

## Item 10

### Questions on Notice with Answers

#### 1. Tree Management

By Councillor Ellsmore

##### Question

1. What does the City require in terms of specialist reports or evidence to remove a tree, if a resident thinks a tree is difficult to manage and/or causing damage to their property?
2. In what circumstances is an arborist report required?
3. Who is responsible for paying for the specialist reports, arborist inspections, and/or other evidence?

What policies guide this? Please include location and page number.

4. Are there any circumstances when the City would organise its own arborist to undertake review of trees that might be causing damage:
  - (a) To public property;
  - (b) To private property.
5. Has the City considered whether additional support is needed for low-income households who apply for the removal of a tree?

What policies guide this? Please include location and page number.

6. How does the City collaborate with private owners to facilitate the retention of trees that are difficult to manage and/or causing damage?

What policies guide this? Please include location and page number.

7. Does the City undertake tree management plans with private owners?

If so, what is the City's role? Please provide details, including any resources and support provided.

X086664

### Answer by the Chief Executive Officer

1. A property owner (or applicant with the owner's permission) can apply to the City under the State Environmental Planning Policy (Biodiversity and Conservation) 2021 to remove a tree on their land. The fee for a tree pruning and removal application is \$95.

Importantly, as the City is the consent authority, it is the responsibility of the applicant to provide the City with accurate detailed evidence to support their application. This may include an arborist report.

To reduce the overall expense of the application process, the City does not require an arborist report to accompany these applications in the first instance. We will receive the application, and only request a report immediately if there is a large number of trees with a range of work being applied for (e.g. 15 or more trees, with pruning specifications, removals etc).

Once the application is received, our qualified arborists will inspect the tree. Their inspection is limited to an above ground visual assessment only. Aerial inspection, root or soil analysis, exploratory root trenching and internal diagnostic testing is not undertaken by Council as part of this assessment. The inspection considers the proposed work (tree pruning/removal) only.

If further information is required (such as an aerial inspection, internal diagnostic testing to test for decay, root mapping or other tree health / structure issues), we will request the applicant to provide an arborist report.

The City's guidelines for these reports are available here:

<https://www.cityofsydney.nsw.gov.au/property-tree-maintenance/apply-prune-remove-tree>

2. As outlined above, arborist reports are requested if a tree needs further analysis such as aerial inspection, resistance/internal diagnostic testing, pathology assessment or root investigations. The City outlines the requirements in writing to help with the arborist's report, and to assist with the determination being made.
3. The applicant is responsible.

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 outlines in section 2.11 *Miscellaneous provisions relating to permits*

*(1) An application for a permit—*

*(a) is to be made in the form and manner required by the council, and*

*(b) is to be accompanied by the application fee (if any) determined by the council.*

***(2) The council may request an applicant for a permit to provide the council with such further information about the proposed clearing as the council considers necessary for its proper consideration of the application (including information about previous clearing of vegetation in the area or surrounding area). (emphasis added)***

A link to the relevant legislation is here:

<https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0722#sec.2.6>

4. In relation to public property, the City's arborists would only become involved if the damage was evident and presented a safety issue, or if there was a high likelihood of future damage to a high value City asset.

In relation to private property, no we are never involved. The Trees (Disputes Between Neighbours) Act 2006 (managed through the Land and Environment Court of NSW) is there to assist private property owners resolve such matters.

5. The City has purposely kept the application fees to a minimum to reduce the costs of applications, especially for low income-households. For example, our \$95 application fee (with no limit on the number of trees applied for) is lower than Inner West Council's \$154 or \$234 (dependent on value of work).

The City's Fees and Charges Policy applies and shows that partial costs (defined page 1) have been applied (page 23) and also the ability to waive fees due to hardship (page 2).

6. As outlined above, the City's role is as the consent authority. We regulate tree pruning and tree removal through the relevant planning controls. This includes the State Environmental Planning Policy Biodiversity and Conservation 2021 (SEPP) and the City's Development Control Plan (DCP). This is outlined in the Tree Management and Donation Policy (page 3).

Through the application process, City staff discuss tree matters with the tree owner/neighbour, explaining the relevant sections of legislation (depending on the particulars of the issue) and how they can best resolve the matter.

7. No, as private trees remain the full responsibility of the property owner.

## **2. Status of State Government Redevelopment Projects in the City of Sydney - September 2023 Update**

By Councillor Ellsmore

### **Question**

1. In answers to questions on notice tabled at the August 2023 Council meeting, about current state significant planning proposals within the City of Sydney Local Government Area, Council advised that it is assessing the rezoning proposal from the Transport Asset Holding Entity (TAHE) for the Central Station Precinct.
  - (a) What is the City's role in assessing the planning proposal for the rezoning of the Central Station precinct?
  - (b) What is the timeline for the assessment of the rezoning proposal for the Central Station precinct?
  - (c) Where can the public access details about the rezoning proposal?
  - (d) How does the rezoning proposal relate to the City of Sydney's current consultation to 'help plan the emerging Camperdown health, education and innovation precinct in Tech Central' which was launched in September 2023?

2. Since the answers to questions on notice in August, are there any additional state significant planning proposals on public land within the City of Sydney Local Government Area, that the Council is aware of?

If yes, please provide details.

3. In answers to questions tabled at the August 2023 Council meeting, about which development applications, modifications or other form of planning proposals the City of Sydney is currently assessing where the NSW Government is the landowner of proponent, a summary was provided in the form of a table of 52 projects.

Since the last Council meeting:

- (a) Are there any updates on the status of these 52 projects?
- (b) Are there any additional development applications, modifications or other form of planning proposals?

If yes, please provide details or updates to the table.

4. Since August 2023, have City staff had discussions with any NSW Government representatives about any new or future development applications or development projects, relating to State-owned or controlled land in the Local Government Area, including any pre-DA requests?

If yes, please provide details.

X086664

**Answer by the Chief Executive Officer**

1.
  - (a) The assessment of the planning proposal is carried out by the Department of Planning and Environment. The City is invited by the Department to participate on the Project Working Group and Project Review Panel.
  - (b) Transport for NSW is preparing their Response to Submissions which will be submitted to the Department of Planning and Environment for assessment and determination. The timeframe is dependent on Transport for NSW's Response and the Department's Assessment.
  - (c) Please see <https://www.planning.nsw.gov.au/plans-for-your-area/state-significant-precincts/central-sydney-precinct>
  - (d) Both projects are located within the Tech Central precinct which runs from Surry Hills to Camperdown and includes parts of Ultimo, Haymarket, Eveleigh, Darlington, Chippendale, Glebe, Forest Lodge and Camperdown.
2. No.

3.

- (a) Of the 52 applications listed for the Question on Notice in August 2023; 16 have been approved, one submission of advice for a State Significant Development was completed, and one Development Application was withdrawn. 34 of 52 applications remain under assessment. Below is the updated table as at 12 September 2023.
- (b) Since August 2023 there have been further lodgements of applications where a state body is either the landowner or a proponent. Please see updated table below.

