

# Council

Meeting No 9

Thursday 10 October 2024

Notice No 9/1667

Notice Date 6 October 2024

*minutes*

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**Present**

The Right Hon The Lord Mayor – Councillor Clove Moore AO (Chair)

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

At the commencement of business at 5.31pm, those present were:

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

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

**Acknowledgement of Country and Opening Prayer**

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

**Webcasting Statement**

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

The Chair (the Lord Mayor) acknowledged friends, family and guests present in the Chamber, as well as Alex Greenwich MP and Jenny Leong MP.

**Procedural Motion**

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

That permission be granted for attendees and members of the media to record and take photographs of the extraordinary meeting of Council.

Carried unanimously.

## **Item 1 Oath or Affirmation of Office**

Pursuant to the provisions of section 233A of the Local Government Act 1993, oaths and affirmations were taken/made before the Executive Director Legal and Governance of the City of Sydney. The Chair (the Lord Mayor) made the affirmation first, followed by each Councillor.

### **Affirmation**

The Chair (the Lord Mayor), and Councillors Sylvie Ellsmore, Robert Kok, Zann Maxwell, Jess Miller, Matthew Thompson, Mitch Wilson and Adam Worling, in turn, made the following affirmation:

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the City of Sydney local government area and the Council of the City of Sydney and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

### **Oath**

Councillors Lyndon Gannon and Yvonne Weldon, in turn, took the following oath:

I swear that I will undertake the duties of the office of councillor in the best interests of the people of the City of Sydney local government area and the Council of the City of Sydney and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

The Chair (the Lord Mayor) congratulated the Councillors present and each Councillor addressed the meeting.

**Item 2 Statement of Ethical Obligations and Disclosures of Interest****Statement of Ethical Obligations**

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

**Disclosures of Interest**

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

### **Item 3 Election of Deputy Lord Mayor**

#### **Memorandum by the Chief Executive Officer**

To Council:

Sections 231(1) and (2) of the Local Government Act 1993 (the Act) provide:

- (1) the councillors may elect a person from among their number to be the deputy mayor; and
- (2) the person may be elected for the mayoral term or a shorter term.

At the Council meeting of 18 September 2023, Councillor Robert Kok was elected Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately and ending on the day appointed for the next ordinary election of Council (subsequently held on Saturday, 14 September 2024). The office of Deputy Lord Mayor is now vacant.

#### **Payment of Fees**

Section 249(5) of the Act provides:

- (5) a council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.

On 5 June 2000, Council resolved to:

“Pay Councillors the maximum of the range (as determined annually by the Local Government Remuneration Tribunal) as a matter of standing policy.

Pay the Lord Mayor the maximum of the range (in addition to the fee as a Councillor) - as a matter of standing policy (less the Deputy Lord Mayor's fee).

Pay the Deputy Lord Mayor, in addition to the fee as a Councillor, an amount equal to 10 per cent of the mayoral fee actually paid to the Lord Mayor as a matter of standing policy.”

#### **Call for Nominations**

Nominations for the office of Deputy Lord Mayor are now invited. Nominations must be made in writing by two or more Councillors (one of whom may be the nominee). Nomination forms will be provided to Councillors.

#### **Conduct of Election**

Schedule 7 of the Local Government (General) Regulation 2021 provides the method of conducting an election for Deputy Lord Mayor (further details on election procedures will be provided to Councillors). The last time the Deputy Lord Mayor's position was contested the method of voting selected by the Council was open, exhaustive voting.

**Recommendation**

It is resolved that:

- (A) Council elect a Deputy Lord Mayor for a term commencing immediately following the election and ending on 30 September 2025;
- (B) the method of voting be by open, exhaustive voting; and
- (C) the Chief Executive Officer conduct the election forthwith.

**MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that:

- (A) Council elect a Deputy Lord Mayor for a term commencing immediately following the election and ending on 30 September 2025;
- (B) the method of voting be by open, exhaustive voting; and
- (C) the Chief Executive Officer conduct the election forthwith.

Carried unanimously.

S062388

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Manager OCEO to assist with the conduct of the ballot.

The Manager OCEO announced that one duly completed, written nomination had been received, namely –

Councillor Zann Maxwell (nominated by the Chair (the Lord Mayor), seconded by Councillor Wilson).

Councillor Maxwell indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Zann Maxwell duly elected to the office of Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately following the election and ending on 30 September 2025.

Note - the Chair (the Lord Mayor) congratulated Councillor Maxwell on his election as Deputy Lord Mayor. The Chair invited the newly elected Deputy Lord Mayor to address Council.

**Item 4 Council Committees - Functions, Membership, Election of Deputy Chairpersons**

**Memorandum by the Chief Executive Officer**

To Council:

In accordance with the provisions of section 360 of the Local Government Act 1993, the Local Government (General) Regulation 2021 and clause 19.2 of the City of Sydney Code of Meeting Practice (the Code), the council may establish such committees as it considers necessary.

In 2023, Council resolved to adopt meeting times, functions, policies and procedures of the following Committees:

- Corporate, Finance, Properties and Tenders Committee
- Environment Committee
- Housing For All Committee
- Cultural and Creative Committee
- Resilient Communities and Economy Committee
- Transport, Heritage and Planning Committee.

**Committee Structure**

Following a review of the administrative arrangements associated with Council's existing Committee structure, a number of amendments are recommended. The following Committees are recommended:

- Corporate, Finance, Properties and Tenders Committee
- Environment and Climate Change Committee
- Cultural, Creative and Nightlife Committee
- Equity and Housing Committee
- Community Services and Facilities Committee
- Innovation, Business and Economy Committee
- Transport, Heritage and Planning Committee



This updated Committee structure has necessitated the amendment and revision of the functions of each of the Committees.

The functions and administrative arrangements associated with Council's committees are detailed in the "Functions, Delegations, Policies and Procedures of Council Committees" (refer Attachment A). This document has been amended to reflect the changes in Committee structure detailed above.

