developer's WIK	\$16,707,654
Total value of planning agreement	\$19,506,694
Difference	\$2,379,739

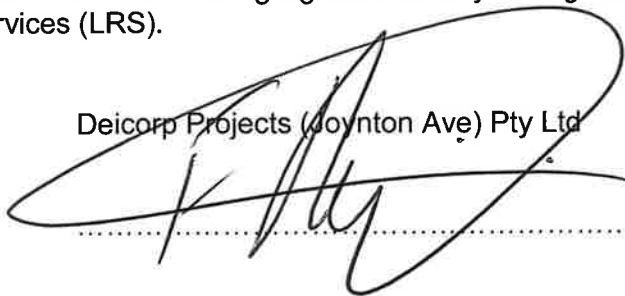
It is intended that should development consent be granted, this offer will be consolidated and crystallised into a voluntary Planning Agreement with the Council.

The agreement will comply with the requirements of the Environmental Planning and Assessment Act and Regulations, and contain mechanisms for completion of any works and / or land dedication. The Planning Agreement may be registered with NSW Land Registry Services (LRS).

Name of Applicant:

Deicorp Projects (Joynton Ave) Pty Ltd

Signature of Applicant:



Fouad Deiri

Sole Director/Secretary

Date:

7 November 2024

Attachment C

**Site Plan – Works Associated with
Development**

DRAFT PLAN OF PROPOSED SUBDIVISION

(SUMMARY OF ALL PART LOTS)

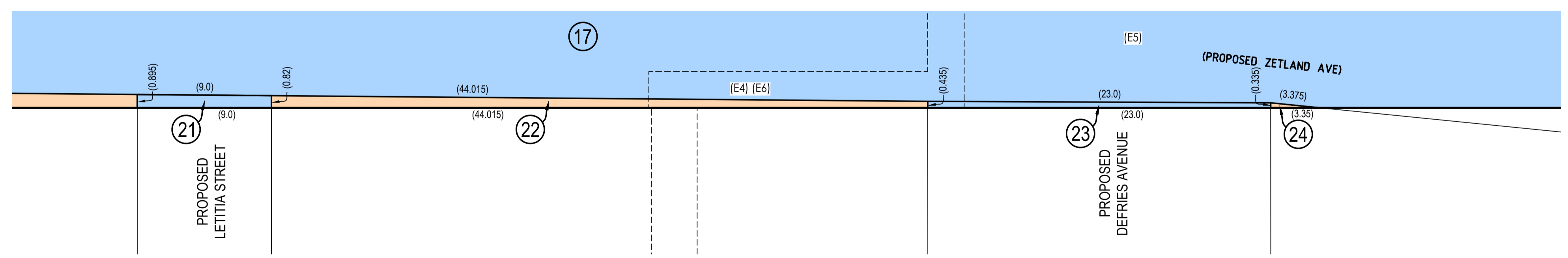
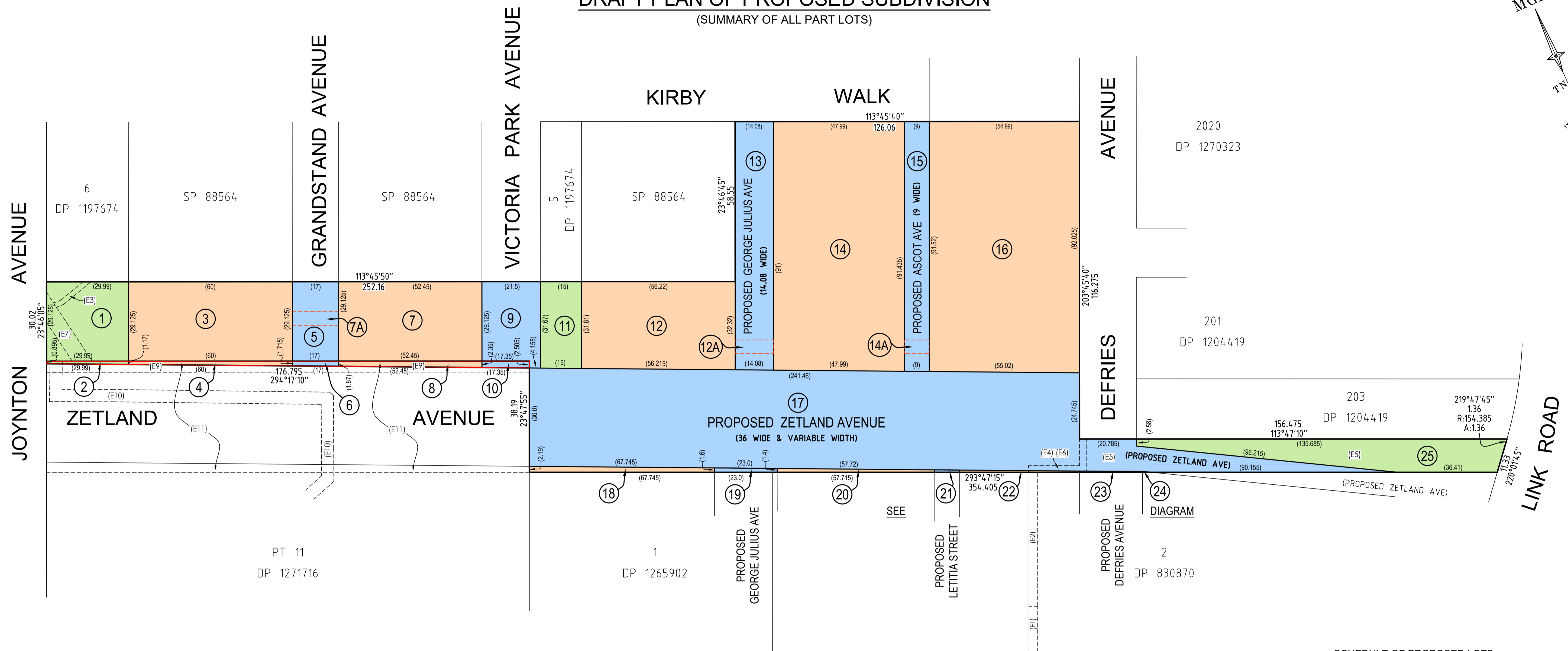
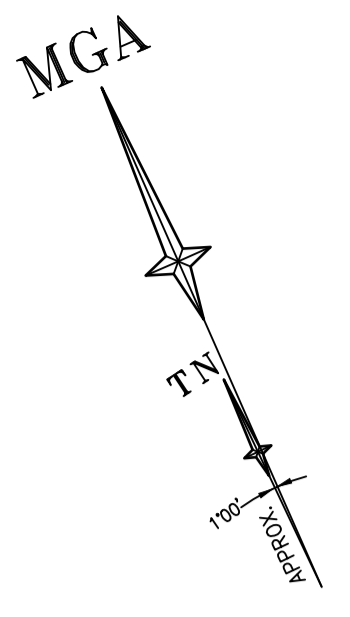