4. No.

Type	Application No.	Owner Name	Applicant Name	Street Address	Suburb	Description
Development Application	D/2022/1282	AUSTRALIAN MUSEUM TRUST	AUSTRALIAN MUSEUM TRUST	1 William Street	DARLINGHURST	New signage and signage strategy. The application is Integrated Development, requiring approval under the Heritage Act 1977.
Development Application	D/2023/21	NEW SOUTH WALES LAND AND HOUSING CORPORATION	NEW SOUTH WALES LAND AND HOUSING CORPORATION	82 Wentworth Park Road	GLEBE	Re-notification of amended application for demolition of existing buildings, tree removal, and construction of a four storey residential flat building for 43 affordable housing dwellings for use as social housing.
Development Application	D/2023/97	THE COUNCIL of THE CITY of SYDNEY and TRANSPORT ASSET HOLDING ENTITY of NEW SOUTH WALES	THE TRUSTEE FOR LANDREAM PYRMONT UNIT TRUST	14-26 Wattle Street	PYRMONT	Detailed design proposal for the demolition of existing structures, remediation, removal of trees, excavation and construction of a mixed use development comprising residential, commercial, retail, childcare and indoor recreation centre across five (5) buildings, basement car parking, landscaping, public domain and civil works, and subdivision. The proposal is Integrated Development under the Water Management Act 2000, requiring approval from the Department of Planning & Environment - Water. The application is being assessed concurrently with concept modification D/2019/649/B.
Development Application	D/2023/292	THE STATE of NEW SOUTH WALES	Giovanni Cirillo	31A Alfred Street	SYDNEY	Demolition of existing canopy structures and construction of two new single-storey pavilions on the eastern and western sides of Customs House Square, with associated signage zones. The pavilions are proposed to be used for outdoor seating areas in association with a food and drink premises that will occupy the ground floor tenancies of the adjacent Customs House (subject to separate approval).  The hours of operation sought for the use of the pavilions is between 9.00am - 12.00 midnight, Mondays to Sundays inclusive on a permanent basis. Extended operating hours between 12.00 midnight - 2.00am the following day on Thursdays, Fridays and Saturdays and New Year's Day is sought on a trial period basis.
Development Application	D/2023/392	SYDNEY METRO	WL DEVELOPER PTY LTD	49 Botany Road	WATERLOO	Two lot Stratum subdivision of currently unregistered Lot 1 in Plan of proposed Subdivision of Lot 190 in DP 1257150 within the Waterloo Metro Station site for the purpose of creating a retail lot

Development Application	D/2023/475	PLACE MANAGEMENT NSW	WDS HOTELS PTY LTD	137 George Street	THE ROCKS	Alterations and additions to existing pub and hotel
Development Application	D/2023/534	BARANGAROO DELIVERY AUTHORITY and INFRASTRUCTURE NSW and LENDLEASE MILLERS POINT PTY LTD	LENDLEASE (MILLERS POINT) PTY LTD	51A Hickson Road	BARANGAROO	Signage Strategy and new signage
Development Application	D/2023/546	TRANSPORT FOR NSW and THE OWNERS - STRATA PLAN NO 68959 and THE COUNCIL of THE CITY of SYDNEY	MARKHAM REAL ESTATE PARTNERS (KSW) PTY LTD	21 Lime Street	SYDNEY	Signage strategy and new signage for tenancies facing King Street Wharf Promenade.
Development Application	D/2023/613	WATERWAYS AUTHORITY	MULTIPLEX CONSTRUCTION PTY LTD	1A Bridge Road	GLEBE	Re- Notification - New signage associated with new Sydney Fish Market
Development Application	D/2023/617	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	New signage and food preparation area within the outdoor dining area of the existing Mary's Burgers.
Development Application	D/2023/626	TRANSPORT ASSET HOLDING ENTITY of	DEXUS PROPERTY SERVICES PTY LTD	8-10 Lee Street	HAYMARKET	Temporary business identification signage of two (2) cranes during development and construction. The signs are proposed on the crane jib arm and rear deck and handrail elements. The signage on the jib arm is proposed to be illuminated.

		NEW SOUTH WALES				
Development Application	D/2023/593	SYDNEY METRO	MACQUARIE BANK LIMITED	8 Castlereagh Street	SYDNEY	New signage
Development Application	D/2023/666	LANDCOM	MIRVAC GREEN SQUARE PTY LTD	77-93 Portman Street	ZETLAND	Signage Strategy for Site 15 comprising building identification, retail and wayfinding signage zones
Development Application	D/2023/664	TRANSPORT FOR NSW	D R DESIGN (NSW) PTY LTD	201-217 Kent Street	SYDNEY	Alterations to Suite 1 and 2 of Level 5 to use premises as office. The application is integrated development requiring the approval of the NSW Heritage Council under the Heritage Act 1977.
Development Application	D/2023/667	TRANSPORT FOR NSW	THE TRUSTEE FOR MARITIME TRADE TOWERS TRUST	201-217 Kent Street	SYDNEY	Alterations to the commercial building including end of journey facilities, signage and external lift
Development Application	D/2023/702	PLACE MANAGEMENT NSW	Giovanni Cirillo	9-13 Hay Street	HAYMARKET	Food and drink premises (food markets) within Paddy's Markets. Proposed trading hours are 7.30am to 12.00 (midnight) Monday to Saturday, and 7.30am to 10.00pm Sundays.
Development Application	D/2023/699	INFRASTRUCTURE NSW	ST PROJECTS PTY LTD	300 Barangaroo Avenue	BARANGAROO	Alterations/additions to commercial development including new shade structure, outdoor seating and landscape works to use Level 3 podium rooftop for tenants.
Development Application	D/2023/708	SYDNEY METRO	THE TRUSTEE FOR WL DEVELOPER TRUST	49 Botany Road	WATERLOO	Crane and jump from signage
Development Application	D/2023/706	THE STATE of NEW SOUTH WALES	SQUASH AUSTRALIA LTD	2002 Martin Place	SYDNEY	Installation of Temporary Structures (Glass Court and Grandstands) and Ancillary Facilities For Use as Part of the Australian Open Squash Tournament (5-13 November 2023)



Development Application	D/2023/717	PLACE MANAGEMEN T NSW	Glenn Johnson	107-109 George Street	THE ROCKS	Alterations to the commercial premises including drainage works and replacement of the roof
Development Application	D/2023/738	PLACE MANAGEMEN T NSW	MILESTONE (AUST) PTY LIMITED	2-10 Darling Drive	SYDNEY	Use of and erection of temporary structures and signage at the southern end of Cockle Bay, Tumbalong Park, Chinese Gardens of Friendship Forecourt, Tumbalong Park Boulevard, the public space north of Novotel Sydney Darling Square, the pedestrianised road of Quay Street and The Goods Line for temporary event known as 'SXSW Sydney' between 15 October and 22 October 2023, with bump in to start on 4 October 2023 and bump out concluding on 26 October 2023. The proposed event hours are between 10am to 10pm, with the bump in/out hours between 7am and 6pm (except for 14 October when the hours will be 7am to 11pm).
Development Application	D/2023/732	SYDNEY METRO	MACQUARIE CORPORATE HOLDINGS PTY LTD	37-51 Martin Place	SYDNEY	New Signage
Development Application	D/2023/769	PLACE MANAGEMEN T NSW	CERNO MANAGEMENT PTY LTD	201-239 Sussex Street	SYDNEY	Alterations/additions to commercial development to infill internal stair between Level 7 and Level 8 of Tower 1 in Darling Park complex
Development Application	D/2023/771	PLACE MANAGEMEN T NSW	Mr Nigel White	70 Hay Street	HAYMARKET	Extension of operating hours at Shop SW04. Proposed hours are 7.00am-2.00am seven days a week, outdoor hours 9.00am-10.00pm Sunday to Thursday, 9.00am-11.00pm Friday to Saturday
Development Application	D/2023/798	THE STATE of NEW SOUTH WALES	CITY of SYDNEY	2 Watson Road	MILLERS POINT	Continue use of all three buildings as a Community facility
Development Application	D/2023/779	PLACE MANAGEMEN T NSW	Brian Trkulja	70-84 George Street	THE ROCKS	Ceiling works
Development Application	D/2023/809	TRANSPORT ASSET HOLDING ENTITY of NEW SOUTH WALES	DEXUS PROPERTY SERVICES PTY LTD	8-10 Lee Street	HAYMARKET	Signage - Temporary business identification signage on the building jump form during the construction of the Atlassian Central development

