

Item 9

Questions on Notice with Answers

1. Investigating Options to Install Refugees Are Welcome Banners at Town Hall and at Other Key Locations

By Councillor Ellsmore

Question

1. At the 31 October 2022 Council meeting, Council unanimously committed to create banners or signage stating that 'Refugees are Welcome' (or equivalent) that can be prominently displayed at the Sydney Town Hall and other key locations within the City of Sydney. Which locations to display Refugees are Welcome Banners (or equivalent) have been considered or investigated by the City?
2. Where are banners or signage currently displayed, including banners which recognise the City's long running commitment as a Refugee Welcome Zone?
3. What heritage or other considerations were taken into account, in relation to the Sydney Town Hall?
4. What locations and types of banners are being proposed for the future? (Including which town halls, community centres and other key locations are proposed).
5. The 31 October 2022 Council decision requested that the Chief Executive Officer provide advice about costs of creating these banners, including if the Council were to commission or collaborate with a refugee or asylum seeker artist or organisation to design the banners or signage. What investigations or discussions has the City undertaken with refugee-affiliated organisations and/or refugee artists regarding the creation of Refugees Are Welcome Banners?
6. Which organisations or individuals has the City had discussions with, or is proposing to have discussions with?
7. What is the proposed timeline for implementation?
8. Are new banners or signs proposed for Refugee Week in June? Are banners or signs proposed at other times of the year?

X086664

Answer by the Chief Executive Officer

In addition to the information circulated via CEO Update on 9 December 2022, pull-up welcome banners have been produced. These are being distributed to the City's community centres for display and will be available for use by Libraries and at relevant meetings or workshops. Flagpole banners for outside Sydney Town Hall are in production to display at appropriate times, including Refugee Week. Staff are investigating other appropriate dates, which may include International Day of Peace. Costs for all banners are estimated at less than \$9,000 and have been included in the current year budget.

Staff are planning to produce street banners to display on flagpoles around the CBD and local government area. The pull-up and Town Hall flag pole banner design was shown at Refugee Welcome Zone Interagency and Asylum Seekers Interagency meetings in January 2023 to present the design and locations for display. City staff are in conversation with relevant key refugee and asylum seeker service providers to investigate incorporating refugee artist expression and experience in a specific design for street banners for future use.

The City's "Our Diverse Communities" [web page](#) includes a section dedicated to refugees and people seeking asylum. This also includes reference to the Refugee Welcome Zone and the City's Refugee and people seeking asylum access project, that provides free or low cost access to City facilities and services. The site also features a video interview with three refugees. In addition, the City is recognised as a Refugee Welcome Zone on the [website](#) of the Refugee Council of Australia.

2. Public Housing and Public Land Redevelopment in the City of Sydney

By Councillor Ellsmore

Question

1. In an answer to a Question on Notice tabled at the 12 December 2022 Council meeting, it was advised that there had been three Pre-DA requests regarding the development of public housing in the last 12 months, relating to multiple properties on Wentworth Park Road and Raper Street Newtown. What are the details of what was discussed at these pre-DA meetings? What development or changes are proposed for these properties?
2. Since November 2022, have City staff had any discussions or correspondence with NSW Government representatives about planned or future development applications regarding State-owned or controlled land in NSW, including any pre-DA requests? If yes, please provide details.
3. In an answer to a Question on Notice tabled at the 12 December 2022 Council meeting, it was advised that the City initiated discussions with the Land and Housing Corporation (or LAHC), in relation to eight planning proposals or forthcoming planning proposals.

Since November 2022, have City staff had any discussions or correspondence with NSW Government representatives about these or additional planning proposals relating to State-owned or controlled land in NSW? If yes, please provide details.

4. Generally, what City of Sydney policies or guidelines determine what or how pre-DA advice is provided? Please provide details.

X086664

Answer by the Chief Executive Officer

1. Further information about the three pre-DA requests for advice:

14-26 Wentworth Park Road, Glebe - PDA/2022/130

On 23 June 2022 a pre-DA request for advice was submitted involving a preliminary public housing scheme for a 3 storey, 40 unit residential flat building under the *State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP 2009)* was lodged with Council.

