



**MINUTES: 3690th MEETING OF THE NORTH SYDNEY COUNCIL
HELD ON MONDAY, 1 MAY 2017 AT 7.00 PM.**

PRESENT

The Mayor, Jilly Gibson, in the Chair, and Councillors Baker, Beregi, Bevan, Carr, Marchandean and Reymond.

At the commencement of business (7.01pm) those present were:

The Mayor, Jilly Gibson, in the Chair, and Councillors Baker, Beregi, Bevan, Carr, Marchandean and Reymond.

The meeting was opened by the Mayor.

The Mayor introduced Mr Brian Petschler, the Temporary Adviser appointed under the Performance Improvement Order

The Acknowledgement of Country was read by Councillor Gibson.

85. 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:

Re Item MM01	Carols by the Bridge
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Re Item CiS03	Ward Street Precinct Masterplan - Interim Submissions Report
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Re Item P01	B-Line Bus Project
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Re Item NoM01	Notice of Motion No. 10/17 by Cr Bevan – 25/04/17 Re: 24 Cranbrook Avenue, Cremorne – Heritage Listing
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The Motion was moved by Councillor Baker and seconded by Councillor Bevan.

86. Minutes

The Minutes of the previous 3689th Council Meeting held on Monday, 20 March 2017, copies of which had been previously circulated, were taken as read and confirmed.

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

87. Leave of Absence

Councillors Barbour, Clare and Morris have indicated their inability to attend the Council meeting on 1 May 2017.

It is therefore recommended that Council grant leave of absence to Councillors Barbour, Clare and Morris for the meeting of 1 May 2017.

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

RESOLVED:

THAT leave of absence be granted to Councillors Barbour, Clare and Morris.

88. Declarations of Interest

Re Item CiS04	Planning Proposal 655-657 Pacific Highway, St Leonards
Councillor Marchandean	Members of SNPP (Significant Non-pecuniary)
Councillor Reymond	

MINUTES OF THE MAYOR

89. MM01: Carols by the Bridge

For the last thirteen years Church by the Bridge in Kirribilli has held a December Christmas event, Carols by the Bridge, in Bradfield Park. The Church contributes around \$30,000 for infrastructure such as staging, lights, sound equipment and portable toilets. It draws on the volunteer labour and skills of the congregation to plan and stage the music and other activities, which are produced to a very high standard. A jazz concert is held in the park prior to the Carols.

Community support for Carols by the Bridge has continued to grow each year. Last year, an estimated 5,000 people attended, many bringing a picnic dinner to share in the park before the event. While the Church has not done any formal research into the demographics of attenders, it is recognised that people are coming from across the Lower North Shore.

As the numbers have grown, it has made it more difficult for people to hear the carols and additional sound equipment is now needed to direct sound further up the park at an appropriate volume. Given the high interest in the event, this year the Church is also proposing to hold a nativity scene parade down Broughton Street to the park.

The Church has approached me to ask whether the Council would be willing to make a contribution to support better infrastructure and the development and implementation of a traffic management plan for the parade.

I advised the Church I would bring this matter to Council as a Mayoral Minute because I believe the event is well-run and well supported by both our local and wider community. Council's events strategy identified the need for Council to run or attract third party events with regional appeal. With its spectacular backdrop and excellent public transport connections, Carols by the Bridge is well placed to continue to grow as a regional event.

It is therefore recommended

- 1. THAT** Council contribute \$10,000 to the staging of Carols by the Bridge for 2017.
- 2. THAT** Council staff enter into an agreement with Church by the Bridge to ensure appropriate transparency of expenditure.

Reverend Paul Dale addressed Council.

By consent, the Motion was amended to read,

- 1. THAT** Council give in principle support to the contribution of \$10,000 to the staging of Carols by the Bridge for 2017.
- 2. THAT** Council staff enter into an agreement with Church by the Bridge to ensure appropriate transparency of expenditure.
- 3. THAT** a report be submitted to the next Council meeting in relation to the details of Council's contribution in cash and in-kind and any additional logistical commitments.
- 4. THAT** the report also explore future Christmas events in the context of Council's Events Policy including support by Council for this event.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

- 1. THAT** Council give in principle support to the contribution of \$10,000 to the staging of Carols by the Bridge for 2017.
- 2. THAT** Council staff enter into an agreement with Church by the Bridge to ensure appropriate transparency of expenditure.
- 3. THAT** a report be submitted to the next Council meeting in relation to the details of Council's contribution in cash and in-kind and any additional logistical commitments.
- 4. THAT** the report also explore future Christmas events in the context of Council's Events Policy including support by Council for this event.

90. MM02: Northern NSW Flood Appeals

With thousands of residents in northern NSW facing an uncertain future after the worst floods in the region's recorded history, Tweed Shire and Lismore City Councils have established separate Mayor Appeal Funds to draw together support from across the region and around the country.

A combined total of \$350,00 has already been raised to assist those people worst

affected by flooding.

In accordance with previous requests for assistance, I move that Council make a donation of \$500 each (total \$1,000) to the Lismore City Council Flood Appeal and the Tweed Shire Council - Mayor Appeal.

It is therefore recommended

1. THAT Council endorses a donation of \$500 (total \$1,000) each to the Lismore City Council Flood Appeal and the Tweed Shire Council - Mayor Appeal.

By consent, the Motion was amended to read,

1. THAT Council endorses a donation of \$1,000 each (total \$2,000) to the Lismore City Council Flood Appeal and the Tweed Shire Council - Mayor Appeal.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1. THAT Council endorses a donation of \$1,000 each (total \$2,000) to the Lismore City Council Flood Appeal and the Tweed Shire Council - Mayor Appeal.

91. MM03: Australian Local Government Association Conference – June 2017

I am advised that this year six Councillors have nominated to attend the National General Assembly of the Australian Local Government Association which will be held in Canberra from 18 to 21 June 2017. The cost per Councillor will be around \$2,450, depending on the preferred mode of travel.

I am happy to stand corrected, but I believe that with six Councillors attending we are sending more Councillors to the conference than any other Council in Australia. Our attendance certainly exceeds that of our neighbouring Councils who, on average, send one Councillor and the General Manager.

As we qualify for only one vote at the ALGA Assembly, I believe spending money in this way is not a good use of ratepayers' money. As a Council, we would benefit more if each Councillor attended a conference on a different area of interest such as waste, planning or community services, then shared the knowledge gained with the whole Council, as per the expectations outlined in the "Mayor and Councillor Facilities and Benefits Policy".

In proposing Council amalgamations, the NSW Government specifically highlighted the savings that could be made from unnecessary duplication of costs. In sending six Councillors to one conference where we get just one vote, we provide fodder for the pro-merger agenda.

I am therefore proposing that Council send the Deputy Mayor and Acting General Manager to the conference and that the money saved be given as a donation to a community organisation chosen by the Councillors who will not be attending.

It is therefore recommended

- 1. THAT** the Deputy Mayor and Acting General Manager attend the ALGA National General Assembly on behalf of North Sydney Council.
- 2. THAT** the Deputy Mayor provide a report to Council's July Meeting on all matters relevant to the North Sydney LGA.
- 3. THAT** the each of the Councillors who will no longer be attending nominate a local community group to receive the savings on the cost of his/her attendance.

