



**MINUTES: 3678th MEETING OF THE NORTH SYDNEY COUNCIL
HELD ON MONDAY, 21 MARCH 2016 AT 7.00 PM.**

PRESENT

The Mayor, Jilly Gibson, in the Chair, and Councillors Baker, Barbour, Beregi, Clare, Marchandea, Morris and Reymond.

Leave of Absence: Councillors Bevan and Carr

At the commencement of business (7pm) those present were:
The Mayor, and Councillors Baker, Barbour, Beregi, Clare, Marchandea, Morris and Reymond.

Councillor Beregi read the Acknowledgement of Country.

The meeting was opened by the Mayor.

39. Matters Brought Forward at the Request of Members of the Public Gallery

It was moved, seconded and carried -

THAT the following items be brought forward and dealt with at this stage:

- CLS03 - Draft Community Grants and Subsidies 2016/17
- CLS08 - James Milson Village and Georgian House - Update
- OSE01 - Carradah Park - Upper Terrace Landscape Management
- OSE02 - Hayes Street Beach Small Private Water Craft Storage
- NoM01 - Notice of Motion No. 5/16 by Cr Marchandea - 17/02/16 - Re: Plan of Management for Tunks Park

40. Minutes

The Minutes of the previous 3677th Council Meeting held on Thursday, 25 February 2016, copies of which had been previously circulated, were taken as read and confirmed.

The Motion was moved by Councillor Baker and seconded by Councillor Marchandea.

Voting was unanimous

41. Leave of Absence

Councillors Bevan and Carr have indicated their inability to attend the Council meeting on 21 March 2016.

It is therefore recommended that Council grant leave of absence to Councillors Bevan and Carr for the meeting of 21 March 2016.

RESOLVED:

THAT leave of absence be granted.

42. Declarations of Interest

Nil

MINUTES OF THE MAYOR**43. MM01: Re - General Manager's Resignation**

As Councillors will be aware, General Manager Warwick Winn has submitted his resignation from Council. His last day at Council will be Friday 8 April 2016. Mr Winn joined Council as the Director of Planning and Development Services in July 2004. He was appointed acting General Manager in December 2013 and appointed permanently to the position in April 2014.

I would like to pay tribute to Mr Winn's contribution to the North Sydney community over the past decade. In particular, I would like to acknowledge his leadership in the planning area, which has resulted in innovative and thoughtful strategic plans at both an area wide and precinct level.

I'd also like to acknowledge Mr Winn's achievements in revitalising the North Sydney CBD. There are now a number of commercial developments under construction or in the pipeline which will assure the centre's future as a major economic centre for Sydney. Mr Winn has successfully built business confidence in the CBD and delivered significant Council projects including public domain works and the Happiness Works Here marketing program.

I am sure all councillors will join me in thanking Mr Winn and wishing him well in his new position in Victoria.

Given the current situation regarding the merger proposals being considered by the State Government and guidelines received from the Office of Local Government, it would be appropriate to resolve to appoint an Acting General Manager until these matters are clarified in the next few months. As this is a staff matter, it should be considered in a closed session.

It is therefore recommended -

1. THAT Council thank Mr. Winn for his hard work and contribution to the North Sydney community.

2. THAT Council move to a closed session at the end of the meeting to appoint an Acting General Manager.

The Mayor moved that this matter be considered in closed session at the end of the meeting.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** this matter be considered in closed session at the end of the meeting

RESCISSION MOTIONS

44. **NoRM01: Notice of Rescission No 1/16 By Councillors Beregi Carr and Clare**

THAT the decision of Council at its meeting of 25 February 2016 regarding Minutes of the previous 3676th Council Meeting held on Monday, 15 February 2016, which were taken as read and confirmed be rescinded

If successful, we intend to move the following motion:

1. **THAT** the Minutes in relation to NoM04 (*Notice of Motion No. 4/16 by Cr Beregi - 10/02/16, Re: 11 Woolcott Ave, Waverton*) be corrected.

NB: The Rescission Motion was withdrawn.

MATTERS BROUGHT FORWARD

45. **CLS03: Draft Community Grants and Subsidies 2016/17**

Report of Martin Ellis, Director Community and Library Services

The Donations and Subsidies Program for 2016/17 is presented as follows:

- Category A: Centres of high local importance
- Category B: Centres housing services of local *and* sub regional importance
- Category C: Centres able to pay rent without affecting service levels
- Category D: Community Housing
- Category E: Aged Care Accommodation
- Recreational Facilities Program/ Individual Subsidies/Ongoing support for North Sydney community services not in Council buildings/Internet/telephone support for seniors
- Small Grants: new and innovative and sport and well-being (closed 4 March 2016)
- Food grants: applications sought December 2016

The recommendations are provided for in Year 4 of the Delivery Plan.

Funding for the project is appropriate.

Recommending:

1. **THAT** the Draft Community Grants and Subsidies 2016/17 report be placed on public exhibition for a minimum of 28 days, aligning with the Amended Delivery Program/Draft Operational Plan 2016/17.

2. **THAT** that the report be updated with *market rents* when available, as recommended in the internal audit.

3. **THAT** it be noted the small grants and sports development programs (total \$23,716

+ \$3,000). has not closed at the time of writing and successful recipients will be advertised at a later date.

4. THAT eligible recipients for the Food Grants program (\$10,600) will be determined just prior to December 2016.

5. THAT Council provides for spaces as a parking subsidy for the local women's refuge as identified in the report.

Mr Farrell addressed the meeting.

The Motion was moved by Councillor Reymond and seconded by Councillor Barbour.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT the Draft Community Grants and Subsidies 2016/17 report be placed on public exhibition for a minimum of 28 days, aligning with the Amended Delivery Program/Draft Operational Plan 2016/17.

2. THAT that the report be updated with *market rents* when available, as recommended in the internal audit.

3. THAT it be noted the small grants and sports development programs (total \$23,716 + \$3,000). has not closed at the time of writing and successful recipients will be advertised at a later date.

4. THAT eligible recipients for the Food Grants program (\$10,600) will be determined just prior to December 2016.

5. THAT Council provides for spaces as a parking subsidy for the local women's refuge as identified in the report.

46. CLS08: James Milson Village and Georgian House - Update

Report of Martin Ellis, Director, Community and Library Services

Council has received calls from the community enquiring about the future of **the Georgian House site on McLaren Street**. The calls have been prompted by current activity on the site. Planning advice is that the current status of Georgian House remains unchanged: DA 67/2011 was granted in July 2011. This consent is for redevelopment of the site and stage 1 approval for aged care and non residential uses. The DA has commenced (drainage works and some demolition). Council staff have asked to meet with Uniting Care to be updated on their plans; the meeting was in October 2015 and Council staff were advised that Uniting Care had not changed its plans for the site. Correspondence has since been exchanged discussing the possibility of public access to the site after demolition: no commitments have yet been entered into.

Council has been advised by the North Sydney Retirement Trust that they have purchased Uniting Care Ageing's share of the Joint Venture over the Nursing Home with **James Milson Village**. There is no change to the management of James Milson Village as the Trust already manages the Nursing home. Uniting Care Ageing

continues to participate in JMV by virtue of its membership of the Board (2 positions). A briefing is being prepared for Councillors on Council's involvement in James Milson Village.

Recommending:

1. **THAT** Council notes the information on the status of Georgian House and James Milson Village.
2. **THAT** Council seek nominations from appropriately qualified persons, not Councillors, experienced and knowledgeable in Aged Care Services, to represent Council on the Board of the North Sydney Retirement Trust.

Mr. Eager addressed the meeting.

A Motion was moved by Councillor Marchandeanu, seconded by Councillor Barbour

1. **THAT** Council notes the information on the status of Georgian House and James Milson Village.
2. **THAT** Council seek nominations from appropriately qualified persons, not Councillors, experienced and knowledgeable in Aged Care Services, to represent Council on the Board of the North Sydney Retirement Trust.

An amendment was moved by Councillor Baker, seconded by Councillor Morris

1. **THAT** the matter of Georgian House and James Milson Village be deferred to a Councillor Briefing on payment of Directors and obligations under charity laws.

The Amendment was put and carried and became the Motion.

Voting was as follows:

For/Against 5/3

Councillor	Yes	No	Councillor	Yes	No
Gibson		N	Beregi	Y	
Reymond	Y		Barbour		N
Clare	Y		Morris	Y	
Baker	Y		Marchandeanu		N
Carr	Absent		Bevan	Absent	

The Motion was put and carried

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandeanu	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** the matter of Georgian House and James Milson Village be deferred to a Councillor Briefing on payment of Directors and obligations under charity laws.

47. OSE01: Carradah Park - Upper Terrace Landscape Management

Report of Fred Ingarfield, Tree Management Officer and Gareth Debney, Bushland Management Coordinator

On 26 March 2012, Council resolved to progressively reinstate the original landscape plan for Carradah Park's upper terrace (adjacent to Larkin St) over a five-year period. This approach was taken in order to balance differing community views regarding the DA approved landscape character of Carradah Park and to ensure wildlife habitat values of the site were not compromised by complete clearing and replanting.

Subsequently, in May 2012, the "Friends of Carradah Park" community volunteer group was formed and supported by Council's Bushland Management Team. Since this time, the group has met monthly (excluding January) to work in the reserve and assist Council in meeting the above objective.

Whilst progress has been made, particularly in relation to weed management, external factors including persistent vandalism of native plantings have compromised the group's ability to fully implement the site rehabilitation plan. This has resulted in delayed removal of self-sown (tall) shrubs and small trees. The removal of this vegetation must be balanced with the establishment of low shrubs (as outlined in the original landscape plan) which in-turn provide habitat for local wildlife – particularly small bush birds such as the White-browed Scrubwren that are vulnerable to habitat loss. There is also a need to accept that the original DA approved landscape plan is a vision and should not be interpreted as an exact on-ground reality. Natural landscapes are dynamic and, as such, the plan is used as a guide rather than a template.

Carradah Park has suffered numerous instances of tree and plant vandalism in recent years. Most recently, on 7 November 2015, one of the last Sydney Red Gums (*Angophora costata*), planted as part of the 2002 DA-approved landscape plan for the reserve, was found poisoned.

In accordance with Council's Tree Vandalism Policy, an investigation was undertaken into the incident. Letters were again distributed appealing for information from local residents. The letter also advised that Council intended to erect signage at the site identifying it as a tree vandalism hotspot. Unfortunately no information was forthcoming and the sign was installed in front of the dead Sydney Red Gum.

It is recommended that Council continue to support the Friends of Carradah Park volunteer group and recognise that a flexible approach to implementation of the Site Rehabilitation Plan is required.

The financial implications (budget) for 2015/16 are outlined within the report.

Funding for the project is appropriate.

Recommending:

- 1. THAT** Council continue to support the Friends of Carradah Park volunteer group and recognise that a flexible approach to implementation of the 2012 Landscape Assessment Report is required.
- 2. THAT** 17 replacement Sydney Red Gums be planted as per the original 2002 Landscape Masterplan with the addition of protective fencing installed around each tree.
- 3. THAT** \$41,700 + GST be allocated to the installation of five (5) spans of aerial bundle cable (ABC).

Mr. Woodmass, Mr. Parker, Mr. Carter, Mr. Fox, Mr. Alker and Mrs. Yee addressed the meeting.

A Motion was moved by Councillor Baker, seconded by Councillor Morris

- 1. THAT** Council continue to support the Friends of Carradah Park volunteer group and recognise their work on Carradah Park.
- 2. THAT** Council commission an independent review of the landscaping of the upper level of Carradah Park to ensure that it is generally consistent with the landscape plan approved under the Development Application.

3. **THAT** the Head of Landscape Architecture at UNSW be approached to undertake the above task and, if unavailable, a suitably qualified landscape architect be engaged instead.

4. **THAT** the matter be reported back to Council following the review.

The Motion was moved put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council continue to support the Friends of Carradah Park volunteer group and recognise their work on Carradah Park.

2. **THAT** Council commission an independent review of the landscaping of the upper level of Carradah Park to ensure that it is generally consistent with the landscape plan approved under the Development Application.