A pre-DA meeting was held on 4 July 2022 to discuss height, deep soil and canopy cover, solar access, cross ventilation, privacy and other design matters. A letter of advice was provided on 13 July 2022 and further comments were provided on 4 August 2022.

A further pre-DA for demolition of the site was requested on 3 March 2023 and is under assessment.

82 Wentworth Park Road, Glebe - PDA/2022/44

On 19 February 2021 City staff reviewed a preliminary public housing scheme for a 4 storey, 51 room boarding house development (under the former *ARH SEPP 2009*). Advice was provided regarding height, view loss, trees, substation/garbage collection, amenity of some units in relation to the light rail tracks and other design matters.

On 14 March 2022, City staff met to discuss their revisions and no formal advice was provided.

An application for 43 public housing dwellings was lodged on 24 January 2023. The application proposes demolition of existing buildings, tree removal, and construction of the building. The application is currently under assessment and is on public exhibition until 15 March 2023.

10-18 Raper Street, Newtown - PDA/2022/244

A pre-DA request for advice was made on 9 November 2022, seeking feedback regarding non-discretionary standards and standards for boarding houses set out in the *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)* could be varied.

Advice was provided on 23 December 2022, including confirmation that any departure from a development standard would be assessed on its merits at DA stage in accordance with established law, and also providing comments as to other matters with regard to design, setbacks, trees and flooding.

2. Since November 2022, City staff have had discussions with NSW Government representatives on:

2 Quay Street, Haymarket - PDA/2022/261

A pre-DA request for advice was submitted on 30 November 2022 for maintenance and conservation works to Paddy's market building was received. City staff provided email advice in relation to the information that would be required to accompany any future application on 11 January 2023.

Scope of works included:

- removal of 1990s clock face and make good copings and trims,

- Repairs to brickwork.
- Repairs and painting of timber windows.
- Installation of bird proofing.
- Upgrade of external lighting.

1 Eddy Avenue, Haymarket (Tenancy 4-7) - D/2022/984

1 Eddy Avenue, Haymarket (Tenancy 12 and 12a) - D/2022/1127

1 Eddy Avenue, Haymarket (Tenancy 11) - D/2022/1128

1 Eddy Avenue, Haymarket (Tenancy 7) - D/2022/1146

In late 2022 - early 2023, four tenancy fit out development applications (DAs) were assessed by City staff which had been lodged on Behalf of Transport for NSW (TfNSW). The applications proposed *licenced food and drinks premises* and a *licenced function centre*. The applications were not specific as to the type of food and drink premises or liquor licence sought.

No Pre-DA advice or meetings were requested for these applications. However, during assessment, two meetings were held with the applicant and a TfNSW representative to discuss the content of the application.

At the meetings, the applicant was not able to identify a particular intended use of each tenancy, nor how some of the uses were permissible within the zone.

The applicant withdraw the applications on 27 January 2023 for review before relodging.

3. Since November 2022, the City has not met or had discussions regarding the eight Land and Housing Corporation (LAHC) sites in Pyrmont and Ultimo referred to in the previous answer.

In the review of planning controls to implement the NSW Government's Pyrmont Peninsula Place Strategy, City staff have had preliminary discussions about:

- 1-17 Mary Ann Street, Ultimo - TAFE NSW Ultimo Campus, Owner: Minister Admin Tech Further Education Com Act 1990
- 19 Mary Ann Street, Ultimo - TAFE NSW Ultimo Campus, Owner: Minister Admin Tech Further Education Com Act 1990
- 20-28 Bulwara Road, Pyrmont - Ausgrid, Owner: Alpha Distribution Ministerial Holding Corporation
- 77-89 Pyrmont Street, Pyrmont - Ausgrid, Owner: Alpha Distribution Ministerial Holding Corporation

At a meeting on 15 December 2022, LAHC advised they may progress with a planning proposal for the Franklyn Street, Glebe site in 2023. No details on the planning proposal were provided.

In February 2023, City staff met with Metro regarding planning proposals for Hunter Street station and the City received correspondence from Transport for NSW requesting submissions on the notified Planning Proposal for the Hunter Street Metro Station.