The Motion 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	Absent	
Clare	Absent		Morris	Absent	
Baker		N	Marchandean	Y	
Carr		N	Bevan	Y	

MATTERS BROUGHT FORWARD

92. **CiS03: Ward Street Precinct Masterplan – Interim Submissions Report**

Report of Scott Williamson, Senior Strategic Planner - Urban Design

In order to deliver much needed public domain and amenity improvements to the North Sydney Centre, Council has been undertaking the Ward Street Precinct Masterplan project. The Masterplan was prompted most significantly by the opportunities presented in the upcoming release of a large Council landholding and reinforced by the delivery of Sydney Metro in 2024.

At its meeting of 5 December 2016, Council endorsed the draft Ward Street Precinct Masterplan for public exhibition. This report seeks to update Council on the feedback gathered from submissions and recommend a way forward for the project.

The draft Masterplan was publicly exhibited between 26 January and 10 March 2017. In response to the exhibition, 30 submissions were received from a variety of interests around the precinct. More than half of these complimented Council on its initiative and supported the significant contribution the project is seeking to make to the public domain. Of the issues raised, most prevalent were that of residential amenity, traffic, economic viability and the criteria for selecting opportunity sites. The consultation process has yielded some valuable feedback that will contribute to the ongoing development of the plan.

A key recommendation of this report involves proceeding with a further process of design development and specialist input to the plan. This will involve refinement to respond to feedback and achieve a more informed, comprehensive and realisable vision for the site.

Importantly, the key objectives of the draft North District Plan are now known and a crucial part of this refinement will involve strengthening the economic and employment role of North Sydney CBD. The further review of the draft Masterplan will provide opportunities to ensure that the development potential of all sites is better documented; the potential for different amalgamation patterns is explored and the

relationship to the North Sydney CBD Capacity and Land Use Strategy is clarified. The refinement will also investigate the possibility of the East Walker Street component of the precinct being detached from the Masterplan, as well as the potential for extension of the North Sydney Centre boundary to the east.

In the interim, it is important that individual Planning Proposals initiated by land-owners are strongly discouraged, given this would have the potential to pre-empt or undermine the achievement of a holistic vision for the precinct. Following this design development process, it is recommended that community consultation be again undertaken, following endorsement from Council.

Funding for the preparation of the Masterplan is included in the adopted 2015/16 budget. This is further discussed in detail in section 5 of this report

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period.

The Guidelines have been considered in the preparation of this report and are not applicable as this represents an existing endorsed and funded project identified in the Community Strategic Plan 2013-2023.

Recommending:

1. THAT Council note the issues raised by the community as part of the exhibition of the draft Ward Street Precinct Masterplan.

2. THAT Council resolve to take steps toward the finalisation of the draft Masterplan through further specialist input and design development that responds to community, industry and landowner feedback, according to the following:

- The content and strategic direction identified in the draft North District Plan inform the refinement of the Masterplan.
- The scope of opportunity sites be expanded to ensure opportunities are investigated on all sites within the Precinct.
- The scope of design investigation include the potential for a greater variety of site amalgamation options for opportunity sites.
- The relationship of the Ward Street Masterplan and the Capacity and Land Use Study be clarified, with the development potential of all sites within the Masterplan area identified.
- The East Walker Street opportunity site be detached from the Ward Street Precinct Masterplan project and separately pursued by Council staff.
- The boundary of the North Sydney Centre, as defined in NSLEP 2013, be reviewed for potential expansion to the east.
- The actions identified in this report.

3. THAT a final draft Masterplan be prepared and reported to Council for the purposes of exhibition.

Mr Michael Harrison addressed Council.

Standing Orders were suspended (moved Councillor Baker, seconded by Councillor Marchandau) to distribute a plan from Mr Harrison.

Standing Orders were resumed (moved Councillor Baker, seconded by Councillor Marchandau).

Mr Rick McEwen addressed Council.

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

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1. THAT Council note the issues raised by the community as part of the exhibition of the draft Ward Street Precinct Masterplan.

2. THAT Council resolve to take steps toward the finalisation of the draft Masterplan through further specialist input and design development that responds to community, industry and landowner feedback, according to the following:

- The content and strategic direction identified in the draft North District Plan inform the refinement of the Masterplan.
- The scope of opportunity sites be expanded to ensure opportunities are investigated on all sites within the Precinct.
- The scope of design investigation include the potential for a greater variety of site amalgamation options for opportunity sites.
- The relationship of the Ward Street Masterplan and the Capacity and Land Use Study be clarified, with the development potential of all sites within the Masterplan area identified.
- The East Walker Street opportunity site be detached from the Ward Street Precinct Masterplan project and separately pursued by Council staff.
- The boundary of the North Sydney Centre, as defined in NSLEP 2013, be reviewed for potential expansion to the east.
- The actions identified in this report in pages 9-14.

3. THAT a final draft Masterplan be prepared and reported to Council for the purposes of exhibition.

93. P01: B-Line Bus Project

Council has received a request from the B-Line Petition Group to support a petition to the NSW State Government regarding this issue.

The text of the petition is as follow:

To the Honourable the Speaker and Members of the Legislative Assembly of New South Wales.

The Petition of the undersigned residents, business owners and visitors of Neutral Bay, Cremorne, Mosman, Seaforth, Manly Vale, Mona Vale and surrounding districts brings to the attention of the House our request to halt the B-Line Bus Project which threatens to resume private land in Cremorne, Mosman and Neutral Bay, as well as negatively impacting on our local traffic flows, streetscapes, business communities and pedestrian amenity. The B-line bus project will not make any major impact on traffic congestion on Pittwater, Spit or Military Roads. At an estimated cost of \$600+ million and escalating, B-line is a **flawed band-aid solution which is a scandalous waste of taxpayers' money**. A more permanent, innovative solution is needed to resolve traffic issues to/from the Northern Beaches. The undersigned petitioners therefore ask the Legislative Assembly to request a comprehensive parliamentary investigation be made to examine the costs, rationale and decision making associated with the B-line Bus Project to date.

Council resolved on 20 February 2017 to *hold a public meeting and invite Mosman Council to co-host the meeting and we invite Premier Berejiklian, the Minister for*

Transport and our local Member to attend and that a presentation on the REF be given by the Author of this Report.

A joint public meeting with Mosman Council was held on Thursday, 30 March 2017. The organisers of the petition are seeking the following from Council:

What we would most like Council to do is to help us generate more public awareness of the B-line bus project and the impacts it will have all along the B-line route and in particular, Cremorne.

To achieve this we would like to have:

- 1. A downloadable version of the petition placed on the council website (pdf so that people can easily print out).*
- 2. Place information about B-line issues prominently on the Council's website home page.*
- 3. (Continue) to circulate information about B-line in Council newsletters and emails.*
- 4. Make available a paper copy of the petition at Council's Customer Service Counters;*
- 5. Request Mosman Council to support and adopt a similar initiative.*

The petition is referred to Council for determination.

Mr John Lucas addressed Council.

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

- 1. THAT** a downloadable version of the petition placed on the council website (in PDF form).
- 2. THAT** information about B-line issues be placed prominently on the Council's website home page.
- 3. THAT** Council continue to circulate information and any relevant correspondence from the RMS Project Team about the proposed B-line project in Council newsletters and emails as appropriate.
- 4. THAT** a hard copy of the B-line petition be placed at Council's Customer Service Counters and Stanton Library in a prominent place with appropriate signage.
- 5. THAT** the Mayor write to Mosman Council requesting them to adopt the same or similar initiatives.
- 6. THAT** Council urgently write to the Premier, with a copy to the new local State Member for North Shore, asking that the proposed B-line be halted until such time that a holistic and integrated transport plan which addresses the on-going congestion on Military Road and the Spit bridge, in the context of the newly announced Northern Beaches Tunnel both now and into the future, is developed and a comprehensive community consultation/engagement process is implemented.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

- 1. THAT** a downloadable version of the petition placed on the council website (in PDF form).
- 2. THAT** information about B-line issues be placed prominently on the Council's website home page.

