

22 September 2025

At 5.00 pm

Council

Agenda

- 1. Confirmation of Minutes**
- 2. Statement of Ethical Obligations and Disclosures of Interest**
- 3. Minutes by the Lord Mayor**
 - 3.1 Vale Susan (Sue) Margaret Barker
 - 3.2 More Action to Support Sydney's Nightlife
- 4. Memoranda by the Chief Executive Officer**
 - 4.1 Election of Deputy Lord Mayor
 - 4.2 Schedule of Council and Committee Meetings - 2026, 2027 and 2028
 - 4.3 Grant Recipient Change of Entity - 2024/25 Community Services Grant Program
- 5. Matters for Tabling**
- 6. Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Confirmation of Minutes
 - 6.2 Statement of Ethical Obligations and Disclosures of Interest
 - 6.3 Investments Held as at 31 August 2025
 - 6.4 Adoption - Public Interest Disclosure Policy
 - 6.5 Land Classification - 895-901 Bourke Street, Waterloo
- 7. Report of the Environment and Climate Change Committee**
 - 7.1 Confirmation of Minutes
 - 7.2 Statement of Ethical Obligations and Disclosures of Interest
 - 7.3 Public Exhibition - Draft Waste Reduction and Circular Materials Strategy 2025-2035

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7.4 Project Scope - Green Park Renewal

8. Report of the Equity and Housing Committee

8.1 Confirmation of Minutes

8.2 Statement of Ethical Obligations and Disclosures of Interest

8.3 Grants and Sponsorship - Affordable and Diverse Housing Fund - Metropolitan Local Aboriginal Land Council

8.4 Grants and Sponsorship - Affordable and Diverse Housing Fund - Property Industry Foundation Meanwhile Use Housing

9. Report of the Community Services and Facilities Committee

9.1 Confirmation of Minutes

9.2 Statement of Ethical Obligations and Disclosures of Interest

9.3 Grants and Sponsorship - Aboriginal and/or Torres Strait Islander Collaboration Fund and Ad Hoc Grant - Wyanga Aboriginal Aged Care Program

10. Report of the Transport, Heritage and Planning Committee

10.1 Confirmation of Minutes

10.2 Statement of Ethical Obligations and Disclosures of Interest

10.3 Public Exhibition - Planning Proposal - Oxford Street LGBTIQ+ Heritage Items Stage 2

10.4 Public Exhibition - Planning Proposal - 150 Day Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

10.5 Hoarding Application Approvals Beyond 5 Years

10.6 Fire Safety Reports

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11. Questions on Notice

12. Supplementary Answers to Previous Questions

13. Notices of Motion

13.1 Vale Dr Hannah Middleton

13.2 Motion to Local Government NSW Annual Conference - Supporting Our Night Time Economy

13.3 Investigating A Pay Rise for Early Childhood Education Workers

13.4 Supporting the Tobacco Legislation (Closure Orders) Amendment Bill 2025

13.5 Motion to Local Government NSW Annual Conference - Affordable Housing Contributions Schemes Across All NSW Councils

13.6 Reporting on Outcomes from the City of Sydney Affordable Housing Schemes

13.7 Congratulations OneFour on Headline Show at City Recital Hall

13.8 Stopping the Retail Sale of Vapes

Item 1

Confirmation of Minutes

Minutes of the following meeting of Council are submitted for confirmation:

Meeting of 25 August 2025

Item 2

Statement of Ethical Obligations

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

Disclosures of Interest

Pursuant to the provisions of the Local Government Act 1993, the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose and manage both pecuniary and non-pecuniary interests in any matter on the agenda for this meeting.

In both cases, the nature of the interest must be disclosed.

This includes receipt of reportable political donations over the previous four years.

Item 3.1

Vale Susan (Sue) Margaret Barker

Document to Follow

Item 3.2

More Action to Support Sydney's Nightlife

File No: S051491

Minute by the Lord Mayor

To Council:

On 9 September 2025, the NSW Productivity and Equality Commission ('the Commission') published its report, [Review of regulatory barriers impeding a vibrant 24-hour economy](#) ('the Report').

When he launched the Report, the Minister for the Night-Time Economy (John Graham) observed that for a long time night-time policy had a "moral tinge", was more about "keeping people safe from themselves" and motivated by a belief that "nothing good happens after dark". He said that the NSW Government had "worked hard to rebuild our night-time economy", through its "vibrancy reforms" but there was more work to do "to harness its full potential". The Commission's report and recommendations may inform future tranches of these reforms.

The Report's 55 recommendations are grouped into three broad areas:

- Making it easier to open and run night-time businesses, with recommendations for continued development of Special Entertainment Precincts, proportionate regulation for low-risk development and adapting the planning system for new and evolving business models.
- Getting around and home safely, including recommendations to make public transport at night more predictable, accessible and frequent.
- Understanding and promoting the State's night-time economy with recommendations for better communication with enforcement agencies, Councils and businesses, strengthening public perceptions of nightlife and addressing data gaps to improve decision making.

City of Sydney action

The City has a strong history in identifying issues impacting the night-time economy and in implementing measures to address these which are aligned to the Report's recommendations.

Our 2019 amendments to the Late Night Trading Development Control Plan (DCP) provided a "framework for fun" by establishing new late-night trading areas, enabling low-impact venues to trade later and provided incentives for licenced premises to provide live entertainment. Our 2021 Open and Creative Reforms have enabled shops to trade until 10pm in the city centre and on village high streets without requiring a development application.

We streamlined outdoor dining approvals and since 2020, we have waived outdoor dining application and licensing fees offering support worth \$20 million. We have now made this fee waiver permanent. Almost all businesses with outdoor dining have told us it is beneficial, or crucial, to their business - more than half have had an increase in turnover of around 20%. Many have employed new staff or increased staff hours – an estimated 200 jobs have been created from our free outdoor dining.

Our \$32 million upgrade of Crown Street is creating a more attractive streetscape with more space for outdoor dining and for displaying goods on the footpath. The City has also spent over \$300 million transforming George Street into a pedestrian boulevard, which has attracted \$8 billion of private investment and is now enticing crowds of people sitting and walking, eating and drinking, shopping and chatting with friends.

This year, we made further DCP changes to safeguard live entertainment venues. New residential development near existing venues or 24-hour late-night trading areas are now required to be built to a standard that protects residents from existing noise. Likewise, new or substantially changed venues need to be built to a standard that provides existing residents reasonable amenity.

To further incentivise venues, we have enabled earlier and later trading hours and extended trial periods for longer trading hours to reduce the need for a development application (DA).