3. **THAT** the Head of Landscape Architecture at UNSW be approached to undertake the above task and, if unavailable, a suitably qualified landscape architect be engaged instead.

4. **THAT** the matter be reported back to Council following the review.

48. **OSE02: Hayes Street Beach Small Private Water Craft Storage**

Report of Rob Emerson, Director Open Space and Environmental Services

Hayes Street beach is a small, publicly accessible strip of land on the harbour foreshore in Neutral Bay. The small size of the land, together with the fact that it is one of the few areas in North Sydney where small water craft can be easily launched, has led to the current situation where the large numbers of private water craft stored on the beach are restricting the ability of the land to cater for other recreational users. Council has been actively attempting to resolve this issue over a long period of time. This report identifies a series of recommendations that will lead to the retention of some regulated small boat/kayak storage at Hayes Street beach whilst simultaneously increasing the available space on the beach for other recreational users.

It is recommended that Council allocates \$20,000 in the 2015/16 financial year from the capital works reserve to purchase additional small water craft racks to be located in Kurraba Reserve. Funding for the project is appropriate.

Recommending:

1. **THAT** Council restricts the number of small, privately-owned water craft that are permitted on Hayes Street beach to ten small water craft (such as dinghies, kayaks, canoes and paddle boards).

2. **THAT** Council formalises the storage of small, privately-owned water craft to the western end of the beach beneath a section of the elevated walkway.

3. **THAT** Council develops a user fee for people wishing to store dinghies or kayaks on Hayes Street beach, and this fee is formulated and advertised with the 2016/17 fees and charges and implemented on 1 July 2016.

4. **THAT** Council constructs additional racks for the storage of small, privately-owned water craft at Kurraba Reserve in the current financial year.

5. THAT Council allocates \$20,000 in the current financial year to undertake improvements for small water craft storage and use in Kurraba Reserve.

6. THAT Council's Landscape Planner undertake a full review of small water craft current and potential storage opportunities (both formal and informal) across the local government area, and determine a range of appropriate upgrading, improvement and new works.

Mrs. McDougall, Mrs. Moy, Mr. Walsh and Mr. Gorrie addressed the meeting.

A Motion was moved by Councillor Baker, seconded by Councillor Morris

1. THAT Council's Landscape Planner undertake a full review of small water craft current and potential storage opportunities (both formal and informal) across the local government area, and determine a range of appropriate upgrading, improvement and new works, and identify priority locations for storage. The report should also consider the implications of the removal of private boat storage to other locations.

2. THAT enforcement action in relation to unauthorised privately-owned small water craft storage be undertaken as appropriate.

The Motion was moved put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT Council's Landscape Planner undertake a full review of small water craft current and potential storage opportunities (both formal and informal) across the local government area, and determine a range of appropriate upgrading, improvement and new works, and identify priority locations for storage. The report should also consider the implications of the removal of private boat storage to other locations.

2. THAT enforcement action in relation to unauthorised privately-owned small water craft storage be undertaken as appropriate.

49. NoM01: Notice of Motion No. 5/16 by Cr Marchandean - 17/02/16

Re: Plan of Management for Tunks Park

1. THAT Council prepare a dedicated Plan of Management for Tunks Park.

Mr. Dominy, Mr. Morrow, Mr. Berry and Mr. McNair addressed the meeting.

By consent, the Motion was amended to read

1. THAT Council prepare a dedicated single, comprehensive Plan of Management for Tunks Park in consultation with Council's City Strategy division.

2. THAT the Plan of Management include consideration of management of traffic, boat access, flora and fauna, and active and passive recreation.

3. **THAT** the Plan of Management for Tunks Park be broadly consulted to the community.
4. **THAT** Council form Plans of Management for other parks in the local government area.

The amended Motion was moved by Councillor Marchandean and seconded by Councillor Gibson.

The Motion was moved put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council prepare a dedicated single, comprehensive Plan of Management for Tunks Park in consultation with Council's City Strategy division.
2. **THAT** the Plan of Management include consideration of management of traffic, boat access, flora and fauna, and active and passive recreation.
3. **THAT** the Plan of Management for Tunks Park be broadly consulted to the community.
4. **THAT** Council form Plans of Management for other parks in the local government area.

REPORTS

General Manager's Office

50. **GMO01: Matters Outstanding**

Report of Warwick Winn, General Manager

A report on the current status of matters arising from Council resolutions up to the meeting of 15 February 2016 is presented.

Recommending:

1. **THAT** the report be received.

The Motion was moved by Councillor Marchandean and seconded by Councillor Gibson.

The Motion was moved put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** the report be received.

51. **GMO02: Investigation Report**

Report of Adrian Panuccio, Chief Operating Officer

To present the Investigation Report in response to the Council resolution of 17 August 2015.

Recommending:

1. **THAT** Council close the meeting to the public pursuant to sections 10A(1) and 10A(2)(i) of the *Local Government Act 1993* to consider information concerning a potential code of conduct matter.

A Motion was moved by Councillor Baker and seconded by Councillor Morris.

1. **THAT** the report be noted.

2. **THAT** a copy of the report be forwarded to Commissioner Howard.

The Motion was moved put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** the report be noted.

2. **THAT** a copy of the report be forwarded to Commissioner Howard.

52. **GMO03: NSW State Government's reform agenda for Local Government - Update**

Report of Peter Coulton, Executive Officer, Organisational Performance

This report provides an update on the NSW State Government's Council reform agenda.

Recommending:

1. **THAT** the report be noted.

It was moved and seconded by Councillors Baker and Beregi that this item be considered in conjunction with NoM08 and NoM09

The Motion was put and carried unanimously

A Motion was moved by Councillor Baker, seconded by Councillor Beregi

1. **THAT** Council join Woollahra Council in its legal challenge to the forced amalgamation process under ss218A to 218F of the Local Government Act 1993.
2. **THAT** Council make a formal submission, opposing the Minister's proposal, to the public inquiry meeting to be held by the Delegate at either of the scheduled venues (Chatswood or Mosman) on 22 or 23 March 2016, and the presentation be made by Council's General Manager.
3. **THAT** Council write to the Minister's Delegate and request:
 - a. That the Delegate seek the views of the electors of North Sydney, Mosman and Willoughby Council areas by conducting a plebiscite or by postal surveys or opinion polls, in which reply-paid questionnaires are distributed to all electors in North Sydney, Mosman and Willoughby council areas.
 - b. That the Delegate publicly release the full KPMG working documents prepared in respect of the Minister's proposal together with all documents provided by the Department of Premier and Cabinet, the Office of Local Government and the Minister for Local Government to the Delegate in relation to the Minister's proposal.
 - c. That the Delegate resolve to hold a public inquiry meeting in the North Sydney local government area and that at least one of the scheduled public inquiry meetings be held during working hours (9am -6pm) in order to allow those who are unable to attend at night to be heard.

The Motion was put and carried.

Voting was as follows:

For/Against 7/1

Councillor	Yes	No	Councillor	Yes	No
Gibson		N	Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council join Woollahra Council in its legal challenge to the forced amalgamation process under ss218A to 218F of the Local Government Act 1993.
2. **THAT** Council make a formal submission, opposing the Minister's proposal, to the public inquiry meeting to be held by the Delegate at either of the scheduled venues (Chatswood or Mosman) on 22 or 23 March 2016, and the presentation be made by Council's General Manager.
3. **THAT** Council write to the Minister's Delegate and request:
 - a. That the Delegate seek the views of the electors of North Sydney, Mosman and Willoughby Council areas by conducting a plebiscite or by postal surveys or opinion polls, in which reply-paid questionnaires are distributed to all electors in North Sydney, Mosman and Willoughby council areas.
 - b. That the Delegate publicly release the full KPMG working documents prepared in respect of the Minister's proposal together with all documents provided by the Department of Premier and Cabinet, the Office of Local Government and the Minister for Local Government to the Delegate in relation to the Minister's proposal.
 - c. That the Delegate resolve to hold a public inquiry meeting in the North Sydney local government area and that at least one of the scheduled public inquiry meetings be held during working hours (9am -6pm) in order to allow those who are unable to attend at night to be heard.

53. GMO04: Presentation of LGNSW Award - Cr Reymond

Report of Ian Curry, Manager Governance and Committee Services

Following a Notice of Motion by Councillor Baker, Council at its meeting on 15 September 2015 resolved (Min. No. 407):

THAT Council write to LGNSW nominating Cr Reymond for an award recognising 20 years of service to North Sydney.

The Award has been received by Council and will be presented to Councillor Reymond at the meeting.

Recommending:

1. THAT the report be received.

The Mayor presented Councillor Reymond with his LGNSW Award, recognising 20 years service to North Sydney.

The Motion was moved by Councillor Baker and seconded by Councillor Beregi

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT the report be received.

City Strategy Division

54. CiS01: Draft Amended Delivery Program 2013/14-2016/17/ Draft 2016/17 Operational Plan and Budget

Report of Katrina Furjanic, Corporate Planning Coordinator

The purpose of this report is to adopt the Draft Amended Delivery Program 2013/14-2016/17 which includes the Draft 2016/17 Operational Plan and Budget for the statutory public exhibition period.

Council has reviewed its Delivery Program 2013/14-2016/17/Draft 2016/17 Operational Plan and Budget and invites submissions from the public.

The Draft Amended Delivery Program/Draft 2016/17 Operational Plan and Budget must be placed on public exhibition prior to its adoption.

All submissions received during the exhibition period will be reported to Council at its meeting in May 2016. Council is required to adopt the Amended Delivery Program/Operational Plan by 30 June 2016.

Advertising and promotion associated with the Draft Amended Delivery Program incurred during the public exhibition period can be met from existing administrative budgets.

Recommending:

1. THAT the Draft Amended Delivery Program 2013/14-2016/17 which includes the Draft 2016/17 Operational Plan and Budget be adopted for public exhibition.

2. THAT the Draft Revenue Policy 2016/17 (Appendix 2 of Attachment 1) be

adopted for public exhibition.

The Motion was moved by Councillor Baker and seconded by Councillor Barbour.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr		Absent	Bevan		Absent

RESOLVED:

- 1. THAT** the Draft Amended Delivery Program 2013/14-2016/17 which includes the Draft 2016/17 Operational Plan and Budget be adopted for public exhibition.
- 2. THAT** the Draft Revenue Policy 2016/17 (Appendix 2 of Attachment 1) be adopted for public exhibition.

55. CiS02: Community Uses on Council Land Study

Report of Scott Williamson, Strategic Planner – Policy

Council has previously resolved that a study be undertaken to identify opportunities to enhance provision of community uses on existing Council owned land. The resolution requires identification of opportunities as well as development of concept designs and associated feasibilities.

In response, Council's Strategic Planning Team, in partnership with Council's Property Team, has been undertaking work for eight (8) major Council assets. These sites include:

- Ridge Street car park
- Ward / Harnett Street car park
- Hume Street car park
- Barry Street car park
- Neutral Bay Community Centre
- Holtermann Street car park
- Nicholson Street car park
- McMahons Point Community Centre

Council has since adopted long-term concept designs for Ridge Street car park and Hume Street car park. Work on the Ward/Harnett Street car park site has been incorporated into the preparation of a whole-of-block masterplan, given the large and complex nature of that site. Design work on the McMahons Point Community Centre site is ongoing.

For the remaining sites, architectural consultants were engaged to undertake a design study, creating options for short through to long-term redevelopment. Concept options have been created to respond to a set of priorities and principles set out by Council staff, drawing on established policy positions, input from key stakeholders and identified opportunities and constraints of the site. The concept options are intended to test the land use priorities identified in the preceding steps.

Work on the remaining sites, with the exception of McMahons Point Community Centre, has now progressed sufficiently to enable public exhibition of a number of concept options, including:

- Barry Street car park – two (2) long-term concept options
- Neutral Bay Community Centre – two (2) long-term concept options
- Holtermann Street car park – one (1) short-term and one (1) medium-term concept option

The concept designs are intended only to identify future options available to Council to enhance its community assets, as a basis for wider discussion. There is presently no detailed design or development application seeking to implement the concept designs.

This report seeks Council endorsement to proceed with public exhibition of potential strategies for the future use of the three (3) above sites, including the attached background information, concept design options and feasibility detail.