3. THAT Council continue to circulate information and any relevant correspondence from the RMS Project Team about the proposed B-line project in Council newsletters and emails as appropriate.

4. THAT a hard copy of the B-line petition be placed at Council's Customer Service Counters and Stanton Library in a prominent place with appropriate signage.

5. THAT the Mayor write to Mosman Council requesting them to adopt the same or similar initiatives.

6. THAT Council urgently write to the Premier, with a copy to the new local State Member for North Shore, asking that the proposed B-line be halted until such time that a holistic and integrated transport plan which addresses the on-going congestion on Military Road and the Spit bridge, in the context of the newly announced Northern Beaches Tunnel both now and into the future, is developed and a comprehensive community consultation/engagement process is implemented.

94. **NoM01: Notice of Motion No. 10/17 by Cr Bevan – 25/04/17**

Re: 24 Cranbrook Avenue, Cremorne – Heritage Listing

THAT Council prepare a report on the possibility of reinstating the previous heritage listing on the property, 24 Cranbrook Avenue, Cremorne.

Background

This property was de-listed in 2013 for some reason and none of the directly-affected nearby residents were informed about it until the current development application was put in. This DA has caused much angst from the local residents as it didn't comply and broke the Code in a number of ways. It will be, or has already been, rejected by Council but the residents still fear that the submitter of this application will continue to resubmit amended proposals hoping to gradually wear down Council's resistance.

Mr Peter Kofler, Mr Howard Vains and Mr Graham Dawson addressed Council.

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

1. THAT Council prepare a report on the possibility of reinstating the previous heritage listing on the property, 24 Cranbrook Avenue, Cremorne.

2. THAT Council obtain urgent advice in relation to whether an Interim Heritage Order can be supported including the interior of the property given that the property has been the subject of development pressure.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1. THAT Council prepare a report on the possibility of reinstating the previous heritage listing on the property, 24 Cranbrook Avenue, Cremorne.

2. THAT Council obtain urgent advice in relation to whether an Interim Heritage Order can be supported including the interior of the property given that the property has been the subject of development pressure.

General Manager's Office

95. **GMO01: Compliance with Performance Improvement Order**

Report of Ross McCreanor, Acting General Manager

The Minister for Local Government, the Hon Gabrielle Upton, on 9 March 2017 issued the Council with a Performance Improvement Order (**PIO**) under section 438A of the *Local Government Act 1993*.

This report advises Council's compliance to date with the PIO.

The estimated costs for complying with the PIO is \$65,000. This figure includes office changes, training and the Temporary Advisor's fee.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT the report be received.

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

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandau	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1. THAT the report be received.

Councillor Marchandau left the meeting at 8.10pm

96. **GMO02: Matters Outstanding**

Report of Ross McCreanor, Acting General Manager

A report on the current status of matters arising from Council resolutions up to the meeting of 20 March 2017 is presented.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT the report be received.

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

The Motion was put and carried.

Voting was as follows:

For/Against 6/0

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

RESOLVED:

1. THAT the report be received.

City Strategy Division

Councillor Marchandean returned to the meeting at 8.17pm.

It was moved by Councillor Beregi, seconded by Councillor Baker and resolved that Items CiS01, CiS02, CiS05 and CiS06 be considered en globo.

Voting was as follows:

For/Against 7/0

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

97. CiS01: Draft Donations Policy

(This matter was considered en globo. See page 86)

Report of Simonne Johnston, Manager Integrated Planning and Special Projects

An action in the 2016/17 Delivery Program is to create a Donation Policy following on from community feedback in the development of the 2013 Community Strategic Plan. The purpose of this policy is to govern the acceptance of donations by providing criteria to determine whether or not to accept a donation and to provide guidance to prospective donors and their professional advisors in making donations to North Sydney Council. The Policy covers donations made to North Sydney Council as an organisation and not staff or Councillors as individuals. It ensures that Council has absolute discretion in whether it will accept or decline a donation.

The development of this Draft Donations Policy involved research into similar policies from other councils as well as the consideration of the guidelines from the Department of Planning regarding 'Disclosure of Political Donations & Gifts'.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and satisfy the requirements.

Recommending:

1. THAT Council places the Draft Donations Policy on Public Exhibition for a period of 28 days.

RESOLVED:

1. THAT Council places the Draft Donations Policy on Public Exhibition for a period of 28 days.

98. CiS02: Masterplan and Plans of Management for Tunks Park and Anderson Park – Tender 25/2017

(This matter was considered en globo. See page 86)

Report of Mark Yee, Strategic Planner/Katerina Papas, Graduate Strategic Planner
Tenders were called and were received until 4pm on 14 February 2017 for the submission of tenders to prepare combined Masterplan and Plans of Management for Tunks Park and Anderson Park.

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 has been included in the adopted 2016/2017 budget.

Comment by Responsible Accounting Officer:

Funding for the project is appropriate.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT Council rejects all offers for Tender 25/2017 for the preparation of combined Masterplan and Plans of Management for Tunks Park and Anderson Park.

2. THAT Council not call for fresh tenders to be submitted.

3. THAT Council resolves to enter into direct negotiation with tenderers and other suitable consultants for the preparation of combined Masterplan and Plans of Management for Tunks and Anderson Park.

4. THAT authority be delegated to the General Manager to negotiate with suitably qualified consultants and enter into a contract for the preparation of combined Masterplan and Plans of Management for Tunks Park and Anderson Park.

5. THAT the attached Tender Evaluation memorandum to the subject report remain confidential in accordance with section 10A(2)(d) of the Local Government Act 1993.

This matter was initially voted en globo. Councillor Marchandean moved that CiS02 be recommitted, seconded by Councillor Baker.

A Motion was moved by Councillor Marchandean and seconded by Councillor Carr.

1. THAT Council rejects all offers for Tender 25/2017 for the preparation of combined Masterplan and Plans of Management for Tunks Park and Anderson Park.

2. THAT Council not call for fresh tenders to be submitted.

3. THAT Council resolves to enter into direct negotiation with tenderers and other suitable consultants for the preparation of combined Masterplan and Plans of Management for Tunks Park and Anderson Park.

4. THAT authority be delegated to the General Manager to negotiate with suitably qualified consultants and enter into a contract for the preparation of combined Masterplan and Plans of Management for Tunks Park and Anderson Park.

- 5. THAT** the attached Tender Evaluation memorandum to the subject report remain confidential in accordance with section 10A(2)(d) of the Local Government Act 1993.
- 6. THAT** when the Tender has been awarded, that Council advise the relevant Precinct Committees.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandau	Y	
Carr	Y		Bevan	Y	

RESOLVED:

- 1. THAT** Council rejects all offers for Tender 25/2017 for the preparation of combined Masterplan and Plans of Management for Tunks Park and Anderson Park.
- 2. THAT** Council not call for fresh tenders to be submitted.
- 3. THAT** Council resolves to enter into direct negotiation with tenderers and other suitable consultants for the preparation of combined Masterplan and Plans of Management for Tunks Park and Anderson Park.
- 4. THAT** authority be delegated to the General Manager to negotiate with suitably qualified consultants and enter into a contract for the preparation of combined Masterplan and Plans of Management for Tunks Park and Anderson Park.
- 5. THAT** the attached Tender Evaluation memorandum to the subject report remain confidential in accordance with section 10A(2)(d) of the Local Government Act 1993.
- 6. THAT** when the Tender has been awarded, that Council advise the relevant Precinct Committees.