Development Application	D/2023/807	CENTENNIAL PARK & MOORE PARK TRUST	SYDNEY SWANS PTY LTD	1 Driver Avenue	MOORE PARK	Replacement digital signage
Development Application	D/2023/820	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARSINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	Replacement and upgrade existing business identification signage Shop 212
Development Application	D/2023/819	WATERWAYS AUTHORITY	BLACKWATTLE BAY MARINE OPERATIVES	1B Bank Street	PYRMONT	Excavation and installation of conduits to facilitate the upgrade of power to the Marina
S4.55 Modification	D/2021/665/F	MIRVAC COMMERCIAL SUB SPV PTY LIMITED and TELSTRA CORPORATION LTD and ALPHA DISTRIBUTION MINISTERI	MIRVAC COMMERCIAL SUB SPV PTY LIMITED	55 Pitt Street	SYDNEY	Section 4.55(1A) modification of consent for various design amendments to the external facade and internal floor configurations.
S4.55 Modification	D/2016/1557/A	LANDCOM and MINISTER FOR PUBLIC WORKS & SERVICES	MIRVAC GREEN SQUARE PTY LTD	411 Botany Road	ZETLAND	S4.55(2) - Modification of consent to amend the approved building envelopes
S4.55 Modification	D/2021/493/C	NEW SOUTH WALES LAND AND HOUSING CORPORATION	LAND HOUSING CORPORATION	17-31 Cowper Street	GLEBE	Section 4.55(1A) modification of consent for affordable housing development to reduce balcony sizes of apartments, amendments to basement layout, services at ground floor, relocation of waste room, and changes to landscaping.

S4.55 Modification	D/2021/909/B	TRANSPORT FOR NSW and THE OWNERS - STRATA PLAN NO 68959 and THE COUNCIL of THE CITY of SYDNEY	MARKHAM REAL ESTATE PARTNERS (KSW) PTY LTD	21 Lime Street	SYDNEY	Section 4.55(1A) modification of consent to amend a number of conditions to revise the previously approved staging of the development and timing of construction certificates relevant to specific stages of works.
S4.55 Modification	D/2019/1254/B	PLACE MANAGEMENT NSW	THE TRUSTEE FOR SIMON GOH FAMILY TRUST	2 Little Hay Street	HAYMARKET	Section 4.55 (2) modification of consent to extend hours of operation of Chinta Ria Buddha Love from 11:00am - 12:00 midnight for indoors and 11:00am - 12:00 midnight outdoors, Monday to Sunday inclusive.
S4.55 Modification	D/2021/665/G	MIRVAC COMMERCIAL SUB SPV PTY LIMITED and TELSTRA CORPORATION LTD and ALPHA DISTRIBUTION MINISTERI	MIRVAC COMMERCIAL SUB SPV PTY LIMITED	55 Pitt Street	SYDNEY	S4.55(1A) - Modification of consent
S4.55 Modification	D/2021/895/C	NEW SOUTH WALES LAND AND HOUSING CORPORATION	CREATE NSW	43-51 Cowper Wharf Roadway	WOOLLOOMOOLOO	Section 4.55(1A) Modification of consent for alterations and additions to existing building 'The Guntery', amendments to include changes to Condition 1 to allow for updated architectural drawings, Condition 55 to allow for changes to the fire engineering upgrade strategy and updates to Schedule 3: HNSW GTA's to include void ceiling updated.
S4.55 Modification	D/2020/1135/B	PLACE MANAGEMENT NSW	88 GEORGE PTY LTD	86-88 George Street	THE ROCKS	Section 4.55(1A) modification of consent to delete Condition 33(c)(ii) for additional railing

S4.55 Modification	D/2022/305/A	CENTENNIAL PARK & MOORE PARK TRUST	THE TRUSTEE FOR CARISINGHA INVESTMENTS UNIT TRUST	116 Lang Road	MOORE PARK	S4.55(1A) - Modification of consent
S4.55 Modification	D/2020/1331/B	LANDCOM	MIRVAC GREEN SQUARE PTY LTD	960A Bourke Street	ZETLAND	Section 4.55(1A) modification of consent to continue use of the site for a temporary through-site link and public activation for a further 18 months.
S4.55 Modification	D/2021/1245/D	THE COUNCIL of THE CITY of SYDNEY	DEPARTMENT of EDUCATION AND TRAINING	3 Joynton Avenue	ZETLAND	S4.55(1A) - Modification of consent for minor internal and external design changes
S4.55 Modification	D/2021/585/A	TRANSPORT ASSET HOLDING ENTITY of NSW and THE STATE of NEW SOUTH WALES	Mr Giovanni Cirillo	1 Eddy Avenue	HAYMARKET	S4.55(1A) application to modify plans of approved commercial development and delete Condition 2 'Design Modifications'.
S4.55 Modification	D/2023/703/A	PLACE MANAGEMENT NSW	Caitie Jefferies	1A Harbour Street	SYDNEY	S4.55(2) Modification of consent
S65 Heritage Act application delegated to Council	HCS/2023/46	THE STATE of NEW SOUTH WALES	MARINE & CIVIL MAINTENANCE	96-108 Kent Street	MILLERS POINT	State Heritage Modification Approval - 4 additional stones identified by the heritage architect added to scope drawings due to stone being in poor condition. These are stone numbers A27-A30 on plans attached (now Rev D). Buttress pinning detail changed from 2 x M16 threaded rods to 1 x M24 on the Engineering drawing due to impracticality of installation, no heritage impact.
S65 Heritage Act application delegated to Council	HCS/2023/47	MINISTER FOR THE DEPARTMENT of PUBLIC WORKS	Marnie Davies	102 Elizabeth Street	SYDNEY	Strengthening of chimneys and masonry gables and tying down the roof frame

S65 Heritage Act application delegated to Council	HCS/2023/48	NSW GOVERNMENT	Marnie Davies	98 Liverpool Street	SYDNEY	External catch up maintenance, replacement of deteriorated fabric like for like. installation of bird proofing and lead weathering, biocide treatment.
S65 Heritage Act application delegated to Council	HCS/2023/49	PLANNING MINISTERIAL CORPORATION	Marnie Davies	156 Forbes Street	DARLINGHURST	Inspect and remove loose, drummy and cracked stone from stone caps and rendered window reveals
S65 Heritage Act application delegated to Council	HCS/2023/50	HEALTH ADMINISTRATION CORPORATION	QTOPIA SYDNEY	301 Forbes Street	DARLINGHURST	The proposal entails the removal of non-original, non-significant internal partition walls, carpet, lightweight ceiling fitout associated with the recent office use and accessibility upgrades to the DDA WC.
SSD Advice	R/2018/4/M	VENUES NEW SOUTH WALES	VENUES NEW SOUTH WALES	44 Driver Avenue	MOORE PARK	Sydney Football Stadium – SSD 9249 Mod 7 – Advice on Modification
SSD Advice	R/2019/2/L	VENUES NEW SOUTH WALES	VENUES NEW SOUTH WALES	44 Driver Avenue	MOORE PARK	Sydney Football Stadium – SSD 9835 Mod 8 – Advice on Modification
SSD Advice	R/2016/41/H	PLACE MANAGEMENT NSW	MIRVAC CAPITAL PTY LIMITED	2-10 Darling Drive	SYDNEY	Advice on RtS - SSD - 7874 Mod 3 Amend Tower Height and podium - Harbourside Shopping Centre redevelopment
SSD Advice	R/2023/8/A	PLACE MANAGEMENT NSW	MIRVAC RETAIL SUB SPV PTY LIMITED	2-10 Darling Drive	SYDNEY	Harbourside Shopping Centre Redevelopment – SSD 49295711 – Advice on RtS
SSD Advice	R/2022/25/A	PLACE MANAGEMENT NSW	MIRVAC RETAIL SUB PTY LTD	2-10 Darling Drive	SYDNEY	Harbourside Bridges and Public Domain – SSD 49653211 – Advice on EIS
SSD Advice	R/2022/15/C	TRANSPORT ASSET HOLDING ENTITY of NEW SOUTH	TOGA CENTRAL DEVELOPMENTS PTY LTD	2 Lee Street	HAYMARKET	2 Lee Street, Haymarket – TOGA Central – SSD 33258337 – Advice on RRTS

