

ITEM 12. NOTICES OF MOTION**JOHN KAYE MLC (S103137)****1. By Councillor Doutney**

It is resolved that:

- (A) Council note with regret the passing of Member of the NSW Legislative Council, Dr John Kaye, on 2 May 2016;
- (B) Council note during John's 10 years in Parliament he worked with communities across NSW for a more just and sustainable future. John's work had significant impact on public debate and political outcomes in a number of areas:
 - (i) first and foremost, John was a passionate champion for our public education system. He was appalled by the inequity of resources between the public and private systems and campaigned to change the funding structure that supported this unfairness. Importantly, he opposed the sale of public education lands in urban areas and was outspoken about the need to make quality public education accessible for all, especially those of us threatened by the shortfall here in the inner city. John recognised TAFE as a critical institution to the success and wellbeing of our communities. He fought the erosion of TAFE and the privatisation of VET training which has been introduced by successive governments;
 - (ii) as a former UNSW lecturer in sustainable energy, John was an early advocate for a managed transition from fossil fuels to renewable energy. He campaigned against the expansion of coal fire power in NSW and led a strong public debate for the social, environmental and economic advantages of renewables;
 - (iii) his work against corruption and corporate donations has exposed undeclared financial arrangements between politicians and corporations; and
 - (iv) as an animal rights advocate, John has exposed the false labelling of free range eggs. He has campaigned against changes to consumer regulation which would see chickens face increasingly cruel conditions and advocated for an end to the savagery of the greyhound racing industry;
- (C) the Council chamber stand for one minute's silence to honour the life and work of Dr John Kaye; and
- (D) the Lord Mayor write to John's partner Lynne expressing the City's condolences.

AUDIO DESCRIPTION OF CITY OF SYDNEY VIDEO CONTENT (S103138)**2. By Councillor Vithoukas**

It is resolved that:

- (A) Council note:

- (i) the City of Sydney's Inclusion (Disability) Action Plan 2014-2017 sets out a vision where: the city is accessible and inclusive for everyone, all visitors to the City of Sydney are welcome, everyone can work and live in the city, City information is accessible for everyone, everyone can have a say and city life is accessible and inclusive for everyone;
 - (ii) under the Web Accessibility National Transition Strategy, the City of Sydney is required to ensure that its website complies with the Web Content Accessibility Guidelines (WCAG 2.0). Under these guidelines, all information on the website must be accessible and usable for people of all abilities, including older people as well as people with visual, hearing, cognitive or motor impairments;
 - (iii) video is increasingly being used to share messages and information with the Local Government Area and wider audiences. During April 2016, socialmedianews.com.au reported that unique average You Tube views for Australian audiences had reached 14,250,000;
 - (iv) the City of Sydney currently has a You Tube channel that contains a number of videos, with the most recent video titled Sydney Chinese New Year Festival 2016. The channel also has over 3,000 subscribers;
 - (v) audio description is the auditory narration of visual representations such as television programs, films and performances, during gaps in dialogue, it describes visual elements such as scenes, settings, actions and costumes; and
 - (vi) audio description of video content enables people who are blind or vision impaired to experience video presentations; and
- (B) the Chief Executive Officer be requested to:
- (i) work with staff and the Inclusion Advisory Panel to ensure that future videos produced by the City of Sydney are available with audio description; and
 - (ii) report back to Council via CEO update on the development of this initiative.

DECLARATION OF RESIDENTS BACKYARD AS PUBLIC ROAD (S103132)

3. By Councillor Mandla

It is resolved that:

(A) Council note:

- (i) Mr and Mrs Reginald and Jillian Powell live in a Strata Apartment block. They and their predecessors have continuously occupied a parcel of land at the rear of their unit block for over 60 years;
- (ii) the area is small in size (about 7 metres by 3 metres) and is at the rear of their apartment. They treat it as if it is their own and it is essential to their quiet enjoyment of the property. There is no possible way it could be used as a public road;

- (iii) it is understood that the land currently sits in the deceased estate of James Onslow and has done for many years now;
 - (iv) Mr and Mrs Powell have made an application for adverse possession of the land based on their and their predecessors longstanding use and occupation of the land. They believe their claim is entirely legitimate;
 - (v) there is no competing public interest claim on this land and it cannot be reasonably used for any other public purpose; and
 - (vi) on 18 March, 2016, the City of Sydney gazetted this area as public road under the Roads Act; and
- (B) the Chief Executive Officer be requested to:
- (i) put any plans of turning this into a public road on hold/reverse the process already undertaken; and
 - (ii) consult Council lawyers and seek further advice on the matter.