Work is now under way to enable our existing late-night trading areas to become Special Entertainment Precincts, unlocking additional benefits for nightlife businesses. This includes additional liquor licence hours and discounted liquor licence fees. It creates opportunities for more areas to benefit from a diverse and vibrant night-time offering, while also providing greater certainty for businesses.

The City is doing this work in line with the NSW Government's Guidelines which requires us to carry out sound studies and develop precinct management plans with a framework around compliance and sound management. As they prepare these plans, staff will consider managing waste, cleansing and anti-social behaviour as well as encouraging a diverse range of night-time activities which are accessible, inclusive and affordable for everyone. The City will prepare a draft Planning Proposal and DCP that will be reported to Council in early 2026.

We have also taken action to improve safety at night and to promote Sydney's nightlife, consistent with the Report's recommendations. The City has introduced initiatives such as the Oxford Street Pride Charter, PrideVis security vests, and late-night safety walks with NSW Police to promote inclusion, safety, and trust with LGBTIQ+ communities. It also coordinates a Pride Care Space during Mardi Gras, providing young people with hydration, nutrition, and support services.

The Report

I have long advocated to State Governments for many of the reforms recommended in the Report, including harmonising liquor licensing and planning approval processes and improvements to late night public transport.

I welcome recommendations to increase the frequency of and access to public transport at night. I strongly suggest the NSW Government trials later services so everyone, including workers can get home safely and affordably when venues close, especially on weekends and in high-activity areas such as Oxford Street and the city centre.

Vehicle speeds are generally higher at night in the City Centre and main streets, yet the Report overlooks measures like 30km/h limits in late-night precincts that could support activation and improve safety.

Many of the Report's recommendations are likely to have significant implications for Councils if adopted including those relating to development approval processes, length of trial periods, heritage uses and zoning changes. It is important that we fully understand these implications, and where necessary the NSW Government engages with Councils before they are adopted.

The Report explicitly acknowledges that many impacts on nightlife and the night-time economy are outside the scope of its review. These include staff shortages, higher costs of operating businesses at night, cost of living, and the competing attraction of staying at home. Nor does it address the need for additional funding to support many of the proposed initiatives which rely on local Councils, precinct-based groups and local businesses supporting and delivering outcomes.

Even so, the Report makes an important contribution to identifying actions to further revitalise our nightlife. In welcoming it, we are committed to continuing to work with the NSW Government, nightlife businesses and the community to ensure that the recommendations are implemented in a way that deliver social, cultural and economic benefits without having adverse or unintended impacts.

Recommendation

It is resolved that:

- (A) Council welcome the NSW Productivity and Equality Commission report, Review of regulatory barriers impeding a vibrant 24-hour economy and commend the Minister for the Night-Time Economy, the Hon. John Graham MLC for commissioning this review;
- (B) Council note that the City of Sydney has implemented measures to make it easier for businesses to trade at night, improve safety at night and promote Sydney's nightlife consistent with many of the Report's recommendations and is currently working to enable our existing late-night trading areas to become Special Entertainment Precincts, unlocking additional benefits for nightlife businesses;
- (C) the Lord Mayor be requested to write to:
 - (i) the Minister for the Night-Time Economy commending him for commissioning the Report and informing him that the City is willing to work with the NSW Government in implementing the Report's recommendations in a way that delivers social and economic benefits without having adverse or unintended impacts;
 - (ii) the Minister for Transport requesting him to implement the Report's recommendations to improve frequency of and access to public transport at night, as well as trialling later public transport services especially on weekends and in high-activity areas;
 - (iii) the Minister for Roads requesting her to consider lowering speed limits to 30km/h in late night precincts to support activation and improve safety; and

- (iv) the Minister for Planning and Public Spaces and the Minister for Gaming and Racing requesting them to proceed with implementing the Report's recommendations relating to harmonising and integrating liquor licensing and development approval processes and offering the City of Sydney as a trial area for that to happen; and
- (D) the Chief Executive Officer be requested to:
 - (i) review the Report's recommendations and provide Council with advice on the implications for local government if the recommendations are adopted; and
 - (ii) liaise with the NSW Productivity and Equality Commission, the Office of the 24 Hour Economy Commissioner and any other relevant NSW Government agencies requesting them to address any issues arising from this review.

THE RT HON CLOVER MOORE AO

Lord Mayor of Sydney

Item 4.1**Election of Deputy Lord Mayor****File No: S062388****Memorandum by the Chief Executive Officer**

To Council:

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

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

At the extraordinary Council meeting of 10 October 2024, Councillor Zann Maxwell was elected Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately and ending on 30 September 2025.

Payment of Fees

Section 249(5) of the Act provides:

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

On 5 June 2000, Council resolved to:

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

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

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

Call for Nominations

Nominations for the office of Deputy Lord Mayor are now invited. Nominations must be made in writing by 2 or more Councillors (one of whom may be the nominee). Nomination forms will be provided to Councillors.

Conduct of Election

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

Recommendation

It is resolved that:

- (A) Council elect a Deputy Lord Mayor for a term commencing immediately following the election and ending on 30 September 2026;
- (B) the method of voting be by open, exhaustive voting; and
- (C) the Chief Executive Officer conduct the election forthwith.

MONICA BARONE PSM

Chief Executive Officer

Item 4.2

Schedule of Council and Committee Meetings – 2026, 2027 and 2028

Document to Follow

Item 4.3**Grant Recipient Change of Entity - 2024/25 Community Services Grant Program****File No: S117676****Memorandum by the Chief Executive Officer**

To Council:

On 24 June 2024, Council approved grant funding as part of the Community Services Grant Program.

This grant program supports projects and programs that help increase social cohesion and inclusion, develop healthy and resilient communities, and support participation in civic life.

City staff have been made aware of the need to amend one of the grants that was approved to account for a requested change of recipient. The grant in question is a total of \$150,000 in cash and \$71,759 in Value in Kind (venue hire and street banner pole hire) over 3 years (2024 - 2026) awarded to the University of Sydney (ABN 15 211 513 464) to support the annual Sydney Peace Prize ceremony and lecture to be held in Sydney Town Hall.

On 11 August 2025, the City was advised that Sydney Peace FDN Ltd has become an independent public company and, therefore, has requested a change of grant recipient from the University of Sydney (ABN 15 211 513 464) to Sydney Peace FDN Ltd (ABN 43 687 466 075).

Sydney Peace FDN Ltd is an Australian Public Company, Limited By Guarantee and is registered with the Australian Charities and Not-for-profits Commission (ACNC). As an Eligible Not For Profit Organisation, Sydney Peace FDN Ltd remains eligible to receive funding through the Major Grants category and City of Sydney staff are satisfied that providing the funds to this entity is required to ensure delivery of the project.

The project, grant funding amount, and criteria for funding remain the same.