		WALES and TRANSPORT FOR NSW				
SSD Advice	R/2020/16/C	BARANGARO O DELIVERY AUTHORITY and INFRASTRUC TURE NSW and LENLEASE MILLERS POINT PTY LTD	LENLEASE MILLERS POINT PTY LTD	51A Hickson Road	BARANGAROO	Stage 1B (Stage 5) Subdivision Barangaroo South – SSD 11564741 Mod 2 – Advice on Modification
Subdivision application	S/2023/7	TRANSPORT ASSET HOLDING ENTITY of NSW	BROOKFIELD OFFICE PROPERTIES ONE CARRINGTON	3 Wynyard Lane	SYDNEY	Subdivision of land into 1 lot DP1214642 Lot 16
Subdivision application	S/2023/12	LANDCOM	COLLIERS INTERNATIONA L ENGINEERING & DESIGN (NSW)	77-93 Portman Street	ZETLAND	Stratum subdivision
Subdivision application	S/2023/17	LANDCOM	COLLIERS INTERNATIONA L ENGINEERING & DESIGN (NSW)	77-93 Portman Street	ZETLAND	Torrens title subdivision
Subdivision application	S/2023/19	DEPARTMEN T of HEALTH and HER MOST GRACIOUS MAJESTY QUEEN	LAND TITLE SOLUTIONS PTY LIMITED	42-50 Parramatt a Road	FOREST LODGE	Torrens title subdivision

		ELIZABETH THE 2ND				
Subdivision application	S/2023/23	NEW SOUTH WALES LAND AND HOUSING CORPORATI ON	NEW SOUTH WALES LAND AND HOUSING CORPORATION	2A-2D Wentworth Park Road	GLEBE	Torrens title 4 lot subdivision road widening

### 3. Status of Public Housing Redevelopment Plans in the City of Sydney - September 2023 Update

By Councillor Ellsmore

#### Question

1. In answers to questions on notice tabled at the August 2023 Council meeting, about what development applications including modification applications or planning proposals relating to public housing in the City of Sydney Local Government Area are currently underway, Council advised the following:
  - (a) Explorer Street South Eveleigh - Draft planning controls are under preparation for a rezoning led by the NSW Land and Housing Corporation (LAHC).
  - (b) 14-36 Wentworth Park Road Glebe - a pre-DA discussion had been held.
  - (c) 82 Wentworth Park Rd Glebe - a development application for demolition of existing housing and construction of replacement housing was under assessment.
  - (d) 17-31 Cowper St Glebe - a modification application for an affordable housing development to reduce balcony sizes and other amendments was under assessment.

Since August, have there been any additional development applications relating to public housing in the City of Sydney, including modification applications, or planning proposals?

If yes, please provide details.

2. If not included in the answers above, as of September 2023, at what stage are proposals or applications in relation to:
  - (a) Waterloo South.
  - (b) 600 Elizabeth St Redfern.
3. Of the sites listed above, what is the current status of their development applications, planning proposals, modifications or pre-DA discussions?
4. In answers to questions on notice in August, it was advised that the LAHC had pre-DA discussions with the Council in relation to 14-36 Wentworth Park Road, Glebe.

Please detail the nature of these discussions, including the proposed development, and the City's advice.
5. Since August 2023, have City staff had any further discussions with any NSW Government representatives about new, planned or future development applications or development projects, relating to public housing in the Local Government Area, including any pre-DA requests? If yes, please provide details.



6. Are any of the proposals or applications listed above to be considered at an upcoming Local Planning Panel?

If yes, what is the street address of the relevant application/s or proposal/s, and what is the estimated date that the application/s or proposal/s will be considered?

7. In answers to questions on notice tabled at the August 2023 Council meeting, about public housing sites in Pyrmont that have been identified for potential planning changes through the City of Sydney's strategic review of the area, Council advised that eight (8) sites were under consideration.

(a) What are the addresses of these sites?

(b) Are these sites proposed for planning changes, for example identified as sites 'capable of change'?

8. Since August 2023, is the City of Sydney aware of any further proposals for the redevelopment of public housing in the Local Government Area, that are not yet lodged but in early stages of planning, including consultation pre lodgement?

This includes expressions of interest for public housing sites which are the rezoning of the former NSW Government's public call for rezoning proposals for public housing sites.

9. Since August 2023, have any public housing sites in other parts of the Local Government Area, been identified for potential planning changes, arising from other City of Sydney's strategic planning processes or reviews?

If yes, please provide details.

X086664

#### **Answer by the Chief Executive Officer**

1. No.
2.
  - (a) The recently distributed CEO Update on 8 September 2023 noted the announcement of the Land and Housing Corporation's (LAHC) development partner for the redevelopment of Waterloo Estate (South) is now expected late 2023, or more likely early in 2024. A concept development application is likely to be lodged some time in 2024.
  - (b) Bridge Housing is leading this development of this vacant site and has worked with the Government Architect NSW (GANSW) and the Department of Planning and environment (DPE) to commence the design competition. The Director City Planning, Development and Transport is a Panel member for the three design excellence processes arranged by Bridge Housing for the redevelopment of 600-660 Elizabeth Street, Redfern, from September 2023 until February 2024.
3.
  - (a) Explorer Street South Eveleigh - No change from August 2023.
  - (b) 14-36 Wentworth Park Road Glebe - Pre-DA advice has been provided and the pre-DA application has been closed. A development application has not been lodged for the site.

- (c) 82 Wentworth Park Road Glebe - Development application remains under assessment.
  - (d) 17-31 Cowper St Glebe - Modification application remains under assessment.
  - (a) 600 Elizabeth Street Redfern - Design excellence procurement stage.
4. Pre-DA advice sought for 14-36 Wentworth Park Road Glebe relates to a proposal for demolition of the existing buildings containing 12 dwellings and construction of a four storey residential flat building for 40 affordable housing dwellings for use as social housing.

The City provided pre-DA advice related to matters including Floor Space Ratio and Height controls, design related feedback, and information that should be submitted with a development application.

5. No.
6. 82 Wentworth Park Road Glebe is planned to be reported to a Local Planning Panel meeting prior to the end of the year.
- 7.
- (a) The addresses of the eight sites were provided in the Question on Notice on 12 December 2022.
  - (b) Six of the eight sites were identified by the NSW Government as “Capable of Change” under the Pyrmont Peninsula Place Strategy. Two of the sites (12-20 Point Street and 282-318 Jones Street, Pyrmont) were not.
8. No.
9. No.

#### **4. Residential Properties in the City of Sydney**

By Councillor Jarrett

##### **Question**

1. How many residential properties does the City of Sydney act as a landlord for within our property portfolio?
2. What are the addresses of these residential properties that are owned by the City of Sydney within our property portfolio?
3. What are the conditions and state of repair of each of these properties?
4. What are the City’s processes for upgrading and renovating these properties if required to attract tenants and/or meet current housing standards?
5. How many of the City’s residential properties have tenants currently occupying the property?