99. CiS03: Ward Street Precinct Masterplan – Interim Submissions Report

(Previously considered – see Minute No. 92)

100. CiS04: Planning Proposal 655-657 Pacific Highway, St Leonards

Report of Ben Boyd, Executive Strategic Planner

On 26 September 2016, Council received a Planning Proposal to amend North Sydney Local Environmental Plan 2103 (NSLEP 2013) as it relates to land at 655-657 Pacific Highway, St Leonards. The Planning Proposal also includes proposed incentive clauses should the site be amalgamated with land at 100 Christie Street, St Leonards. In particular, the Planning Proposal seeks to:

- in relation to 655-657 Pacific Highway:
 - rezone from *B3 Commercial Core* to *B4 Mixed Use*;
 - increase the maximum building height from 49m to 200m;
 - impose a maximum floor space ratio (FSR) of 26:1 across the entire site; and
 - impose a minimum non-residential FSR of 7:1 across the entire site.
- Incorporate an incentive clause, such that if the sites at 655-657 Pacific Highway and 100 Christie Street are amalgamated, then the following additional controls apply:

- an increase to the maximum building height from 49m to 245m over both sites; and

- impose a maximum FSR of 17:1 across both sites.

Having completed an assessment of the application, it is recommended that the Planning Proposal not be supported to proceed to Gateway Determination for the following reasons:

- It has the potential to significantly undermine adopted strategic planning work undertaken in the locality.

- It is contrary to meeting a number of objectives and actions under the relevant regional and district plans applying to the land. In particular, the proposal does not:

- protect nor promote lands for commercial development within an important existing Strategic Centre on the Global Economic Corridor nor allow for future growth; and

- sufficient residential capacity is already provided under NSLEP 2013 to meet State housing targets, without the need to change the land use mix on the subject site.

- It is inconsistent with the desired outcomes of the *St Leonards Crows Nest Planning Study for Precincts 2 & 3*. In particular, the proposal:

- is inconsistent with maximum building height set for the subject site (16 storeys);

- is inconsistent with the podium height requirements (9 storeys);

- is inconsistent with the desired use of the site as a commercial premises, unless a masterplan has been prepared for the site in conjunction with 100 Christie Street;

- whilst not identified as a tall building site, the proposal does not adequately address the relevant criteria for tall buildings;

- variations to the *Planning Study* is not informed by an endorsed masterplan for the site in conjunction with 100 Christie Street;

- is inconsistent with the *Planning Study*'s masterplan principles by:

- not increasing the size of the Christie Street Reserve;

- consolidating loading bay access;

- The proposal is inconsistent with Council's *Christie Street Masterplan Guidelines*, prepared for the site in conjunction with 100 Christie Street. In particular, the proposal:

- does not provide an amalgamated design solution as the preferred outcome;

- does not meet the design requirements for:

- built form, which envisages a 50 storey tower on 655-657 Pacific Highway and a 6 storey building on 100 Christie Street;

- increasing the size and activation of Christie Street Reserve;

- minimising the number of vehicular access points to Sergeants Lane;

- it will not achieve east-west pedestrianisation of Sergeants Lane;

- it will result in a nett loss of potential non-residential floor space.

- It will result in a reduction of commercial floor space over the site which is inconsistent with Direction 1.1 – Business and Industrial Zones to the s.117 Directions under the *Environmental Planning and Assessment Act, 1979*.

- It will prevent the redevelopment of 100 Christie Street in isolation and therefore significantly impact on the ability to deliver important urban design and public benefit outcomes outlined under the Planning Study.

- It will apply proposed new planning controls to 100 Christie Street without the benefit of the owner's consent or collaboration.

- Insufficient details have been provided to make a considered assessment of the proposal, particularly with regards to:

- Verifying the proposed building heights, FSR and non-residential FSR controls.

- Addressing relevant State Environmental Planning Policies and s.117 Directions under the *Environmental Planning and Assessment Act 1979*.

- Cumulative impacts arising from the implementation of the “incentive clause”.
- Consideration of alternative methods to achieve the intent of the Planning Proposal.
- The quantum of proposed public benefits identified within the Planning Proposal, which would ultimately form part of a future Voluntary Planning Agreement (VPA) are uncoded and it is difficult to determine whether it is reasonable.
- the proposed value of the offer to provide an underground pedestrian link to 88 Christie Street is uncertain given the number of landowners that would be affected by the proposal and the potential lack of use by pedestrians as a result of needing to traverse different levels several times.
- The proposed offer of to provide a commuter carpark under Christie Street Reserve, if 100 Christie Street was acquired by the applicant, is not supported as it would result in increased traffic generation which is contrary to the outcomes of the *St Leonards Crows Nest Planning Study for Precincts 2 & 3*.
- The conceptual development scheme overestimates the development potential of the site.

The subject site also forms part of a new Priority Precinct established by the Department of Planning in July 2016. It is considered premature to approve a proposal that is inconsistent with Council’s adopted Planning Studies for the area and prior to completion of the Priority Precinct work.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

- 1. THAT** Council advise the Department of Planning and Environment that it does not support the Planning Proposal proceeding to Gateway Determination and it be provided with a copy of this report and its determination in support of Council’s position.
- 2. THAT** Council notifies the applicant of Council’s determination in accordance with clause 10A of the Environmental Planning and Assessment Regulations 2000.
- 3. THAT** a copy of this report be referred to the Project Control Group for the Priority Precinct for St Leonards and Crows Nest, including Lane Cove and Willoughby Councils.

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

1.THAT Item CiS04 be deferred to the Council meeting to be held on 22 May 2017 due to the declaration of interest by Councillors Marchandean and Reymond in this matter.

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		Absent
Clare		Absent	Morris		Absent
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1.THAT Item CiS04 be deferred to the Council meeting to be held on 22 May 2017 due to the declaration of interest by Councillors Marchandean and Reymond in this matter.

101. CiS05: Post Exhibition Report for Planning Proposal – 1-11 Cowdroy Avenue and 22 Stratford Street, Cammeray and Draft Amendment to NSDCP 2013

(This matter was considered en globo. See page 86)

Report of Chloe Desgrand, Student Strategic Planner/Ben Boyd, Executive Strategic Planner

At its meeting on 21 September 2015, Council considered a report in relation to a Planning Proposal that sought amendment to North Sydney Local Environmental Plan (NSLEP) 2013 as it relates to 11 Cowdroy Avenue, Cammeray.

In particular, the Planning Proposal sought to amend NSLEP 2013 to permit a second dwelling in the form of a 'dual occupancy (detached)'. Council resolved to defer determining the matter, pending an in-house discussion between Councillors, Council staff and the applicant.

Council reconsidered the matter on 19 October 2015 (Attachment 1), where it resolved not to proceed with this Planning Proposal to Gateway Determination, for the following reasons:

- *Insufficient information has been provided to enable a considered assessment;*
- *Sufficient residential capacity is already provided under NSLEP 2013 without the need to change the land use mix;*
- *The proposal represents an unacceptable precedent in so far that it:*
 - (a) *introduces a new residential accommodation type that is currently not permissible anywhere in the Local Government Area (LGA); and*
 - (b) *gives the impression to the community that Council is willing to amend its planning controls to legitimise unlawful works or unauthorised uses;*
- *If implemented, the proposal would result in unreasonable amenity impacts for the occupants of the two dwellings on the site; and*
- *If implemented, the proposal cannot comply with the relevant planning controls under NSLEP 2013 relating to dual occupancies.*

On 8 December 2015, the applicant submitted an application with the Department of Planning and Environment (DPE) for a Pre-Gateway Review of the Planning Proposal. The Minister for Planning issued a Gateway Determination (Attachment 4) on 30 November 2016 enabling the Planning Proposal to proceed to public exhibition subject to conditions, contrary to Council's adopted position.