In accordance with the resolution of Council of 24 June 2024 that approved this grant funding, Council is required to approve any change to the identity of a grant recipient.

Recommendation

It is resolved that Council approve the change of grant recipient for the Sydney Peace Prize project as part of the Community Services Grant Program, from the University of Sydney (ABN 15 211 513 464) to Sydney Peace FDN Ltd (ABN 43 687 466 075).

MONICA BARONE PSM

Chief Executive Officer

Item 5

Matters for Tabling

5.1 Disclosures of Interest

Disclosure of Interest returns that have been lodged in accordance with the City of Sydney Code of Conduct will be tabled.

Recommendation

It is resolved that the Disclosures of Interest returns be received and noted.

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 15 September 2025

Item 6.1

Confirmation of Minutes

Moved by Councillor Kok, seconded by Councillor Worling –

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 18 August 2025, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 6.2

Statement of Ethical Obligations and Disclosures of Interest

No Councillors disclosed any pecuniary or non-pecuniary interests in any matters on the agenda for this meeting of the Corporate, Finance, Properties and Tenders Committee.

The Corporate, Finance, Properties and Tenders Committee recommends the following:

Item 6.3**Investments Held as at 31 August 2025**

It is resolved that the Investment Report as at 31 August 2025 be received and noted.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Worling, and carried unanimously.)

X020701

The Corporate, Finance, Properties and Tenders Committee recommends the following:

Item 6.4

Adoption - Public Interest Disclosure Policy

It is resolved that:

- (A) Council adopt the Public Interest Disclosure Policy, as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Public Interest Disclosure Policy in order to update the contact information from time to time in Annexure A, correct any minor drafting errors and to finalise design and accessible formats for publication.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S121629.035

The Corporate, Finance, Properties and Tenders Committee recommends the following:

Item 6.5

Land Classification - 895-901 Bourke Street, Waterloo

It is resolved that Council:

- (A) endorse the classification of 895-901 Bourke Street, Waterloo (being proposed Lot 103 in the Plan of Subdivision of Lot 1 in DP 1304819), which is to be transferred to Council for future public purposes, as operational land in accordance with section 31 of the Local Government Act 1993 (NSW); and
- (B) note that the operational classification is an interim measure to support operational management until the land can be re-classified as community land and included within the Generic Plan of Management.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X106765.006

Item 7

Report of the Environment and Climate Change Committee - 15 September 2025

Item 7.1

Confirmation of Minutes

Moved by Councillor Worling, seconded by Councillor Miller –

That the Minutes of the meeting of the Environment and Climate Change Committee of Monday 18 August 2025, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 7.2

Statement of Ethical Obligations and Disclosures of Interest

No Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Environment and Climate Change Committee.

The Environment and Climate Change Committee recommends the following:

Item 7.3

Public Exhibition - Draft Waste Reduction and Circular Materials Strategy 2025-2035

It is resolved that:

- (A) Council note the Leave Nothing to Waste Strategy and Action Plan 2017-2030 Actions Summary Table as shown at Attachment A to the subject report, the achievements delivered during that period, and the intention to finalise the Leave Nothing to Waste Strategy and Action Plan 2017-2030 following final Council adoption of the Waste Reduction and Circular Materials Strategy 2025-2035;
- (B) Council approve for public exhibition the draft Waste Reduction and Circular Materials Strategy 2025-2035 as shown at Attachment B to the subject report;
- (C) Council note that the draft Waste Reduction and Circular Materials Strategy 2025-2035, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (D) authority be delegated to the Chief Executive Officer to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Waste Reduction and Circular Materials Strategy 2025-2035.

(Note – at the meeting of the Environment and Climate Change Committee, this recommendation was moved by Councillor Worling and seconded by the Chair (the Lord Mayor).

Amendment. Moved by Councillor Arkins, seconded by Councillor Miller –

That the motion be amended such that clause (B) read as follows –

- (B) Council approve for public exhibition the draft Waste Reduction and Circular Materials Strategy 2025-2035 as shown at Attachment B to the subject report, subject to the following amendment:
 - (i) include an extra action Item in Direction 5: Build Resilient Waste and Circular Systems:

Explore opportunities to work with the NSW Government, commercial business organisations and commercial waste collection companies to better coordinate commercial waste collections in the Sydney CBD.

Amendment carried unanimously.

Amended motion carried unanimously.)

X087085

Item 7.4**Project Scope - Green Park Renewal**

The Environment and Climate Change Committee decided that consideration of this matter shall be deferred to the meeting of Council on 22 September 2025.

Staff Recommendation

The staff recommendation to the Environment and Climate Change Committee was as follows –

It is resolved that Council:

- (A) endorse the project scope for the Green Park, Darlinghurst renewal, as described in the subject report and shown in the Concept Plan as shown at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation tender and construction; and
- (B) note the estimated financial implications as outlined in Confidential Attachment D to the subject report.

Staff Report

The staff report on this matter can be found at Item 4 on the agenda of the meeting of the Environment and Climate Change Committee on 15 September 2025.

X099771.002

Speakers

Georgina Brown (What is a Home) and Mary Willcox (Cana Communities) addressed the meeting of the Environment and Climate Change Committee on Item 7.4.

Item 8

Report of the Equity and Housing Committee - 15 September 2025

Item 8.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Equity and Housing Committee of Monday 18 August 2025, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 8.2**Statement of Ethical Obligations and Disclosures of Interest**

Councillor Yvonne Weldon disclosed a pecuniary interest in Item 8.3 on the agenda, in that she is a Board member of the Metropolitan Local Aboriginal Land Council, the recipient of the proposed grant.

Councillor Weldon stated that she would not be voting on this matter.

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that last Council term, she had 2 meetings with Dominic Sullivan, co-chair of the End Street Sleeping Collaboration, once with then Councillor, Jess Scully. On these occasions, he mentioned the potential development of an app to connect homelessness services with owners of vacant properties. One of the speakers at committee, Mendel Kastel, is also a board member of the End Street Sleeping Collaboration.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she was not aware that there had been progress on the development of this application, that this work was being supported by the Property Industry Foundation, or that the Property Industry Foundation had applied for a grant from the City of Sydney for these purposes.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Equity and Housing Committee.

The Equity and Housing Committee recommends the following:

Item 8.3

Grants and Sponsorship - Affordable and Diverse Housing Fund - Metropolitan Local Aboriginal Land Council

It is resolved that:

- (A) Council approve a cash grant to Metropolitan Local Aboriginal Land Council for \$3 million to support the preparation of a development application and construction to develop 36-38 George Street, Redfern for residential accommodation for members of the Metropolitan Local Aboriginal Land Council as determined by the Metropolitan Local Aboriginal Land Council;
- (B) Council note the request from Metropolitan Local Aboriginal Land Council is at Attachment A to the subject report and financial details are at Confidential Attachment B to the subject report;
- (C) Council note that the grant may be withdrawn if the project materially changes from the current proposal as outlined in Attachment A to the subject report, or if a development application is not lodged within 12 months; and
- (D) authority be delegated to the Chief Executive Officer to:
 - (i) finalise negotiations, execute and administer the grant agreement with the Metropolitan Local Aboriginal Land Council in accordance with clauses (A) and (B); and
 - (ii) otherwise administer all matters relating to this grant.