Following consideration of submissions and further consultation with key stakeholders, it is anticipated that preferred options for the three (3) sites will be identified. Funding and implementation strategies would later be developed.

The project has also been investigating options for the Nicholson Street car park site and long-term redevelopment options for the Holtermann Street car park site. It is not proposed to progress these concept designs any further at this stage. The recently announced Crows Nest Metro station has the potential to dramatically change the long-term planning of Crows Nest, including these two (2) sites. The Crows Nest Planning Study, which was recently initiated by Council, will address the greater catchment of the planned station, inclusive of the Nicholson and Holtermann Street car park sites.

The development of concept designs for the McMahons Point Community Centre is the subject of ongoing design work and will be reported to Council prior to any exhibition, later in 2016.

This report is concerned with establishing a strategy for a number of Council owned sites. Funding for any implementation of these strategies, including detailed design to development application stage and construction, has not been established.

Recommending:

1. THAT the four (4) long-term concept options relating to the Barry Street car park site, including background, concept planning and feasibility work (Attachments 1 and 4) be placed on public exhibition for 28 days.

2. THAT the two (2) long-term concept options relating to Neutral Bay Community Centre including background and concept options (Attachment 2) be placed on public exhibition for 28 days.

3. THAT the short and medium-term concept options relating to the Holtermann Street car park site including background, concept planning and feasibility work (Attachments 3 and 4) be placed on public exhibition for 28 days.

4. THAT key stakeholders, including neighbouring land owners, existing users, occupants, the participants of the Recreation Needs Study and the Sport and Recreation Reference Group be consulted during the exhibition period.

5. THAT Council note that McMahons Point Community Centre will be the subject of further design work and will be reported to Council prior to exhibition at a future date.

6. THAT Council note that both the Nicholson Street car park and Holtermann Street car park sites will be the subject of further work within the scope of the Crows Nest Planning Study, which will be reported to Council at a future date.

The Motion was moved by Councillor Gibson and seconded by Councillor Baker.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT the four (4) long-term concept options relating to the Barry Street car park site, including background, concept planning and feasibility work (Attachments 1 and 4) be placed on public exhibition for 28 days.

2. THAT the two (2) long-term concept options relating to Neutral Bay Community Centre including background and concept options (Attachment 2) be placed on public exhibition for 28 days.

3. THAT the short and medium-term concept options relating to the Holtermann Street car park site including background, concept planning and feasibility work (Attachments 3 and 4) be placed on public exhibition for 28 days.

4. THAT key stakeholders, including neighbouring land owners, existing users, occupants, the participants of the Recreation Needs Study and the Sport and Recreation Reference Group be consulted during the exhibition period.

5. THAT Council note that McMahons Point Community Centre will be the subject of further design work and will be reported to Council prior to exhibition at a future date.

6. THAT Council note that both the Nicholson Street car park and Holtermann Street car park sites will be the subject of further work within the scope of the Crows Nest Planning Study, which will be reported to Council at a future date.

Community & Library Services Division

56. CLS01: 2015-16 Small Grants Program: Successful Applicants

Report of Helen Campbell, Manager Community Development

At the time the Council adopted its overall grants program for 2015/16 the successful applicants for the new and innovative grants were not known. In addition, recipients of Council's food grants at Christmas time program, and the sports development and well being fund were also being sourced. This report updates Council on the successful recipients.

This report provides information on how the resolution was put into effect and the successful outcomes.

Recommending:

1. THAT the 2015-16 Small Grants Program: Successful Applicants report be received.

The Motion was moved by Councillor Reymond and seconded by Councillor Barbour.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** the 2015-16 Small Grants Program: Successful Applicants report be received.

57. **CLS02: Council's Community Grants and Subsidies - Background Report**

Report of Martin Ellis, Director, Community and Library Services

At its meeting on 7 December 2015 Council resolved:

THAT a detailed report examining Council expenditure and subsidies on Council owned properties provided to community groups and other organisations be prepared and the report be the subject of a Councillor Briefing in the New Year.

Council's most recently adopted **Community Grants and Subsidies** Report contains much of the information requested and is provided with this report. Gaps in the data and the recently completed Internal Audit of Community Properties have been reviewed in order to meet the requirements of the resolution.

For over 30 years the North Sydney model for delivering services has been a small community development team employed by Council working with a robust, not-for-profit sector (parent and/or resident run) delivering services (jointly identified by Council and the organisations) through Council facilities. Council's larger facilities are managed on a **Joint Plan of Management model** and reported to Council annually.

A number of these leases have already expired or are to expire within 12 months. All services identified in this report are sustainable under the current grants and subsidies, with a typical profile showing a deficit in one year will be balanced by a small surplus in another. Reserves are low, but sensible, allowing for liabilities to be met. Three services occupy Council premises through annually renewed "room hire". This is not seen as providing Council with sufficient protection and it is recommended they be moved to a license.

Council's Joint Plan of Management model, and other reporting processes, have been reviewed by Council's Internal Auditors and found to be sound. The auditors recommended nevertheless that market rent for the properties is established to allow a more accurate understanding (for Council and the community) of the subsidies by Council

The recommendations, with two exceptions, are fully funded in the draft estimates for Year 4 in the Delivery Plan. The exceptions are (i) the cost of drafting the three licenses and (ii) the Market Rent Review which is estimated at \$30,500 +GST. Funding for the project is appropriate.

Recommending:

1. **THAT** a graphic representation (publication) of Council's community services be produced.

2. **THAT** the Community leases identified in "**Attachment 1**" and "**Attachment 2**" that are listed as expired or are expire within 12 months or are pending be immediately renewed for the proposed period, and otherwise on the same terms and conditions as the existing (or negotiated) lease and Council hereby authorises its Official Seal to be affixed to the leases, under the signature of the Mayor and the General Manager.

3. THAT the three services identified as “**room hire**” identified in “**Attachment 1**” each be immediately granted a five year lease under the same terms and conditions as the room hire (unless a shorter term is sought by the organisation) and that Council hereby authorises its Official Seal to be affixed to the lease, under the signature of the Mayor and the General Manager.

4. THAT a Market Rent review of facilities listed in “**Attachment 1**” is commissioned and the results included in the *Draft Community Grants and Subsidies* report for **2016/17**.

5. THAT the Joint Plans of Management for the community centres be updated as recommended by the internal audit.

A Motion was moved by Councillor Beregi, seconded by Councillor Gibson

1. THAT a graphic representation (publication) of Council’s community services be produced.

2. THAT the Community leases identified in “Attachment 1” and “Attachment 2” that are listed as expired or are expire within 12 months or are pending be immediately renewed for the proposed period, and otherwise on the same terms and conditions as the existing (or negotiated) lease and Council hereby authorises its Official Seal to be affixed to the leases, under the signature of the Mayor and the General Manager.

3. THAT the three services identified as “**room hire**” identified in “**Attachment 1**” each be immediately granted a 12 month lease (plus 12 month option) under the same terms and conditions as the room hire (unless a shorter term is sought by the organisation) and that Council hereby authorises its Official Seal to be affixed to the lease, under the signature of the Mayor and the General Manager.

4. THAT a Market Rent review of facilities listed in “**Attachment 1**” is commissioned and the results included in the *Draft Community Grants and Subsidies* report for **2016/17**.

5. THAT the Joint Plans of Management for the community centres be updated as recommended by the internal audit.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT a graphic representation (publication) of Council’s community services be produced.

2. THAT the Community leases identified in “Attachment 1” and “Attachment 2” that are listed as expired or are expire within 12 months or are pending be immediately renewed for the proposed period, and otherwise on the same terms and conditions as the existing (or negotiated) lease and Council hereby authorises its Official Seal to be affixed to the leases, under the signature of the Mayor and the General Manager.

3. THAT the three services identified as “**room hire**” identified in “**Attachment 1**” each be immediately granted a 12 month lease (plus 12 month option) under the same terms and conditions as the room hire (unless a shorter term is sought by the organisation) and that Council hereby authorises its Official Seal to be affixed to the

lease, under the signature of the Mayor and the General Manager.

4. THAT a Market Rent review of facilities listed in “Attachment 1” is commissioned and the results included in the *Draft Community Grants and Subsidies* report for 2016/17.

5. THAT the Joint Plans of Management for the community centres be updated as recommended by the internal audit.

58. CLS03: Draft Community Grants and Subsidies 2016/17

(Previously considered see Min. No 45)

59. CLS04: Library Services in North Sydney Masterplan 2016-2025

Report of Rebecca Aukim, Manager, Library Services

In 2015 in response to a functional brief, Council engaged a library design company to create a Stanton Library masterplan for the next 5 to 10 years.

This report recommends actions arising from the masterplan.

A Quantity Surveyor and associated works is required to cost the concept plan for Stanton Library at a cost of \$20,000 to be funded from capital works reserve. An allocation of \$48,000 has already been provided for in the 2016/17 estimates for the refurbishment of the library customer service counter.

Funding for the project is appropriate.

Recommending:

1. THAT Council adopts the Stanton Library masterplan, places it on public exhibition and engages a Quantity Surveyor to cost the masterplan for inclusion in Council’s long term Financial Plan.

2. THAT the Library Manager to work with the Strategic Planning team to include a branch Library proposal within the State Government developments at both North Sydney and Crows Nest/St Leonards metro station sites.

3. THAT the masterplan guide any intermediate work on Stanton Library.

4. THAT funds (\$48,000) allocated in the 2016/17 estimates for refurbishment of the library customer service counter and associated works be brought forward to allow the work to be done this financial year.

5 THAT Council endorses the formation of a *Friends of Stanton Library* group.

A Motion was moved by Councillor Baker and seconded by Councillor Beregi.

1. THAT Council adopts the Stanton Library masterplan, places it on public exhibition and engages a Quantity Surveyor to cost the masterplan for inclusion in Council’s long term Financial Plan.

2. THAT the Library Manager to work with the Strategic Planning team to include a branch Library proposal within the State Government developments at both North Sydney and Crows Nest/St Leonards metro station sites.

3. THAT the masterplan guide any intermediate work on Stanton Library.

4. THAT funds (\$48,000) allocated in the 2016/17 estimates for refurbishment of the library customer service counter and associated works be brought forward to allow the work to be done this financial year.

5. THAT Council endorses the formation of a *Friends of Stanton (North Sydney) Library* group.

6. THAT consideration be given to future staging of works to the Library to allow for expansion into the entirety of Council’s building known as James Place.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council adopts the Stanton Library masterplan, places it on public exhibition and engages a Quantity Surveyor to cost the masterplan for inclusion in Council's long term Financial Plan.
2. **THAT** the Library Manager to work with the Strategic Planning team to include a branch Library proposal within the State Government developments at both North Sydney and Crows Nest/St Leonards metro station sites.
3. **THAT** the masterplan guide any intermediate work on Stanton Library.
4. **THAT** funds (\$48,000) allocated in the 2016/17 estimates for refurbishment of the library customer service counter and associated works be brought forward to allow the work to be done this financial year.
5. **THAT** Council endorses the formation of a *Friends of Stanton (North Sydney) Library* group.
6. **THAT** consideration be given to future staging of works to the Library to allow for expansion into the entirety of Council's building known as James Place.

60. CLS05: North Sydney Skate Plaza refurbishment

Report of Martin Ellis, Director, Community and Library Services

Council has allocated funds to refurbishing the North Sydney Skate Plaza in 2015/16. A design has been completed, with engineering certification, by Convic Design who designed the original skate plaza. Council sought expressions of interest from the appropriate vendor panel on Tenderlink and the recommended solution has been identified. A portion of the funds set aside in the 2016/17 estimates for refurbishment works at the Primrose Park complex has been identified and if brought forward would allow this project to be completed.

The recommended solution requires \$43,262 to be brought forward from the 2016/17 capital works estimate.

Funding for the project is appropriate.

Recommending:

1. **THAT** Council accept the tender of the highest ranked Tenderer for Skate Plaza Refurbishment.
2. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 37/2016 under signature of the Mayor and the General Manager.
3. **THAT** once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.
4. **THAT** \$43,262 be brought forward to enable this project to proceed.

