

**ITEM 10. QUESTIONS ON NOTICE****REFUGEE PASSPORT (S103146)**

1. By Councillor Doutney

**Question**

1. Has the City received a formal invitation from Marrickville Council to sign up for the 'refugee passport' initiative, to expand free services to refugees?
2. If so, how has the City responded?

**Answer by the Lord Mayor**

City staff are aware of the Marrickville Council 'Community Passport' initiative, which proposes to provide refugees and asylum seekers with free access to Council facilities such as swimming pools and gyms during off peak times.

To date, the City has not received a formal invitation from Marrickville Council to participate in this initiative.

Free and subsidised services currently available to refugees and asylum seekers in the City of Sydney are detailed in a Question on Notice for the Council meeting of 29 February 2016.

**KENT STREET UNDERPASS WORKS (S103142)**

2. By Councillor Scott

**Question**

Please detail the costs, broken down by year, since 2004, for works to the Kent Street Underpass.

Please detail the cost of the recent 'pop up' artwork, broken down by item, including installation and removal.

**Answer by the Lord Mayor**

Please refer to the Relevant To Memo issued for Item 6.2.

**NON-RESIDENTIAL VOTING REGISTER – DATA COLLECTION (S103142)**

3. By Councillor Scott

**Question**

I refer to the City's data collection effort for the purposes of the implementation of the non-residential voting register.

What is the updated cost of the implementation, broken down by item?

What training has been given to City staff answering calls? What is the cost of this training?

If training has been given, how many staff have been trained? Who conducted this training?

Were alternative processes considered, and/or costed, in the design of the implementation plan for the non-residential voting register? If so, please provide details.

#### **Answer by the Lord Mayor**

The implementation of the Non-residential Register and Rolls is the responsibility of the CEO. The CEO has previously committed to providing Councillors with regular updates on progress with the implementation of the Register and Rolls. The CEO advises the next update will be provided shortly.

#### **SHORT TERM LEASING BREACHES AND ENFORCEMENT (S103142)**

4. By Councillor Scott

##### **Question**

1. By suburb, how many incidents of prohibited short term leasing and short term leasing breaches is the City aware of in the past 12 months?
2. By suburb, how many enforcement orders were issued by the City in relation to prohibited short term leasing and short term leasing breaches?
3. Can the Lord Mayor briefly outline the nature of these prohibited activities or breaches?

##### **Answer by the Lord Mayor**

1. Following a review of the 'Building – Unauthorised Use – Short Term Backpacker' CSM reference code in Pathway for the period 1 May 2015 to 1 May 2016, the following information has been collected.

- Central Area - Ultimo, Haymarket, Chippendale, Surry Hills – 50 complaints
- East Area - Moore Park, Paddington, Darlinghurst, Woolloomooloo, Potts Point, Elizabeth Bay, Rushcutters Bay – 25 complaints
- North Area – Sydney, Millers Point, The Rocks, Dawes Point – 19 complaints
- South Area – Redfern, Eveleigh, Waterloo, Alexandria, Zetland, Beaconsfield, Rosebery, St Peters – 29 complaints
- West Area – Pyrmont, Annandale, Glebe, Forest Lodge, Camperdown, Darlington, Newtown, Erskineville – 43 complaints
- Health and Building Dedicated Investigation Team (DIT) – 58 complaints

Total = 224

Note – the CSM category 'Development without Consent' has not been included in the above figures and there may be some additional complaints related to short term leasing which have been categorised under this heading.

2. A comprehensive review of the 224 investigations in Pathways would be needed to determine how many enforcement orders have been issued over the last 12 months. However, information collected by the Health and Building Dedicated Investigation Team (DIT) shows that 80 Notices and Orders have been issued in the past 12 months for the category 'Building - Unauthorised Use – Short Term Backpacker'.
3. In summary, most breaches of the Environmental Planning and Assessment Act 1979 (EP&A Act) relate to the change of 'use' and result in a residential unit being used as Tourist and Visitor Accommodation. A number of these illegal units have unlawful 'works'; that is false partitions which increase the number of rooms within the unit. In these cases (*and including change of use*) enforcement action is taken which may include: warning letters, Notices, Orders, Penalty Notices, Court Attendance Notices.