4. Pre-lodgement or pre-DA guidelines and requirements of applicants is published on the City [website](#). Proposals presented for pre-DA advice are considered against the relevant controls contained in the Sydney Local Environment Plan 2012, the Sydney Development Control Plan 2012, and any relevant State Environmental Planning Policies (SEPP's). Advice provided is clearly stated to be for guidance only based on the preliminary information provided. It does not bind any future consent authority in relation to the assessment of a future proposal.

3. Street Furniture Contract

By Councillor Scott

Question

1. Please detail where and how the contract for the provision of the City's street furniture is available to the public.
2. During the procurement process, how many tenders were considered? Why did the City staff recommend to reject and negotiate?
3. What were the tender specifications for street furniture?
4. Were sites for advertising signs specified during the tender process? To any or all tenderers?
5. How many sites were specified during the tender process? How many sites were specified during the contract negotiation process?
6. Post the signing of the contract, how many sites did the City provide landowner permission for? Post signing of the contract, how many sites did the City refuse? Has the City revoked any sites for permission at any stage?
7. Were fixed prices for fixed sites provided by any tenderers? Were fixed prices requested by the City?
8. How much income has been received, broken down by month, since the contract was signed with the City? What's the formula for the income?
9. Please detail who tendered, and how many meetings were held with each tenderer?
10. How many advertising sites did JCDecaux have?
11. Which sites have heritage considerations? Please detail how the City has considered the heritage of the sites approved, and those rejected?
12. Were guarantees of landowner consent or approvals given to tenderers about approvals for signs at any stage in the tender or contract negotiation process? Were any guarantees given during contract variation processes?
13. How much time is allocated in total, per month, to the City's advertising? What is the cost in kind of this?
14. How did the City's Audit, Risk and Compliance Committee consider this contract?

15. How many contract amendments have been requested? How many have been granted? Please detail what they are for.

X086668

Answer by the Chief Executive Officer

1. The Street Furniture and Outdoor Media Services Agreement is available on Council's website: <https://www.cityofsydney.nsw.gov.au/council-governance-administration/contracts-over-150000-awarded-by-city-of-sydney>

2. Please refer to prior reports to Council in June 2020 and May 2019 –

[Direct Contract Negotiations - Street Furniture, Out-of-Home Media and WiFi Services](#) (endorsed by Council - 29 June 2020)

[Tender - Reject and Negotiate - Street Furniture, Out-of-Home Media and Wi-Fi Services](#) (endorsed by Council – 13 May 2019)

Confidential attachments to the relevant reports will be provided via the CEO Update

3. Information was provided to Council in the confidential attachments to the reports referred to above. Confidential attachments to reports will be provided via the CEO Update.
4. During the tender process, tenderers were provided information relating to the location of sites where the existing provider, JC Decaux, had advertising installed.
5. Refer to answer at 4.
6. The City has provided landowners consent for all furniture sites where QMS has applied for a DA.

A total of 83 development applications and modification applications have been determined in relation to applications lodged by QMS (as at 1 March 2023). Eight applications (relating to a total of 27 individual pieces of furniture) were refused by the relevant consent authority.

7. No.
8. Operating income received has been reported in Council's quarterly financial report. The confidential attachment to the June 2020 report to Council contained information relating to payments under the contract. Confidential attachments to reports will be provided via the CEO Update.
9. There were extensive discussions with tenderers over multiple procurement processes, including an exemption from tender process. More information is generally contained in the prior reports to Council referred to above.
10. JC Decaux had approximately 950 panels.
11. All advertising panels that have been approved have had development applications lodged by QMS. Development applications were assessed in accordance with the *Environmental Planning and Assessment Act 1979*.

There has been 83 applications (DAs and s4.55 modification applications) determined for QMS related items up to 1 March 2023. These cover 550 individual items in locations spread across the local government area. Some of these locations are within heritage conservation areas, some are adjacent to heritage items, and some do not have any heritage consideration.

Of these applications 27 individual items were refused across 8 applications. The reasons for refusal varied but included the location would result in adverse heritage impacts, the location conflicting with other approved uses in the public domain and the location not being supported by Transport for NSW.

The remaining applications have been approved subject to conditions. In some instances, conditions have been imposed deleting individual items forming part of the development applied for as they were not appropriate in the circumstances. Of these applications, 50 items were deleted via conditions.