### **Election of Deputy Chairpersons**

Council may elect a Deputy Chairperson of each Committee in accordance with clauses 19.15 and 19.16 of the Code of Meeting Practice.

Previously, the Council has chosen to hold a separate election for each of the Deputy Chairperson positions. Elections were conducted by open, exhaustive voting (that is, by a show of hands or similar means for candidates duly nominated).

At the Council meeting of 18 September 2023, Council elected Deputy Chairpersons for each of Council's Committees for a term commencing immediately and ending on the day appointed for the next ordinary election of Council (subsequently held on 14 September 2024); with the Lord Mayor chairing all Committees.

Council will be required to elect a Deputy Chairperson for each of the following Committees for the new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council:

1. Corporate, Finance, Properties and Tenders Committee
2. Environment and Climate Change Committee
3. Cultural, Creative and Nightlife Committee
4. Equity and Housing Committee
5. Community Services and Facilities Committee
6. Innovation, Business and Economy Committee
7. Transport, Heritage and Planning Committee

### **Recommendation**

It is resolved that:

- (A) the Functions, Delegations, Policies and Procedures of Council Committees, as shown at Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) Council elect the Deputy Chairpersons of the Corporate, Finance, Properties and Tenders Committee, Environment and Climate Change Committee, Cultural, Creative and Nightlife Committee, Equity and Housing Committee, Community Services and Facilities Committee, Innovation, Business and Economy Committee and Transport, Heritage and Planning Committee for a term commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;

- (C) the method of voting be open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

**MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that:

- (A) the Functions, Delegations, Policies and Procedures of Council Committees, as shown at Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) Council elect the Deputy Chairpersons of the Corporate, Finance, Properties and Tenders Committee, Environment and Climate Change Committee, Cultural, Creative and Nightlife Committee, Equity and Housing Committee, Community Services and Facilities Committee, Innovation, Business and Economy Committee and Transport, Heritage and Planning Committee for a term commencing immediately following the election and ending on ending on the day appointed for the next ordinary election of Council;
- (C) the method of voting be open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

Carried unanimously.

S062388

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Manager OCEO to assist with the conduct of the ballot.

The Manager OCEO invited nominations from Councillors for the positions of Deputy Chairs of Committees.

Elections were conducted, with the results as follows –

**(1) Corporate, Finance, Properties and Tenders Committee**

One nomination for the Deputy Chairperson was received, as follows –

Councillor Robert Kok (nominated by the Chair (the Lord Mayor), seconded by Councillor Worling).

Councillor Kok indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Robert Kok duly elected to the position of Deputy Chairperson of the Corporate, Finance, Properties and Tenders Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

**(2) Environment and Climate Change Committee**

One nomination for the Deputy Chairperson was received, as follows –

Councillor Adam Worling (nominated by the Chair (the Lord Mayor), seconded by Councillor Miller).

Councillor Worling indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Adam Worling duly elected to the position of Deputy Chairperson of the Environment and Climate Change Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

**(3) Cultural, Creative and Nightlife Committee**

One nomination for the Deputy Chairperson was received, as follows –

Councillor Mitch Wilson (nominated by the Chair (the Lord Mayor), seconded by Councillor Maxwell).

Councillor Wilson indicated acceptance of their nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Mitch Wilson duly elected to the position of Deputy Chairperson of the Cultural, Creative and Nightlife Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

**(4) Equity and Housing Committee**

One nomination for the Deputy Chairperson was received, as follows –

Councillor Zann Maxwell (nominated by the Chair (the Lord Mayor), seconded by Councillor Wilson).

Councillor Maxwell indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Zann Maxwell duly elected to the position of Deputy Chairperson of the Equity and Housing Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

**(5) Community Services and Facilities Committee**

One nomination for the Deputy Chairperson was received, as follows –

Councillor Sylvie Ellsmore (nominated by the Chair (the Lord Mayor), seconded by Councillor Worling).

Councillor Ellsmore indicated acceptance of her nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Sylvie Ellsmore duly elected to the position of Deputy Chairperson of the Community Services and Facilities Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

**(6) Innovation, Business and Economy Committee**

One nomination for the Deputy Chairperson was received, as follows –

Councillor Lyndon Gannon (nominated by the Chair (the Lord Mayor), seconded by Councillor Worling).

Councillor Gannon indicated acceptance of his nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Lyndon Gannon duly elected to the position of Deputy Chairperson of the Innovation, Business and Economy Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

**(7) Transport, Heritage and Planning Committee**

One nomination for the Deputy Chairperson was received, as follows –

Councillor Jess Miller (nominated by the Chair (the Lord Mayor), seconded by Councillor Worling).

Councillor Miller indicated acceptance of her nomination.

There were no other nominations.

The Manager OCEO then declared Councillor Jess Miller duly elected to the position of Deputy Chairperson of the Transport, Heritage and Planning Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

Note – the Terms of Reference for Council's Committees are as follows –

<b>CORPORATE, FINANCE, PROPERTIES AND TENDERS COMMITTEE</b>
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- Meeting Time: Monday 1.00pm
- Venue: Council Chamber
- Chairperson: The Lord Mayor – Councillor Clover Moore AO
- Deputy Chairperson: Councillor Robert Kok
- Members: Councillor Sylvie Ellsmore  
Councillor Lyndon Gannon  
Councillor Zann Maxwell  
Councillor Jess Miller  
Councillor Matthew Thompson  
Councillor Yvonne Weldon AM  
Councillor Mitch Wilson  
Councillor Adam Worling
- Quorum: A majority of the members of the Committee
- Functions: To deal with all matters relating to:
- (a) Finance
  - (b) Consideration of budgets and quarterly budget performance
  - (c) Information technology policy
  - (d) Asset management
  - (e) Internal and external audit
  - (f) Fees and charges
  - (g) Rating matters
  - (h) City operational and property investment facilities
  - (i) Industrial relations
  - (j) Organisational policy
  - (k) City property management, including management, maintenance, leasing, licensing and sale of Council property
  - (l) Tenders valued at over \$5 million