However, the Gateway Determination required that the Planning Proposal be amended as follows:

- *revise the statement of objectives and intended outcomes by way of reference to facilitating separate residential use of the existing three storey building at the rear of 11 Cowdroy Avenue, Cammeray and rezone 11 Cowdroy and the properties to the west (1-9 Cowdroy and 22 Stratford) from E4 Environmental Living to R2 Low Density Residential to more appropriately reflect the existing built form within the area; and*
- *revise the explanations of provisions to:*
 - (i) *amend NSLEP 2013 Land Zoning Map by rezoning the subject land from E4 Environmental Living to R2 Low Density Residential; and*
 - (ii) *amend Schedule 1 of NSLEP 2013 to permit with consent 'dual occupancy (detached)' for 11 Cowdroy Avenue, Cammeray.*

In accordance with the Gateway Determination, the amended Planning Proposal (Attachment 5) was placed on public exhibition between Thursday 23 February 2017 and Wednesday 22 March 2017.

In addition, a draft amendment to North Sydney Development Control Plan (NSDCP)

2013 (Attachment 6) was exhibited concurrently with the Planning Proposal in accordance with a Council resolution of 24 October 2016 (Attachment 3).

Five (5) submissions were received during the public exhibition period, four (4) of which were made in response to the Planning Proposal and one (1) in response to the draft DCP amendment. There was strong opposition to the proposed rezoning of 1-11 Cowdroy Avenue and 22 Stratford Street, Cammeray from *E4 Environmental Living* to *R2 Low Density Residential*.

In light of the consideration of the submissions and the significant precedent this Proposal will create, there is no compelling planning reason to deviate from Council's original reasons for refusing the Planning Proposal. It is therefore recommended that Council reiterate its decision to the DPE to not support the progression of the Planning Proposal.

Should Council resolve to recommend that the Planning Proposal not proceed, it is recommended that Council defer making a recommendation to adopt the draft DCP amendment (Attachment 5), until such time as it is made aware of the Minister for Planning's decision as to whether the Planning Proposal will be made or not.

However, should Council resolve to recommend that the Planning Proposal proceed, it is recommended that the draft DCP amendment be adopted unamended.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During

Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT pursuant to s.58(4) of the Environmental Planning and Assessment Act, 1979, Council resolves to request the Minister for Planning not to proceed with the Planning Proposal, for the following reasons:

- sufficient residential capacity is already provided under NSLEP 2013 without the need to change the land use mix;
- the proposal represents an unacceptable precedent in so far that it:
 - (a) introduces a new residential accommodation type that is currently not permissible anywhere in the Local Government Area (LGA);
 - (b) gives the impression to the community that Council is willing to amend its planning controls to legitimise unlawful works or unauthorised uses;
- if implemented, the proposal would result in unreasonable amenity impacts for the occupants of the two dwellings on the site, despite any compliance with the draft amendment to NSDCP 2013 for detached dual occupancy development on the subject site;
- if implemented, the development, if unaltered, cannot comply with the relevant planning controls under NSLEP 2013 relating to dual occupancies and therefore requires the establishment of new planning controls for 'dual occupancies (detached)' in order to be compliant under the Schedule 1 listing.
- the community concerns raised in submissions relating to:
 - the environmental constraints on infrastructure provision in light of an increase in residential density and associated traffic and parking demand within the area;
 - the adverse impacts of rezoning the land from *E4 Environmental Living* to *R2 Low Density Residential* on the existing and future desired character (built and environmental) of the immediate area; and
 - the precedent the Proposal establishes, contributing to wide-spread implications in the surrounding areas and throughout the LGA.

2. THAT a copy of this report and its resolution be forwarded to the Minister for Planning in conjunction with addressing Resolution No.1 above.

3. THAT the applicant of the Planning Proposal be informed of Council's decision.

4. THAT if Council resolves not to proceed with the Planning Proposal in accordance

with the recommendations of this report, the recommendation to adopt the draft amendment to NSDCP 2013 be deferred until the Minister for Planning has determined to make the Planning Proposal into an LEP or not.

5. THAT if Council resolve to proceed with the Planning Proposal, or if the Minister for Planning determines to make the Planning Proposal, the adoption of the draft amendment to NSDCP 2013, comprising Attachment 5, be adopted unamended.

RESOLVED:

1. THAT pursuant to s.58(4) of the Environmental Planning and Assessment Act, 1979, Council resolves to request the Minister for Planning not to proceed with the Planning Proposal, for the following reasons:

- sufficient residential capacity is already provided under NSLEP 2013 without the need to change the land use mix;
- the proposal represents an unacceptable precedent in so far that it:
 - (c) introduces a new residential accommodation type that is currently not permissible anywhere in the Local Government Area (LGA);
 - (d) gives the impression to the community that Council is willing to amend its planning controls to legitimise unlawful works or unauthorised uses;
- if implemented, the proposal would result in unreasonable amenity impacts for the occupants of the two dwellings on the site, despite any compliance with the draft amendment to NSDCP 2013 for detached dual occupancy development on the subject site;
- if implemented, the development, if unaltered, cannot comply with the relevant planning controls under NSLEP 2013 relating to dual occupancies and therefore requires the establishment of new planning controls for 'dual occupancies (detached)' in order to be compliant under the Schedule 1 listing.
- the community concerns raised in submissions relating to:
 - the environmental constraints on infrastructure provision in light of an increase in residential density and associated traffic and parking demand within the area;
 - the adverse impacts of rezoning the land from *E4 Environmental Living* to *R2 Low Density Residential* on the existing and future desired character (built and environmental) of the immediate area; and
 - the precedent the Proposal establishes, contributing to wide-spread implications in the surrounding areas and throughout the LGA.

2. THAT a copy of this report and its resolution be forwarded to the Minister for Planning in conjunction with addressing Resolution No.1 above.

3. THAT the applicant of the Planning Proposal be informed of Council's decision.

4. THAT if Council resolves not to proceed with the Planning Proposal in accordance with the recommendations of this report, the recommendation to adopt the draft amendment to NSDCP 2013 be deferred until the Minister for Planning has determined to make the Planning Proposal into an LEP or not.

5. THAT if Council resolve to proceed with the Planning Proposal, or if the Minister for Planning determines to make the Planning Proposal, the adoption of the draft amendment to NSDCP 2013, comprising Attachment 5, be adopted unamended.

102. CiS06: North Sydney CBD Capacity and Land Use Strategy and Planning Proposal

(This matter was considered en globo. See page 86)

Report of Brad Stafford, Executive Planner Metro Project

The draft North Sydney Centre Capacity and Land Use Study was prepared to explore opportunities for growth in order to improve the Centre's employment capacity, its

resilience and vibrancy as well as its investment attractiveness.

After Council endorsement, the Study was publicly exhibited in November and December of 2016. At its meeting of 20 March 2017, Council adopted a post-exhibition report, resolving, among other things, to produce a final Capacity and Land Use Strategy document and associated Planning Proposal to amend North Sydney Local Environmental Plan (NSLEP) 2013.