(Note – at the meeting of the Equity and Housing Committee, this recommendation was moved by Councillor Maxwell, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X105028.013

Speakers

Nathan Moran (CEO, Metropolitan Local Aboriginal Land Council) addressed the meeting of the Equity and Housing Committee on Item 8.3.

The Equity and Housing Committee recommends the following:

Item 8.4

Grants and Sponsorship - Affordable and Diverse Housing Fund - Property Industry Foundation Meanwhile Use Housing

It is resolved that:

- (A) Council approve a cash grant to the Property Industry Foundation for \$140,000 over 2 years (\$70,000 per annum) to support their meanwhile use housing project; and
- (B) authority be delegated to the Chief Executive Officer to:
 - (i) finalise negotiations, execute and administer the grant agreement with the Property Industry Foundation in accordance with clause (A); and
 - (ii) otherwise make decisions and administer the other conditions relating to this grant.

(Note – at the meeting of the Equity and Housing Committee, this recommendation was moved by Councillor Maxwell, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X105028.024

Speakers

Mendel Kastel (CEO, Jewish House), Jeanne-Vida Douglas (Property Industry Foundation) and Terry Petry (CFO, Property Industry Foundation) addressed the meeting of the Equity and Housing Committee on Item 8.4.

Item 9

Report of the Community Services and Facilities Committee - 15 September 2025

Item 9.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Community Services and Facilities Committee of Monday 16 June 2025, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 9.2**Statement of Ethical Obligations and Disclosures of Interest**

Councillor Olly Arkins disclosed a significant non-pecuniary interest in Item 9.3 on the agenda, in that Norma Ingram, founding and current board member of Wyanga Aboriginal Aged Care, is someone they have known for many years and has previously been a candidate for Labor on the City of Sydney and for the State electorate of Newtown in the past.

Councillor Arkins stated that they will not be voting on this matter.

Councillor Zann Maxwell disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that Aunty Norma Ingram is the Chair of Wyanga Aged Care, an organisation who are receiving this grant. Aunty Norma Ingram is also a Sydney Labor member.

Councillor Maxwell considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because Aunty Norma did not make any representation to him in relation to this item and was unaware it was coming to Committees.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Community Services and Facilities Committee.

Item 9.3**Grants and Sponsorship - Aboriginal and/or Torres Strait Islander Collaboration Fund and Ad Hoc Grant - Wyanga Aboriginal Aged Care Program**

The Community Services and Facilities Committee decided that consideration of this matter shall be deferred to the meeting of Council on 22 September.

Staff Recommendation

The staff recommendation to the Community Services and Facilities Committee was as follows –

It is resolved that:

- (A) Council approve the cash recommendations for the Aboriginal and/or Torres Strait Islander Collaboration Fund program as shown at Attachment A to the subject report;
- (B) Council note the applicants who were not recommended in obtaining a cash grant for the Aboriginal and/or Torres Strait Islander Collaboration Fund program as shown at Attachment B to the subject report;
- (C) Council approve an Ad Hoc cash grant of up to \$50,000 to Wyanga Aboriginal Aged Care Program Inc (ABN 98 732 869 630) to contribute to the repair the roof of its facility at 35 Cope Street, Redfern, with funding to be sourced from the 2025/26 General Contingency Fund;
- (D) Council note that all grant amounts are exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Staff Report

The staff report on this matter can be found at Item 3 on the agenda of the meeting of Community Services and Facilities Committee on 15 September 2025.

S117676

Item 10

Report of the Transport, Heritage and Planning Committee - 15 September 2025

Item 10.1

Confirmation of Minutes

Moved by Councillor Miller, seconded by Councillor Worling –

That the Minutes of the meeting of the Transport, Heritage and Planning Committee of Monday 18 August 2025, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 10.2**Statement of Ethical Obligations and Disclosures of Interest**

Councillor Zann Maxwell disclosed a less than significant, non-pecuniary interest in Item 10.6 on the agenda, in that there are residents who are Labor Party members that live at 180 Pitt Street, Waterloo.

Councillor Maxwell considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because none of the branch members have contacted him in relation to this item.

Councillor Olly Arkins disclosed a less than significant, non-pecuniary interest in Item 10.6 on the agenda, in that there are residents in 180 Pitt Street, Waterloo who are members of the Labor Party (NSW Branch).

Councillor Arkins considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because they were not contacted by the residents regarding this Item.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Transport, Heritage and Planning Committee.

The Transport, Heritage and Planning Committee recommends the following:

Item 10.3

Public Exhibition - Planning Proposal - Oxford Street LGBTIQ+ Heritage Items Stage 2

It is resolved that:

- (A) Council approve the Planning Proposal - Oxford Street LGBTIQ+ Heritage Items Stage 2, shown at Attachment A to the subject report, for submission to the Department of Planning, Housing and Infrastructure with a request for a gateway determination;
- (B) Council approve the Planning Proposal - Oxford Street LGBTIQ+ Heritage Items Stage 2 as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;
- (C) Council seek authority from the Department of Planning, Housing and Infrastructure to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal - Oxford Street LGBTIQ+ Heritage Items Stage 2; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Oxford Street LGBTIQ+ Heritage Items Stage 2, to correct any drafting errors or to ensure consistency with the gateway determination.

(Note - at the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X091578

Speaker

Ben Mulcahy (205-207 Oxford Street, Darlinghurst) addressed the meeting of the Transport, Heritage and Planning Committee on Item 10.3.

The Transport, Heritage and Planning Committee recommends the following:

Item 10.4

Public Exhibition - Planning Proposal - 150 Day Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal - 150 Day Street, Sydney, as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for Gateway Determination;
- (B) Council approve Planning Proposal - 150 Day Street, Sydney, as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 150 Day Street, Sydney;
- (D) Council approve the Draft Sydney Development Control Plan 2012 - 150 Day Street, Sydney, as shown at Attachment B to the subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - 150 Day Street, Sydney, to correct any drafting errors or to ensure consistency with the Gateway Determination;
- (F) authority be delegated to the Chief Executive Officer to make any variations to Draft Sydney Development Control Plan 2012 - 150 Day Street, Sydney, to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (G) Council note the Chief Executive Officer will prepare a draft planning agreement in accordance with the letter of offer dated 3 September 2025 at Attachment C to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited in accordance with the Act.