### **GREENS ROAD, PADDINGTON (S103142)**

5. By Councillor Scott

#### **Question**

Will the Lord Mayor commit to asking City staff to conduct an impact assessment of the new parking times in Greens Road, Paddington, and asking the CEO to report back to Councillors via the CEO Update in two months?

This impact assessment should include hours patrolled, enforcement notices and warnings given, and qualitative information on the impact on residential and business views regarding the changes.

#### **Answer by the Lord Mayor**

At the March 2016 meeting of the Local Pedestrian, Cycling and Traffic Calming Committee, the Committee endorsed new parking changes to various streets in Paddington, including Greens Road.

I have a deep knowledge of the area and its parking issues, particularly as my electoral office on Oxford Street, Paddington during my time as a NSW MP for 24 years was located in close proximity.

I have reconsidered this decision. I will request the CEO to consult local residents and businesses on a proposal to reinstate the previous parking controls. Should the proposal be supported, the changes will be referred to the next available meeting of the Local Pedestrian, Cycling, and Traffic Calming Committee for consideration.

### **T2 BUILDING AT TAYLOR SQUARE (S103142)**

6. By Councillor Scott

#### **Question**

I refer to the T2 Building at Taylor Square.

1. Please detail the proposed timing for the EOI process for the T2 Building, providing opening and closing dates.
2. The previous intended use of the T2 building, as a cycling hub, was abandoned in November 2015. In the six months since then, has the City of Sydney undertaken consultation with LGBTI organisations or any other community organisations about alternative uses of the T2 Building?
3. If so, please detail who and when.
4. What are the proposed savings from refurbishment now budgeted for in the 2016/17 Budget?

### **Answer by the Lord Mayor**

On 29 February 2016, Council endorsed in principle the sale of 1-5 Flinders Street and to conduct an Expression of Interest (EOI) process to identify suitable proponents to acquire, refurbish and use the property consistent with City's objectives of urban renewal.

The property at 1-5 Flinders Street, while no longer required for its intended purpose as a bike hub, remains influential in its capacity to rebalance the activation of Taylor Square South. In disposing of this surplus asset, Council would aim to seek best financial return while maximising opportunities to deliver on the desired outcomes of the urban study and activation of the public domain.

The City commissioned a specialist independent review of the commercial uses to best meet the objectives and, through this process, have also identified agents to undertake the EOI. A brief, including base terms and conditions and contract of sale, together with supporting documentation, will be issued to select agents shortly.

It is envisaged that selection of the agent will be made in mid-June, with the EOI running for four weeks. It is expected that responses will not be evaluated until the end of July/early August.

The funds previously allocated to the refurbishment project will form part of general funding assigned to the City's 10 year Capital Works Program, incorporating the delivery of new facilities and infrastructure across the Local Government Area, as well as renewal and upgrade works to existing facilities and infrastructure.

### **LIBRARIES (S103142)**

7. By Councillor Scott

#### **Question**

Do the City's Libraries hold the AEC electoral roll?

#### **Answer by the Lord Mayor**

The City's libraries do not hold the current AEC electoral roll, nor do any public libraries. Further information on accessing the current AEC electoral roll may be found on the AEC's website: [http://www.aec.gov.au/Enrolling\\_to\\_vote/About\\_Electoral\\_Roll/](http://www.aec.gov.au/Enrolling_to_vote/About_Electoral_Roll/)

**KPI TARGETS (S103142)**

8. By Councillor Scott

**Question**

I refer to the KPI targets outlined in the 2016/17 budget. Can the Lord Mayor advise which KPIs without a specific numeric target will be allocated one and, if so, when?

**Answer by the Lord Mayor**

The CEO has asked staff to review appropriate targets whilst the draft Integrated Planning and Reporting 2016/17 documents are on public exhibition, with any changes to be proposed for adoption in the June Council meeting.

**CAPITAL EXPENDITURE (S103142)**

9. By Councillor Scott

**Question**

Can the Lord Mayor provide a complete list of projects to be funded as part of the 2016/17 Capital Expenditure Budget?

**Answer by the Lord Mayor**

Please refer to the Integrated Planning and Reporting Program and 2016/17 draft Budget documentation.