Where there is a heritage consideration associated with individual items, consultation would have occurred with the City's Heritage and Urban Design team during the assessment. The heritage advice would have been considered during the assessment of the application. Where necessary, further discussions were also held with senior planning managers, prior to the determination of the applications.

12. No. The contract is the full agreement between the parties and requires QMS to obtain all required consents for development applications.
13. The City has the following advertising rights at no cost:
 - (a) 100% of the 155 community displays.
 - (b) 100% of 20 static panels.
 - (c) 0% of time at 125 specified digital panel locations.
 - (d) 7.5% of time all other digital panel locations spread evenly throughout the day.
14. Council approved the key terms of the contract.
15. One contract variation has been entered into between the parties to clarify provisions of the contract due to:
 - (a) The impact of Covid-related delays
 - (b) An inconsistency between the contract and specification relating to automated floor cleaning of public toilets
 - (c) A need to clarify liability for connection of public toilets to sewer in new locations
 - (d) A need to clarify the City's advertising rights in more detail (refer to answer at 13 above)

4. Mardi Gras

By Councillor Scott

Question

1. How many tickets to march in the City of Sydney Mardi Gras was the City of Sydney allocated?
2. How were they allocated? Were any elected members of council or their staff provided with tickets to march in the parade?

X086668

Answer by the Chief Executive Officer

1. The City has a float entry with up to 80 participants as specified by Mardi Gras and included in the contract between the City of Sydney and Mardi Gras.
2. All staff including members of the LGBTQIA+ staff network are invited to participate through the intranet weekly bulletin Our News. Positions are allocated on a first come first served basis. As this is a staff opportunity, the Lord Mayor and Councillors are not provided places in the City's parade entry

5. City of Sydney Live Music and Performance Plan Update

By Councillor Scott

Question

Individually, please detail the progress of the following recommendations under the Live Music and Performance Action Plan (2012):

1. Review the Sydney Development Control Plan (DCP) to optimise its support for the live music and performance sector by identifying and protecting areas with strong traditions of live music and performance, and by supporting areas where urban and cultural amenity can be improved by live music and performance activity.
2. Establish a City of Sydney live music and performance liaison officer.
3. Review City of Sydney policies and protocols, refine the process for assessment of 'offensive noise' and develop City policies to address outdated development consent conditions
4. Establish a policy and process that includes alternative dispute resolution options for live music and performance venues in the City of Sydney;
5. Monitor the impacts of the Building Code of Australia on creative practice;
6. Develop a pre-lodgement process to provide bespoke advice and support for the development of temporary or non-traditional performance spaces;

7. Establish a venue-satisfaction survey and formal network of live music and performance venues to meet biannually in order to build relationships and discuss issues of concern;
8. Establish a Music and Performance Program Coordinator role based at an appropriate peak body, supported by a financial contribution from the City, to assist first-time venues find, select and program live music or performance;
9. Collaborate with the Australian Hotels Association and Music NSW to make appropriate, unused hotel spaces available for music rehearsals;
10. Establish a grant program for venues and organisations wanting to hold all-ages events;
11. Optimise City-owned indoor and outdoor facilities for use as live music and performance venues by augmenting existing equipment with appropriate sound, lighting and seating infrastructure, and issuing licences to enhance their use as performance venues;
12. Provide space in suitable City properties for innovative start-up businesses that support live music and performance; and
13. Allocate \$20,000 matched funding to APRA|AMCOS to develop a campaign to support local musicians to play live in local venues.

X086668

Answer by the Chief Executive Officer

The Live Music and Performance Action Plan was adopted in 2014. It outlines the importance of the live performance sector to the cultural, social and economic health of the city and how over-regulation and inconsistent policies across government agencies have created additional pressures on the viability of the sector. The Plan contains 60 actions that were developed in consultation with a Live Music and Performance Industry Taskforce.

The Plan was initially intended to be delivered within 5 years, however, soon after adoption the introduction of Lock Out Laws created a more complex and evolving set of challenges for the local live scene, and the City undertook advocacy and supported additional industry initiatives beyond the initial scope of the 60 Actions in the Plan.