(Note - at the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X090796

The Transport, Heritage and Planning Committee recommends the following:

Item 10.5

Hoarding Application Approvals Beyond 5 Years

It is resolved that:

- (A) Council approve current and future hoarding renewal applications for the following sites where the total period of installation is 5 years or more:
 - (i) Type-A hoarding (site fence) located at 136 Hay Street, Haymarket (Ref. B/2020/303);
 - (ii) Type-A hoarding (site fence) located at 1 Stirling Circuit, Camperdown (Ref. B/2019/310);
 - (iii) Type-B hoarding (overhead protection) located at 229-231 Macquarie Street, Sydney (Ref. B/2020/97);
 - (iv) Type-B hoarding (overhead protection) located at 55 Pitt Street Sydney (Ref. B/2021/367 and B/2021/368);
 - (v) Type-B hoarding (overhead protection) located at 88-90 Parramatta Road, Camperdown (Ref. B/2021/129);
 - (vi) Type-B hoarding (overhead protection) located at 8-10 Marlborough Street, Surry Hills (Ref. 2021/140); and
 - (vii) Type-B hoarding (overhead protection) located at 28 Broadway, Chippendale (Ref. B/2024/145); and
- (B) authority be delegated to the Chief Executive Officer to vary any approvals listed in (A) above with any further extensions to be reported by way of CEO Update.

(Note - at the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Miller, seconded by Councillor Worling, and carried unanimously.)

X123920

The Transport, Heritage and Planning Committee recommends the following:

Item 10.6

Fire Safety Reports

It is resolved that Council:

- (A) note the contents of the Fire Safety Reports Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to F to the subject report;
- (C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 47-61 Pyrmont Bridge Road, Camperdown;
- (D) note the contents of Attachment C and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 120-122 Saunders Street, Pyrmont;
- (E) note the contents of Attachment D and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 107-109 Darlinghurst Road, Potts Point;
- (F) note the contents of Attachment E and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 9-15 Macarthur Street, Ultimo; and
- (G) note the contents of Attachment F and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 180 Pitt Street, Waterloo.

(Note - at the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Miller, seconded by Councillor Worling, and carried unanimously.)

S105001.002

Item 11

Questions on Notice

1. Affordable Housing Levies and What Has Been Built with Developer Levies in Pyrmont

By Councillor Ellsmore

Question

The City of Sydney is one of the earliest councils to collect affordable housing levies from development, with levies collected in Pyrmont and Ultimo for more than 25 years.

The City of Sydney maintains a publicly available developer contributions register which contains monetary contributions levied and paid as conditions of approved development applications. The register does not currently report affordable housing levies. The NSW Government is moving to create a public register of affordable housing in NSW. This will show where affordable homes are, who owns them, and who manages them.

Can the City of Sydney please advise:

1. Approximately what is the total amount of affordable housing levies have been collected for Pyrmont and Ultimo, since the 1990s?
2. Approximately how many affordable or social housing properties:
 - (a) Have already been built using affordable housing levies in Pyrmont and Ultimo?
 - (b) Have been approved for future development in Pyrmont and Ultimo?
 - (c) Are proposed but have not yet been approved for development in Pyrmont and Ultimo?
3. Does Council know the owner and location of the properties:
 - (a) Which have been built?
 - (b) Which are proposed?
4. If yes, what are the addresses of the properties, and who are they owned by? (If this information is available in a public report please provide a link to this or advise where the community can access a copy)
5. Is the Council aware of volunteer planning contributions for affordable housing in Pyrmont and Ultimo?
6. If yes:
 - (a) Approximately how many affordable or social housing properties have been delivered using voluntary planning contributions?

- (b) What are the addresses and who owns the properties?
7. How many public or affordable housing dwellings are in the pipeline (i.e. already approved but not yet built) in Pyrmont to be built in the next 10 years?
 8. How many new affordable housing dwellings are anticipated to be approved and built in Pyrmont over the next 10 years, given the new housing targets in the Pyrmont Peninsular Strategy?

X113783

2. Entertainment Conditions on Development Consents

By Councillor Arkins

Question

Can you please provide a list of all conditions on current development consents across the City of Sydney that relate to entertainment, sound or noise, and/or opening hours for entertainment, live performance and hospitality venues.

X113776

3. Service Reviews

By Councillor Arkins

Question

Can you please provide the list of service reviews planned for this term of Council as referred to in reference 1.2.1 on page 32 of Council's Delivery Program 2025-2029.

X113776

4. Kings Cross Community Centre

By Deputy Lord Mayor Councillor Maxwell

Question

The Kings Cross Community Centre is at the heart of our local community; residents have indicated some concerns about the maintenance of the community centre post Covid and the community engagement being provided by the services offered.

1. When were the last renovations of the Kings Cross Community Centre completed and what renovations were completed?
2. When was the last time Kings Cross Community Centre was visited by the City and were there any reports done on the current state of the facility?

3. Is there an exact date for the proposed air conditioning replacement at the Kings Cross Community Centre, when was the request for air conditioning replacement lodged and how long since this request was made have they been waiting? How long has the air conditioning been malfunctioning for?
4. Can you please provide a list of activities being held at Kings Cross Community Centre on a monthly basis broken down by day, community group or organisation and category?
5. Does the intercom system at the Kings Cross Community Centre currently work as some residents have indicated there have been issues with the system at the centre recently.
6. How long since the first level of the Kings Cross Community Centre / Rex Centre was renovated? Could you please provide the year and the renovations that were completed?
7. Who is currently managing the bookings system at the Kings Cross Community Centre / Rex Centre and is there a dedicated person at the City who is responsible for this?
8. When was the last time the floor coverings / carpets of the Kings Cross Community Centre / Rex Centre refurbished and what year was this completed in?
9. How is the maintenance of the Rex Centre monitored, is it regular diarised appointments or ad hoc in nature depending on reported need?
10. Can you please provide an update on the pest and cleaning schedule and the frequency of these services being delivered to the Kings Cross Community Centre
11. Can you please provide an update on the mould management cleaning schedule at the facility and how regularly this is occurring?

X113780

5. City of Sydney Community Centres

By Deputy Lord Mayor Councillor Maxwell

Question

Residents have also indicated broader concerns relating to the level of outreach and programming offered at our City of Sydney community centres post Covid.

1. Can you please provide a list of the after school programs currently being offered in each City of Sydney community centre?
2. Can you please provide a list of the youth outreach services currently available in each local community centre within the City of Sydney currently and break this down to also include their frequency on a weekly basis?