**NSW ELECTORAL COMMISSION NON-RESIDENTIAL ROLL POSTAL VOTING (S103147)**

10. By Councillor Vithoukas

**Question**

Have we had confirmation from the NSW Electoral Commission that they will have enough time to provide postal voting for people on the non-residential roll for the City of Sydney 2016 elections?

**Answer by the Lord Mayor**

The implementation of the Non-residential Register and Rolls is the responsibility of the CEO. The CEO has previously committed to providing Councillors with regular updates on progress with the implementation of the Register and Rolls. The CEO advises the next update will be provided shortly.

**BUSINESS VOTING INFORMATION SESSIONS (S103147)**

11. By Councillor Vithoukas

**Question**

The City of Sydney currently has a number of Information Sessions for the 2016 City of Sydney Local Government elections. What information will be available at these information sessions? Will all the sessions provide the same information?

**Answer by the Lord Mayor**

The implementation of the Non-residential Register and Rolls is the responsibility of the CEO. The CEO has previously committed to providing Councillors with regular updates on progress with the implementation of the Register and Rolls. The CEO advises the next update will be provided shortly.

**TAP & GO PARKING METERS (S103147)**

12. By Councillor Vithoukas

**Question**

Are there any parking meters within the City of Sydney LGA that currently have Tap & Go facilities? If so, have there been any operational problems and/or negative customer feedback about these machines with Tap & Go facilities?

**Answer by the Lord Mayor**

Presently, there are no parking ticket machines within the City of Sydney LGA that have the Tap & Go facility installed and operable. This process is now awaiting Euro Mastercard Visa (EMV) compliance. The City is currently working on the final stage EMV compliance with its bank and credit card payment gateway service provider.

Parking Services has not received any complaints or adverse feedback about Tap & Go facilities in general or about not yet having Tap & Go facilities available.

**MOBILITY PARKING PERMITS (S103147)**

13. By Councillor Vithoukas

**Question**

The Quarter 3 Review noted that an increased number of residential and mobility parking permits have been issued by the City and that has resulted in a decrease in enforcement income for the City. Please provide a breakdown of how many additional residential parking permits have been issued and which zones or suburbs they have been allocated to. Also, how many mobility parking permits have been issued and which zones or suburbs have they been allocated to?

**Answer by the Lord Mayor**

I have been advised that the requested information will be distributed via CEO Update.

**REMOVAL OF PARKING METERS (S103147)**

14. By Councillor Vithoukas

**Question**

How many parking meters have been removed due to various road works in the City of Sydney LGA? Have they been permanently removed? Please provide a breakdown of where they have been removed and an estimate of revenue loss.

**Answer by the Lord Mayor**

There have been 67 parking ticket machines permanently removed at various times over the last two years. Seven parking ticket machines have been removed on a temporary basis and will be reinstated at the completion of works.

The removals have resulted in a total loss of revenue of \$2,055,197.

Ongoing works in relation to the Sydney City Centre Capacity Improvement Plan will continue to have an impact on the location of existing parking ticket machines, parking revenue and parking availability.

**T2 COSTS SO FAR (S103147)**

15. By Councillor Vithoukas

**Question**

What has the City spent on the property known as T2 at Taylor Square - excluding the purchase price? Please provide a breakdown of these costs so far since the building has been purchased, including artwork, development and design costs, tender costs, legal fees, advertising, consultant's fees etc. Also, has an estimation of loss of income over the years been calculated? And what was the projected income revenue based on the design and tender scope?

**Answer by the Lord Mayor**

The actual capital to date on the property is \$1,525,208 excluding GST.

The main component break up of this cost is:

Design	\$1,026,720
Survey & Authority Fees	\$ 429,075
Supply Costs	\$ 6,340
Early Investigative Works	\$ 63,073

Following its acquisition in December 2009 and an Expression of Interest to identify short term tenancies, the building was leased until March 2013 generating \$124,010 revenue.

The Council endorsed design development necessitated investigative works of an invasive nature to parts of building fabric and structure. From April 2013 until the current day the invasive works effectively rendered the building unsuitable for occupation.

Projected income revenue reflected market rates for the individual uses that were proposed in the design and tender scope. Council had, through an EOI process, selected a preferred operator whose business model predicated commercial viability of the proposal.