## ENVIRONMENT AND CLIMATE CHANGE COMMITTEE

- Meeting Time: At the conclusion of the meeting of the Corporate, Finance, Properties and Tenders Committee
- Venue: Council Chamber
- Chairperson: The Lord Mayor – Councillor Clover Moore AO
- Deputy Chairperson: Councillor Adam Worling
- Members: Councillor Sylvie Ellsmore  
Councillor Lyndon Gannon  
Councillor Robert Kok  
Councillor Zann Maxwell  
Councillor Jess Miller  
Councillor Matthew Thompson  
Councillor Yvonne Weldon AM  
Councillor Mitch Wilson

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Environmental management
- (b) Parks, playgrounds and open spaces
- (c) City greening
- (d) Cleansing, waste recycling, and the circular economy
- (e) Urban infrastructure, including roads, footpaths, lighting, stormwater and drainage
- (f) Cycleways
- (g) Sustainability
- (h) Resilience
- (i) Grants and sponsorships related to the above

<b>CULTURAL, CREATIVE AND NIGHTLIFE COMMITTEE</b>
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Meeting Time: At the conclusion of the Environment and Climate Change Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore AO

Deputy Chairperson: Councillor Mitch Wilson

Members: Councillor Sylvie Ellsmore  
Councillor Lyndon Gannon  
Councillor Robert Kok  
Councillor Zann Maxwell  
Councillor Jess Miller  
Councillor Matthew Thompson  
Councillor Yvonne Weldon AM  
Councillor Adam Worling

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Arts, culture, film, creative industries and creative practice
- (b) Cultural events, programs and activities
- (c) Cultural and creative spaces and venue management
- (d) Nightlife activities, programs, and events
- (e) Night time management and safety
- (f) Nightlife industries and the night time economy
- (g) Assistance to cultural organisations
- (h) Grants and sponsorships related to the above

## **EQUITY AND HOUSING COMMITTEE**

Meeting Time: At the conclusion of the meeting of the Cultural, Creative and Nightlife Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore AO

Deputy Chairperson: Councillor Zann Maxwell

Members: Councillor Sylvie Ellsmore

Councillor Lyndon Gannon

Councillor Robert Kok

Councillor Jess Miller

Councillor Matthew Thompson

Councillor Yvonne Weldon AM

Councillor Mitch Wilson

Councillor Adam Worling

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Affordable and diverse housing
- (b) Social housing
- (c) Community housing
- (d) Homelessness
- (e) Social, cultural and economic disadvantage
- (f) Diversity and inclusion
- (g) Grants and sponsorships related to the above



<b>COMMUNITY SERVICES AND FACILITIES COMMITTEE</b>
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Meeting Time: At the conclusion of the Equity and Housing Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore AO

Deputy Chairperson: Councillor Sylvie Ellsmore

Members: Councillor Lyndon Gannon  
Councillor Robert Kok  
Councillor Zann Maxwell  
Councillor Jess Miller  
Councillor Matthew Thompson  
Councillor Yvonne Weldon AM  
Councillor Mitch Wilson  
Councillor Adam Worling

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Community facilities
- (b) Community services and safety
- (c) Aquatic and Recreation services
- (d) Child care services
- (e) Library services
- (f) Assistance to community organisations
- (g) Grants and sponsorships related to the above

## **INNOVATION, BUSINESS AND ECONOMY COMMITTEE**

Meeting Time: At the conclusion of the Community Services and Facilities Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore AO

Deputy Chairperson: Councillor Lyndon Gannon

Members: Councillor Sylvie Ellsmore

Councillor Robert Kok

Councillor Zann Maxwell

Councillor Jess Miller

Councillor Matthew Thompson

Councillor Yvonne Weldon AM

Councillor Mitch Wilson

Councillor Adam Worling

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Innovation
- (b) Economic development and strategy
- (c) Global city relationships, trade and marketing
- (d) Local economies
- (e) Small business
- (f) Visitor economy
- (g) Grants and sponsorships related to the above

<b>TRANSPORT, HERITAGE AND PLANNING COMMITTEE</b>
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Meeting Times: At the conclusion of the Innovation, Business and Economy Committee

Venue: Council Chamber

Chairperson: The Lord Mayor – Councillor Clover Moore AO

Deputy Chairperson: Councillor Jess Miller

Members: Councillor Sylvie Ellsmore

Councillor Lyndon Gannon

Councillor Robert Kok

Councillor Zann Maxwell

Councillor Matthew Thompson

Councillor Yvonne Weldon AM

Councillor Mitch Wilson

Councillor Adam Worling

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Planning instruments (i.e. LEPs, DCPs, Policies)
- (b) Transport, access and walkability initiatives and issues
- (c) Parking policy
- (d) Traffic and the Local Pedestrian, Cycling and Traffic Calming Committee
- (e) Referrals from other authorities for comment on any of the above matters
- (f) Outdoor dining
- (g) Grants and sponsorships related to the above

## **POLICIES AND PROCEDURES OF COMMITTEES**

- (a) The structure and functions of Committees is standing policy of Council.
- (b) All correspondence from, or to, all Committees, shall be handled through normal Council processes.
- (c) All Committees shall be advisory to Council and have no independent role, except where specific authorities are delegated to them by Council.
- (d) Matters dealt with in Committees shall be submitted to Council without recommendation only when the chairperson so determines.
- (e) The chairperson of Committees shall have a casting vote in the event of an equality of voting.

**Item 5 Central Sydney Planning Committee - Election of Councillors****Memorandum by the Chief Executive Officer**

To Council:

The Central Sydney Planning Committee (CSPC) is constituted by the City of Sydney Act 1988 (the Act).