DIAGRAM
SCALE 1:200

SCHEDULE OF PROPOSED LOTS

Lot No.	Description	Area (m ²)	Total
1	PT LOT 11 (PROPOSED WOOLWASH PARK)	(873.5m ²)	TOTAL 904.4m ²
2	PT LOT 11 (PROPOSED WOOLWASH PARK)	(30.9m ²)	
3	PT LOT 1	(1747m ²)	TOTAL 1834m ²
4	PT LOT 1	(86.5m ²)	
5	PROPOSED GRANDSTAND AVENUE	(495.1m ²)	TOTAL 525.5m ²
6	PROPOSED GRANDSTAND AVENUE	(30.4m ²)	
7	PT LOT 2	(1527m ²)	TOTAL 1638m ²
8	PT LOT 2	(110.6m ²)	
9	PROPOSED VICTORIA PARK AVENUE	(636.7m ²)	TOTAL 678.8m ²
10	PROPOSED VICTORIA PARK AVENUE	(42.1m ²)	
11	PROPOSED BIYANBING PARK	476m ²	
12	LOT 3	1802m ²	
13	PROPOSED GEORGE JULIUS AVENUE	1280m ²	
14	LOT 4	4377m ²	
15	PROPOSED ASCOT AVENUE	823.3m ²	
16	LOT 5	5047m ²	
17	PROPOSED ZETLAND AVENUE	7956m ²	
18	LOT 10	128.3m ²	
19	PROPOSED GEORGE JULIUS AVENUE	34.4m ²	
20	LOT 9	66.2m ²	
21	PROPOSED LETITIA STREET	7.7m ²	
22	LOT 8	27.5m ²	
23	PROPOSED DEFRIES AVENUE	8.8m ²	
24	LOT 7	0.6m ²	
25	LOT 6	1172m ²	

SCHEDULE OF PROPOSED STRATUM LOTS

PROPOSED ROADS LIMITED IN STRATUM TO 0.05m ABOVE THE WATERPROOF MEMBRANE OF UPPER SURFACE OF THE TUNNEL STRUCTURE LOCATED BELOW.