3. Can you please provide clarification on the breakfast programs and food services offered through our City of Sydney community centres currently and provide a breakdown of their frequency and the locations of these outreach programs?
4. How frequently are visits made to local community centres to check on their facilities?

X113780

6. Cost of Adapting Parking Infrastructure to Disincentivise Large SUVs

By Councillor Thompson

Question

In 2024 Paris endorsed a plan to increase the parking rates for certain vehicle types based on a criterion with the goal to disincentivise usage of heavier, larger vehicles.

The system coordinates parking ticket infrastructure (software and hardware) with the national vehicle registration database to accurately and consistently calculate the cost of parking based on vehicle type, particularly weight and size.

Other councils in NSW utilise parking infrastructure that is capable of this functionality.

1. Does the City of Sydney's existing parking infrastructure have the functionality to connect and coordinate with Service NSW data in real time?
2. Does the City of Sydney have the legislative authority to charge parking fees at different price points based on vehicle differences?
3. Using the City of Sydney's existing parking infrastructure, what would the estimated cost be to adapt to a similar system of parking?

X113778

7. Status of Public Housing Redevelopment Plans in the City of Sydney as of September 2025

By Councillor Ellsmore

Question

1. In relation to public housing in the City of Sydney Local Government Area, what development applications, planning proposals or state significant developments, including modification applications, are currently underway?

Please provide details.

2. Of the sites above, what are the addresses and what is the status of applications or proposals?

Please include whether applications: have been made but not yet approved; are approved but not yet under construction; or are under construction.

3. Is the City of Sydney aware of any public housing which has recently been rezoned?
If yes, please provide details.
4. Have City of Sydney staff had discussions with any NSW Government representatives about any new 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.
5. Have City of Sydney staff had discussions with any NSW Government representatives about any new or future development applications or development projects, relating to other State owned or controlled land in the Local Government Area, including any pre-DA requests?
If yes please provide details.
6. Is the City of Sydney aware of any public housing sites which have recently been sold?
If yes, please provide details.
7. Is the City of Sydney aware of any other State-owned land which have recently been sold?
If yes, please provide details.
8. Has the City of Sydney received or approved any applications for meanwhile or temporary uses of public housing, Homes NSW or Land and Housing Corporation sites?
If yes, please provide details.

X113783

8. University of Sydney's Development of Student Accommodation

By Councillor Ellsmore

Question

1. What recent development applications or planning proposals has the University of Sydney made in relation to student accommodation?
Please provide details.
2. Is the City of Sydney aware of any updates regarding the University of Sydney's development of student accommodation sites, from 2023 onwards?
Please provide details including of any pre-DA inquiries by the University of Sydney or its representatives.

3. Does the City of Sydney have any information about proposed or current use of:
- (a) Housing owned by the University of Sydney on Darlington Road, also known as the 'Darlington Road Terraces';
 - (b) International House on City Road and/or;
 - (c) Any other student accommodation.

If yes, please provide details.

X113783

Item 12

Supplementary Answers to Previous Questions

There are no Supplementary Answers to Previous Questions on Notice for this meeting of Council.

Item 13.1

Notices of Motion

Vale Dr Hannah Middleton

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) the passing of Dr Hannah Middleton on 12 June 2025, a lifelong community activist and communist, who made a significant contribution to nuclear disarmament and anti-war campaigns both in Australia and internationally, to the Glebe community, and to the protection of public housing. Hannah was the beloved wife of Denis Doherty, a fellow staunch community activist and communist;
- (ii) Hannah was born in Preston, England on 25 October 1942, and grew up in the surroundings of London amidst the aftermath of World War II;
- (iii) she first became involved in anti-war campaigning at the age of 8 or 9, where she collected signatures for the Stockholm Peace appeal alongside her mother. At age 16, she was arrested for participating in the 'Committee of 100' civil disobedience campaigns;
- (iv) in 1964, Hannah graduated from the School of Oriental and African Studies at the University of London with a Bachelor of Arts and Honours in African Studies. From 1968 she studied as a postgraduate in social anthropology at the Humboldt University, Berlin (then part of the German Democratic Republic (GDR)), while working as a lecturer in English language;
- (v) in 1970, Hannah moved to Australia and lived alongside the Gurindji people of the Northern Territory to conduct fieldwork for her doctoral thesis on Aboriginal land rights. She permanently emigrated to Australia in 1974. In 1977 she published a seminal book on land rights called "And now we want our land back: A history of Australian Aboriginal People";
- (vi) Hannah was a lecturer in anthropology at the University of New South Wales until 1980. She left to work full time for the Communist Party of Australia (then called the Socialist Party of Australia). She was the editor of the party's newspaper the Guardian, the first woman President of the party, and the first woman General Secretary of the party;
- (vii) in 1986, Hannah became a founding member of the Australian Anti-Bases Campaign Coalition (AABCC) and was its national spokesperson from 1988. The AABCC is a national coalition of Australian organisations that campaigns against foreign military installations on Australian soil;

- (viii) Hannah was involved in many other anti-militarism and Indigenous rights campaigns and organisations throughout her life, including but not limited to:
 - (a) Hannah was a founding member and full-time worker for the Bring the Frigates Home Coalition in 1991, a campaign against the Gulf War and US sanctions on, and against the invasion in Iraq;
 - (b) Hannah was the Convenor of the 'Blue Paper Project' - an initiative that represents over 60 peace, environmental, religious, trade union and women's groups from across Australia which works to inform and stimulate community discussion about national security and foreign policy;
 - (c) Hannah campaigned against the Australia International Defence Exhibition (AIDEX). She was arrested in 1991, when up to 2,000 protesters blockaded the National Exhibition Centre in Canberra with the goal of shutting down the AIDEX, and then also at a protest in Adelaide;
 - (d) Hannah was again arrested in 1996 for occupying Prime Minister Keating's office in support of East Timorese independence;
 - (e) Hannah was active in the formation of the International Network against Foreign Military Bases and in 2007 organised for activists from Hawaii to come to Australia for the Talisman Sabre war games protests; and
 - (f) in 2008 Hannah and Denis were awarded the Quakers' Donald Groom Fellowship for her submission to bring 2 indigenous Chamoru from Guam to Australia for a speaking tour;
- (ix) Hannah was the Executive Officer of the University of Sydney's 'Sydney Peace Foundation' from 2006 to 2012. In 2006, Hannah and Denis received the inaugural community peace award from the foundation;
- (x) Hannah lived in Glebe with Denis, first moving to the suburb in 1974. She was a founding member of both Hands off Glebe and Action for Public Housing. With Denis, Hannah coordinated the Glebe Grapevine, a free community newsletter which updates residents on important news especially around the protection of public housing;
- (xi) Hannah played a key role in the campaign to save the Glebe Youth Service in 2013-2014. One of the actions she coordinated was a daily stall outside the centre, where people could sign protest Christmas postcards to the former Minister Pru Goward. Hannah diligently sent off bundles of signed cards in the post every day, and by February 2014 the community had won a commitment the service would be reopened;
- (xii) Hannah worked tirelessly to protect public housing, including the successful campaign to save the Franklyn Street Estate from redevelopment, stopping the sell off of local public housing terraces, and for improved maintenance and rights for tenants; and
- (xiii) in 2022 Hannah was awarded Balmain 'Woman of the Year';

- (B) the Lord Mayor be requested to write to Hannah's family expressing Council's condolences; and
- (C) all persons attending this meeting of Council observe one minute's silence to commemorate Hannah's life.