The 60 Actions were all completed, implemented, rescoped or discontinued by the time the Covid-19 Pandemic hit in 2020. Due to the significant impacts of the pandemic on this sector, the City did not close-out the Action plan, choosing instead to remain agile and responsive to the developing situation, and sensitive to other urgent priorities for the sector.

The City's continued work to support the live music and performance sector, particularly through nightlife regulation, urban planning, the provision of cultural infrastructure and direct investment in local live culture is now embedded across the following strategic documents:

- Sustainable Sydney 2030-2050: Continuing the Vision, our Community Strategic Plan
- City Plan 2036, our Local Strategic Planning Statement
- The Development Control Plan 2012 (and subsequent revisions)

- Making Space for Culture, cultural infrastructure target
- Grants and Sponsorship Policy
- Creative City Cultural Policy

A close-out report for the Live Music and Performance Action Plan will be reported via the CEO Update later this year and will contain a holistic summary of how the City went about delivering the 60 Actions in the Plan and additional work to support the sector.

Brief updates to specific actions are as follows:

Action 1.1.1. Review the Sydney Development Control Plan 2012 to optimise its support for live music and performance by identifying and protecting areas with strong traditions of live music and performance and by supporting areas where urban and cultural amenity can be improved by live music and performance activity.

- The Late Night Trading planning controls were updated in 2019 to incentivise live performance with additional trading hours.
- The City implemented changes to the development control plan in 2022 to provide guidance for small scale cultural uses.
- The City exhibited a draft development control plan in 2020 with proposed entertainment sound management controls. The draft controls are under review in response to submissions and the NSW Government's Special Entertainment Precincts legislation.
- Planning controls for the Oxford Street Creative and Cultural precinct were implemented in 2022 and incentivise cultural activities and live performance.

Action 1.3.1. Establish a City of Sydney Live Music and Performance liaison officer.

The role, Strategy Advisor – Live Music and Performance, was established in 2014 and resourced for 6 years. In 2020, the functions of this role were incorporated into the role Strategy Advisor – Culture.

Review City of Sydney policies and protocols, refine the process for assessment of 'offensive noise' and develop City policies to address outdated development consent conditions

This is not an action in the Live Music and Performance Action Plan. The Plan contains the following actions:

Action 1.6.1. Develop clearly defined and publicly available compliance guidelines for enacting compliance measures in response to amenity complaints against live music and performance venues, including consideration of the noise-related development consent conditions applied to the venue being investigated, consideration of order of occupancy, and improved criteria for assessing "offensive noise", processes for liaison staff to be informed of amenity disputes and processes to ensure that appropriate compliance decisions are made in relation to historic or out-dated consent conditions.

- A venue operator/owner must make a formal application to council to change any consent conditions. This a process that cannot be initiated by council.

- The City has implemented an approach to work with venue operators with out-dated consent conditions to bring the venues into compliance, rather than issue infringement notices. Working with the Strategy Advisor – Culture, venues are supported to update their development consent to contemporary conditions that are supportive of live performance.
- The City’s standard ‘entertainment noise’ conditions for entertainment venues have been updated to include measurable dB limits at the nearest sensitive receiver rather than the use of subjective ‘offensive noise’ conditions.

Action 1.6.2. Ensure that authority to commence compliance actions against live music and performance venues involving assessment of “offensive noise” is restricted to appropriate staff who are experienced and trained to assess and determine “offensive noise”, and that formal procedures reflect this.

- Compliance procedures were reviewed. This action is complete.

Establish a policy and process that includes alternative dispute resolution options for live music and performance venues in the City of Sydney

This is not an action in the Live Music and Performance Action Plan. The Plan contains the following actions:

Action 1.8.1. Provide options for alternate dispute resolution about live music and performance in the City of Sydney through the establishment of a formal mediation policy and pilot process that offers free, independent and confidential mediation services for resolving amenity complaints about live music and performance in the City of Sydney, in collaboration with NSW Police and the NSW Office of Liquor, Gaming and Racing, as appropriate.