6. How many of the City's residential properties are currently leased to affordable and social housing tenants?

X086666

**Answer by the Chief Executive Officer**

1. 14 properties.
2. Ten of the 14 properties are the subject of the [Affordable and Diverse Housing - Opportunities for City Owned Land](#) report for Council consideration on 18 September 2023. The remaining four properties are as below:

Property
Units 1-6/113 William Street, Darlinghurst
Waterloo Library Residence, 770 Elizabeth Street
Creative Hub Residence 119 Bathurst Street, Sydney
247-257 Bulwara Road, Ultimo

3. Information on the condition of the 10 properties proposed for the Expression of Interest process has been provided as part of the report for Council consideration. The remaining four properties are in good condition.
4. The City would engage with residential leasing agents to inform preparation of a brief and specification to refurbish the properties to be competitive in the market.

Depending on the value of works that City would seek quotes or tenders and project manage the works to completion with handover to the property managers for leasing and on-going management.

5. Four properties. Noting that:
- 113 William Street is not strata titled and is counted as one property with six tenants.
  - of the tenanted properties three are currently managed under the creative live/work program, which provides these properties to tenants at a subsidised rate:
    - Units 1-6/113 William Street, Darlinghurst
    - Waterloo Library Residence, 770 Elizabeth Street
    - Creative Hub Residence, 119 Bathurst Street, Sydney
  - the property 'First Floor, 247-257 Bulwara Road, Ultimo' is a residential tenancy that is on the same title as the Ultimo Child Care Centre, it would require sub-division to sell and is currently rented at market rates.

6. There are no properties owned by the City that are leased to affordable and social housing tenants, however three are currently managed under the creative live/work program.

## 5. Council Investments and Financial Position - August 2023

By Councillor Ellsmore

### Question

1. In answers to questions on notice about the City of Sydney Council's investments, which were tabled at the August 2023 Council meeting, the value of the Council's property investment portfolio, excluding strategic holdings, was \$509.6M.

What is the current value of the City of Sydney's commercial property investment portfolio? If unchanged from August 2023 please note this.

2. Separate from the City's commercial property investment portfolio, the monthly investment report to the City's Corporate, Finance, Properties and Tenders Committee reported that the City's cash and investment position as of 31 August 2023 was \$817.51M.
  - (a) Of the total cash investments currently held by the City of Sydney, how much in total is considered 'unrestricted'?
  - (b) Of the total cash investments currently held by the City of Sydney, how much of the 'restricted' revenue will be needed for projects or operations:
    - (i) in the current four years 2023/24 to 2027/28?
    - (ii) from 2028/29 onwards?
3. In answers to questions on notice tabled at the August 2023 Council meeting, it was reported that developer contributions (including but not limited to affordable housing development contributions) made up \$46.7M of City's cash and investments (as of 30 June 2023). Within this (as of 1 July 2023) approximately \$1.92M were affordable housing contributions.
  - (a) What is the current estimate of development contributions held by the Council?
  - (b) What is the current estimate of how much of the Council's cash and investments are affordable housing contributions?

If an updated figure from August 2023 is not yet available, please note this.

4. In answers to questions on notice tabled at the August 2023 Council meeting, the estimated revenue from the City's commercial portfolio (on a gross basis) for the financial year 2023/24 was projected to be \$68.9M.

What is the projected return on investment, as a percentage, for the City's commercial property portfolio, for the financial year 2023/24?

5. In answers to questions on notice tabled at the August 2023 Council meeting, the estimated revenue from the City's cash and investment for the financial year 2023/24 was projected to be \$20.4M.

What is the projected return on investment, as a percentage, from the City's cash investments, for the financial year 2023/24?

6. In answers to questions on notice tabled at the August 2023 Council meeting, it was reported that the scope of the City's cash investments and the wider NSW local government sector are limited.

- (a) What limits exist on Councils to invest in commercial property?
- (b) What limits exist on Councils to invest in residential property?
- (c) What regulations, policy documents or guidelines outline these limitations?

7. What rules guide when Council can:

- (a) Lease, sell or transfer commercial properties it owns as a discount or below market rate?
- (b) Lease, sell or transfer residential properties it owns as a discount or below market rate?

8. What policies and procedures guide whether or not the City considers long term borrowing, to finance investments or other activities?

X086664

#### **Answer by the Chief Executive Officer**

1. There is no update at August. These figures are subject to finalisation as part of the preparation of the Annual Financial Statements which will be presented to Council in October. Additionally, revaluations of these properties are undertaken annually, to meet financial reporting requirements.

2.

- (a) As noted in page one of the report, the City's cash and investments portfolio is substantially restricted in both internal (\$235.5M) and external (\$90.8M) cash reserves. The unrestricted portion of the portfolio is therefore \$491.2M. Note that "unrestricted" does not mean uncommitted.
- (b) Based on anticipated expenditure per the City's 10 year Long Term Financial Plan (LTFP), restricted cash and investments are to be utilised by projects/operations in the following timeframes:
  - Four years from 2023/24 to 2026/27 (inclusive): \$220.2M
  - 2028/29 to 2032/33 (inclusive): \$53.1M

- The following restricted amounts are held in support of liabilities, and therefore not “utilised” in conventional sense:
  - Employee leave entitlements
  - Public Liability
  - Workers compensation
  - Performance cash bonds and retentions

These liabilities will require payments, but are also expected to be replenished; the LTFP projects ongoing balances for these restrictions.

Note that the City’s LTFP sets out details of the amounts, services, facilities, activities, capital works and acquisitions that will be funded by the City’s accumulated cash and future revenue streams. The LTFP includes all sources of restricted and unrestricted funds, both known and estimated over the ten years of the plan. Essentially, any Council activity not funded by specifically restricted funds will be funded by current or future unrestricted cash.

It must be recognised that the City does not restrict all of the funds that are required to satisfy its known and projected commitments, including much of its capital works program. In a year when the City receives less revenue or funds than budgeted, this impacts our surplus and the cash available to fund future programs, and the overall funding and commitments are therefore re-balanced as part of the annual budget and LTFP each year. The converse is true, in years where revenues exceed budgets (e.g. interest revenue), however in rising interest rate environments it is worth noting that the costs of programs and capital works also tend to rise which absorbs the additional funding.

In addition, recent unplanned and emerging projects such as the future of Haymarket and Chinatown, may also place significant additional demands for funding dependent on Council endorsement.

3. There is no further update to the developer contributions figure provided in August 2023. This figure is subject to finalisation as part of the preparation of the Annual Financial Statements which will be presented to Council in October, and are updated quarterly and included in reporting to Council. The \$1.92M of affordable housing contributions noted above was in addition to the developer contributions total of \$46.7M. The balance of affordable housing contributions yet to be forwarded to community housing providers (CHPs) at the end of August is \$2.2M. These amounts are typically paid to CHPs on a quarterly basis, for administrative simplicity.
4. The commercial property portfolio includes the commercial property investment portfolio and buildings held for operational and strategic purposes that also generate commercial rent, incidental to the City’s strategic purposes. Each category generates income.

Return on investment is not readily available for the entire income generating portfolio, as annual valuations are currently obtained only for the commercial property investment portfolio. The commercial property investment portfolio, comprises commercial and industrial properties held for long-term rental yield and capital appreciation and is not occupied by the Council. It is valued at \$509.6M. Budgeted income from this portfolio is \$19.6M for 2023/24 or 3.8 per cent. Note that this does not include any likely growth in the capital value of the properties.