Section 34(1) of the Act provides that the Committee shall consist of seven members:

- (a) the Lord Mayor of Sydney;
- (b) two councillors of the City of Sydney elected by the City Council; and
- (c) four persons (two of whom are senior State government employees and two of whom are not State or local government employees) appointed by the Minister administering Part 4 of the Planning Act, each having expertise in at least one of architecture, building, civic design, construction, engineering, transport, tourism, the arts, planning or heritage.

The persons currently appointed by the Minister pursuant to clause (c) as members and alternate members are David Gainsford and Anthea Sargeant.

The Department of Planning, Housing and Infrastructure have advised that the Minister will appoint the remaining members and alternate members shortly.

Previously, the Council has chosen to hold a separate election for each of the two Council-elected members; the elections were by open, exhaustive voting (that is, by a show of hands or similar means for candidates duly nominated). At the Council meeting of 18 September 2023, Council elected Councillors HY William Chan and Adam Worling to the two positions on the Central Sydney Planning Committee, effective immediately until the day appointed for the next ordinary election of Council.

The Act provides that Council may appoint an alternate for each of the elected members. At the Council meeting of 18 September 2023, Council appointed Councillor Sylvie Ellsmore as alternate to Councillor Chan and Councillor Robert Kok as alternate to Councillor Worling until the day appointed for the next ordinary election of Council.

## **Recommendation**

It is resolved that:

- (A) Council elect two Councillors to be members of the Central Sydney Planning Committee commencing immediately following the election and ending on 30 September 2026;
- (B) the method of voting be open, exhaustive voting;
- (C) the Chief Executive Officer conduct the election forthwith; and
- (D) Council appoint alternates for each member elected.

## **MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that:

- (A) Council elect two Councillors to be members of the Central Sydney Planning Committee commencing immediately following the election and ending on 30 September 2026;
- (B) the method of voting be open, exhaustive voting;
- (C) the Chief Executive Officer conduct the election forthwith; and
- (D) Council appoint alternates for each member elected.

Carried unanimously.

S062388

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Manager OCEO to assist with the conduct of the ballot.

The Manager OCEO invited nominations from Councillors for the first position on the Central Sydney Planning Committee.

One nomination for the first position on the Central Sydney Planning Committee was received, as follows –

Councillor Jess Miller (nominated by Councillor Worling, seconded by Councillor Kok).

Councillor Miller indicated acceptance of her nomination.

The Manager OCEO then declared Councillor Jess Miller duly elected to the first position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2026.

The Manager OCEO invited nominations from Councillors for the second position on the Central Sydney Planning Committee.

One nomination for the second position on the Central Sydney Planning Committee was received, as follows –

Councillor Zann Maxwell (nominated by Councillor Miller, seconded by Councillor Worling).

Councillor Maxwell indicated acceptance of his nomination.

The Manager OCEO then declared Councillor Zann Maxwell duly elected to the second position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2026.

The Manager OCEO invited nominations from Councillors for the first alternate position on the Central Sydney Planning Committee.

One nomination for the first alternate position on the Central Sydney Planning Committee was received, as follows –

Councillor Adam Worling (nominated by Councillor Miller, seconded by Councillor Kok).

Councillor Worling indicated acceptance of his nomination.

The Manager OCEO then declared Councillor Adam Worling duly elected to the first alternate position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2026.

The Manager OCEO invited nominations from Councillors for the second alternate position on the Central Sydney Planning Committee.

One nomination for the second alternate position on the Central Sydney Planning Committee was received, as follows –

Councillor Mitch Wilson (nominated by Councillor Kok, seconded by Councillor Worling).

Councillor Wilson indicated acceptance of their nomination.

The Manager OCEO then declared Councillor Mitch Wilson duly elected to the second alternate position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2026.

**Item 6      Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures, Membership and Appointment of Chairperson****Memorandum by the Chief Executive Officer**

To Council:

The Local Pedestrian, Cycling and Traffic Calming Committee is a statutory committee, established under the Roads Act 1993 and in accordance with administrative procedures required by Transport for NSW.

Councils have been delegated certain powers by Transport for NSW regarding the regulation of traffic on local roads. A condition of this delegation is that councils must take into account the advice of their Local Pedestrian, Cycling and Traffic Calming Committee before exercising certain powers.

The Local Pedestrian, Cycling and Traffic Calming Committee has no decision-making powers. It is primarily a technical review body which is required to advise Council and City staff on traffic-related matters. Council and City staff are therefore not bound or required to implement a proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee. Any proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee must be approved by either the elected Council or authorised City staff (depending on the nature of the proposal) if it is to be implemented. This can only be done when the advice of the Committee is unanimous. Where the advice of the Committee is not unanimous, Council must separately notify Transport for NSW and NSW Police.

The Local Pedestrian, Cycling and Traffic Calming Committee is made up of four formal (voting) members as follows:

- one representative of Council (Chairperson or alternate Chairperson);
- one representative of NSW Police;
- one representative of Transport for NSW;
- the local State Member of Parliament (MP) or their nominee; and
- one representative of a relevant NSW Government agency (where applicable)\*.

Representatives of NSW Police and State MPs can only vote on matters in their respective command or electorate.

\*The NSW Government agencies are formal (voting) members for matters relating to roads over which they have jurisdiction only (for example, Property NSW / Place Management NSW / Infrastructure NSW). The City of Sydney Council is not a formal (voting) member for these matters.



The Chairperson and alternate Chairperson are to be determined by Council, and Council's representative may be any Councillor or City staff. Council (in consultation with the formal members of the Local Pedestrian, Cycling and Traffic Calming Committee) may also decide to have additional informal (non-voting) representatives who can provide non-binding input on matters under consideration. Informal (non-voting) members of the Local Pedestrian, Cycling and Traffic Calming Committee are as follows:

- Bus operators representative(s);
- Transport Workers Union representative;
- Cycling representative;
- Pedestrian representative; and
- Local Health District representative.