This report and Attachment 1 detail the additional consideration undertaken as a result of Council's 20 March 2017 resolution, and presents a final North Sydney CBD Capacity and Land Use Strategy.

In addition, in accordance with the recommendations of both Council's 20 March 2017 resolution and the attached North Sydney CBD Capacity and Land Use Strategy, a Planning Proposal has been prepared (Attachment 2) that seeks to amend NSLEP 2013 by amending certain planning controls as they relate to the North Sydney Centre.

The attached Planning Proposal:

- Generally complies with the relevant Local Environment Plan making provisions under the Environmental Planning & Assessment Act 1979; and
- Generally complies with the Department of Planning's 'A guide to preparing planning proposals' (August 2016);

The Planning Proposal will give statutory effect to the Strategy and is recommended to be forwarded to the Department of Planning and Environment for Gateway Determination.

Should a gateway determination be issued enabling public exhibition, both the Planning Proposal and informing North Sydney CBD Capacity and Land Use Strategy will be publicly exhibited in accordance with that determination.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1.THAT Council adopts the North Sydney CBD Capacity and Land Use Strategy at Attachment 1.

2.THAT Council adopts the Planning Proposal at Attachment 2 to give statutory effect to the Strategy.

3.THAT the Planning Proposal and relevant accompanying information be forwarded to the Department of Planning and Environment seeking a Gateway Determination.

RESOLVED:

1.THAT Council adopts the North Sydney CBD Capacity and Land Use Strategy at Attachment 1.

2.THAT Council adopts the Planning Proposal at Attachment 2 to give statutory effect to the Strategy.

3.THAT the Planning Proposal and relevant accompanying information be forwarded to the Department of Planning and Environment seeking a Gateway Determination.

103. CiS07: Draft SEPP (Educational Establishments and Child Care Facilities) 2017 – North Sydney Council Submission

Report of Alex Williams, Team Leader Policy

Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 contains provisions aimed at making it easier to provide educational infrastructure in NSW. The efficient provision of educational infrastructure is a relevant concern for the State. However, a number of concerns exist regarding the draft SEPP:

- It adds another layer of policy and new 'assessment pathways' thus continuing the ongoing complication of the planning system;
- A number of the design criteria contained in the draft SEPP and associated Child Care Planning Guideline are inconsistent with existing provisions within North Sydney Development Control Plan 2013 and may have a negative impact on local development outcomes;
- The proposed expansion of the complying development system overlooks existing issues with the development certification system;
- The proposal to allow buildings that breach local height controls as complying development on school and university sites undermines local planning frameworks;
- The proposed use of site compatibility certificates to allow additional uses on school sites zoned SP2 duplicates existing rezoning processes thus making the system more complicated and less transparent;
- Allowing private schools access to self-assessment under Part 5 of the Environmental Planning & Assessment Act 1979 introduces a conflict of interest and raises questions of precedent.

The attached 'staff submission' outlines these issues in detail and requests that they be addressed prior to the instrument coming into force.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable

Recommending:

1. THAT Council endorse the attached staff submission (Appendix 4) and the Department of Planning & Environment be notified.

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

1. THAT Council endorse the attached staff submission (Appendix 4) and the Department of Planning & Environment be notified.

2. THAT the submission include commentary in relation to notification of works under the SEPP to surrounding property owners, and the cumulative impacts of development on school sites on public land and adjoining properties.

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		Absent
Clare		Absent	Morris		Absent
Baker	Y		Marchandau	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1. THAT Council endorse the attached staff submission (Appendix 4) and the Department of Planning & Environment be notified.

2. THAT the submission include commentary in relation to notification of works under the SEPP to surrounding property owners, and the cumulative impacts of development on school sites on public land and adjoining properties.

104. CiS08: Western Harbour Tunnel and Beaches Link

Report of Nigel Turner, Strategic Transport Planner

On 16 March 2017, the NSW Government announced a preferred route, the start of geological drilling, notifications of property owners and the commencement of a market sounding process for the delivery of two new motorway tunnels:

- A 'Western Harbour Tunnel' extending from Westconnex at Rozelle under Sydney Harbour to the Warringah Freeway at North Sydney, and
- A 'Beaches Link' tunnel from the Warringah Freeway under Middle Harbour to Balgowlah.

Although the announcement stated that over two years of work had already been completed on these projects, the NSW Government appears to have skipped a number of important stages of pre-project planning, project development and public consultation. There appears to have been no community consultation regarding either of these projects, no information provided regarding what alternative options have been assessed and no preliminary justification of why the Western Harbour Tunnel and Beaches Link options are being pursued. Whilst basic consultation is planned in the near future, important decisions appear to have already been made.

Without a robust approach to project development grounded in due process and stakeholder consultation, the Western Harbour Tunnel and Beaches Link projects lack credibility, appear poorly conceived and are devoid of the basic levels of governance and transparency required to determine the best long-term transport solution for the northern beaches.

Although limited information is available regarding the detail of these two projects, Council staff have undertaken a preliminary assessment of the proposals that indicates that there is a significant disconnect between local and State government objectives for transport in northern Sydney and the likely outcomes of this project.

Further, the announcement appears to have been made independently of the Greater Sydney Commission and Infrastructure NSW despite these two bodies being charged with the coordination of infrastructure and land use planning in Sydney.

It is recommended that Council advocate for any further work on the Western Harbour Tunnel and Beaches Link projects to be suspended until the Greater Sydney Commission can lead a robust strategic options assessment that considers all possible solutions to the transport problems of the northern beaches and the flow on effects on the lower north shore. An expanded metro network including a metro rail link between Chatswood to the northern beaches, should be one of the options assessed. Assessment criteria should be based on long-term productivity, liveability and sustainability objectives befitting a fast growing modern city like Sydney, consistent with the aspirations of the North District Plan.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable

Recommending:

1. THAT Council write to the Premier; the Minister for Transport; the Minister for Roads, Maritime and Freight; the Member for North Shore; the Greater Sydney Commission and Infrastructure Australia expressing its concerns regarding the Western Harbour Tunnel and Beaches Link projects, and recommend that work on both projects be suspended until the Greater Sydney Commission, in collaboration with Transport for NSW, undertake a robust options assessment that considers all possible solutions to the transport problems afflicting the Northern Beaches and the flow on effects on the Lower North Shore.

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

1. THAT Council write to the Premier; the Minister for Transport; the Minister for Roads, Maritime and Freight; the Member for North Shore; the Greater Sydney Commission and Infrastructure Australia expressing its concerns regarding the Western Harbour Tunnel and Beaches Link projects, and recommend that work on both projects be suspended until the Greater Sydney Commission, in collaboration with Transport for NSW, undertake a robust options assessment that considers all possible solutions to the transport problems afflicting the Northern Beaches and the flow on effects on the Lower North Shore. That the letter include a submission that the Government undertake a formal options assessment to address a holistic transport plan for the capacity issues from the Northern Beaches through to the Harbour Bridge.

2. THAT Council maintain an information site on Council's website, in tandem with the information on the B-line, and include any correspondence and relevant information that Council may have or acquire in relation to this project and circulate such information to all Precinct Committees.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1. THAT Council write to the Premier; the Minister for Transport; the Minister for Roads, Maritime and Freight; the Member for North Shore; the Greater Sydney Commission and Infrastructure Australia expressing its concerns regarding the Western Harbour Tunnel and Beaches Link projects, and recommend that work on both projects be suspended until the Greater Sydney Commission, in collaboration with Transport for NSW, undertake a robust options assessment that considers all possible solutions to the transport problems afflicting the Northern Beaches and the flow on effects on the Lower North Shore. That the letter include a submission that the Government undertake a formal options assessment to address a holistic transport plan for the capacity issues from the Northern Beaches through to the Harbour Bridge.