### **PUBLIC ART ON GEORGE STREET – HEAD ON PHOTOGRAPHIC POP UP (S103147)**

16. By Councillor Vithoukas

#### **Question**

Did the City pay for the public art on the cement road barriers that surround the Head On photo pop up exhibition on George Street? Two artists were used: Nadia Hernandez and Elliot Numskull. Has the city tracked the success and engagement of this project? What was the purpose of this project?

#### **Answer by the Lord Mayor**

The City did not pay for the public art on the road barriers that surround the Head On photo pop up exhibition on George Street.

The City has not tracked the success and engagement of this project as it is a Transport for NSW initiative.

The project is part of Transport for NSW's Light Rail Business Activation Program and aims to support business activity during the light rail construction

### **CITY CENTRE PUBLIC ART (S103148)**

17. By Councillor Forster

#### **Question**

In July 2014, the Lord Mayor announced a \$9 million package of public artworks for Sydney including *Cloud Arch* (estimated to cost \$3.5 million), *Pavilion* (estimated to cost \$2.5 million) and *The Distance of Your Heart*. It was expected that works on Pavilion and The Distance of Your Heart would begin in October 2016 and the installation of Cloud Arch would begin in 2017. It was also expected that the development applications for these public art installations were to be lodged by the end of 2015.

According to contracts endorsed by Council in 2014, the City of Sydney has already paid the artists involved in these projects approximately \$130,000 and a further \$73,000 has gone to contractors working on *Cloud Arch*.

In February 2016, in response to a Question on Notice about development timelines for *Cloud Arch*, the Lord Mayor said that work was continuing on the implementation of the sculpture and that a development application would be lodged when ready.

1. When does the Lord Mayor expect development applications to be lodged for each of these three city centre public art projects?
2. Why has there been a delay in the submission of the development applications for the three public art projects?



3. To date, how much money has been paid to artists and contractors in preparation of the installation of the three public art projects, broken down by individual installation?
4. If *Cloud Arch* cannot be installed due to structural issues associated with the planned location above Town Hall Station, will the artwork be pursued for an alternative site or will the artwork be cancelled?
5. Will the installation of *Pavilion* in Belmore Park result in the loss of any trees?

**Answer by the Lord Mayor**

The DA for the *Cloud Arch* footings has been lodged and is being assessed. The DA for the arch will be lodged once the footing DA has been finalised and the refined arch design has been completed.

The DA for *Distance of Your Heart* has been lodged and is being assessed.

The DA for *Pavilion* has not yet been lodged – the timing is dependent on the light rail project.

The expenditure to date on each of the three public art projects is as follows:

*Cloud Arch*: \$301,450

*Distance of Your Heart*: \$50,000

*Pavilion*: \$111,020

No trees will be lost as a result of the installation of *Pavilion* in Belmore Park.

**CITY OF SYDNEY FUNDING FOR REDFERN LEGAL CENTRE (S103148)**

18. By Councillor Forster

**Question**

How much funding in total has the City of Sydney granted to the Redfern Legal Centre (including value-in-kind) since January 2014, including the grants outlined in this month's Cultural and Community Committee?

Could the Lord Mayor please provide details of each individual grant payment over the period?

**Answer by the Lord Mayor**

Since January 2014, Redfern Legal Centre Ltd has received a total of eight grants and sponsorships from the City of Sydney, with an additional two currently being considered at the Council meeting on 16 May 2016. The eight approved grants have provided a total of \$235,730 in cash and \$923 in value-in-kind. The two grants currently being considered by Council provide a further \$75,000 with no value-in-kind. If approved, these two additional grants would contribute to a total of \$311,653 in cash and value-in-kind that the City of Sydney has provided Redfern Legal Centre since January 2014. The following schedules detail these 10 grants:

**Support provided for Millers Point Social Housing Tenancy Support Service**

<b>Approval</b>	<b>Project Title</b>	<b>Project Description</b>	<b>Cash</b>	<b>Value In Kind</b>
Approved by Council on 7 April 2014  12 months support	Included in the Resolution of Council entitled 'Millers Point Social Housing Support', Council approved funding to support tenant support, advocacy and advice services to public housing tenants impacted by the sale.	N/A	\$100,000	Nil
Approved by Council on 27 April 2015  6 months support	Council approved an extension of the Millers Point tenant support and advocacy services.	N/A	\$50,000	Nil
Approved by Council on 23 November 2015  6 months support	Extension of the Miller's Point Tenancy Services	An extension of services to meet the continued demand for the service from tenants still residing in the area, with an increase in support for residents in more complex circumstances and with more resource intensive needs.	\$50,000	Nil

In accordance with the Council resolution of 7 April 2016, Redfern Legal Centre also accessed the City's community facilities in Millers Point free of charge to meet with clients.