The Motion was moved by Councillor Beregi and seconded by Councillor Barbour.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr		Absent	Bevan		Absent

RESOLVED:

1. **THAT** Council accept the tender of StraBe Group for Skate Plaza Refurbishment.
2. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 37/2016 under signature of the Mayor and the General Manager.
3. **THAT** once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.
4. **THAT** \$43,262 be brought forward to enable this project to proceed.

61. **CLS06: Social and Affordable Housing Fund and Progress on 23 Nicholson Street**

Report of Martin Ellis, Director, Community and Library Services

The NSW Government has released an EOI for a new way of developing affordable housing: Social and Affordable Housing Fund (SAHF). It is based on 25 years leases and is seen as much superior to the NRAS funding rounds (now discontinued) that saw affordable housing disappear back to the private market after 10 years.

There is no published threshold of the number of properties that can be nominated as seeking funding by individual applicants to SAHF, (the fund plans a total of 3,000) but the higher the number the better the chance of success. Council's community housing provider is aggregating a number of properties it is involved in and seeks Council support to nominate the Parraween Street project and one other. The agreement is non-legally binding. There is no financial commitment from Council required. Any outcome, should Link Housing be successful, would be an increase in the amount of affordable housing in North Sydney

The joint Link Housing/North Sydney Council New Generation Boarding House at 23 Nicholson Street is progressing as scheduled and within budget. It will be completed by late June 2016. Council's Management Agreement needs to be updated to include this property.

Recommending:

1. **THAT** Council enters into a non-legally binding Memorandum of Understanding with Link Housing Ltd to allow Link to apply for funding to increase yield on Council owned community housing properties, noting there is no financial contribution from Council required.
2. **THAT** the 5 year Management Agreement Council has with Link Housing be renewed for a further 5 years to include the New Generation Boarding House at 23 Nicholson Street Wollstonecraft due to be completed in June 2016 and that Council hereby authorises its Official Seal to be affixed to the Agreement, under the signature of the Mayor and the General Manager.

The Motion was moved by Councillor Baker and seconded by Councillor Morris

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr		Absent	Bevan		Absent

RESOLVED:

1. THAT Council enters into a non-legally binding Memorandum of Understanding with Link Housing Ltd to allow Link to apply for funding to increase yield on Council owned community housing properties, noting there is no financial contribution from Council required.

2. THAT the 5 year Management Agreement Council has with Link Housing be renewed for a further 5 years to include the New Generation Boarding House at 23 Nicholson Street Wollstonecraft due to be completed in June 2016 and that Council hereby authorises its Official Seal to be affixed to the Agreement, under the signature of the Mayor and the General Manager.

62. CLS07: Community Transport Contract 2016/18

Report of Martin Ellis, Director, Community and Library Services

Council's **Community Transport** program is managed under a 2+1 year contract, expiring June 2016, operated by Lower North Shore Community Transport (LNSCT), one of only two Home and Community Care (HACC) funded community transport operators in the Lower North Shore; the other being D.A.R.T.S. Of these, only LNSCT's charter allows it to provide a wide range of community transport options as required by Council. The services are delivered through Council-owned buses and include both scheduled transport and flexible individual transport. In 2015 Council funded 17,193 trips.

An external review of the service was conducted in 2011 and no competitor to LNSCT has been identified. [More recent developments in community transport on the Lower North Shore have been taken into account]. Improvements are therefore managed through negotiation and the setting of service levels by Council itself. Clients are the transport disadvantaged: the aged and disabled, the socially isolated and children. Funds have been allocated in the 2016/17 budget to continue this service. It is recommended that a 2+1 year contract be entered into.

Recommending:

1. THAT on the basis that there are extenuating circumstances for not going to tender for community transport, Council authorises its official Seal to be affixed to a 2+1 year contract, with Community Transport Lower North Shore (LNSCT) under the signature of the Mayor and General Manager.

2. THAT once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.

The Motion was moved by Councillor Marchandean and seconded by Councillor Barbour.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT on the basis that there are extenuating circumstances for not going to tender for community transport, Council authorises its official Seal to be affixed to a 2+1 year contract, with Community Transport Lower North Shore (LNSCT) under the signature of the Mayor and General Manager.

2. THAT once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.

63. CLS08: James Milson Village and Georgian House - Update

(Previously considered see Min. No 46)

Corporate Services Division

64. CoS01: Investments and Loan Borrowings Held as at 29 February 2016

Report of Garry Ross, Manager Financial Services (Responsible Accounting Officer)
This report provides details of the performance of Council's investment portfolio for the month of February 2016.

The portfolio provided an annualised return of 4.05% for the year to date as at 29 February 2016, 1.84% above the reportable benchmark (BBSW Bank Bill Index)

Council has commenced a \$30 million debt facility and as at the 29 February 2016, has drawn down \$9.5 million for capital works projects.

Interest returns for the month ended 29 February 2016 remain consistently above the benchmark. This was attributed to additional funds being made available for investment and prudent selection and allocation of these funds to the financial institutions which make up the investment portfolio.

Interest returns for this financial year reflect estimated available funds and predicted expenditure of Council's reserves.

Council is exposed to interest rate risk whenever it borrows, regardless of whether the interest rates are fixed or variable.

The 2015/16 budget estimate for returns from Council's investment portfolio have been reviewed in the December Quarterly Budget Review.

Loan borrowing fundings for project identified in the LTFP is appropriate. All borrowings need to comply with the identified principles of Council's Financial Management Policy.

Recommending:

1. THAT the report be received.

The Motion was moved by Councillor Marchandean and seconded by Councillor

Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr		Absent	Bevan		Absent

RESOLVED:

1. **THAT** the report be received.

65. CoS02: Legal and Planning Committee - 7 March 2016

Report of David McQuade, Governance Co-Ordinator

This report presents the recommendations of the last meeting of the Legal and Planning Committee held on 7 March 2016, for Council adoption. The minutes are attached for information.

Recommending:

1. **THAT** the Current Appeals and Results - March 2016 report be received subject to the following notation:

a) 2 Bray Street, North Sydney: Matter resolved through a Section 34 Agreement

2. **THAT** Council officers respond to the Department's Terms of Reference for the St Leonards Review Process consistent with Council's previous resolution requiring that such document clarify roles, responsibilities, reporting and resourcing as well as being characterised by collaboration and a shared purpose for the work, being respectful of Council's good planning and implementation work already completed including public benefit contribution methodology for the precinct and planned expenditure for these contributions.

3. **THAT** Council pursue a Gateway Determination Review issued for the Planning Proposal for 31-33 Albany Street, Crows Nest, with specific reference to condition 1b for the reasons outlined in this report.

4. **THAT** Council write to the Minister for Planning and Environment seeking an urgent meeting to discuss these matters and the Mayor and available Wollstonecraft Ward Councillors attend any such meeting.

5. **THAT** the St Leonards/Crows Nest Planning Study Progress Report be noted.

6. **THAT** a report be prepared and provided to Council as soon as practicable detailing a timetable and schedule for works for the demolition, proposed road closure and stage 1 and 2 works by Council's Director Engineering and Property Services and that the report include consideration of the allocation of the budgeted funds between the planning and delivery of stages 1 and 2.

7. **THAT** a further progress report on the demolition, road closure and stage 1 works be provided to Council within the next two months.

8. **THAT** Council resolves to adopt the draft amendments to NSDCP 2013, as provided in Attachment 1.

9. **THAT** the draft amendments to NSDCP 2013 be placed on public exhibition for a period of 28 days.

10. **THAT** Council thank the Student Strategic Planner for excellent and thorough report.

11. **THAT** Council resolves to provide written consent to the proposed release of the

restriction on use of land identified as “Y” on deposited plan no.1022965, allowing the properties of 2, 4, 6 and 8 Rose Avenue and 17 Wyagdon Street access on foot through the part of 2 Winter Avenue, Neutral Bay.

12. THAT delegated authority is granted to the General Manager to provide consent to Land and Property Information NSW to release the restriction.

The Motion was moved by Councillor Baker and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT the Current Appeals and Results - March 2016 report be received subject to the following notation:

a) 2 Bray Street, North Sydney: Matter resolved through a Section 34 Agreement

2. THAT Council officers respond to the Department’s Terms of Reference for the St Leonards Review Process consistent with Council’s previous resolution requiring that such document clarify roles, responsibilities, reporting and resourcing as well as being characterised by collaboration and a shared purpose for the work, being respectful of Council’s good planning and implementation work already completed including public benefit contribution methodology for the precinct and planned expenditure for these contributions.

3. THAT Council pursue a Gateway Determination Review issued for the Planning Proposal for 31-33 Albany Street, Crows Nest, with specific reference to condition 1b for the reasons outlined in this report.

4. THAT Council write to the Minister for Planning and Environment seeking an urgent meeting to discuss these matters and the Mayor and available Wollstonecraft Ward Councillors attend any such meeting.

5. THAT the St Leonards/Crows Nest Planning Study Progress Report be noted.

6. THAT a report be prepared and provided to Council as soon as practicable detailing a timetable and schedule for works for the demolition, proposed road closure and stage 1 and 2 works by Council’s Director Engineering and Property Services and that the report include consideration of the allocation of the budgeted funds between the planning and delivery of stages 1 and 2.

7. THAT a further progress report on the demolition, road closure and stage 1 works be provided to Council within the next two months.

8. THAT Council resolves to adopt the draft amendments to NSDCP 2013, as provided in Attachment 1.

9. THAT the draft amendments to NSDCP 2013 be placed on public exhibition for a period of 28 days.

10. THAT Council thank the Student Strategic Planner for excellent and thorough report.

11. THAT Council resolves to provide written consent to the proposed release of the restriction on use of land identified as “Y” on deposited plan no.1022965, allowing the properties of 2, 4, 6 and 8 Rose Avenue and 17 Wyagdon Street access on foot through the part of 2 Winter Avenue, Neutral Bay.

12. THAT delegated authority is granted to the General Manager to provide consent

to Land and Property Information NSW to release the restriction.

66. CoS03: Review of Code of Meeting Principles and Practices

Report of Ian Curry, Manager Governance and Committee Services

Following a Notice of Motion by Councillor Baker, Council resolved at its meeting on 7 December 2015 (Min. No.502):

1. THAT Council undertake an urgent review of the Code of Meeting Principles and Practice to ensure consistency with the Local Government (General) Regulation 2000.

2. THAT the review include, but not be limited to, clarification and strengthening the provisions relating to:

- i. Questions of council staff during meetings (clause 249 of the Regulation);*
- ii. Motions of Dissent from ruling of the Chair (clause 255 of the Regulation);*
- iii. Mayoral Minutes - use and timing of provision of such minutes; and*
- iv. Grounds for the Chair ruling an agenda item "illegal".*

The report addresses this resolution and proposed amendments to the Code.

Recommending:

1. THAT the amended Code of Meeting Principles and Practices be placed on public exhibition for 28 days.

2. THAT should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the amended Code of Meeting Principles and Practices as adopted at the end of the closing period for submissions.

The Mayor ruled section *44.2 Power of Expulsion* as being ultra vires.

Councillor Clare raised a Point of Order against the Mayor's ruling regarding clause 44.2.

The Mayor did not rule on Councillor Clare's Point of Order and asked Councillor Clare to leave the meeting. The Mayor ruled that the meeting would not continue until Councillor Clare left the meeting.

Councillor Clare attempted to withdraw and apologise for comments that the Mayor took exception to, however the Mayor did not accept Councillor Clare's apology and again asked her to leave the meeting.

Councillor Baker raised a Motion of Dissent from Mayor's ruling, seconded by Councillor Morris.

The Mayor refused to put Councillor Baker's Motion of Dissent.

Councillor Baker raised a Point of Order regarding the Mayor's interpretation of clause 44.1 of the existing Code of Meeting Principles and Practices.

The Mayor did not rule on Councillor Baker's Point of Order

Councillor Clare retired from the meeting at 9.05pm

The Motion was moved by Councillor Baker and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** the amended Code of Meeting Principles and Practices be placed on public exhibition for 28 days, with the exception of the proposed amendment to clause 44.2.

2. **THAT** should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the amended Code of Meeting Principles and Practices as adopted at the end of the closing period for submissions.