2. THAT Council maintain an information site on Council's website, in tandem with the information on the B-line, and include any correspondence and relevant information that Council may have or acquire in relation to this project and circulate such information to all Precinct Committees.

Community & Library Services Division

105. CLS01: Draft Community Grants and Subsidies 2017/18

Report of Martin Ellis, Director Community and Library Services

The Donations and Subsidies Program for 2017/18 is presented as follows:

- Category A: Centres of high local importance
- Category B: Centres housing services of local *and* sub regional importance
- Category C: Child Care Centres paying rent
- 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
- Food grants:

The recommendations are provided for in the Draft Delivery Plan 2017-18.

Recommending:

1.THAT the Draft Community Grants and Subsidies 2017/18 report be placed on public exhibition for a minimum of 28 days, aligning with the Amended Delivery Program/Draft Operational Plan 2017/18.

2.THAT following outcomes of a limited governance review of *May Gibbs' Nutcote* in early 2017 the recommended grant be conditional on Council being satisfied that the Board has made the requested improvements and is working with Council on a new Joint Plan of Management.

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

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1.THAT the Draft Community Grants and Subsidies 2017/18 report be placed on public exhibition for a minimum of 28 days, aligning with the Amended Delivery Program/Draft Operational Plan 2017/18.

2.THAT following outcomes of a limited governance review of *May Gibbs' Nutcote* in early 2017 the recommended grant be conditional on Council being satisfied that the Board has made the requested improvements and is working with Council on a new Joint Plan of Management.

Corporate Services Division

It was moved by Councillor Bevan, seconded by Councillor Reymond and resolved that Items CoS1, CoS02, CoS04 be considered en globo.

Voting was as follows:

For/Against 6/0

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

106. CoS01: Investments and Loan Borrowings Held as at 31 March 2017

(This matter was considered en globo. See page 98)

Report of Garry Ross, Manager Financial Services (Responsible Accounting Officer)
This report provides details of the performance of Council's investment portfolio and borrowing limits for the period ending 31 March 2017.

Investment Portfolio:

The portfolio provided an annualised return of 3.65 % for the year to date as at 31 March 2017, 1.87% above the reportable benchmark (BBSW Bank Bill Index). Interest returns 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.

Borrowing Limits:

Council has commenced a \$30 million debt facility and as at the reporting date, has drawn down \$9.5 million for capital works projects. Council continues to monitor interest rate risk whenever it borrows, regardless of whether the interest rates are fixed or variable.

Any surplus funds generated in excess of adopted estimates will be transferred to Council's internally restricted reserves.

Investments and Loan borrowings funding comply with Council's Financial Management Policy.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1.THAT the report be received.

RESOLVED:

1.THAT the report be received.

107. CoS02: Customer Feedback and Complaints Report: 1 July to 31 December 2016

(This matter was considered en globo. See page 98)

Report of Ian Curry, Manager Governance and Committee Services

The purpose of this report is to provide a summary of the complaints, both justified and partially justified, and compliments received during the period 1 July to 31 December 2016. A comparison is made to the total number of customer contacts that Council received during the same period.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT the report be received.

RESOLVED:

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

108. CoS03: 2017 National General Assembly - Call for Motions

Report of Ian Curry, Manager Governance and Committee Services

The 2017 National General Assembly of Local Government (NGA) will be held in Canberra from 18-21 June 2017. The Australian Local Government Association (ALGA) Board is calling for motions for the 2017 NGA under the theme of *'Building Tomorrow's Communities'*.

To assist councils in preparing motions, a Discussion Paper has been prepared by the ALGA and is attached to this report (Attachment 1).

Six councillors have indicated their interest in attending the NGA.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. **THAT** Council authorise the attendance of any councillor wishing to attend the Conference.
2. **THAT** Council determines whether it wants to submit any Motions to the 2017 National General Assembly of Local Government, under the theme of *'Building Tomorrow's Communities'*.
3. **THAT** should Council submit any Motions, a further report be prepared on the Resolutions made by the National General Assembly.

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

1. **THAT** Council authorise the attendance of any councillor wishing to attend the Conference.

2. **THAT** the three motions submitted by Councillors Baker and Beregi be adopted by Council and submitted to the 2017 National General Assembly of Local Government, under the theme of *'Building Tomorrow's Communities'*.

i.**THAT** ALGA lobby the Commonwealth Government to establish direct partnerships with local councils with identified innovation arcs to inform and deliver Smart Cities policies. That such partnerships include direct resourcing of precinct planning including the conduct of robust community consultation and pilot projects to support innovation and liveability.

ii.**THAT** ALGA lobby the Commonwealth Government, under the Smart Cities program, to establish and fund Innovation Fellowships with local government authorities in each State modelled on the Paris Summer Innovation Fellowship (July 2016).

iii.**THAT** ALGA write to the Federal Education Minister asking him to urgently address the conflict between the regulations for the number of school children permitted on a school site within state school hours as opposed to the restrictions under Commonwealth legislation which restrict the number of children who can attend before and after school care on the same school site and allow any child at a local public school the opportunity to attend before and/or after school care at their own school. This conflict between federal and state regulation is the fundamental reason why thousands of school children are unable to secure a before school and/or after school care place at their local public school which severely impacts the ability of parents to re-enter the workforce when their children are of school age.

3. **THAT** a further report be prepared on the Resolutions made by the National General

Assembly.

The Motion was put and carried.

Voting was as follows:

For/Against 5/2

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

RESOLVED:

1. THAT Council authorise the attendance of any councillor wishing to attend the Conference.

2. THAT the three motions submitted by Councillors Baker and Beregi be adopted by Council and submitted to the 2017 National General Assembly of Local Government, under the theme of '*Building Tomorrow's Communities*'.

i. THAT ALGA lobby the Commonwealth Government to establish direct partnerships with local councils with identified innovation arcs to inform and deliver Smart Cities policies. That such partnerships include direct resourcing of precinct planning including the conduct of robust community consultation and pilot projects to support innovation and liveability.

ii. THAT ALGA lobby the Commonwealth Government, under the Smart Cities program, to establish and fund Innovation Fellowships with local government authorities in each State modelled on the Paris Summer Innovation Fellowship (July 2016).

iii. THAT ALGA write to the Federal Education Minister asking him to urgently address the conflict between the regulations for the number of school children permitted on a school site within state school hours as opposed to the restrictions under Commonwealth legislation which restrict the number of children who can attend before and after school care on the same school site and allow any child at a local public school the opportunity to attend before and/or after school care at their own school. This conflict between federal and state regulation is the fundamental reason why thousands of school children are unable to secure a before school and/or after school care place at their local public school which severely impacts the ability of parents to re-enter the workforce when their children are of school age.

3. THAT a further report be prepared on the Resolutions made by the National General Assembly.

109. CoS04: New Applications for Reference Group Membership

(This matter was considered en globo. See page 98)

Report of Melissa Dunlop, Governance Co-ordinator

The purpose of this report is to inform Council of two applications received for citizen membership. Mr David Graham has applied to be a member of the Sport and Recreation Reference Group while Mr Roderick Miller has applied to be a member of both the Environment Reference Group and Sustainable Transport Reference Group.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period.

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. **THAT** the application from Mr David Graham for citizen membership of the Sport and Recreation Reference Group be accepted.
2. **THAT** the application from Mr Roderick Miller for citizen membership of both the Environment Reference Group and Sustainable Transport Reference Group be accepted.