5. It is anticipated that cash and investments will return 5.2 per cent. The return is subject to changes in the cash rate, economic conditions and what is offered in the market. The forecast has been developed as part of the preparation of the next iteration of the City's Investment Strategy that will be presented to Council in October. Due to changed market conditions since the preparation of the budget for 2023/24 in March/April 2023 this forecast has increased.
6. Section 8B of the Local Government Act 1993 sets out the principles for sound financial management that apply to councils. Section 625 of the Act governs how a council may invest its money and requires councils to comply with orders made by the Minister for Local Government. These orders are contained in government gazettes and communicated to Council through the City's Investment Policy and Investment Strategy and reported on monthly to Council in the Investment Report.
7. The Local Government Act 1993, section 55 does not require a tender to be undertaken in relation to these transactions. Under section 377 of the Local Government Act 1993 a sale or transfer of land can only be determined by resolution of Council and cannot be delegated. There are limits on what leases can be dealt with under delegation contained within the delegations by Council to the Chief Executive Officer. All recommendations made to Council by staff are in accordance with Council's adopted policies and strategies.
8. The City's Long Term Financial Plan and the Investment Policy and Investment Strategy guide whether or not the City considers long term borrowing, to finance investments or other activities. These are reviewed annually and approved by Council. The current Policy and Strategy were last approved by Council in October 2022, and will be tabled for consideration again in October 2023.

## **6. Ultimate Fighting Championship**

By Councillor Gannon

### **Question**

1. On Wednesday 6 September 2023, the Ultimate Fighting Championship (UFC) held an "Open Workouts" event at Town Hall. Does the City of Sydney provide any direct or in-kind financial support to the UFC?
  - (a) If so, what amount, per last five financial years?
  - (b) If so, for what reasons?
2. Does the City of Sydney provide any non-financial support to the UFC? If so, what?

3. Have City of Sydney Council staff received complimentary tickets?
  - (a) If so, how many staff?
  - (b) If so, what was the value of those tickets?
4. Has the City of Sydney provided Tourism NSW with any cash or value in kind supports?
5. Was the UFC event afforded any value in kind production fee waivers? If so, what is the value?

X086665

**Answer by the Chief Executive Officer**

1. No cash or value-in-kind support was provided to the Ultimate Fighting Championship (UFC) for their event at Sydney Town Hall. The organisers of the event paid commercial rates. This is the first year the City has received a booking for this event.
2. No support, financial or other, was provided to the organisers of the event.
3. No. The event at the Sydney Town Hall was a free unticketed event open to the public.
4. The City has not provided any cash or value in kind support to Destination NSW or any other entity supporting the event.
5. No.

**7. Banning Gas**

By Councillor Gannon

**Question**

1. As part of the City's plan to investigate opportunities to phase out gas in new developments, is the City considering prohibiting the following:
  - (a) barbecues that use gas cylinders;
  - (b) external heaters that use gas cylinders?
2. When is the City's review into banning gas expected to be completed by?

X086665

**Answer by the Chief Executive Officer**

1. The City is investigating changes to its planning controls to prevent new gas connections. Planning controls do not affect someone's ability to purchase and use gas cylinders with items such as barbecues and external heaters.
2. A detailed program and scope involving research and consultation is being developed and Councillors will be updated by CEO Update.



## 8. Koi Fish Deaths at Arthur McElhone Reserve

By Councillor Gannon

### Question

Elizabeth Bay residents have raised concerns about recent Koi Fish deaths at Arthur McElhone Reserve, Elizabeth Bay.

1. What actions has the City of Sydney taken to address Koi Fish deaths?
2. Has a review of the water quality been undertaken by the City?
  - (a) If so, when?
  - (b) If not, why not?
3. Does the City of Sydney plan to install CCTV cameras at Arthur McElhone Reserve to prevent theft or disposal of fish from this site?

X086665

### Answer by the Chief Executive Officer

Arthur McElhone Reserve pond is a hot spot where sick and unwanted fish are unfortunately dumped. The City tries to rehabilitate any new animals, where possible. Several weeks ago, new fish were dumped in the pond that were suffering from a bacterial infection which spread to approximately 12 fish. This was treated at the time to prevent spreading to other fish in the pond (there were about 30 fish in the pond at the time). The sick fish were temporarily relocated to an aquarium to carry out daily monitoring and treatment. The fish are not recovering as expected, so we are investigating options to arrange veterinary fish diagnostics and further treatment for the sick fish.

On Saturday 2 September 2023, the City received another report of two more fish deaths. The City removed the two dead fish and carried out water chemistry testing with results showing high quality water conditions and no signs of contamination. The City will continue to assess the fish population and diagnose and treat any sick fish as needed. City Rangers have been notified that several times per year sick fish are released within the ponds. The City will conduct a review of the parks signage and look at options to include text stating 'Please do not release fish into the ponds as it may impact the health of the current fish population'.

The City's public place CCTV program operates under a Code of Practice that defines where cameras can be installed and how they are used. Camera locations are based on advice from NSW Police and are installed in areas that are experiencing high levels of serious criminal offences, such as assaults, affray, and robbery. The Code ensures that there is an appropriate balance between needs of police and the community's right to privacy. Under the Code it would not be possible to install CCTV cameras to monitor for the situation with the fish.

## 9. Penalty Notices Issued to Council-owned Vehicles

By Councillor Gannon

### Question on Notice

1. Has the City of Sydney paid any of the fines in relation to the 163 penalty notices issued during use of council-owned vehicles?
  - (a) If so, how many fines?
  - (b) If so, what was the total value of fines paid?
2. Were any of the fines issued to staff of the Lord Mayor's Office? If so, what type of fines, and how many?

X086665

### Answer by the Chief Executive Officer

1. No.
2. No.

## 10. State Government Consultation and the City of Sydney

By Councillor Gannon

### Question

Has the NSW Local Government Minister, or his Department, sought feedback from the City of Sydney in relation to:

1. Any changes to legislation? If so, how many draft Bills?
2. Any changes to regulations? If so, how many draft regulation changes?

X086665

### Answer by the Chief Executive Officer

The Minister for Local Government sought feedback in relation to non-residential voting and the City of Sydney Act 1988.

## 11. Compliance with Provisions of the GIPA Act

By Councillor Weldon

### Question

1. What is the total number of requests for access to documents the City of Sydney has received from members of the public in the period 2018 to present?
2. Of these requests, how many have been processed:
  - (a) under the provisions of the GIPA legislation with review rights?
  - (b) informally without review rights?
3. In relation to 2 (a), how many decisions by the City regarding applications for information under a formal GIPA application have been appealed by applicants in the period 2018-2023?
4. Has the Information and Privacy Commission contacted the City about its procedures for processing requests for documents by the public in the period 2018-2023?
5. If the answer to 4 is yes:
  - (a) On what date(s) was the City contacted by the Information and Privacy Commissioner?
  - (b) What issues did the Information and Privacy Commissioner draw to the City's attention?
  - (c) At any time was the City informed by the Information and Privacy Commissioner it was operating contrary to the provisions of the GIPA legislation?
6. If the answer is to 5 (c) is yes:
  - (a) What were the particular provisions of the GIPA legislation the City was informed it was not complying with, or in breach of?
  - (b) Since being notified, what action has the City taken to comply with its obligations under of the GIPA legislation?

X086670

### Answer by the Chief Executive Officer

1. For the period 2017/18 to 2022/23, 23,946 requests for access to documents were received by City's Information Access and Archives units. Refer table below.
2.
  - (a) For the period 2017/18 to 2022/23, there were 275 requests. Refer table below.
  - (b) For the period 2017/18 to 2022/23, there were 23,671 requests. Refer table below.

3. For the period 2017/18 to 2022/23, there were 25. Refer table below.

**Table: Information access requests and applications 2017/18 to 2022/23**

Note - this data is publicly reported in the statutory annual returns in the City's Annual Report.