67. CoS04: Councillor Workshop - Finance: Actions Rising - 16 February 2016

Report of Garry Ross, Financial Services Manager

This report presents the actions arising from the Workshop held on 16 February 2016. Actions arising will be addressed at the next Workshop.

Recommending:

1. **THAT** the summary of actions arising from the Councillor Workshop - Finance held on 16 February 2016 be noted.

The Motion was moved by Councillor Reymond and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** the summary of actions arising from the Councillor Workshop - Finance held on 16 February 2016 be noted.

68. COS05: Draft Fees and Charges Schedule 2016/17

Report of John Towers, Revenue Services Manager

Generally, where permissible, the majority of Council's Fees and Charges have been increased by an estimated CPI amount of 2.5% for 2016/17. All existing and proposed fees and charges have been assessed according to the nature of the services being provided.

The impacts from the Draft Fees and Charges Schedule 2016/17 have been incorporated into the Financial Estimates within the Amended Delivery Program 2013/14-2016-17/Draft Operational Plan 2016/17.

The 2016/17 Draft Fees and Charges have been prepared in accordance with Council's Revenue Policy and takes into account market indicators and CPI variations.

Recommending:

1. THAT the Draft Fees and Charges Schedule 2016/17 be endorsed and placed on public exhibition from a minimum of 28 days.

The Motion was moved by Councillor Reymond and seconded by Councillor Barbour.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT the Draft Fees and Charges Schedule 2016/17 be endorsed and placed on public exhibition from a minimum of 28 days.

Engineering & Property Services Division

69. **EPS01: North Sydney Olympic Pool Redevelopment Options**

Report of Duncan Mitchell, Director of Engineering and Property Services

This report outlines the options for the redevelopment of the North Sydney Olympic Pool that have been developed to date including a new Option (Option7) which has been developed in response to the outcomes the Community Consultation (Phase 2) that was undertaken from August 13 to 25 September 2015.

The cost of the design options (Concept Master Plan Works) for the redevelopment of the North Sydney Olympic Pool and the associated community consultation that has been undertaken for Phase 1 and Phase 2 has already been included in the current adopted budget and Councils delivery Program for this Project.

Recommending:

1. THAT Council determines which of the seven (7) re-development options that have been developed to date should be publicly exhibited for further community feedback.

2. THAT the preferred re-development option be publicly exhibited for a period of 42 days and a report be brought to Council at the end of the exhibition period outlining the communities feedback on the option.

3. THAT after the adoption of the public exhibition report on the preferred re-development option detail design development for the purposes of preparing a development application should commence.

A Motion was moved by Councillor Beregi and seconded by Councillor Baker.

1. **THAT** Council defers the decision on the next steps in relation to the North Sydney Olympic Pool redevelopment.
2. **THAT** during the period of deferment, a Councillor workshop(s) facilitated by an independent professional moderator be held, to allow all Councillors the opportunity to speak openly and ensure that all relevant information, including the history of the pool, demographic projections for the next 20, 50 and 75 years, and their impact on needs/demands in relation to the pool, avenues for sourcing/applying for State and Federal funding, is provided/presented.
3. **THAT** the General Manager and the Directors of City Strategy, Open Space and Engineering also attend the workshop.
4. **THAT** if necessary, further or refined options for the redevelopment of the North Sydney Olympic Pool are commissioned.

The Motion was put and carried.

Voting was as follows:

For/Against 6/1

Councillor	Yes	No	Councillor	Yes	No
Gibson		N	Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council defers the decision on the next steps in relation to the North Sydney Olympic Pool redevelopment.
2. **THAT** during the period of deferment, a Councillor workshop(s) facilitated by an independent professional moderator be held, to allow all Councillors the opportunity to speak openly and ensure that all relevant information, including the history of the pool, demographic projections for the next 20, 50 and 75 years, and their impact on needs/demands in relation to the pool, avenues for sourcing/applying for State and Federal funding, is provided/presented.
3. **THAT** the General Manager and the Directors of City Strategy, Open Space and Engineering also attend the workshop.
4. **THAT** if necessary, further or refined options for the redevelopment of the North Sydney Olympic Pool are commissioned.

70. EPS02: North Sydney Centre Public Domain Upgrade Program - Project Reprioritisation Report

Report of Duncan Mitchell, Director Engineering and Property Services

The purpose of this report is to seek Councils approval on the reprioritisation of the North Sydney Centre Public Domain Upgrade Program which is required due to the State government's announcement that it intends to build a new Metro Station in the North Sydney Centre in Miller Street (Between Berry and Mount Streets). The construction of a Metro station in this location would significantly impact upon any new Public Domain works in Miller Street that Council has planned to have completed in the next 10-12 months.

In November 2015, Transport for NSW announced that it had confirmed the locations of the stations that will form part of the proposed City and Southwest Metro Link that connects Chatswood to Sydenham. The proposed link known as Stage 2 of the

Sydney Metro program includes new twin rail tunnels stretching the entire 15 kilometres from Chatswood to Sydenham and proposed new stations at:

- Crow's Nest located on the western fringe of Crow's Nest village with access to the station via the corner of Clarke Street and Hume Street, and the corner of Pacific Highway and Oxley Street
- Victoria Cross located in the northern section of North Sydney's CBD. Access to the station would be via the eastern side of Miller Street between Berry Street and Mount Street

These works are scheduled to start before the end of 2018 and will impact upon the village of Crow's Nest and the North Sydney CBD. This report is seeking Councils approval to defer the commencement of the Miller Street public domain upgrade project in the North Sydney Centre until after the completion of the Victoria Cross station and re-divert the funds identified in Council delivery program for this Project to the Upgrade of Brett Whitley Place (Stage 1) in the North Sydney CBD which is also identified in Councils delivery Program. Additional funds are also being requested to continue the roll out of raised pedestrian thresholds at laneway cross over's in Berry Street and extended sections of new paving at the intersection of Berry and Miller Streets to improve the overall public amenity and continuity of paving and public domain finishes in these locations.

Council has allocated a budget for the Miller Street Public Domain Upgrade Project in the 2016/17 delivery program. Council has also allocated a budget for the Brett Whitley Place Upgrade Project (Stage 1) in the 2016/17 delivery program. It is proposed that funds from the Miller Street Public Domain Upgrade Project be diverted to the Brett Whitley Place Upgrade Project which has an identified funding shortfall at the 100% tender documentation stage (Pre Tender Estimate). It is also recommended that funds from the Traffic Control Signals Budget and Traffic Works Implementation Budget that had been ear marked for the Miller Street Project be re-allocated to the current public domain works in Berry Street which includes new raised pedestrian crossing thresholds at lane way cross over's on Berry Street which will improve pedestrian safety and continuity of paving along Berry street and extended sections of new paving at the intersection of Berry and Miller Streets to improve the overall public amenity and continuity of paving and public domain finishes in these locations.

Recommending:

- 1. THAT** Council endorses the proposed re-prioritisation of the Miller Street Public Domain Upgrade in the North Sydney Centre that has resulted from the State Government's announcement to build a new Metro Railway Station in Miller Street.
- 2. THAT** Council endorses the proposed re-allocation and bringing forward of funds from the Brett Whitley Place Upgrade budget 2016/17, Miller Street Public Domain Upgrade Project and budget 2016/17 as well as the Traffic Signals and Traffic Works Implementation Budgets in 2016/17. The details of the re-allocated and proposed brought forward budget amounts are outlined in the confidential memorandum attached to this report.
- 3. THAT** Council endorses the Brett Whitley Place Upgrade Project go to tender as per the program identified in this report.

The Motion was moved by Councillor Reymond and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT Council endorses the proposed re-prioritisation of the Miller Street Public Domain Upgrade in the North Sydney Centre that has resulted from the State Government's announcement to build a new Metro Railway Station in Miller Street.

2. THAT Council endorses the proposed re-allocation and bringing forward of funds from the Brett Whitley Place Upgrade budget 2016/17, Miller Street Public Domain Upgrade Project and budget 2016/17 as well as the Traffic Signals and Traffic Works Implementation Budgets in 2016/17. The details of the re-allocated and proposed brought forward budget amounts are outlined in the confidential memorandum attached to this report.

3. THAT Council endorses the Brett Whitley Place Upgrade Project go to tender as per the program identified in this report.

71. **EPS03: Council Owned/Leased Properties: Leasing Transactions**

Report of Risha Joseph, Property Officer

A report is submitted regarding the leasing transactions for Council's owned and leased properties, for the period ending 7 March 2016.

Rental income to Council will be received in the Property Budget.

Recommending:

1. THAT Council notes the leasing transactions, which are detailed in Attachment A of this report.

2. THAT Council hereby authorises its Official Seal to be affixed to the legal instruments necessary to implement the proposed leasing transactions, which is noted in "Attachment A" of this report, under the signature of the Mayor and the General Manager.

The Motion was moved by Councillor Reymond and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT Council notes the leasing transactions, which are detailed in Attachment A of this report.

2. THAT Council hereby authorises its Official Seal to be affixed to the legal instruments necessary to implement the proposed leasing transactions, which is noted in "Attachment A" of this report, under the signature of the Mayor and the General Manager.

72. EPS04: Traffic Committee - 5 February 2016

Report of Michaela Kemp, Manager Traffic and Transport Operations

This report presents the recommendations of the last meeting of the Traffic Committee held on 5 February 2016, for Council adoption. The minutes are attached for information.

Recommending:

- 1. THAT** the information regarding Delegated Authority items be received (4.1).
- 2. THAT** Council install “**4P 8.30am-6pm Mon-Fri Permit Holders Excepted**” parking restrictions along the southern side of Belmont Avenue along the frontage of No. 15 Belmont Avenue (approximately 11 parking spaces) (4.2).
- 3. THAT** a report be submitted to the Traffic Committee in six months to present the findings of introducing “4P 8.30am-6pm Mon-Fri Permit Holders Excepted” parking restrictions along the southern side of Belmont Avenue along the frontage of 15 Belmont Avenue, and include a map of the remaining unrestricted parking areas (4.2).
- 4. THAT** all unrestricted parking on Harrison Street be replaced with 2 hour parking subject to no objection from the Northside Cremorne Clinic (4.2).
- 5. THAT** Council investigate the specific time/frequencies of deliveries on Harrison Street and report findings to the Traffic Committee (4.2).
- 6. THAT** the remainder of recommendations made for Minor Parking Restrictions be adopted (4.2).
- 7. THAT** a new plan be prepared for Bligh Street and referred back to the Traffic Committee showing a full Shared Zone treatment from Broughton Street to Humphrey Place (inclusive) with no bollards, parking retained and “Shared Zone”/“Give Way to Pedestrians” signage on the road. Shared zone plans must be submitted to Speed Management team at RMS for approval (4.3).
- 8. THAT** Council relocate the existing “No Parking” restriction from southern side to the northern side and relocate the existing “2P” parking restriction from the northern side to the southern side of Crows Nest Road as soon as possible (4.3).
- 9. THAT** Council investigate the possibility of using bollards in Lavender Crescent to protect property 1A Lavender Crescent and Council pavement, or any other alternatives, and report back to the Traffic Committee (4.3).
- 10. THAT** the median island to be installed between Dind Street and Glen Street and kerb/gutter extension on the western side of Alfred Street north of Dind Street (including installation of “Give Way” signage and TB holding line at the intersection of Alfred Street and Dind Street) are approved by the RMS prior to implementing (4.3).
- 11. THAT** the remainder of recommendations made for Minor Traffic Investigations be adopted (4.3).
- 12. THAT** Council propose all public roads and land within the North Sydney LGA to be gazetted as declared areas under Section 15A of the Impounding Act 1993 (Impounding Amendment (Unattended Boat Trailers) Act 2015). Under Section 15A of the Act, in declared areas boat trailers must be moved at least every 28 days at least as far as a different block of the same street and Council must provide at least 15 days notice before impounding a trailer (4.4).
- 13. THAT** Council maintain its policy position that boats and trailers are not entitled to a parking permit under the Resident Parking Policy (4.4).
- 14. THAT** Council place the proposal with regard to declared areas under the Impounding Act 1993 (Impounding Amendment (Unattended Boat Trailers) Act 2015) on public exhibition for a minimum of 28 days and report back to Council (4.4).
- 15. THAT** Council Rangers provide information on the changes to boat trailer parking legislation and proposed declared areas via letter drop in streets where boat trailers are observed during normal patrols (4.4).