**Community Services Grants**

<b>Approval</b>	<b>Project Title</b>	<b>Project Description</b>	<b>Cash</b>	<b>Value In Kind</b>
Approved by Council on 28 July 2014	Boarders and Lodgers Legal Kit	Updating of Redfern Legal Centre's Boarders and Lodgers Legal Kit so that residents know their rights under new Boarding Houses Act.	\$12,000	Nil
Approved by Council on 28 July 2014	International Students Legal Advice Service: awareness campaign	Promotion to international students, including those at private colleges, of Redfern Legal Centre's free advice service through development of a tailored 'rights kit'	\$3,180	Nil

Approval	Project Title	Project Description	Cash	Value In Kind
		including a series of translated videos and an Avant Card postcard run.		
Approved by Council 18 May 2015	Legal Toolkit for Community Workers	The production of a legal tool kit and a series of workshops which will train community workers to better assist City of Sydney residents with issues such as unpaid fines and debts, rental and housing problems and domestic violence.	\$10,577	Nil

**Matching Grants**

Approval	Project Title	Project Description	Cash	Value In Kind
Approved by Council on 3 November 2014	Aboriginal Medical Legal Partnership	A program in partnership with Royal Prince Alfred Hospital to train staff and promote a legal aid service for local Indigenous patients, their carers and families.	\$9,973	Nil

**Venue Support Grants**

Approval	Project Title	Cash	Value In Kind
Approved by Director, City Life under delegation 15 January 2016	Volunteer and In house training	Nil	Use of Redfern Town Hall to the value of \$923.

**Community Services Grants currently being considered by Council May 2016**

Project Title	Project Description	Cash	Value In Kind
A Legal Compass on Campus	The development of a language specific mobile phone app for international students residing and studying in the City of Sydney to access legal information and resources.	\$25,000	Nil
Extension of the Miller's Point Tenancy Services	An extension of services to meet the continued demand for the service from tenants still residing in the area, with an increase in support for residents in more complex circumstances and with more resource intensive needs.	\$50,000	Nil

**FIG AND WATTLE STREET DEPOT SITE REMEDIATION UPDATE (S103148)**

19. By Councillor Forster

**Question**

On 26 October 2015, Council resolved to progress toward the appointment of an Environment Protection Authority Accredited Site Auditor to advise on and oversee the preparation of a Remediation Action Plan (RAP) that could support a range of future uses, including childcare, education and residential at the Fig and Wattle Street Depot.

A NSW Environmental Protection Authority accredited Site Auditor was to be appointed in December 2015. The auditor's role is to independently peer review the City's environmental consultants' work, including the detailed site assessment reports, the proposed RAP and Environmental Management Plan, for the site.

An indicative timeframe for the completion of this work was June 2016.

Could the Lord Mayor please provide an update as to how these works are progressing and provide further information as to when this work is expected to be completed and released to the public?

**Answer by the Lord Mayor**

The City appointed Graeme Nyland of Rumbol Environ as the accredited EPA site auditor, and Dr Greg Dasey of JBS&G continues engagement as the City's environmental consultant.

JBS&G has compiled all historical and current reports, studies and sampling, and analysis is also complete for the Site Auditor's reference.

JBS&G has commenced the Human Health and Ecological Risk Assessment (HHERA) and Sampling Analysis and Quality Plan (SAQP). Upon completion of these reports, some assessment works may be required to complete a revised risk assessment and Remediation Action Plan. The accredited site auditor will review and comment on the plans and the draft Remediation Action Plan to enable completion of the final site audit statement and report.