	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total
Without review rights - information access requests (informal) received	4,833	4,333	3,946	3,751	3,545	3,263	<b>23,671</b>
With review rights - section 41 access applications (formal) received	91	48	48	33	27	28	<b>275</b>
<b>Total number of requests received</b>	<b>4,924</b>	<b>4,381</b>	<b>3,994</b>	<b>3,784</b>	<b>3,572</b>	<b>3,291</b>	<b>23,946</b>
Access application decisions reviewed	14	1	2	2	3	3	<b>25</b>

4. Yes, the City was contacted by the Information and Privacy Commission (IPC) once in relation to its procedures for processing requests for information. This is the only enquiry the City has received from the IPC in response to a complaint about our procedures since the GIPA Act commenced in 2010.
- 5.
- (a) The IPC contacted the City initially on 28 February 2023. The City received a copy of the IPC's outcome letter to the complainant on 11 May 2023.
- (b) The IPC outlined a complaint it had received from an individual. The complainant alleged "the Agency is bypassing and possibly breaching the GIPA legislation as there is no information on how to lodge a formal access application online, but rather access applications are treated informally and an applicant is required to contact the Agency for further details for a formal access application."
- (c) No, however in the outcome letter to the complainant the IPC officer stated:

A consequence of how information is displayed on the Agency website, has created an unintentional impediment to citizens being able to exercise their enforceable rights because they cannot easily navigate the website to submit an access application.

...in its current form the information available is not sufficient to satisfy the obligations under the GIPA Act.

The IPC officer did not identify a specific part of the GIPA Act that, in their view, the City was not sufficiently meeting.

6.

- (a) Not applicable
- (b) The City has continued to fully comply with its obligations in dealing with information access requests and applications under the GIPA Act. It took the following actions in response to the complaint:
  - updated the website with additional instructions on how to submit a formal application
  - wrote to the complainant again about the process for submitting a formal access application.

Additionally, the IPC officer also recommended that, at the next scheduled review, the City's Agency Information Guide (AIG) should be changed to include additional information on how to make a section 41 access application, which the City has agreed to do.

## 12. City of Sydney Community Polling

By Councillor Scott

In the past few weeks, community members have been reached out to via phone to discuss their satisfaction with the Cleanaway and City services, level waste production, view on the city's sustainability, potential involvement in city focus groups and more.

### Question

1. Since 2008, how much money has the City allocated to focus groups per year?
2. Since 2008, how much money has the City allocated to polling per year?
3. How many focus groups has the city run in the past year?
  - (a) What was the topic of these focus groups?
  - (b) How were community members recruited for the focus groups?
4. How many separate polls has the city undertaken in the past year? What were these polls related to?
5. Can all Councillors be provided with the information resulting from these investigations? If so, how will Councillor access this information or be notified?

X086668

### Answer by the Chief Executive Officer

The City consults extensively with the community through its regular community engagement work and reports are made available through Council reports and on the City of Sydney's website in accordance with City's community engagement strategy. The City also conducts research that contributes to understanding community behaviour, experience of living and working in the city, community wellbeing or to test the user experience as part of the development of a specific service or program.

A variety of methods are utilised in our consultation and research including surveys, online comments, community meetings, one on one interviews, workshops and very occasionally, focused group discussions if an issue requires deeper exploration.

The City does not allocate an annual budget for focus groups or surveys per se. It is not possible to itemise costs associated with surveys or focus groups since 2008 as these costs are often embedded in broader project consultation and communications costs and activities. By far the majority of consultation and surveying is done utilising in house resources and expertise. This is occasionally supplemented through engaging consultants or when the approach requires external facilitation or participant recruitment.

Some recent examples of different types of engagement/research include:

- A current behavioural research project to inform the development of the waste education campaign that Council requested. The research includes a survey that is designed to understand residents' behaviours and attitudes, particularly around food waste as we prepare our service model for FOGO, plastic packaging and reducing landfill. The research is being conducted by an external research company. Two thirds of the surveys are being conducted via telephone with randomly selected residents aged 18+ years and the remainder conducted online with participants of research panels. If required, two focus group discussions will be held to explore issues raised in the quantitative survey. The cost of this project is \$44,290.
- The Community Wellbeing Survey is an online and hard copy survey conducted every three to four years to understand how the community is tracking across a range of wellbeing indicators. The 2023 survey recently closed and will be analysed alongside a range of other datasets and reported via the wellbeing indicators report. The survey is run in-house and participants are invited to complete the survey through our standard communications channels to ensure we reach a representative sample. The cost of this project is \$73,371.
- During the community engagement for Sustainable Sydney 2030-2050 Continuing the Vision, a citizen's jury of people representative of the local community was recruited by an external agency to participate in a series of deep dive workshops and discussions. The outcomes were published via an engagement report. The total cost of this project was \$140,000.

### 13. City of Sydney Offset Purchasing

By Councillor Scott

#### Question

1. What other projects made up the remaining 91 per cent of purchased offsets? Include project name and location.
2. By year since 2004, what has been the increase in the per cent of high quality Australian regenerative offsets that make up the City's total offset purchases?
3. By year since 2004, by what percent has the City decreased its total CO<sup>2</sup> emissions?
4. What strategies and investigations are the City undertaking to ensure it meets its 2025 target of 100 per cent high quality Australian regenerative offsets?

X086668

#### Answer by the Chief Executive Officer

1. For FY21, nine per cent of offsets for the City's operational emissions were Australian. The other 91 per cent were Verified Carbon Units (VCUs) purchased from the [Three Gorges New Energy](#) Jiuquan Co., Ltd, Guazhou 100MW Solar Power Project located in Guazhou County, China. The co-benefits include (short and long term) employment, stable power, and increased investment in local education from the project operator. (This information is publicly available in the City's Public Disclosure Statement on the [Climate Active website](#))
2. The City has been purchasing offsets for 100 per cent of its operational emissions since 2007. Purchase of high quality Australian regenerative offsets began in FY2020. The proportion of Australian offsets purchased for each year is: FY20 – 5 per cent, FY21 – 9 per cent, FY22 – 21 per cent.
3. Since the baseline year of FY2006, the City's operational emissions had reduced by 77 per cent by end of FY22. FY23 emissions are currently being calculated and will be reported to Council in the Green Report in the November 2023.
4. The City's Environmental Strategy 2021-2025 states that the City aims to transition to 100 per cent high quality Australian regenerative offsets by 2025. The City is currently conducting procurement for a multi-year offset purchase to support this aim. More importantly, the City has a range of projects in place to reduce operational emissions, so that the quantity of offsets that are required is minimised. For more detail on this work, Councillors are advised to review the 28 July 2023 CEO Update - Electrify Sydney.

## 14. Cleanaway Fines for Unregistered Product Movement

By Councillor Scott

EPA Victoria has issued three fines to Cleanaway Pty Ltd totalling nearly \$30,000 for transporting waste hand sanitizer without properly logging its movement.

### Question

1. How many breaches has Cleanaway had in total, broken down by year since the start of the contract?
2. Which of these breaches took place within the City of Sydney LGA? Include the type of breach.
3. Have any fines been issued to Cleanaway within NSW for this type of offence? (transporting goods without logging it)
4. Has the City investigated breaches of this kind within our LGA? If so, what were the results of these investigations?
5. What actions have the City taken in response to Cleanaway's breaches? Including the breach in Victoria.
6. What rights and obligations do the City have to take action and penalise contractors for breaches? Can the City order contractors to take certain actions?
7. How is the City notified about contractor breaches? Has the City been notified regarding Cleanaway's breaches in Victoria?
8. How does the City work with contractors after a breach to ensure that the breach does not occur again? How has this been employed in the case of Cleanaway?
9. What assurances does the City have in regards to their liability for the breaches?

X086668

### Answer by the Chief Executive Officer

City staff are not aware of any breaches by Cleanaway for unlogged product movements and is not aware of any fines issued in NSW for unlogged product movements.