City staff convene meetings and provide administrative support for the Committee, including the preparation of agendas, reports and minutes, and formally represent Council when both the Chairperson and the alternate Chairperson are absent.

The Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee are set out in Attachment A. At the Council meeting of 18 September 2023 Councillor HY William Chan and Councillor (Waskam) Emelda Davis were appointed Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee respectively for a term commencing immediately and ending on the day appointed for the next ordinary election of Council (subsequently held on Saturday, 14 September 2024).

Council is now required to appoint a Chairperson and alternate Chairperson for the new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council.

### **Recommendation**

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council appoint Councillor \_\_\_\_\_ as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council; and
- (D) Council appoint Councillor \_\_\_\_\_ as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term effective immediately and ending on the day appointed for the next ordinary election of Council.

**MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council appoint Councillor Adam Worling as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council; and
- (D) Council appoint Councillor Jess Miller as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term effective immediately and ending on the day appointed for the next ordinary election of Council.

Carried unanimously

S062388

**Item 7 Council Representation on Committees, Advisory Panels and Working Groups****Memorandum by the Chief Executive Officer**

To Council:

Council has established a number of committees, advisory panels and working groups with Council appointed Councillor representatives that provide advice on the policies and operations of the City of Sydney across various subject areas.

Following the local government elections, it is appropriate to appoint new Council representatives for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

These committees, advisory panels and working groups are specifically an opportunity for input and engagement. They are not constituted as a committee of Council under the Local Government Act 1993, nor a sub-committee of the Central Sydney Planning Committee under the City of Sydney Act 1988.

**Aboriginal and Torres Strait Islander Advisory Panel**

The Aboriginal and Torres Strait Islander Advisory Panel's purpose is to provide advice on the policies and operations of the City of Sydney in relation to matters of importance to Aboriginal and Torres Strait Islander communities.

**Business, Economic Development and Covid Recovery Advisory Panel**

The Business, Economic Development and Covid Recovery Advisory Panel's purpose is to provide high-level independent expert advice to the City of Sydney on the implementation of Sustainable Sydney 2030-2050 Continuing the Vision and through the actions of the City of Sydney Economic Strategy Discussion Paper.

**Cultural and Creative Sector Advisory Panel**

The Cultural and Creative Sector Advisory Panel's purpose is to provide strategic advice on making space for culture and focus on addressing the loss of creative employment floor space in Sydney which is a critical issue that has been exacerbated by the pandemic.

**Cycling Advisory Committee**

The Cycling Advisory Committee's purpose is to monitor progress on implementation of the Cycling Strategy and Action Plan and provide advice on issues associated with implementation of the Cycling Strategy and Action Plan.

**Housing for All Working Group**

The Housing for All Working Group's purpose is to bring together industry leaders and experts to share knowledge and provide strategic, expert advice and guidance to the City of Sydney (the City) on the development of agreed strategies and initiatives to increase the supply of affordable and diverse housing (including social housing) within the City of Sydney Local Government Area.

**Inclusion (Disability) Advisory Panel**

The Inclusion (Disability) Advisory Panel’s purpose is to provide strategic, expert and impartial advice to the City on the development, implementation, monitoring and review of the City’s policies, strategies and plans to advance the inclusion of people with disability.

**Multicultural Advisory Panel**

The Multicultural Advisory Panel’s purpose is to provide advice on policies and operations of the City of Sydney in relation to matters of importance to culturally diverse communities.

**Terms of Reference and Priorities Review**

The terms of reference and functions (inclusive of the priority activities) of all committees, advisory panels and working groups are under review to ensure that they are fit for purpose, to improve consistency and to strengthen diversity of panel members. Recommendations for updates, which will include additional inclusions of a focus on late night vibrancy and LGBTIQ+ matters will be reported to Council for consideration.

**Environment and Climate Change Advisory Panel**

It is proposed that an Environment and Climate Change Advisory Panel be established. The purpose and priorities of the Environment and Climate Change Advisory Panel will include the review of the Environmental Strategy, waste and recycling, electrification and resilience (inclusive of canopy and heat). Terms of reference will be developed for Council consideration. Council’s representative to the new advisory panel will be appointed at the same time as the terms of reference are considered by Council.

**Recommendation**

It is resolved that:

- (A) the Chief Executive Officer be requested to review the terms of reference, inclusive of the priority activities of each committee, advisory panel and working group and report revised terms of reference to Council for consideration with additional inclusions of a focus on late night vibrancy and LGBTIQ+ matters;
- (B) Council endorse the establishment of the Environment and Climate Change Advisory Panel;
- (C) authority be delegated to the Chief Executive Officer to prepare terms of reference for the Environment and Climate Change Advisory Panel for Council consideration; and
- (D) Council appoint the following Councillors as Council’s representatives on the Committees, Advisory Panels and Working Groups listed below:

**Aboriginal and Torres Strait Islander Advisory Panel**

- (i) Councillor.....

**Business, Economic Development and Covid Recovery Advisory Panel**

- (ii) Councillor .....

**Cultural and Creative Sector Recovery Advisory Panel**

(iii) Councillor.....

**Cycling Advisory Committee**

(iv) Councillor .....

**Housing for All Working Group**

(v) Councillor .....

**Inclusion (Disability) Advisory Panel**

(vi) Councillor .....

**Multicultural Advisory Panel**

(vii) Councillor.....

**MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that:

- (A) the Chief Executive Officer be requested to review the terms of reference, inclusive of the priority activities of each committee, advisory panel and working group and report the revised Terms of Reference to Council for consideration with an additional inclusion of a focus on late night vibrancy;
- (B) Council endorse the establishment of the Environment and Climate Change Advisory Panel and the LGBTIQA+ Advisory Panel and appoint Council representatives for each panel under (D) below;
- (C) authority be delegated to the Chief Executive Officer to prepare terms of reference for the Environment and Climate Change Advisory Panel and the LGBTIQA+ Advisory Panel for Council consideration; and
- (D) Council appoint the following Councillors as Council's representatives on the Committees, Advisory Panels and Working Groups listed below with the addition of a second Council representative on the Business, Economic Development and Covid Recovery Advisory Panel and the Housing for All Working Group, to be reflected in their updated Terms of Reference:

**Aboriginal and Torres Strait Islander Advisory Panel**

(i) Councillor Yvonne Weldon

**Business, Economic Development and Covid Recovery Advisory Panel**

(ii) Councillor Zann Maxwell

(iii) Councillor Lyndon Gannon

**Cultural and Creative Sector Recovery Advisory Panel**

- (iv) Councillor Mitch Wilson

**Cycling Advisory Committee**

- (v) Councillor Jess Miller

**Environment and Climate Change Advisory Panel**

- (vi) Councillor Matthew Thompson

**Housing for All Working Group**

- (vii) Councillor Zann Maxwell
- (viii) Councillor Sylvie Ellsmore

**Inclusion (Disability) Advisory Panel**

- (ix) Councillor Yvonne Weldon

**LGBTIQA+ Advisory Panel**

- (x) Councillor Mitch Wilson

**Multicultural Advisory Panel**

- (xi) Councillor Sylvie Ellsmore

Carried unanimously.

S111818

**Item 8 Council Representation on External Bodies - Southern Sydney Regional Organisation of Councils**

**Memorandum by the Chief Executive Officer**

To Council:

The Lord Mayor and Councillors represent the City of Sydney on the Southern Sydney Regional Organisation of Councils (SSROC).

Following the local government elections, it is appropriate to appoint new Council representatives to SSROC for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

Established in 1986, SSROC is a voluntary regional grouping of councils located in the southern Sydney metropolitan area. SSROC provides a forum for member councils to deal with common issues, particularly those that cross local government area boundaries. Key areas of focus include planning, environment, transport, sustainability, procurement and waste management.

The City is represented by either elected Councillors or Council staff on the Southern Sydney Regional Organisation of Councils (SSROC).

Council is entitled to nominate two delegates and two alternate delegates to SSROC.

**Recommendation**

It is resolved that Council appoint the following Councillors as Council's representatives on the Southern Sydney Regional Organisation of Councils (SSROC):

- (A) Councillors \_\_\_\_\_ and \_\_\_\_\_ (2 delegates); and
- (B) Councillors \_\_\_\_\_ and \_\_\_\_\_ (2 alternates).

**MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that Council appoint the following Councillors as Council's representatives on the Southern Sydney Regional Organisation of Councils (SSROC):

- (A) Councillors Zann Maxwell and Adam Worling (2 delegates); and
- (B) Councillors Mitch Wilson and Lyndon Gannon (2 alternates).

Carried unanimously.

S111818

**Item 9 Local Government NSW Annual Conference 2024 - Nomination of Delegates****Memorandum by the Chief Executive Officer**

To Council:

This memorandum seeks Council's consideration of the nomination of Councillors as voting delegates to the Local Government NSW (LGNSW) Annual Conference, to be held from Sunday 17 to Tuesday 19 November 2024 at the Tamworth Regional Entertainment and Conference Centre.

The conference is the main policy-making event for the local government sector. Delegates will vote on motions which determine the policies and priorities for Local Government NSW and the sector.

The draft conference program is available at: <https://lgnswconference.org.au/program/>.

Councillors will receive email notifications directly from Local Government NSW, but should direct questions or requests to Secretariat, who will coordinate and manage all arrangements with Local Government NSW on behalf of Councillors, including conference registrations and voting registrations.

**Registration as a Voting Delegate**

The City of Sydney will be entitled to register up to 10 voting delegates for motions. It is proposed that Council nominates the Lord Mayor and all Councillors as voting delegates.

Voting delegates may not appoint a proxy to attend or vote at formal business sessions on their behalf. Registrations for voting on motions will be managed by Secretariat.

**Conference Program/Motions**

The conference will include discussion and debate on a range of motions from councils relating to current and emerging policy issues facing local government in NSW.

The Local Government NSW Policy Platform at: <https://www.lgnsw.org.au/policy/policy-platform> consolidates the numerous policies and positions of Local Government NSW – as determined by members – into a single document for ease of reference for members and stakeholders.

The full conference business paper is expected to be available one week prior to the conference and will include three motions submitted by the City of Sydney.

**Councillors' Expenses and Facilities Policy**

Councillors Davis, Ellsmore, Gannon, Jarrett, Scott, Weldon and Worling were the City of Sydney delegates at the 2023 Local Government NSW Annual Conference held at Rosehill Gardens Racecourse in Parramatta.

Expenditure incurred for the conference totalled \$8,625.47. The Councillors' Expenses and Facilities Policy provides for Councillors to attend the Local Government NSW Annual Conference at the City's expense. Funds are available in the 2024/25 operating budget to cover registration fees, travel and other reasonable expenses incurred by Councillors.



**Recommendation**

It is resolved that:

- (A) Council appoint the Lord Mayor and all Councillors as its voting delegates at the Local Government NSW Annual Conference, to be held at Tamworth Regional Entertainment and Conference Centre, from Sunday 17 to Tuesday 19 November 2024;
- (B) Council note all registration fees, travel costs and other reasonable expenses associated with the attendance of Councillors at the Local Government NSW Annual Conference will be met by the City in accordance with the Councillors' Expenses and Facilities Policy; and
- (C) Council note that a spouse, partner or other person may accompany a Councillor at the conference, and the City will meet any associated ticket costs.

**MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that:

- (A) Council appoint the Lord Mayor and all Councillors as its voting delegates at the Local Government NSW Annual Conference, to be held at Tamworth Regional Entertainment and Conference Centre, from Sunday 17 to Tuesday 19 November 2024;
- (B) Council note all registration fees, travel costs and other reasonable expenses associated with the attendance of Councillors at the Local Government NSW Annual Conference will be met by the City in accordance with the Councillors' Expenses and Facilities Policy; and
- (C) Council note that a spouse, partner or other person may accompany a Councillor at the conference, and the City will meet any associated ticket costs.

Carried unanimously.

X094806

**Item 10      Amendment to Schedule of Meetings**

**Memorandum by the Chief Executive Officer**

To Council:

This memorandum requests that Council approve an amendment to the schedule of meetings for 2024.

Local government elections were held on 14 September 2024, with results declared on 1 and 2 October 2024.

The Chief Executive Officer has been requested to prepare a two-week meeting cycle (Council Committees and Council) rather than the previously endorsed three-week meeting cycle (Council Briefings, Committees and Council).

It is anticipated that relevant Council briefings will now be held as part of Council Committees, which will be scheduled to commence earlier to accommodate this update.

Accordingly, the 2024 schedule of meetings has been amended to reflect this change.

The City's website will be updated with amended 2024 meeting dates if endorsed by Council.

Additional Councillor workshop sessions, intended to accommodate such matters as external presentations, professional development and other non-meeting agenda items, will be scheduled and separately distributed to Councillors as required.

**Recommendation**

It is resolved that Council adopt the amended schedule of meetings for 2024, as shown at Attachment A to the subject memorandum.

**MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that Council adopt the amended schedule of meetings for 2024, as shown at Attachment A to the subject memorandum.

Carried unanimously.

S063444-02

## **Item 11 Powers of Attorney**

### **Memorandum by the Chief Executive Officer**

To Council:

A Resolution of Council is sought to:

1. revoke the existing power of attorney instrument dated 9 May 2023 registered Book 4813 and Number 285; and
2. grant a new power of attorney to each person occupying a role in the Executive of the Council from time to time.

### **Background**

Historically Council has granted powers of attorney to certain senior staff to give effect to the decisions of Council.

In April 2023, Council granted a form of power of attorney, pursuant to which the Council appoints as attorney:

1. each person employed by the Council whose title includes the term "Director"; and
2. the Chief Operating Officer, Chief Financial Officer and Chief Executive Officer,

from time to time.

Effective from 1 October 2024, changes were made to Executive leadership position titles from Director to Executive Director. The position of Chief Financial Officer was also changed to Executive Director Finance and Procurement following the retirement of the City's Chief Financial Officer.

The title of Executive Director is only assigned to positions that lead the divisions of Council staff. Accordingly, a new form of power of attorney is required, pursuant to which the Council appoints as attorney:

1. each person employed by the Council whose title includes the term "Executive Director"; and
2. the Chief Operating Officer and Chief Executive Officer,

from time to time.

Following the adoption of the new power of attorney by Council resolution the Lord Mayor will also need to issue a letter that can be updated as the members of the Executive change, as evidence of the identity of Council's Executive from time to time. The letter will be provided as evidence that the specific person using the power of attorney has the power to bind the Council.

The power of attorney will apply to each Executive Director as appointed and the letter will be updated each time there is a change of Executive Director.

It will also be necessary to revoke the power of attorney dated 9 May 2023 granted to:

1. each person employed by the Council whose title includes the term “Director”; and
  2. the Chief Operating Officer, Chief Financial Officer and Chief Executive Officer of the Council,
- from time to time.

### **Recommendation**

It is resolved that:

### **Revocation of Power of Attorney**

- (A) the power of attorney granted to each person each person employed by the Council of the City of Sydney whose title includes the term “Director” and the Chief Operating Officer, Chief Financial Officer and Chief Executive Officer of the City of Sydney from time to time be revoked in the form at Attachment A to the subject memorandum, which is to be executed under the Common Seal of Council.

### **Appointment of New Power of Attorney and Attorney List**

- (B) a new power of attorney be granted to each person occupying a role in the Executive of Council from time to time, in the form shown at Attachment B to the subject memorandum, which is to be executed under the Common Seal of Council; and
- (C) the attorney list (setting out the current members of the Executive) as shown at Attachment C to the subject memorandum be signed by the Lord Mayor; and
- (D) authority be delegated to the Lord Mayor to sign and issue further versions of the attorney list when necessary due to change in the identity of people occupying a role in the Executive of Council.

**MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that:

**Revocation of Power of Attorney**

- (A) the power of attorney granted to each person each person employed by the Council of the City of Sydney whose title includes the term “Director” and the Chief Operating Officer, Chief Financial Officer and Chief Executive Officer of the City of Sydney from time to time be revoked in the form at Attachment A to the subject memorandum, which is to be executed under the Common Seal of Council.

**Appointment of New Power of Attorney and Attorney List**

- (B) a new power of attorney be granted to each person occupying a role in the Executive of Council from time to time, in the form shown at Attachment B to the subject memorandum, which is to be executed under the Common Seal of Council; and
- (C) the attorney list (setting out the current members of the Executive) as shown at Attachment C to the subject memorandum be signed by the Lord Mayor; and
- (D) authority be delegated to the Lord Mayor to sign and issue further versions of the attorney list when necessary due to change in the identity of people occupying a role in the Executive of Council.

Carried unanimously.

S115439

**Item 12 Chief Executive Officer Performance Review Panel****Memorandum by the Chief Executive Officer**

To Council:

**Guidelines for the Appointment and Oversight of General Managers**

Guidelines for the Appointment and Oversight of General Managers (Guidelines) have been issued by the Office of Local Government under section 23A of the Local Government Act 1993.

Under section 23A of the Act, councils must consider the Guidelines when exercising their functions in relation to the recruitment and oversight of general managers.