7A	PT LOT 2 BELOW AND PROPOSED GRANDSTAND AVE (LOT 11) ABOVE	(85m ²)
12A	PT LOT 3 BELOW AND PROPOSED GEORGE JULIUS AVE (LOT 12) ABOVE	(70m ²)
14A	PT LOT 4 BELOW AND PROPOSED ASCOT AVENUE (LOT 13) ABOVE	(44m ²)

PARTS OF PROPOSED ROADS THAT ARE LIMITED IN STRATUM ARE TO HAVE A MINIMUM DEPTH OF NO LESS THAN 1.5m

PROPOSED DIMENSIONS IN BRACKETS AND PROPOSED LOT AREAS ARE APPROXIMATE ONLY AND SUBJECT TO FINAL SURVEY

- EASEMENTS**
- (E1) EASEMENT FOR DRAINAGE 3.05 WIDE (F722199)
 - (E2) EASEMENT FOR DRAINAGE 3.05 WIDE (F722677)
 - (E3) EASEMENT FOR DRAINAGE 1.83 WIDE (H692242)
 - (E4) EASEMENT FOR DRAINAGE 2.44 WIDE (H715785)
 - (E5) RIGHT OF CARRIAGEWAY AND EASEMENT FOR SERVICES (H715786)
 - (E6) EASEMENT FOR DRAINAGE 2.44 WIDE (H715787)
 - (E7) EASEMENT FOR STORMWATER 6.095 WIDE (H769208)
 - (E9) EASEMENT TO DRAIN WATER 4 WIDE (DP850686)
 - (E10) EASEMENT FOR WATER SUPPLY PURPOSES 4.5 WIDE (AQ329559 & DP1250039)
 - (E11) POSITIVE COVENANT (AP850069)

- PT 11 IN DP 1271716 TO BE ACQUIRED
- PROPOSED PARK LOT
- PROPOSED ROAD
- PROPOSED DEVELOPMENT LOT

DIAL BEFORE YOU DIG
www.1100.com.au

GDA2020

SCALE 1:750 @ A1

SEE SHEET 1 FOR LEGEND & NOTES

Revision	Date	Description	Reference	Revision	Date	Description	Reference
H	00/00/00	-	00	D	31/01/23	SHEET 28 PLAN HEADING AMEDNMENT	001
G	00/00/00	-	00	C	02/12/22	REGISTERED SURVEYOR DETAILS ADDED	001
F	21/03/23	ADDITION TO PROPOSED LAYOUT AND EASEMENTS REVISED	001	B	30/11/22	COORDINATED POINTS ADDED	001
E	08/03/23	PROPOSED LAYOUT ADJUSTED	001	A	14/09/22	PROPOSED BOUNDARY LAYOUT ADDED	001

LTS
CONFIDENCE TOGETHER

THIS IS THE PLAN REFERRED TO IN MY LETTER DATED: 21/09/2022

JASON RAIC - No. SU008255
Registered Surveyor NSW

Client: DEICORP PTY LTD
Drawing title: PLAN OF DETAIL AND LEVELS OVER LOT 1 IN DP 850686 AND PART OF LOT 11 IN DP 1271716, KNOWN AS 130 JOYNTON AVENUE, ZETLAND

datum AHD
site Area 2,879 ha
LGA SYDNEY

reference number 51772 001DT
scale 1:750 @A1
date of survey 10-08-2020

SHEET 28 OF 28

CONFIDENTIAL

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

Document is Restricted

Item 13

Property Matter (Confidential)

Document to Follow

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

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

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. What is the average DA processing time, 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

4. Sydney Gay and Lesbian Mardi Gras 2025

By Deputy Lord Mayor Councillor Maxwell

Question

1. With the TOGA development on Oxford Street set to finish by November 2025, what actions are planned for Mardi Gras 2025?
2. Are there any other planned scheduled works on Oxford Street during Mardi Gras?

X113780

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

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, how many and were any responses were received?

X113780

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

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

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

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

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

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

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

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

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 SXSWSydney 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

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

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

Item 15

Supplementary Answers to Previous Questions

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

Item 16.1

Notices of Motion

Flying All of The Pride Flags of Importance at Taylor Square

By Councillor Worling

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.