X113765

Item 13.2**Notices of Motion****Motion to Local Government NSW Annual Conference - Supporting Our Night Time Economy**

By Councillor Arkins

It is resolved that:

- (A) Council note:
- (i) the importance of Sydney's night-time economy to our cultural life, creative industries, and economic growth;
 - (ii) the City's ongoing support for the NSW Government's Vibrancy Agenda seeks to support live music, cultural activity, and late-night trading across the state;
 - (iii) the introduction of Special Entertainment Precincts will provide a new framework to encourage and protect live performance venues and precinct-based cultural activity;
 - (iv) the City of Sydney has been a leader in developing and implementing policies that support a safe, diverse and thriving night-time economy, including initiatives such as the Oxford Street Creative and Cultural Precinct, YCK Laneways, and the Hollywood Quarter; and
 - (v) the rollout of Special Entertainment Precincts across the City will recognise their potential to protect and grow live music and cultural activity; and
- (B) Council endorse the submission of the following motion to the 2025 Local Government NSW Annual Conference:

That Local Government NSW advocate to better support the night-time economy, the NSW Government's Vibrancy Agenda, and the rollout of Special Entertainment Precincts. LGNSW will advocate for the NSW Government and councils to work in partnership to deliver stronger night-time economies and creative industries across NSW. This would include ensuring appropriate resources are provided to councils, including specialised resources for rural councils. Enabling councils to shape approaches for their local night-time businesses and creative industries in ways that best suit their local communities across metro, regional and rural NSW.

X113758

Item 13.3

Notices of Motion

Investigating A Pay Rise for Early Childhood Education Workers

By Councillor Thompson

It is resolved that Council note:

- (A) the Federal Government has introduced a worker retention grant program enabling employers of Early Childhood Education Workers, who are among the lowest-paid essential workers in our community, to deliver a 15% pay increase over 2 years, for which the City of Sydney is eligible;
- (B) on 23 June 2025, Council unanimously supported a notice of motion requesting the Chief Executive Officer investigate applying for the Federal grant to increase the pay of City of Sydney early childhood educators over the next 2 years, and report back to Council;
- (C) forty-four eligible councils have applied for this additional funding for their workforce. Seven other Councils including the City of Sydney are eligible; and
- (D) City of Sydney staff have recommended it not apply for this grant.

X113760

Item 13.4**Notices of Motion****Supporting the Tobacco Legislation (Closure Orders) Amendment Bill 2025**

By Councillor Gannon

It is resolved that:

(A) Council note:

- (i) for every McDonald's in NSW there are 60 tobacconists;
- (ii) over the past few years our high streets have been transformed with the proliferation of tobacconists, which unashamedly sell illegal tobacco and e-cigarettes. There are 13 now operating in Kings Cross alone;
- (iii) data on the availability of illicit tobacco in Australia is limited. Industry estimates indicate that illicit tobacco consumption accounted for 28.6% of the total tobacco market in Australia in 2023, up from 11.8% in 2012;
- (iv) what we do know is that tobacco excise collection has collapsed to its lowest level in 14 years, blowing a \$17.6 billion hole in the tax base (excluding GST revenue);
- (v) illegal cigarettes are as cheap as \$12; the average cost of regulated tobacco is around \$50;
- (vi) in response to this the State Opposition introduced a Bill 'Public Health (Tobacco) Amendment (Stopping Illicit Tobacco) Bill 2025' to address the exponentially increasing problem with illicit tobacco; and
- (vii) on 11 September 2025 the NSW Parliament passed legislation that is a critical step in addressing illegal tobacco in NSW:
 - (a) the Bill contains: fines of up to \$1.5 million, prison terms of up to 7 years, and forced closures of businesses that sell illicit tobacco and/or e-cigarettes; and
 - (b) the Bill also grants the Secretary of the Ministry of Health and the Local Court power to order the closure of premises that are involved in the sale of illicit tobacco and vapes; and

- (B) the Lord Mayor be requested to write to the NSW Premier to affirm the City's support for this legislation and request a compliance blitz in the City of Sydney.

X113764

Item 13.5**Notices of Motion****Motion to Local Government NSW Annual Conference - Affordable Housing Contributions Schemes Across All NSW Councils**

By Deputy Lord Mayor Councillor Maxwell

It is resolved that:

(A) Council note:

- (i) the Local Government NSW Conference will be held in Penrith in November 2025;
- (ii) in February 2025, the City of Sydney Council unanimously supported a motion, which was endorsed and submitted to the Australian Local Government Association National General Assembly (ALGA NGA), calling on all Australian councils to fund and implement an Affordable Housing Contributions Scheme. The motion was narrowly defeated;
- (iii) the City of Sydney has been collecting Affordable Housing contributions since 1995, beginning in Ultimo and Pyrmont, then Green Square, and extended across the entire Local Government Area in 2021. Under the City's program, most Development Applications require a contribution of 3% of residential floor area and 1% of non-residential or commercial floor area. The City was the first council to introduce an area-wide scheme and remains the only one to apply levies to both residential and commercial development;
- (iv) affordable housing outcomes are also secured through planning agreements, either through the delivery of housing or monetary contributions;
- (v) in December 2024, Council resolved to exhibit proposed changes to the scheme. These include: a standard 20% contribution for new residential floor space on rezoned sites (replacing the current 12 to 21% rate); a 2% contribution for new non-residential floor space in the city centre; retention of the existing 3% and 1% rates across the Local Government Area; and phased increases to monetary contributions over 4 years to reflect actual housing construction costs; and
- (vi) the City of Sydney, with the support of the Lord Mayor, Chief Executive Officer, Councillors and City staff, has been actively pursuing solutions to increase housing supply. The City has strongly advocated to both the NSW and Federal Governments to collaborate in delivering housing solutions; and

(B) Council endorse the submission of the following motion to the 2025 Local Government NSW Annual Conference:

That Local Government NSW calls on the NSW Government to encourage and fund NSW councils to implement Affordable Housing Contributions Schemes to ensure councils can better contribute to tackling the national housing crisis.