16. **THAT** new traffic control signals and associated public domain works be constructed at the intersection between Ernest Street and Merlin Street subject to the additional required approvals from the RMS (4.5).
17. **THAT** intersection adjustments and associated public domain/landscaping works be constructed at the intersection between Sutherland Street and Park Avenue (4.5).
18. **THAT** separated bi-directional cycleway be installed along sections of Merlin Street, Ernest Street and Park Avenue (4.5).
19. **THAT** improvements to the existing pedestrian crossing on Merlin Street be constructed, including an adjacent cycleway crossing to be constructed as a trial (4.5).
20. **THAT** the information on Car Share membership and usage be received (4.6).
21. **THAT** the recommendations relating to the installation of new car share spaces be adopted (4.6).
22. **THAT** the continuous footpath treatments on Berry Street, North Sydney at Denison Street, Ward Street and Little Spring Street be approved by the Traffic Committee for installation as part of the footpath upgrades (subject to standards and TDT 2013/05) (4.7).
23. **THAT** it be noted that Council's Manager Traffic and Transport Operations will approve the Berry Street continuous footpath treatments on behalf of Council under delegated authority (4.7).
24. **THAT** the Miller Street Upgrade Plans be deferred until the next Traffic Committee for the RMS to consider and comment (4.8).
25. **THAT** the Abandoned Vehicles Processed Report be received (5.1).
26. **THAT** the traffic aspects of the Pedestrian and Traffic Management Plan for Demolition and Excavation prepared by Colton Budd Rogers & Kafes (CBRK) dated December 2015 for development at 100 Mount Street, North Sydney (State Approved Development Consent MP 08_0241) be approved subject to the conditions outlined in the report (6.1).
27. **THAT** a new Construction Management Plan be required to be submitted to the Traffic Committee for approval for any subsequent Construction phases of the development at 100 Mount Street, North Sydney (State Approved Development Consent MP 08_0241) prior to commencement of the Construction phase (6.1).
28. **THAT** Council adopt recommendations 1 and 2 in relation to 100 Mount Street Construction Traffic Management Plan subject to approval from the RMS (6.1).

The Motion was moved by Councillor Reymond and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** the information regarding Delegated Authority items be received (4.1).
2. **THAT** Council install **"4P 8.30am-6pm Mon-Fri Permit Holders Excepted"** parking restrictions along the southern side of Belmont Avenue along the frontage of No. 15 Belmont Avenue (approximately 11 parking spaces) (4.2).
3. **THAT** a report be submitted to the Traffic Committee in six months to present the findings of introducing **"4P 8.30am-6pm Mon-Fri Permit Holders Excepted"** parking

- restrictions along the southern side of Belmont Avenue along the frontage of 15 Belmont Avenue, and include a map of the remaining unrestricted parking areas (4.2).
4. **THAT** all unrestricted parking on Harrison Street be replaced with 2 hour parking subject to no objection from the Northside Cremorne Clinic (4.2).
 5. **THAT** Council investigate the specific time/frequencies of deliveries on Harrison Street and report findings to the Traffic Committee (4.2).
 6. **THAT** the remainder of recommendations made for Minor Parking Restrictions be adopted (4.2).
 7. **THAT** a new plan be prepared for Bligh Street and referred back to the Traffic Committee showing a full Shared Zone treatment from Broughton Street to Humphrey Place (inclusive) with no bollards, parking retained and “Shared Zone”/ “Give Way to Pedestrians” signage on the road. Shared zone plans must be submitted to Speed Management team at RMS for approval (4.3).
 8. **THAT** Council relocate the existing “No Parking” restriction from southern side to the northern side and relocate the existing “2P” parking restriction from the northern side to the southern side of Crows Nest Road as soon as possible (4.3).
 9. **THAT** Council investigate the possibility of using bollards in Lavender Crescent to protect property 1A Lavender Crescent and Council pavement, or any other alternatives, and report back to the Traffic Committee (4.3).
 10. **THAT** the median island to be installed between Dind Street and Glen Street and kerb/gutter extension on the western side of Alfred Street north of Dind Street (including installation of “Give Way” signage and TB holding line at the intersection of Alfred Street and Dind Street) are approved by the RMS prior to implementing (4.3).
 11. **THAT** the remainder of recommendations made for Minor Traffic Investigations be adopted (4.3).
 12. **THAT** Council propose all public roads and land within the North Sydney LGA to be gazetted as declared areas under Section 15A of the Impounding Act 1993 (Impounding Amendment (Unattended Boat Trailers) Act 2015). Under Section 15A of the Act, in declared areas boat trailers must be moved at least every 28 days at least as far as a different block of the same street and Council must provide at least 15 days notice before impounding a trailer (4.4).
 13. **THAT** Council maintain its policy position that boats and trailers are not entitled to a parking permit under the Resident Parking Policy (4.4).
 14. **THAT** Council place the proposal with regard to declared areas under the Impounding Act 1993 (Impounding Amendment (Unattended Boat Trailers) Act 2015) on public exhibition for a minimum of 28 days and report back to Council (4.4).
 15. **THAT** Council Rangers provide information on the changes to boat trailer parking legislation and proposed declared areas via letter drop in streets where boat trailers are observed during normal patrols (4.4).
 16. **THAT** new traffic control signals and associated public domain works be constructed at the intersection between Ernest Street and Merlin Street subject to the additional required approvals from the RMS (4.5).
 17. **THAT** intersection adjustments and associated public domain/landscaping works be constructed at the intersection between Sutherland Street and Park Avenue (4.5).
 18. **THAT** separated bi-directional cycleway be installed along sections of Merlin Street, Ernest Street and Park Avenue (4.5).
 19. **THAT** improvements to the existing pedestrian crossing on Merlin Street be constructed, including an adjacent cycleway crossing to be constructed as a trial (4.5).
 20. **THAT** the information on Car Share membership and usage be received (4.6).
 21. **THAT** the recommendations relating to the installation of new car share spaces be adopted (4.6).

- 22. THAT** the continuous footpath treatments on Berry Street, North Sydney at Denison Street, Ward Street and Little Spring Street be approved by the Traffic Committee for installation as part of the footpath upgrades (subject to standards and TDT 2013/05) (4.7).
- 23. THAT** it be noted that Council's Manager Traffic and Transport Operations will approve the Berry Street continuous footpath treatments on behalf of Council under delegated authority (4.7).
- 24. THAT** the Miller Street Upgrade Plans be deferred until the next Traffic Committee for the RMS to consider and comment (4.8).
- 25. THAT** the Abandoned Vehicles Processed Report be received (5.1).
- 26. THAT** the traffic aspects of the Pedestrian and Traffic Management Plan for Demolition and Excavation prepared by Colton Budd Rogers & Kafes (CBRK) dated December 2015 for development at 100 Mount Street, North Sydney (State Approved Development Consent MP 08_0241) be approved subject to the conditions outlined in the report (6.1).
- 27. THAT** a new Construction Management Plan be required to be submitted to the Traffic Committee for approval for any subsequent Construction phases of the development at 100 Mount Street, North Sydney (State Approved Development Consent MP 08_0241) prior to commencement of the Construction phase (6.1).
- 28. THAT** Council adopt recommendations 1 and 2 in relation to 100 Mount Street Construction Traffic Management Plan subject to approval from the RMS (6.1).

73. EPS05: North Sydney Oval Duncan Thompson Stand remedial building works - Contract 32/2016

Report of Albert Lo, Property Asset Manager

Tenders were called and received until 4.00 pm on 16 February 2016 for remedial building works at North Sydney Oval Duncan Thompson Stand.

In order for Councillors to discuss the confidential memorandum attached to this report, it will be necessary to close the Council meeting to the public.

Funding will be provided from the Property Renewal Program. This project is an approved project in Council's Operational Plan.

Recommending:

- 1. THAT** Council accepts the tender of the highest ranked tenderer for Contract No. 32/2016 for NS Oval Duncan Thompson Stand remedial building works.
- 2. THAT** Council hereby authorises its Official Seal to be affixed to Contract 32/2016 under the signature of the Mayor and the General Manager.
- 3. THAT** Council brings forward funds from future year's budget to enable this project to commence this financial year.
- 4. THAT** once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector.
- 5. THAT** the proposal to incur expenditure from future Capital Budgets be placed on public exhibition for 14 days, in line with the guideline for Merger Proposals from the Office of Local Government.
- 6. THAT** should Council receive any adverse submissions, a further report be prepared for Council's consideration. Should Council receive no adverse submissions, Council consider the tender report as adopted at the end of the closing period for submissions.

The Motion was moved by Councillor Gibson and seconded by Councillor Reymond.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare		Out	Morris	Y	
Baker	Y		Marchandean	Y	
Carr		Absent	Bevan		Absent

RESOLVED:

1. **THAT** Council accepts the tender of Sullivans Constructions for Contract 32/2016 - North Sydney Oval Duncan Thompson Stand remedial building works.
2. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 32/2016 under the signature of the Mayor and the General Manager.
3. **THAT** Council brings forward funds from future year's budget to enable this project to commence this financial year.
4. **THAT** once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector.
5. **THAT** the proposal to incur expenditure from future Capital Budgets be placed on public exhibition for 14 days, in line with the guideline for Merger Proposals from the Office of Local Government.
6. **THAT** should Council receive any adverse submissions, a further report be prepared for Council's consideration. Should Council receive no adverse submissions, Council consider the tender report as adopted at the end of the closing period for submissions.

74. EPS06: North Sydney Oval Grandstands Restoration Works - Contract 31/2016

Report of Albert Lo, Property Asset Manager

Tenders were called and were received until 4.00 pm on 18 February 2016 for Grandstand restoration works at North Sydney Oval.

In order for Councillors to discuss the confidential memorandum attached to this report, it will be necessary to close the Council meeting to the public.

Funding will be provided from the Property Renewal Program. This project is an approved project in Council's Operational Plan.

Recommending:

1. **THAT** Council accepts the tender of the highest ranked tenderer for Contract No. 31/2016 for the North Sydney Oval Grandstand restoration works.
2. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 31/2016 under the signature of the Mayor and the General Manager.
3. **THAT** Council brings forward funds from future years budgets to enable this project to commence this financial year.
4. **THAT** once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector.*
5. **THAT** the proposal to incur expenditure from future Capital Budgets be placed on public exhibition for 14 days, in line with the guideline for Merger Proposals from the Office of Local Government.

6. **THAT** should Council receive any adverse submissions, a further report be prepared for Council's consideration. Should Council receive no adverse submissions, Council consider the tender report as adopted at the end of the closing period for submissions.

The Motion was moved by Councillor Morris and seconded by Councillor Reymond.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

- 1. THAT** Council accepts the tender of GF James Plumbing for Contract No. 31/2016 for the North Sydney Oval Grandstand restoration works.
- 2. THAT** Council hereby authorises its Official Seal to be affixed to Contract 31/2016 under the signature of the Mayor and the General Manager.
- 3. THAT** Council brings forward funds from future years budgets to enable this project to commence this financial year.
- 4. THAT** once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.
- 5. THAT** the proposal to incur expenditure from future Capital Budgets be placed on public exhibition for 14 days, in line with the guideline for Merger Proposals from the Office of Local Government.
- 6. THAT** should Council receive any adverse submissions, a further report be prepared for Council's consideration. Should Council receive no adverse submissions, Council consider the tender report as adopted at the end of the closing period for submissions.

75. EPS07: Supply of Licence Plate Recognition (LPR) Access Control Equipment for Nicholson Street Carpark - Contract 28/2016

Report of Cameron Sim, Fleet and Parking Stations Manager

Tenders were called and were received until 4pm on 10 December 2015, for the Supply of Licence Plate Recognition (LPR) Access Control Equipment for Nicholson Street Carpark.

In order for Councillors to discuss the content of this Commercial in Confidence report it will be necessary to close the Council meeting to the public.

This project will be funded as a Capital Equipment Purchase from the Plant Reserve. Funding for the project is appropriate.