X113756

Item 16.2

Notices of Motion

Have Yourself a More Sustainable Christmas

By Councillor Worling

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.

X113756

Item 16.3

Notices of Motion

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

By Deputy Lord Mayor Councillor Maxwell

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.

X113762

Item 16.4

Notices of Motion

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

By Deputy Lord Mayor 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, Lilie 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.

Item 16.5

Notices of Motion

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

By Deputy Lord Mayor Councillor Maxwell

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 (SSROCs) '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 geopolymer 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.

X113762

Item 16.6

Notices of Motion

City of Sydney Insourcing Framework

By Councillor Wilson

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.

X113758

Item 16.7

Notices of Motion

Abolishing University of Sydney Residential Colleges

By Councillor Thompson

It is resolved that:

- (A) Council note the recent incident, reported widely in October, at St Paul's College where 6 students were expelled and a further 21 suspended after engaging in acts of 'serious humiliation' and sexual violence against a student;
- (B) Council note the findings of *The Red Zone Report*, co-authored by investigative journalist, Nina Funnell and End Rape on Campus Ambassador, Anna Hush, including:
 - (i) that a culture of misogyny and sexism is rife within residential colleges;
 - (ii) a longstanding history of aggressive, sexually violent and dangerous behaviours exhibited within residential colleges, including gang rape and murder, over many decades;
 - (iii) 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
 - (iv) that the very social structure of the residential colleges creates the conditions that enable and propagate rampant abuse and misogyny;
- (C) Council recognise the collective efforts and campaigning for decades to end these practices, including the:
 - (i) long-running campaign led by the University of Sydney Women's Collective to abolish the colleges; and
 - (ii) community vigil to support victim-survivors of sexual violence on 5 November 2024 attended by students, staff and allies, with speakers including Rand Khatib, Martha Barlow, Lizzie Jarrett, Anu-Ujin Khulan, Lilah Thurbon and Jenny Leong MP;
- (D) Council adopt the position that:
 - (i) all students should live free from the threat of sexual violence, bullying, intimidation and hazing rituals;
 - (ii) all students deserve access to affordable, accessible, safe and hygienic housing; and
 - (iii) the NSW 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

- (E) the Lord Mayor be requested to write 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, to:
- (i) NSW Premier Chris Minns;
 - (ii) NSW Minister for Skills, TAFE and Tertiary Education Steve Whan; and
 - (iii) Federal Minister for Education Jason Clare.

X113760

Item 16.8**Notices of Motion****Securing A Pay Rise for Early Childhood Education Workers**

By Councillor Thompson

It is resolved:

(A) Council note that the:

- (i) early learning sector is experiencing an ongoing labour crisis with 62% of early childhood educators expressing they will leave the industry in the next few years due to low wages and high workloads;
- (ii) *2024: Rental Affordability Snapshot* report released by Anglicare, has revealed 99.1% of rentals in Australia are unaffordable on an early childhood educator's wage;
- (iii) impending labour crisis facing the industry will inevitably cause a decline in quality of care and education, and there is already a rise in breaches of quality standards across NSW;
- (iv) Federal Government has offered a grant to employers of early childhood education workers that allows them to pass on a 15% pay rise over the next two years to educators, for which councils are eligible;
- (v) City of Sydney Council operates four childcare services;
- (vi) early childhood educators employed by the City of Sydney are under the City of Sydney (South Sydney) Award 2021-2024, separate from the broader Local Government NSW award; and
- (vii) healthy financial position of our Council means we are well placed to adequately compensate workers for their expertise and labour;

(B) Council agree to:

- (i) immediately apply for the newly announced Federal funding to increase the pay of all City of Sydney early childhood educators by 15%, and requests the Chief Executive Officer to execute this and report back to the next meeting of Council;
- (ii) support, in principle, the United Services Union log of claims for the Early Childhood Education and Care Splinter Award; and
- (iii) introduce the log of claims for the United Services Union into the City of Sydney splinter award; and

- (C) the Chief Executive Officer be requested to conduct a review, reporting on the pay, conditions and entitlements of Early Childhood Educators within the Southern Sydney Regional Organisation of Councils (SSROC) with comparisons listed to identify any gaps within the City of Sydney Award for Early Childhood Educators employed by Council.

X113760

Item 16.9

Notices of Motion

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 Act 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 on the 2022 laws include City of Sydney and civil society representatives.

X113765

Item 16.10**Notices of Motion****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.

X113760