X113762

Item 13.6**Notices of Motion****Reporting on Outcomes from the City of Sydney Affordable Housing Schemes**

By Councillor Ellsmore

It is resolved that:

(A) Council note:

- (i) the City of Sydney has the longest running affordable housing contributions scheme which has collected over \$400 million in developer contributions;
- (ii) the City of Sydney has supported affordable housing through \$31.6 million in discounted land sales, \$13 million in grants and various planning agreements since 1995;
- (iii) this program has delivered 3,388 affordable homes, built or in the pipeline, and is on track to reach 5,338 new affordable homes, in perpetuity, by 2036; and
- (iv) affordable and diverse housing is delivered by community housing providers and other not for profit organisations including where genuine affordability is ensured via a commitment that rent be capped at 30% of household income; and

(B) the Chief Executive Officer be requested to prepare a report on the outcomes from developer contributions, discounted land sales or transfers, grants and planning agreements, which includes:

- (i) where these homes have been delivered;
- (ii) which housing providers these homes have been delivered to;
- (iii) what level of rent is being charged in these homes;
- (iv) what types of housing has been delivered; and
- (v) clarity on which of these homes have been built using affordable housing grant schemes, including through cash grants, land transfers or discounted sales; and what homes have been delivered using contributions from the Affordable and Diverse Housing Fund.

X113765

Item 13.7**Notices of Motion****Congratulations OneFour on Headline Show at City Recital Hall**

By Councillor Miller

It is resolved that:

(A) Council note:

- (i) the [Sustainable Sydney 2030-2050 Continuing the Vision strategy](#), specifically: Direction 7 - Resilient and diverse communities and Direction 8 - A thriving cultural life;
- (ii) the City of Sydney's [Cultural Strategy 2025-2035](#), which celebrates multiculturalism, the expression of identity, shared experiences, and aspirations of its diverse and multicultural communities;
- (iii) the NSW Government's recent report by the NSW Productivity and Equality Commission, [Review of regulatory barriers impeding a vibrant 24-hour economy, Final report](#), which highlights that the 24-hour economy contributes \$56 billion (annually) and employs more than 300,000 people across NSW, and vibrancy reforms that seek to make nightlife inclusive and more welcoming for everyone;
- (iv) that on 6 September 2025, Sydney Hip Hop group OneFour, who have 2.5 million listeners each month on Spotify, gave their first headline performance at the City Recital Hall;
- (v) that over the past 10 years, significant police pressure has led to the cancellation of multiple shows making it difficult for the group to participate and contribute to Sydney's 24-hour economy;
- (vi) that despite police pressure, there have been no major incidents involved with OneFour shows;
- (vii) in the history of performances at the City Recital Hall, there has never been a police and security presence consisting of:
 - (a) more than 25 police officers;
 - (b) Dog Squad;
 - (c) Riot Squad; and
 - (d) identification and body search of every patron; and
- (viii) over-policing at live music venues perpetuates negative perceptions of people and increases the risk of harm to patrons, and discourages young people from coming into the city to experience culture;

- (B) the Lord Mayor be requested to write to the City Recital Hall team and OneFour congratulating them on an incredibly professional and inclusive delivery of the performance;
- (C) the Lord Mayor be requested to write to the Minister for Police and Counter-terrorism, Yasmin Catley, asking her to explain both the rationale of the excessive policing of the OneFour show at the City Recital Hall and the associated cost to tax-payers; and
- (D) the Lord Mayor be requested to write to the Minister for Transport, the Arts, Music and Night-time Economy, John Graham, to request a consistent approach to vibrancy.

X113761

Item 13.8**Notices of Motion****Stopping the Retail Sale of Vapes**

By Councillor Weldon

It is resolved that:

(A) Council note:

- (i) vaping addiction poses a significant health risk. It is associated with a range of serious health conditions, including lung damage, anxiety, and depression;
- (ii) the latest Australian health data indicates that while the prevalence of vaping has shown some signs of stabilising or declining in recent years, it remains a significant public health concern, particularly among young people;
- (iii) in 2024, the Federal Government banned the importation and sale of disposable vapes. Therapeutic vapes are now only legally available from pharmacies as a measure to help people quit smoking;
- (iv) in March 2024, the Lord Mayor wrote to the Premier asking the NSW Government to review how tobacco and e-cigarettes can be better regulated. The NSW Minister for Health responded on the Premier's behalf to note:
 - (a) the Federal Government's ban on disposable e-cigarettes and that refillable e-cigarettes would only be available with a prescription;
 - (b) retailers must notify NSW Health if they intend to sell tobacco or e-cigarettes and that NSW Health inspectors proactively visit retailers to enforce compliance;
 - (c) the NSW Government's \$6.8 million investment over the next 3 years to boost the enforcement of illegal vape sales and support for young people who have become addicted to vaping/nicotine; and
 - (d) the NSW Government did not agree to any further action on signage, packaging and advertising;
- (v) in July 2025, the NSW Government introduced a new licensing scheme for selling smoking products without a license;
- (vi) in September 2025, the NSW Parliament passed new legislation to give the NSW Government powers to close retail stores that are found to sell illegal products such as internationally-packaged tobacco and disposable e-cigarettes. It also imposes heavy fines for the sale of smoking products without a license and illegal tobacco products. Imprisonment is introduced as a maximum penalty for selling smoking products from a closed premises, or for possessing a commercial quantity of illegal tobacco products;

- (vii) nonetheless, the illegal sales of vapes continues. As does the proliferation of tobacconists and other retailers selling these products in our local area;
 - (viii) a NSW Government inquiry into the illegal tobacco trade is currently underway. The inquiry will review the adequacy of existing laws and enforcement, and investigate reported links between organised crime and tobacconists; and
 - (ix) local governments don't hold authority to regulate tobacconists or retailers of smoking related products and are generally unable to regulate the specific types of goods sold within a retail premise; and
- (B) the Lord Mayor be requested to write to the NSW Minister for Health, the NSW Minister for Police, the NSW Minister for Planning and the NSW Minister for Better Regulation expressing Council's strong concerns about:
- (i) the continued illegal sale of vapes in the City of Sydney's retail precincts and the impact this has on the health of our community;
 - (ii) the need for strong enforcement of the ban on the retail sale of vapes and the new licensing scheme for tobacconists and retailers of smoking related products; and
 - (iii) the inability of current legislation to address the proliferation of premises selling smoking products and request the NSW Government further amend the tobacco licensing scheme to prohibit licenses close to sensitive uses such as schools, childcare centres, playgrounds and medical facilities, and cap the number of licenses in an area and/or establish a minimum distance between licensed sellers.

X113759