- This action has been explored, noting the limits of the City’s capacity to outsource such a service and maintain our role as the regulator of any outcomes of such a service.
- Through the Strategy Advisor – Culture role and collaboration between planning, compliance and operational teams, the City investigates amenity disputes, works with venue operators to find solutions to compliance issues, addresses ongoing complaints and where necessary, funds sound attenuation solutions through grant programs.
- The City has consistently advocated to the Police, Liquor and Gaming NSW, and the 24 Hour Economy Commissioner for a multi-agency, integrated, customer-centred, solutions-focused response to amenity and entertainment sound complaints.
- City compliance staff work collaboratively with venue operators and take an educative approach to resolving noise issues. Staff liaise closely with complainants and where appropriate seek to moderate their expectations regarding their noise issues.

Monitor the impacts of the Building Code of Australia on creative practice

- This is not an action in the Live Music and Performance Action Plan, although the Plan does include 8 actions regarding the Building Code of Australia (now National Construction Code). All those actions have been completed.

- Researching how the National Construction Code impacts the cultural sector and the provision of cultural infrastructure is an ongoing, business-as-usual function of the City's cultural strategy team. This has included advocacy at a federal and state level through suitable forums and inquiries.
- The NSW Government introduced changes to support 'small live music or arts venues' in 2020, consistent with the City's advocacy.

Action 2.2.1. Develop a pre-lodgement process to provide bespoke advice and support for the development of temporary or non-traditional performance spaces.

- This action was implemented in 2014 and has continued as a function of the Strategy Advisor – Culture role and the pre-DA process offered to cultural operators.
- The City's proposal for an exempt development path for small-scale cultural activities in a range of building and business types was not adopted by the Dept of Planning. Work continues to explore other options for achieving an exempt or complying pathway for the activation of non-traditional performance spaces.

Action 4.1.1 Establish a venue-satisfaction survey and (Action 4.1.2) formal network of live music and performance venues to meet biannually in order to build relationships and discuss issues of concern

- The City engaged Dr Martin Cloonan, a noted music industry researcher based in the UK, to undertake the venue satisfaction surveys. This action is complete.
- In 2016 the City convened an industry forum attended by over 60 representatives of venues, booking agents, artist managers, artists and festivals with the aim of establishing a Sydney Live Music Alliance. Funding was provided to this industry group, but an ongoing network was not maintained. The Contemporary Music Roundtable was established with funding from the City of Sydney for three iterations of an annual industry conference, but ongoing support for the management and continuation of the conference was not secured.
- Other industry-based networks and advocacy campaigns (especially those in response to Lock Out Laws and the Music Festivals Licensing Scheme) met the intent of this action by other means.

Action 4.3.1. Contribute funding to an appropriate sector organisation for the establishment of a Music and Performance Program Coordinator role, subject to future Council resolution, to help venues in the City of Sydney local government area identify and implement live music and performance opportunities.

- In 2015, Council endorsed funding of a pilot Live Music Programming Coordinator role to be delivered through a partnership between Live Music Office, Music NSW, City of Sydney, Leichhardt and Marrickville Councils.
- The role was responsible for developing a guide to new businesses wanting to introduce live music programming, as well as working with existing venues to optimise their programs. The pilot project, titled Amplify, was successfully completed and evaluated.

Action 4.5.1. Collaborate with the Australian Hotels Association and Music NSW to make appropriate, unused hotel spaces available for music rehearsals.

- This action was scoped and has been discontinued due to inadequate evidence of the need or interest in this particular approach to providing music rehearsal space.
- The music industry needs fit-for-purpose and purpose-built spaces for rehearsal, recording and performing, in suitable buildings and locations. The City continues to provide music rehearsal space in our community centres and has invested in new purpose built music rehearsal spaces in our facilities portfolio. Through our Oxford Street Cultural Precinct Planning Controls and Cultural Infrastructure advocacy, we are working to increase the supply of rehearsal and production spaces for performing artists.
- Actions L1.6 and L1.7 of *City Plan 2036* guide the City's planning controls to support the inclusion of soundproofed shared music rehearsal facilities in high density housing projects.

Action 4.7.2. Establish a grant program for venues and organisations wanting to hold all-ages events.