The indicative timeframe for completion of the final site audit statement and site audit report of June 2016 will be delayed to July 2016 to accommodate a request for storage arising from the Light Rail Project. The temporary storage of stone under short-term occupancy licence is in accordance with the Site Plan of Management prepared by JBS&G and endorsed by the EPA.

The City has met and outlined this direction to the Environmental Protection Authority and will ensure the Authority continues to be updated.

The Remediation Action Plan and Site Audit Statement will be a matter of public record as part of the planning process.

**LAWRENCE HARGRAVE PARK (S103148)**

20. By Councillor Forster

**Question**

It has come to my attention that an increasing number of homeless people are congregating and sometimes camping in Lawrence Hargrave Park in Potts Point. The park is one of only a handful of off-leash dog parks in the area and some residents have expressed concerns about the park's accessibility as a result.

Is the City aware of these issues and residents' concerns?

Are the City's public space liaison officers engaging with the homeless people residing in this area to assist them to connect with homelessness service providers in the Local Government Area?

**Answer by the Lord Mayor**

Currently, there is one person sleeping in the park regularly, with other people staying on an ad hoc basis for short periods of 1-2 nights. City staff visit the park up to six times per week, linking people sleeping rough with appropriate support. To maintain the amenity and access for all park users, Police are actively patrolling the area to advise that camping in the park is illegal and that tents and other structures will not be permitted.

**MARTIN PLACE SMOKE FREE TRIAL (S103148)**

21. By Councillor Forster

**Question**

On 11 May 2015, the City of Sydney started a 12 month smoke-free trial of Martin Place. When will the final results of this trial become available?

**Answer by the Lord Mayor**

A report on results of the 12 month smoke-free trial of Martin Place, which finished in May, will be submitted for the consideration of Council shortly. In the meantime, the smoke-free requirements throughout Martin Place will continue.

**CREATION OF NEW TREE HABITAT (S103146)**

22. By Councillor Doutney

**Question**

The City is committed to supporting our urban biodiversity, including the 87 indigenous species found within the LGA, as outlined in the City's Urban Ecology Strategic Action Plan. The Urban Ecology Strategic Action Plan states that there are at least three endangered or threatened species living within our LGA and one of the major threats to native fauna is habitat loss.

A technique being pioneered by Greater Sydney Local Land Services is producing new habitat out of dead trees. This technique, which has been demonstrated across Western Sydney, involves creating specialised hollows in trees that are suitable to different species. The dead trees involved are made safe against collapse as part of the process.

1. What action is the City taking to preserve tree habitat for threatened and endangered species?
2. Has the City investigated adopting this technique as part of its park and environment management processes?

### **Answer by the Lord Mayor**

The City of Sydney is aware of this technique and has already implemented habitat trees in parks. The parks and arboricultural industries have increasingly become aware of the importance of habitat in trees, and their ability to assist in the creation of habitat in urban areas as part of active and healthy ecosystems. The creation of artificial habitat hollows in dead, dying or living trees is developing rapidly within these industries.

The City's Urban Ecology Strategic Action Plan, adopted in March 2014, identified training in best practice biodiversity management techniques as a key action, and this has been provided to existing tree and park maintenance teams. This included an introduction to urban ecology and the creation of habitat for priority species of local conservation significance.

On 23 May 2014, the City hosted a habitat creation workshop at Sydney Park. Professional trainers, from the City's Arboricultural Consultancy Panel, were engaged to deliver the training which reviewed:

- the methodology for the assessment of a tree's habitat potential;
- considerations on the type of habitat required for the different priority species;
- what to consider as 'high value trees' that could be used for habitat enhancement; and
- specific management actions required for 'high value trees'.

Overall, the workshop was a great success in building awareness and knowledge on habitat creation, while also strengthening the relationships with organisations located in or around the City's Local Government Area that also impact on our ability to deliver quality policy outcomes.

As a result of the workshop, two standing dead trees have been retained in Sydney Park to create habitat specifically for microbats. The Tree Management Team and the Parks Services Team have highlighted the need to find other trees that pose a low risk to park users and can be converted to habitat trees. Additionally, approximately 20 logs that have been altered to increase their habitat value, ie, cavities created, have been placed in various parks throughout the LGA, and several habitat logs and a stag have been placed in the island within the wetland at Sydney Park.