Recommending:

- 1. THAT** Council accept the tender of the highest ranked Tenderer for Tender 28/2016 for Supply of Licence Plate Recognition (LPR) Access Control Equipment for Nicholson Street Carpark.

2. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 28/2016 under signature of the Mayor and the General Manager.

3. **THAT** once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.

The Motion was moved by Councillor Reymond and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council accept the tender of Ybern Pty Ltd (Tenderer 1) for Tender 28/2016 for Supply of Licence Plate Recognition (LPR) Access Control Equipment for Nicholson Street Carpark.

2. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 28/2016 under signature of the Mayor and the General Manager.

3. **THAT** once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.

76. EPS08: Footpath and Stairway Upgrade Construction Works - Contract 25/2016

Report of Robert Esdaile, Engineering Project Manager

Tenders were called and were received until 4pm, 18 November 2015 for the submission of tenders to undertake Footpath and Stairway Upgrade Construction Works. Council accepted the tender of Stateline Asphalt Pty Ltd for Part B - Stairways on 7 December 2015. Stateline Asphalt subsequently withdrew from the contract on 22 February, 2016. It is now requested that Council accept the second highest ranked tender for these works.

In order for Councillors to discuss the content of this Commercial in Confidence report it will be necessary to close the Council meeting to the public.

Funding for this project is being partially sourced from the existing 2015/16 and 2016/17 allocations for footpath reconstruction included in the current Delivery Program.

Recommending:

1. **THAT** Council rescind the decision from the Council meeting of 7 December 2015 accepting the tender of Stateline Asphalt Pty Ltd for Part B - Stairway, Tender 25/2016 - Footpath and Stairway Upgrade Construction Works.

2. **THAT** Council accept the tender of the second highest ranked Tenderer for Part B - Stairway, Tender 25/2016 - Footpath and Stairway Upgrade Construction Works.

3. **THAT** Council approves funds being brought forward from the 2016/2017 Budget to carry out the works under Contract 25/2016 this financial year.

4. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 25/2016 under the signature of the Mayor and the General Manager.

5. **THAT**, once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.

The Motion was moved by Councillor Reymond and seconded by Councillor Marchandeanu.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandeanu	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council rescind the decision from the Council meeting of 7 December 2015 accepting the tender of Stateline Asphalt Pty Ltd for Part B – Stairway, Tender 25/2016 - Footpath and Stairway Upgrade Construction Works.

2. **THAT** Council accept the tender of Civil Works (NSW) Pty Ltd for Part B – Stairway, Tender 25/2016 - Footpath and Stairway Upgrade Construction Works.

3. **THAT** Council approves funds being brought forward from the 2016/2017 Budget to carry out the works under Contract 25/2016 this financial year.

4. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 25/2016 under the signature of the Mayor and the General Manager.

5. **THAT**, once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.

77. EPS09: Outcome of Post Tender Negotiations - Upgrade Works to 'Nutcote' - Contract 27/2016

Report of John Butterworth, Projects Manager

On 15 February 2016, Council considered submissions for essential upgrade works to 'Nutcote' and resolved:

1. *THAT Council reject all offers for Tender 27-2016 for the upgrade works to 'Nutcote'.*

2. *THAT Council not invite fresh tenders for the reasons stated in this report and because it is considered that re-tendering, rather than negotiating, will not attract additional suitable submissions for the project.*

3. *THAT Council resolves to enter into direct negotiation with the tenderers and other suitable contractors for the upgrade works to 'Nutcote' Museum.*

4. *THAT authority be delegated to the General Manager to negotiate with suitably qualified contractors and enter into a contract for the upgrade works to 'Nutcote'.*

Council has concluded the reject and negotiate process and is making the following recommendation.

In order for Councillors to discuss the content of this Commercial in Confidence report it will be necessary to close the Council meeting to the public.

Funding for this project was included in the four year delivery program adopted by Council.

Recommending:

- 1. THAT** Council accept the offer from the highest ranked Contractor for the upgrade works to 'Nutcote'.
- 2. THAT** Council approves bringing forward funds from the 2016/2017 Budget to carry out the works this financial year.
- 3. THAT** Council hereby authorises its Official Seal to be affixed to the Contract under the signature of the Mayor and the General Manager.
- 4. THAT,** once Council has executed the Contract, information relating to the successful contract be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector.*

The Motion was moved by Councillor Marchandean and seconded by Councillor Reymond.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

- 1. THAT** Council accept the offer from AMA Projects Pty Ltd for the upgrade works to 'Nutcote'.
- 2. THAT** Council approves bringing forward funds from the 2016/2017 Budget to carry out the works this financial year.
- 3. THAT** Council hereby authorises its Official Seal to be affixed to the Contract under the signature of the Mayor and the General Manager.
- 4. THAT,** once Council has executed the Contract, information relating to the successful contract be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector.*

78. EPS10: Outcome of Post Tender Negotiations - Alfred Street Archway - Contract 17/2016

Report of Robert Esdaile, Engineering Project Manager

On 7 December, 2015, Council considered submissions for the reconstruction of the Alfred Street Archway and resolved:

- 1. THAT Council reject all offers for Tender 17-2016 for the reconstruction of the Alfred Street Archway - North Sydney.*
- 2. THAT Council not invite fresh tenders for the reasons stated in this report and because it is considered that re-tendering, rather than negotiating, will not attract additional suitable submissions for the project.*

3. *THAT Council resolves to enter into direct negotiation with the tenderers and other suitable contractors for the reconstruction of the Alfred Street Archway - North Sydney.*

4. *THAT authority be delegated to the General Manager to negotiate with suitably qualified contractors and enter into a contract for the reconstruction of the Alfred Street Archway - North Sydney.*

Council has concluded the reject and negotiate process and is making the following recommendation.

In order for Councillors to discuss the content of this Commercial in Confidence report it will be necessary to close the Council meeting to the public.

Funding for this project was included in the four year delivery program adopted by Council.

Recommending:

1. **THAT** Council accept the offer from the highest ranked Contractor for the reconstruction of the Alfred Street Archway - North Sydney.

2. **THAT** Council approves bringing forward funds from the 2016/2017 Budget to carry out the works this financial year.

3. **THAT** Council hereby authorises its Official Seal to be affixed to the Contract under the signature of the Mayor and the General Manager.

4. **THAT**, once Council has executed the Contract, information relating to the successful contractor be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector.*

The Motion was moved by Councillor Gibson and seconded by Councillor Baker.

The Motion was put and carried.

Voting was as follows:

For/Against 4/3

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour		N
Clare	Out		Morris		N
Baker	Y		Marchandean		N
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council accept the offer from Albert Smith Signs Pty Ltd for the reconstruction of the Alfred Street Archway - North Sydney.

2. **THAT** Council approves bringing forward funds from the 2016/2017 Budget to carry out the works this financial year.

3. **THAT** Council hereby authorises its Official Seal to be affixed to the Contract under the signature of the Mayor and the General Manager.

4. **THAT**, once Council has executed the Contract, information relating to the successful contractor be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector.*

79. EPS11: North Sydney Public Amenities Strategy & Action Plan

Report of Risha Joseph, Property Officer

The report is in relation to the resolution of Council dated 17 November 2014 where Council resolved to undertake the development of a Public Amenities Strategy and Action Plan for the North Sydney Local Government Area. The Study was to provide Council with a framework to continuously improve its network of public amenities and to ensure that they are placed in locations that best meet the community's needs. The Plan was to be designed to meet best practice standards in terms of the following:

- Design Excellence
- Safety
- Accessibility
- Sustainability
- Maintenance
- Asset Management
- The incorporation of other compatible uses - "Multipurpose facilities"

The Study is now complete. It has addressed the following key elements:

1. Extensive gap analysis to determine where there is currently a lack of public amenities in the Local Government Area.
2. The formulation of Design Excellence Guidelines for the construction of any new public amenities and or refurbishment of existing amenities.
3. The establishment of best practice Maintenance and Management guidelines for Councils existing and future network of Public Amenities.
4. The establishment of best practice information and signage guidelines for Councils existing and future network of Public Amenities.
5. The establishment of a 5 year Action plan. The Action Plan includes a timeframe for the priority actions identified in the gap analysis, capital works, maintenance programs and budget estimates for the works.

Funds are available from the Capital Works Reserve which has been set aside from the 2015/2016 financial year budget.

Recommending:

1. **THAT** the Draft North Sydney Public Amenities Strategy & Action Plan be received and Council resolves to publicly exhibit the Plan for public comment for 28 days.
2. **THAT** if no comments are received, after the Strategy has been publicly exhibited, then Council adopts the Strategy and the identified implementation program to improve public amenities across the North Sydney Local Government Area.

The Motion was moved by Councillor Baker and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** the Draft North Sydney Public Amenities Strategy & Action Plan be received and Council resolves to publicly exhibit the Plan for public comment for 28 days.
2. **THAT** if no comments are received, after the Strategy has been publicly exhibited, then Council adopts the Strategy and the identified implementation program to improve public amenities across the North Sydney Local Government Area.

Open Space & Environmental Services Division

80. **OSE01: Carradah Park - Upper Terrace Landscape Management**

(Previously considered see Min. No 47)

81. **OSE02: Hayes Street Beach Small Private Water Craft Storage**

(Previously considered see Min. No 48)

82. **OSE03: Watt Park Access Improvements - Tender 30/2016**

Report of Alicja Batorowicz - Landscape Projects Coordinator

Tenders were called and were received until 4pm on 3 February 2016 for the submission of tenders to undertake Watt Park Access Improvements.

In order for Councillors to discuss the content of this Commercial in Confidence report it will be necessary to close the Council meeting to the public.

Recommending:

1. **THAT** Council reject all offers for Tender 30/2016 for Watt Park Access Improvements as the tenderers were deemed to have not enough relevant experience to carry out the work specified.
2. **THAT** Council resolve to enter into direct negotiation with other suitable contractors for the Watt Park Access Improvements.
3. **THAT** authority be delegated to the General Manager to negotiate with suitably qualified contractors and enter into a contract for the Watt Park Access Improvements.

The Motion was moved by Councillor Reymond and seconded by Councillor Beregi.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council reject all offers for Tender 30/2016 for Watt Park Access Improvements as the tenderers were deemed to have not enough relevant experience to carry out the work specified.
2. **THAT** Council resolve to enter into direct negotiation with other suitable contractors for the Watt Park Access Improvements.
3. **THAT** authority be delegated to the General Manager to negotiate with suitably qualified contractors and enter into a contract for the Watt Park Access Improvements.

**MOTIONS OF WHICH DUE NOTICE
HAS BEEN GIVEN**

83. **NoM01: Notice of Motion No. 5/16 by Cr Marchandau - 17/02/16**

Re: Plan of Management for Tunks Park

(Previously considered see Min. No 49)

84. **NoM02: Notice of Motion No. 6/16 by Cr Reymond - 26/02/16**

Re: Georgian House and James Milson Village

1. THAT Council call for a report on the current position with regard to Georgian House and James Milson Village.

The Motion was moved by Councillor Reymond and seconded by Councillor Baker.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandau	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT Council call for a report on the current position with regard to Georgian House and James Milson Village.

85. **NoM03: Notice of Motion No. 7/16 by Cr Beregi - 14/03/16**

Re: 11 Woolcott Ave, Waverton

1. THAT the signing of lease over public land and subsequent proposed development in relation to 11 Woolcott Avenue, Waverton, be deferred pending the receipt of advice from Senior Counsel.

The Motion was moved by Councillor Beregi and seconded by Councillor Morris

The Mayor ruled this Motion illegal as it seeks to over rule, or to impede, or to interfere with a lawful resolution of North Sydney Council and would not allow it to be put to the meeting.

Councillors Beregi and Baker raised a Point of Order against the Mayor's ruling.

The Mayor did not rule on the Point of Order.

86. NoM04: Notice of Motion No. 8/16 by Cr Reymond - 15/03/16

Re: Bradfield Bark

1.THAT Council staff be commended on the success of the inaugural "Bradfield Bark" dog show, held on Sunday 6 March 2016 following Councillor Morris's motion to initiate this great community event and that a brief report on the event including feedback and suggestions for similar events in the future be provided to Council.