- Devolved funding was provided to Music NSW to deliver a series of all-ages gigs through their Indent Program, utilising local venues.
- Further funding was allocated to Music NSW to pilot an ongoing monthly program of all-ages gigs at 107 Projects Redfern, New/Now, curated and produced by a committee of young people.
- Funding for all-ages music and performance events was an identified funding priority of the City's cultural and creative grants from 2016-2022.
- These actions have been furthered by the City's support to establish Playwave, a digital platform for providing free and low-cost tickets to music, theatre, dance and festival events for high school aged audiences.

Optimise City-owned indoor and outdoor facilities for use as live music and performance venues by augmenting existing equipment with appropriate sound, lighting and seating infrastructure, and issuing licences to enhance their use as performance venues.

- This is not an Action from the Live Music and Performance Action Plan, rather there are two actions that pursue a similar outcome:

Action 4.8.2. Review hiring policies, prices, facilities and liquor licensing options associated with City of Sydney owned venues so that they are optimised to support small scale live music and performance in Sydney.

Action 4.10.1. Ensure that the hiring policies, prices, facilities and liquor licensing options associated with City of Sydney managed outdoor spaces are optimised to support the provision of live music and performance, across small and large scales.

- Both of these actions are complete.

Provide space in suitable City properties for innovative start-up businesses that support live music and performance

- This was not the action in the Live Music and Performance Action Plan, the action (4.14.1) was to encourage applications for accommodation in City-owned space from start-up and small businesses providing complementary services to the live music and performance industry.
- During the initial five year term of the Live Music and Performance Action Plan, the City awarded 10 Accommodation Grants to organisations servicing the live performance industry and 13 affordable live/work tenancies to musicians and performing artists. The value of these grants was more than \$400,000 each year in rental subsidies.

Action 4.9.2. Allocate \$20,000 matched funding to APRA|AMCOS to develop a campaign to support local musicians to play live in local venues.

- This funding was approved by Council at the time of adopting the Live Music and Performance Action Plan. This was the seed-funding for the Live Music Office's *Live and Local* program, which is still operating.

6. Advertising Screens Review

By Councillor Weldon

Question

1. At the October 2022 Council meeting, the Chief Executive Officer was requested to undertake a review of the new advertising screens in the City and report back to Council. What is the status of this review and when will it be complete?
2. Have any advertising screens been found to be non-compliant with their development application approvals. If so, how many?
3. How many screens have been removed or relocated as a result of this review?
4. Has the City of Sydney incurred any costs (including forfeited revenue) as a result of the review and removal or relocation of advertising screens?

X086670

Answer by the Chief Executive Officer

1. It is anticipated that the review will be finalised by May 2023.
2. This will be advised following finalisation of the review.
3. QMS has proactively removed two advertising structures. These removals were completed prior to the commencement of the external review.
4. No costs have been incurred for removal or relocation to date.

7. Change of Use of Boarding Houses

By Councillor Weldon

Question

1. In the last 10 years, how many applications have there been for 'Change of Use' from a boarding house to residential dwelling in the City of Sydney?
2. Of these applications, how many have been approved and how many boarding house rooms have been lost?
3. Of those approved, how many were determined to be financially unviable and on what other basis were applications approved?
4. When assessing the financial viability of a Boarding House, what steps are taken to verify the relevant values (rental income, expenses, depreciation, current investment value and capital upgrading) provided by the applicant to calculate rental yield?
5. How does the City of Sydney safeguard against asset 'harvesting' i.e. the inclusion of expenditure which is a result of inadequate maintenance over an extended period?

X086670

Answer by the Chief Executive Officer

1. In the last 10 calendar years the City has received 48 applications for 'Change of use from a boarding house.'
2. All the above applications were approved. We do not have a record of the number of lost boarding house rooms.
3. Financial viability is one of a list of considerations to be taken into account under the SEPP (Housing) 2021 (and predecessor provisions) and in itself is not determinative. Development applications are assessed against all applicable factors under the SEPP and other relevant planning controls.
4. Information is received and assessed against the criteria in the SEPP. Where the information is inadequate or there are concerns about its accuracy, further information, such as receipts or other verification of financial information, will be requested prior to determination of the application.
5. As above, requests for further information are made where there are concerns about the accuracy or adequacy of information provided. Assessments are required to be received and assessed in accordance with the legislation and the planning controls, including the SEPP.