These Guidelines have been developed to assist councillors when performing their functions under the Act relating to the appointment of general managers and overseeing their performance. They provide guidance on:

- the role of the general manager and the importance of a good working relationship between councillors and the general manager;
- the recruitment process and the appointment of a general manager;
- day to day oversight of and liaison with the general manager;
- the performance review process;
- separation; and
- renewal of the general manager's contract

**Chief Executive Officer Performance Review Panel**

In accordance with the Guidelines and following the 14 September 2024 local government elections, a Chief Executive Officer Performance Review Panel (Panel) will be established.

The Panel will comprise of:

- the Lord Mayor;
- the Deputy Lord Mayor;
- a Councillor nominated by Council;
- a Councillor nominated by the Chief Executive Officer (note that the Chief Executive Officer will nominate a Councillor prior to the Panel convening); and
- an independent observer being the Chair of the Audit, Risk and Compliance Committee.

The role of the Panel includes:

- conducting performance reviews
- reporting the findings and recommendations of reviews to Council, and

- development of the performance agreement.

Members of the Panel will be required to undertake training. This training will be arranged and provided by the City and offered to all Councillors.

Councillors who are not members of the performance review panel may be invited to contribute to the performance review process by providing feedback to the Lord Mayor on the Chief Executive Officer's performance relevant to the agreed performance criteria. All Councillors will be notified of relevant dates in the performance review cycle and be kept advised of the Panel's findings and recommendations.

### **Recommendation**

It is resolved that:

- (A) Council note the Guidelines for the Appointment and Oversight of General Managers as shown at Attachment A to the subject memorandum;
- (B) Council establish a Chief Executive Officer Performance Review Panel comprised of the Lord Mayor, the Deputy Lord Mayor, Councillor \_\_\_\_\_ (nominated by Council), a Councillor nominated by the Chief Executive Officer (note that that the Chief Executive Officer will nominate a Councillor prior to the convening of the Panel), and an independent observer being the Chair of the Audit, Risk and Compliance Committee;
- (C) authority be delegated to the Chief Executive Officer Performance Review Panel to undertake the Chief Executive Officer's performance review in accordance with the Guidelines; and
- (D) Council note that the Panel will report back to Council in a confidential session on the findings and recommendations of performance reviews as soon as practicable following any performance review.

**MONICA BARONE PSM**

Chief Executive Officer

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

It is resolved that:

- (A) Council note the Guidelines for the Appointment and Oversight of General Managers as shown at Attachment A to the subject memorandum;
- (B) Council establish a Chief Executive Officer Performance Review Panel comprised of the Lord Mayor, the Deputy Lord Mayor, Councillor Mitch Wilson (nominated by Council), a Councillor nominated by the Chief Executive Officer (note that that the Chief Executive Officer will nominate a Councillor prior to the convening of the Panel), and an independent observer being the Chair of the Audit, Risk and Compliance Committee;
- (C) authority be delegated to the Chief Executive Officer Performance Review Panel to undertake the Chief Executive Officer's performance review in accordance with the Guidelines; and
- (D) Council note that the Panel will report back to Council in a confidential session on the findings and recommendations of performance reviews as soon as practicable following any performance review.

Carried unanimously.

S095194.009



**Item 13      Filling A Casual Vacancy By Countback**

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

It is resolved that, pursuant to section 291A(1)(b) of the Local Government Act 1993 (the Act), the Council of the City of Sydney declares that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the CEO to notify the NSW Electoral Commissioner of the Council's decision within 7 days of the decision.

Carried unanimously.

X001937

**Item 14 Adoption - Key City of Sydney Governance Documents**

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

It is resolved that:

- (A) Council adopt the City of Sydney Code of Conduct shown at Attachment A to the subject report;
- (B) Council adopt the City of Sydney Procedures for the Administration of the Code of Conduct as shown at Attachment B to the subject report;
- (C) Council adopt the Councillor Meetings with Registered Lobbyists and Property Developers Policy as shown at Attachment C to the subject report;
- (D) authority be delegated to the Chief Executive Officer to make amendments to the City of Sydney Code of Conduct, Procedures for the Administration of the Code of Conduct and the Councillor Meetings with Registered Lobbyists and Property Developers Policy, in order to correct any minor drafting errors, update the form attached to the Councillor Meetings with Registered Lobbyists and Property Developers Policy from time to time as required, and to finalise design and accessible formats for publication;
- (E) Council note that the Office of Local Government may develop and publish an updated model code of conduct and procedures and a further report will be brought to Council if required;
- (F) Council note that the Office of Local Government may develop and publish lobbying guidelines and a model policy and a further report will be brought to Council if required;
- (G) Council defer consideration of the Delegations to the Lord Mayor and Delegations to the Chief Executive Officer to a future meeting of Council; and
- (H) Council note that the Delegations to the Lord Mayor dated 22 August 2022 and Delegations to the Chief Executive Officer dated 22 August 2022 will remain in place until the revised delegations are considered.

Carried unanimously.

S121629.017, X109863 and X101731

**Item 15      Public Exhibition - Code of Meeting Practice and Councillors' Expenses and Facilities Policy**

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

It is resolved that:

- (A) Council approve the draft Code of Meeting Practice as shown at Attachment A to the subject report, for public exhibition for a period of 28 days and specifying a period of not less than 42 days during which submissions may be made;
- (B) Council note that the Code of Meeting Practice including any recommended changes, will be reported to Council for adoption following the exhibition period;
- (C) Council approve the draft Councillors' Expenses and Facilities Policy as shown at Attachment A to the subject report, for public exhibition for a period of 28 days and specifying a period of not less than 42 days during which submissions may be made;
- (D) Council note that the Councillors' Expenses and Facilities Policy including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (E) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Code of Meeting Practice and draft Councillors' Expenses and Facilities Policy.

Carried unanimously.

S051923

At 6.45pm the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 28 October 2024 at which  
meeting the signature herein was subscribed.