The contract requires Cleanaway to comply with all applicable laws and Australian standards. The City's rights in relation to any identified breach would depend on the nature, cause and extent of the breach, including any consequential impact on key performance indicators under the contract. The City can request compliance with the contract and remediation of any situation which is non-compliant with the contract.

The City is indemnified in relation to any loss associated with a breach of the law by Cleanaway in certain circumstances under the contract.



## 15. Cost of Vacant City Owned Land

By Councillor Scott

Item 3 on the agenda for the September Housing For All committee meeting is 'Affordable and Diverse Housing - Opportunities for City Owned Land'. The motion requests Council's endorsement to the sale of four surplus properties with the potential to yield a minimum of 15 bedrooms from the sale of these properties.

### Question

1. Broken down by each property, when was the date of last occupation?
2. Broken down by year since 2004 and by property, please detail the earning provided by the property to the City.
3. Broken down by year since 2004 and by property, please detail the cost of management fees paid to managing agents.
4. Detail by property, the cost of the maintenance requirements to be safely re-occupied.
5. Detail by property, the estimated worth of one month in rent.

X086668

### Answer by the Chief Executive Officer

1.

Property	Tenancy Status
169 Victoria Street, Beaconsfield	Vacated 30.06.19
Unit 7/12 Springfield Ave, Potts Point	Tenanted
Unit 8/12 Springfield Ave, Potts Point	Vacated 28.02.22
5 Norman Street, Darlinghurst	Vacated 17.12.21
7 Norman Street, Darlinghurst	Vacated 27.01.22
9 Norman Street, Darlinghurst	Vacated 01.02.22
11 Norman Street, Darlinghurst	Vacated 06.02.22
13 Norman Street, Darlinghurst	Vacated 06.11.20
15 Norman Street, Darlinghurst	Vacated 12.07.21
17 Norman Street, Darlinghurst	Vacated 30.08.21

2. The annual revenue from the properties above is shown below:

	<b>169 Victoria Street, Beaconsfield</b>	<b>7 &amp; 8/12 Springfield Avenue, Potts Point</b>	<b>5-17 Norman St Darlinghurst</b>
2004/05	\$ -	\$ 15,541	\$ 49,136
2005/06	\$ -	\$ 14,677	\$ 67,396
2006/07	\$ -	\$ 24,898	\$ 78,647
2007/08	\$ -	\$ 23,045	\$ 74,302
2008/09	\$ -	\$ 23,045	\$ 71,742
2009/10	\$ -	\$ 23,045	\$ 91,178
2010/11	\$ -	\$ 23,045	\$ 108,259
2011/12	\$ -	\$ 23,045	\$ 118,591
2012/13	\$ -	\$ 23,045	\$ 128,026
2013/14	\$ -	\$ 23,045	\$ 121,376
2014/15	\$ -	\$ 23,045	\$ 145,715
2015/16	\$ -	\$ 20,861	\$ 144,834
2016/17	\$ -	\$ 36,900	\$ 166,451
2017/18	\$ -	\$ 34,800	\$ 171,375
2018/19	\$ -	\$ 34,800	\$ 162,053
2019/20	\$ -	\$ 34,800	\$ 172,279
2020/21	\$ -	\$ 32,362	\$ 168,582
2021/22	\$ -	\$ 29,600	\$ 64,184
2022/23	\$ -	\$ 21,189	\$ -

3. The management fee as prorated from the contracts with service providers:

	<b>169 Victoria Street, Beaconsfield</b>	<b>Unit 7 &amp; 8 Springfield Ave Potts Point</b>	<b>5-17 Norman St Darlinghurst</b>
2004/05	\$ -	\$ -	\$ 2,100
2005/06	\$ -	\$ -	\$ 2,205
2006/07	\$ -	\$ -	\$ 2,260
2007/08	\$ -	\$ -	\$ 2,317
2008/09	\$ -	\$ -	\$ 2,375
2009/10	\$ -	\$ -	\$ 2,434
2010/11	\$ 2,133	\$ 862	\$ 3,131
2011/12	\$ 2,256	\$ 2,004	\$ 6,552
2012/13	\$ 2,328	\$ 2,064	\$ 6,744
2013/14	\$ 3,028	\$ 2,116	\$ 7,577
2014/15	\$ 3,202	\$ 2,239	\$ 8,005
2015/16	\$ 3,168	\$ 2,220	\$ 7,932
2016/17	\$ 3,383	\$ 2,371	\$ 8,470
2017/18	\$ 3,188	\$ 2,238	\$ 7,981
2018/19	\$ 2,268	\$ 1,584	\$ 5,664
2019/20	\$ 1,690	\$ 2,184	\$ 9,285
2020/21	\$ 2,402	\$ 469	\$ 2,645
2021/22	\$ 4,191	\$ 826	\$ 4,609
2022/23	\$ 4,838	\$ 954	\$ 5,321

4. The properties that require upgrading prior to further occupation are inspected regularly and where required repairs are made to properties where the matter prevents damage to the property.

The properties require renewal for comfortable occupation. The indicative costs excluding GST to renew are provided below:

169 Victoria Street, Beaconsfield

This property requires a new kitchen and bathroom, and modifications to the interior layout to return it to use as a residential property. The last use of this property was as a community accommodation grant space which required modification and removal of internal walls.

Indicative costs are between \$50,000 to \$70,000 plus GST and approximately six to nine months to complete.

Unit 8/12 Springfield, Avenue Potts Point

This unit requires new carpet, painting throughout, and a new kitchen and bathroom.

Indicative costs are between \$40,000 to \$60,000 plus GST and approximately five to six months to complete.

5-17 Norman Street, Darlinghurst

These terraces require varying levels of refurbishment and, in some cases additions, to improve functionality.

Indicative costs are between \$1.5 million to \$2.4 million plus GST and approximately two years plus to complete.

5. The weekly rent by property at time of occupation follows:

<b>Property</b>	<b>Rent / Week</b>
169 Victoria Street, Beaconsfield	N/A
Unit 7/12 Springfield Ave, Potts Point	\$500
Unit 8/12 Springfield Ave, Potts Point	\$184
5 Norman Street, Darlinghurst	\$279
7 Norman Street, Darlinghurst	\$560
9 Norman Street, Darlinghurst	\$110
11 Norman Street, Darlinghurst	\$600
13 Norman Street, Darlinghurst	\$501
15 Norman Street, Darlinghurst	\$550
17 Norman Street, Darlinghurst	\$725

## 16. Fire Safety Compliance in Boarding Houses

By Councillor Scott

Due to a recent fire safety compliance blitz in the Inner West, low-cost accommodation options such as boarding houses have opted to sell rather than address the costly compliance orders. The conditions with the boarding houses are often terrible and unsafe, but many people are left with no other option.

### Question

1. When was the last time the city investigated the fire safety of boarding houses within the Local Government Area? What were the findings and actions taken as a result of these investigations?

2. Has the City observed an increasing number of boarding houses being sold within the Local Government Area? If so, what actions are the City taking to rectify this?
3. How is the City supporting low-cost accommodation and affordable housing services with issues relating to fire safety compliance?

X086668

**Answer by the Chief Executive Officer**

1. The City undertakes a proactive annual fire safety inspection program for all registered boarding houses. There are 315 premises registered with Council. Last financial year, 400 inspections of boarding houses were undertaken, with only seven inspections identifying high-risk non-compliances.
2. Local governments are not required to keep records of boarding house sales. City records show that in 2022 there were 311 boarding houses registered in the City's Local Government Area and now there are 315 registered.
3. Whilst there is no legislative requirement to do so, the City inspects boarding houses annually. The City does not charge for these inspections and the inspections are focused on assisting owners ensure that their premises meet both health and fire safety requirements. In the rare event a boarding house requires evacuation, City staff will ensure that residents of boarding houses are provided with appropriate referrals and support where relevant.