CHARITY PARKING PERMITS (S103139)

4. By Councillor Forster

It is resolved that:

- (A) Council note:
- (i) in May 2014, Council endorsed the Neighbourhood Parking Policy and, as of mid-2015, the majority of the changes introduced under the policy had been completed;
 - (ii) the policy separates annual street parking permits into four general categories:
 - (a) Resident Parking Permits;
 - (b) Visitor Parking Permits;
 - (c) Business Parking Permits; and
 - (d) Care Worker Permits;
 - (iii) although these categories cater to the vast majority of residents, businesses and visitors to the city, there are still a small number of special cases where not-for-profit charitable organisations are unable to obtain one of these parking permits to enable them to conduct their work in the community; and
- (B) the Chief Executive Officer be requested to:
- (i) investigate the possibility of modifying the City's Neighbourhood Parking Policy to include a permit category under which not-for-profit charitable organisations, which are shown to be actively working within the community, could be assessed on a case-by-case basis for eligibility to be granted an annual street parking permit; and

- (ii) report back to Council via the CEO Update on the results of that investigation.

LIMITED MULTIDAY VISITOR PARKING PERMITS STUDY (S103133)

5. By Councillor Scott

It is resolved that Council:

- (A) note the implementation of the City's new Neighbourhood Parking Policy which will abolish annual visitor parking permits and introduce a limited number of daily visitor parking permits effective 12 May 2016; and
- (B) authorise the City to undertake a study into the possibility of creating a limited number of multi-day visitor parking permits, determined on the basis of need.

DELEGATIONS TO THE LORD MAYOR (S103133)

6. By Councillor Scott

It is resolved that Council:

- (A) note paragraph 4(a) of the City's Delegations to the Lord Mayor policy which states that Council delegates to the Lord Mayor, on an ongoing basis, the authority "to approve all press statements and publications issued on behalf of Council, unless Council determines otherwise on a specific issue"; and
- (B) revoke the aforementioned authority as per paragraph 4(a) of the City's Delegations to the Lord Mayor with relation to communicating on behalf of the City, directly or via any other City unit, with any person/s or organisation/s from data gathered through the registration form for the non-residential roll, including the use of any message from, a photograph of, or the signature of the City of Sydney Lord Mayor as part of any communication.

OBTAINING LEGAL ADVICE IN RELATION TO THE WESTCONNEX (S103133)

7. By Councillor Scott

It is resolved that Council:

- (A) note:
 - (i) over 13,000 submissions to the NSW Department of Planning from the community raising concerns about WestConnex;
 - (ii) the planning approval has been granted to the second major tunnel section of WestConnex, which will run between the existing M5 East at Kingsgrove and a giant spaghetti-junction interchange at St Peters;
 - (iii) the conditions to which the approval is subject, in particular Condition B.43, which states that the project, "on balance, be designed to improve traffic by not adversely impacting on the performance of the road network for all road users, including but not limited to vehicles, freight, public transport and active transport"; and

- (iv) note that the question of whether or not WestConnex will not adversely impact on the performance of the road network for all road users needs to be urgently legally determined;
- (B) authorise the Chief Executive Officer (CEO) to expend up to \$20,000 sourced from the General Contingency briefing legal Counsel to determine the possibility of a case against WestConnex;
- (C) request the CEO to report back to Councillors via a CEO Update as soon as possible; and
- (D) request the CEO to write to affected Council General Managers to request that Councils consider participating in joint legal action.

PROTECTING THE CITY'S PARKS FROM WESTCONNEX (S103133)

8. By Councillor Scott

It is resolved that Council:

- (A) note:
 - (i) a recent notice of survey area issued by WestConnex Delivery Authority; and
 - (ii) that the survey area encompasses several parks in and around Glebe;
- (B) strongly oppose any encroachment on to any City green spaces; and
- (C) write to the State Government requesting it commit to ensuring the protection of these green spaces.

MARKETS POLICY (S103133)

9. By Councillor Scott

It is resolved that:

- (A) Council note:
 - (i) the City's Markets Policy was adopted on 29 June 2015;
 - (ii) recent market-style events have not come under the Markets Policy assessment framework;
 - (iii) the need to ensure all markets in the City are operating on an equitable basis; and
 - (iv) the Policy is not due to for review until June 2018; and
- (B) in light of recent community and local business concerns about a range of unforeseen outcomes arising from the implementation of the Markets Policy, the Chief Executive Officer be requested to review the Markets Policy, and return with any proposed amendments to the Policy by the end of 2016.

CENTRAL TO EVELEIGH REDEVELOPMENT (\$103133)

10. By Councillor Scott

It is resolved that Council:

(A) note:

- (i) the significant increase in resident and visitor populations predicted for the Central to Eveleigh precinct; and
- (ii) the continuing uncertainty surrounding UrbanGrowth's development plans for the area; and

(B) request the Chief Executive Officer to:

- (i) investigate the possibility of installing City wayfinding information and better lighting between Redfern Station and Carriageworks;
- (ii) seek to work with Carriageworks and the State Government to investigate integrated ticketing for cultural and other events at the Central to Eveleigh precinct and a shared approach to arts and cultural services between the City, Carriageworks and UrbanGrowth; and
- (iii) write to the CEO of UrbanGrowth and Transport for NSW expressing Council's strong support for:
 - (a) better pedestrian links through the Central to Eveleigh site, in particular, a pedestrian link from Redfern Station to Carriageworks and a bridge from ATP to Carriageworks; and
 - (b) working collaboratively on a plan for affordable housing dwellings in the North Eveleigh precinct.