The Motion was moved by Councillor Reymond and seconded by Councillor Beregi

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1.THAT Council staff be commended on the success of the inaugural "Bradfield Bark" dog show, held on Sunday 6 March 2016 following Councillor Morris's motion to initiate this great community event and that a brief report on the event including feedback and suggestions for similar events in the future be provided to Council.

87. NoM05: Notice of Motion No. 9/16 by Cr Reymond - 15/03/16

Re: Transfer of Building and Development Application Information

1.THAT Council call for a report on the transfer of BA and DA information contained on its record card system into its computer system similar to what has occurred in other Councils, the best example of which is Woollahra Council, which has had such information available to the general public by phone for some years. The information is brief in its description and alerts one to the existence of any such BA or DA should it exist.

Note: Many properties have no recorded information, others do. This information is often useful in property matters and it also assists Council staff to know the past history and for it to be easily accessible. Recently the existence of a proposed road dedication was nearly overlooked before a previous old approval was drawn to Council's attention.

The Motion was moved by Councillor Reymond and seconded by Councillor Marchandeau.

The Motion was put and carried.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandeau	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1.THAT Council call for a report on the transfer of BA and DA information contained on its record card system into its computer system similar to what has occurred in other Councils, the best example of which is Woollahra Council, which has had such information available to the general public by phone for some years. The information is brief in its description and alerts one to the existence of any such BA or DA should it exist.

Councillor Barbour left the meeting at 9.24pm

88. NoM06: Notice of Motion No. 10/16 by Cr Beregi - 15/03/16

Re: Upcoming Federal Election

THAT Council write to the AEC requesting that community consultation in the form of the question below be undertaken in conjunction with the upcoming federal election in NSW federal electorates:

Do you support the NSW State Government's agenda to forcibly merge councils?

The Motion was moved by Councillor Beregi and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 5/1

Councillor	Yes	No	Councillor	Yes	No
Gibson		N	Beregi	Y	
Reymond	Y		Barbour	Out	
Clare	Out		Morris	Y	
Baker	Y		Marchandeau	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT Council write to the AEC requesting that community consultation in the form of the question below be undertaken in conjunction with the upcoming federal election in NSW federal electorates:

Do you support the NSW State Government's agenda to forcibly merge councils?

89. **NoM07: Notice of Motion No. 11/16 by Cr Beregi - 15/03/16****Re: Deputy Prime Minister Barnaby Joyce**

THAT Council write to the Deputy Prime Minister and Leader of the National Party, Barnaby Joyce in relation to the following:

- congratulate and thank him for his stance against the forced Council amalgamation agenda of the NSW State Government;
- ask him to clarify the National Party position on forced Council amalgamations;
- note that current NSW Coalition policy is "no forced council amalgamations";
- attach a copy of the letter signed by the Liberal and National parties, including current Local Government Minister, Paul Toole to the then-Mayor of Oberon, with the letter clearly stating "The amalgamation of councils should only be as a result of mutual agreement. It should not be forced by state government intervention.";
- request that he immediately write to his National Party colleague, Paul Toole MP, NSW Minister for Local Government asking that he and his NSW National colleagues live up to the promises made during the election campaign and immediately withdraw their support for the Baird Government's forced council amalgamation agenda;
- suggest that any changes to local councils must only be undertaken on a voluntary basis and with significant majority support from all affected local community areas.

Background

On Sunday 13 March, the Deputy Prime Minister and Leader of the National Party tweeted:

"Bloody ripper day at the #Walcha Show and standing with locals fighting forced amalgamations"

The Motion was moved by Councillor Beregi and seconded by Councillor Morris.

The Motion was put and carried.

Voting was as follows:

For/Against 5/1

Councillor	Yes	No	Councillor	Yes	No
Gibson		N	Beregi	Y	
Reymond	Y		Barbour	Out	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

1. THAT Council write to the Deputy Prime Minister and Leader of the National Party, Barnaby Joyce in relation to the following:

- congratulate and thank him for his stance against the forced Council amalgamation agenda of the NSW State Government;
- ask him to clarify the National Party position on forced Council amalgamations;

- note that current NSW Coalition policy is "no forced council amalgamations";
- attach a copy of the letter signed by the Liberal and National parties, including current Local Government Minister, Paul Toole to the then-Mayor of Oberon, with the letter clearly stating "The amalgamation of councils should only be as a result of mutual agreement. It should not be forced by state government intervention.";
- request that he immediately write to his National Party colleague, Paul Toole MP, NSW Minister for Local Government asking that he and his NSW National colleagues live up to the promises made during the election campaign and immediately withdraw their support for the Baird Government's forced council amalgamation agenda;
- suggest that any changes to local councils must only be undertaken on a voluntary basis and with significant majority support from all affected local community areas.

(Items NoM08 and NoM09 were considered in conjunction with GMO03, see Min No.52)

90. NoM08: Notice of Motion No. 12/16 by Cr Baker - 15/03/16

Re: Forced amalgamations - legal challenge by Woollahra Council

THAT Council join Woollahra Council in its legal challenge to the forced amalgamation process under ss218A to 218F of the Local Government Act 1993.

91. NoM09: Notice of Motion No. 13/16 by Cr Baker - 15/03/16

Re: Forced amalgamations - Minister's proposal for merger of North Sydney, Mosman and Willoughby Councils

A. THAT Council make a formal submission, opposing the Minister's proposal, to the public inquiry meeting to be held by the Delegate at either of the scheduled venues (Chatswood or Mosman) on 22 or 23 March 2016.

B. THAT Council write to the Minister's Delegate and request:

1. That the Delegate seek the views of the electors of North Sydney, Mosman and Willoughby Council areas by conducting a plebiscite or by postal surveys or opinion polls, in which reply-paid questionnaires are distributed to all electors in North Sydney, Mosman and Willoughby council areas.
2. That the Delegate publicly release the full KPMG working documents prepared in respect of the Minister's proposal together with all documents provided by the Department of Premier & Cabinet, the Office of Local Government and the Minister for Local Government to the Delegate in relation to the Minister's proposal.
3. That the Delegate resolve to hold a public inquiry meeting in the North Sydney local government area and that at least one of the scheduled public inquiry meetings be held during working hours (9am -6pm) in order to allow those who are unable to attend at night to be heard.

Councillor Barbour returned to the meeting at 9.26pm

The General Manager, the Directors and Manager Strategic Planning left meeting at 9.26pm.

92. NoM10: Notice of Motion No. 14/16 by Cr Baker - 15/03/16

Re: General Manager - recognition of service to North Sydney Council

- 1. THAT** Council acknowledge and thank the General Manager, Mr Warwick Winn, for his excellent, diligent and innovative service to North Sydney as General Manager and in his former role as Council's Director of Planning.
- 2. THAT** Council wishes the General Manager, and his family, all the best in his new role at Manningham City Council, Victoria.
- 3. THAT** Council acknowledge the General Manager's service to Council and the community by way of a farewell gift (to the value of \$8,000).
- 4. THAT** a farewell function be arranged and held prior to the General Manager's departure from Council.

The Motion was moved by Councillor Beregi and seconded by Councillor Morris.

An amendment was moved by Cr Gibson, seconded by Cr Barbour \$5,000

- 1. THAT** Council acknowledge and thank the General Manager, Mr Warwick Winn, for his excellent, diligent and innovative service to North Sydney as General Manager and in his former role as Council's Director of Planning.
- 2. THAT** Council wishes the General Manager, and his family, all the best in his new role at Manningham City Council, Victoria.
- 3. THAT** Council acknowledge the General Manager's service to Council and the community by way of a farewell gift (to the value of \$5,000).
- 4. THAT** a farewell function be arranged and held prior to the General Manager's departure from Council.

The amendment was put and lost

Voting was as follows:

For/Against 3/4

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi		N
Reymond		N	Barbour	Y	
Clare	Out		Morris		N
Baker		N	Marchandean	Y	
Carr	Absent		Bevan	Absent	

The Motion was put and carried

Voting was as follows:

For/Against 4/3

Councillor	Yes	No	Councillor	Yes	No
Gibson		N	Beregi	Y	
Reymond	Y		Barbour		N
Clare	Out		Morris	Y	
Baker	Y		Marchandean		N
Carr	Absent		Bevan	Absent	

RESOLVED:

1. **THAT** Council acknowledge and thank the General Manager, Mr Warwick Winn, for his excellent, diligent and innovative service to North Sydney as General Manager and in his former role as Council's Director of Planning.
2. **THAT** Council wishes the General Manager, and his family, all the best in his new role at Manningham City Council, Victoria.
3. **THAT** Council acknowledge the General Manager's service to Council and the community by way of a farewell gift (to the value of \$8,000).
4. **THAT** a farewell function be arranged and held prior to the General Manager's departure from Council.

QUESTIONS WITH NOTICE

93. **Q01: By Councillor Beregi - 15/03/16**

Re: Correspondence to Member for North Sydney

Could Councillors please be provided with a copy/copies of correspondence written to Mr Trent Zimmerman, MP for North Sydney following the recent resolutions of Council? If responses have been received, could these also be provided?

QUESTIONS WITHOUT NOTICE

94. **Q02: By Councillor Gibson - 21/03/16**

Re: Breach of confidentiality

What action has been taken on Council's resolution to have the leaks to the Daily Telegraph in February 2016 referred to the public inquiry?

A Motion was moved by Councillor Baker, seconded by Councillor Barbour

1. **THAT** Q01 and Q02 be received and referred to the appropriate officer for a response.

95. **Closed Session**

It was moved by Councillor Baker and seconded by Councillor Beregi and **carried**

THAT the meeting be closed to the public at 9.33pm to discuss the following matters the open discussion of which would be contrary to section 10A(2)(a) of the *Local Government Act 1993*

- 10A(2)(a) - being personnel matters concerning particular individuals (other than councillors);

Public Interest

These matters are classified as confidential as they contain a personnel matter. On balance, the public interest in preserving the confidentiality of this information outweighs the public interest in openness and transparency in Council decision making by discussing these matters in Open Council.

96. MM01: Re - General Manager's Resignation

As Councillors will be aware, General Manager Warwick Winn has submitted his resignation from Council. His last day at Council will be Friday 8 April 2016. Mr Winn joined Council as the Director of Planning and Development Services in July 2004. He was appointed acting General Manager in December 2013 and appointed permanently to the position in April 2014.

I would like to pay tribute to Mr Winn's contribution to the North Sydney community over the past decade. In particular, I would like to acknowledge his leadership in the planning area, which has resulted in innovative and thoughtful strategic plans at both an area wide and precinct level.

I'd also like to acknowledge Mr Winn's achievements in revitalising the North Sydney CBD. There are now a number of commercial developments under construction or in the pipeline which will assure the centre's future as a major economic centre for Sydney. Mr Winn has successfully built business confidence in the CBD and delivered significant Council projects including public domain works and the Happiness Works Here marketing program.

I am sure all councillors will join me in thanking Mr Winn and wishing him well in his new position in Victoria.

Given the current situation regarding the merger proposals being considered by the State Government and guidelines received from the Office of Local Government, it would be appropriate to resolve to appoint an Acting General Manager until these matters are clarified in the next few months. As this is a staff matter, it should be considered in a closed session.

It is therefore recommended -

- 1. THAT** Council thank Mr. Winn for his hard work and contribution to the North Sydney community.
- 2. THAT** Council move to a closed session at the end of the meeting to appoint an Acting General Manager.

A Motion was moved by Cr Morris, seconded by Cr Barbour

- 1. THAT** Council thank Mr. Winn for his hard work and contribution to the North Sydney community.
- 2. THAT** Council appoint Mr Ross McCreanor as Acting General Manager.

Voting was as follows:

For/Against 7/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Out		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Absent		Bevan	Absent	

RESOLVED:

- 1. THAT** Council thank Mr. Winn for his hard work and contribution to the North Sydney community.

2. **THAT** Council appoint Mr Ross McCreanor as Acting General Manager.

97. **Open Session**

It was moved by Councillor Baker and seconded by Councillor Beregi

1. **THAT** the Meeting be reopened to the public at 9.34pm.

The Mayor made public the resolution of MM01.

The Meeting concluded at 9.35pm

CHAIRPERSON

GENERAL MANAGER