RESOLVED:

1. **THAT** the application from Mr David Graham for citizen membership of the Sport and Recreation Reference Group be accepted.
2. **THAT** the application from Mr Roderick Miller for citizen membership of both the Environment Reference Group and Sustainable Transport Reference Group be accepted.

Engineering & Property Services Division

It was moved by Councillor Reymond, seconded by Councillor Marchandau and resolved that Items EPS01 and EPS02 be considered en globo.

Voting was as follows:

For/Against 7/0

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

110. EPS01: Council Owned/Leased Properties: Leasing Transactions

(This matter was considered en globo. See page 102)

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 13 April 2017.

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

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

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.

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.

111. EPS02: Traffic Committee - Minutes 24 March 2017

(This matter was considered en globo. See page 102)

Report of Michaela Kemp, Manager Traffic & Transport Operations

This report presents the recommendations of the last meeting of the Traffic Committee held on 24 March 2017 for Council adoption. The Minutes are attached for information.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. **THAT** the recommendation *concerning parking restrictions in Atchison Street, Crows Nest* be adopted and the Rangers enforce parking restrictions and report back to the next Traffic Committee meeting on 16 June 2017. (4.2(1))
2. **THAT** *the matter of food truck parking be deferred and dealt with under delegated authority of the Traffic Engineers*, at the request of the RMS in order to review the wording of the proposed signage. (4.2(3))
3. **THAT** the traffic aspects contained in the Construction Traffic Management Plan for Construction, prepared by Local Traffic Services Pty Ltd, dated 9 February 2017, Rev3/3, for an approved development under NSW Planning and Environment approval “SSD 6952” at 263-265 Miller Street, North Sydney is approved under delegated authority of Council’s Traffic Engineer, subject to the conditions outlined in the report. (6.1)
4. **THAT** the Work Zone as described in this CTMP is approved under delegated authority of Council’s Traffic Engineer, with the same conditions pending lodgment of a Work Zone application, payment of all applicable fees. (6.1)
5. **THAT** the Traffic Committee does not approve use of Truck and Dog trailers for this site due to the impacts on parking. (6.1)
6. **THAT** the hours in Condition 7 be changed to 8am to 9.30am during the morning period. (6.1)
7. **THAT** the traffic aspects of the Construction Traffic Management Plan prepared by Varga Traffic Planning Pty Ltd dated 23 February 2017 for the approved development at 467-473 Miller Street, Cammeray (Development Consent 280/15) is approved under delegated authority of Council’s Traffic Engineer subject to the conditions outlined in the report. (6.2)
8. **THAT** the Work Zone as described in this CTMP is approved under delegated authority of Council’s Traffic Engineer, with the same conditions pending lodgment of a Work zone application and payment of all applicable fees. (6.2)
9. **THAT** the information regarding Delegated Authority items be received. (4.1)
10. **THAT** the remainder of recommendations made for changes in the parking restrictions be adopted. (4.2)
11. **THAT** the recommendations made for minor traffic investigations be adopted

subject to RMS review of the Bligh Street Shared Zone. (4.3)

12. THAT the information concerning Bradfield Bark Event Traffic Management Plan be received. (4.4)

13. THAT the temporary closure of Burton Street, Milsons Point on Sunday 28 May 2017 from 6.00am to 5.00pm for the purposes of managing supplier and event staff deliveries for the Bradfield Bark event be approved as per the submitted Traffic Management Plan, subject to NSW Police and RMS approval of the TMP. (4.4)

14. THAT the *Ridge Street Active Transport Upgrades Plan* be distributed to properties directly affected by the proposed works and other relevant stakeholder groups, to allow submissions on the plan. (4.5)

15. THAT should no significant issues be raised during consultation on the *Ridge Street Active Transport Upgrades Plan* the following works be constructed:

- traffic control signal upgrades and associated kerb adjustments at the intersection between Miller Street and Ridge Street (subject to the additional required approvals from the RMS).
- intersection adjustments and associated public domain/landscaping works at the intersection between West Street and Ridge Street.
- upgrades to the existing marked pedestrian crossings at the intersection between Ridge Street and West Street (including the installation of a cycle crossing across West Street) and mid-block on Ridge Street.
- separated bi-directional cycle path along the north side of Ridge Street.
- a continuous footpath treatment at the intersection between Ridge Street and Cunningham Street.
- associated landscaping and public domain works. (4.5)

16. THAT the proposed intersection adjustments, pedestrian facilities, cycle lane and traffic management changes in Winter Avenue and Bent Street be constructed subject to funding available. (4.6)

17. THAT the proposed pedestrian refuge, cycle lane, and associated traffic management, public domain/landscaping and car park reconfiguration works proposed on Kurraba Road and shown in the attached plan be constructed subject to funding available, RMS approval of proposed changes to Traffic Control Signals, and the outcome of a Traffic Management Plan prepared for the project. (4.7)

18. THAT Council forward a revised TCS Plan for the intersection between Kurraba Road and Ben Boyd Road to the RMS for consideration. (4.7)

19. THAT Council Prepare a Traffic Management Plan for the proposed closure of right turns into Holdsworth Street from Kurraba Road and right out of Holdsworth Street on to Kurraba Road. (4.7)

20. THAT the proposed changes to the pedestrian crossing on Anzac Avenue in front of Anzac Park Public School as shown on the attached plans be approved under delegated authority to Council's Traffic Engineer and implemented at the expense of the Department of Public Works. (4.8)

21. THAT the southern kerb extension be reduced to allow the adjacent parking space to be increased to a minimum of 2.4 metres wide and the radius of the kerb extension be increased to create a smooth transition at the expense of the Department of Public Works. (4.8)

22. THAT the proposed raised threshold on Anzac Avenue north of Ernest Street be approved under delegated authority to Council's Traffic Engineer and implemented at the expense of the Department of Public Works. (4.8)

23. THAT the lighting levels at the pedestrian crossing in Anzac Avenue be upgraded to the relevant PX levels in accordance with AS1158 at the expense of the Department of Public Works. (4.8)

24. THAT the angle parking spaces on the eastern side of Anzac Avenue be converted to parallel parking; and the No Stopping restrictions across the angle parking spaces on the western side of Anzac Avenue, north of the pedestrian crossing be removed at the

expense of the Department of Public Works. (4.8)

25. THAT the pedestrian safety and School Zone matters raised be investigated with a report submitted to the Traffic Committee meeting on *16 June 2017*, including the possibility of a Local Traffic Area 40km/hour zone for this area. (4.8)

26. THAT a request to relocate the No Stopping sign on the western side of the disabled parking space in the kiss and drop bay in Anzac Avenue to the western side of the adjacent marked parking space be forwarded to the Traffic Committee under delegated authority of the Traffic & Transport Operations Manager. (4.8)

27. THAT the median island in Miller Street between Pacific Highway and Berry Street be removed to allow for widening of the footpath on the western side of Miller Street in accordance with the attached plans, subject to Council Engineers investigating measures to alleviate the concerns raised by RMS and the Police, and that a report be presented to the Traffic Committee outlining the result of those discussions. (4.9)

28. THAT the information concerning the Abandoned Vehicles Processed Report be received. (5.1)

29. THAT the information regarding the North Sydney Crash Analysis Report be received. (5.2)

30. THAT the information concerning the Unattended Boat Trailers Processed Report be received. (5.3)

RESOLVED:

1. THAT the recommendation *concerning parking restrictions in Atchison Street, Crows Nest* be adopted and the Rangers enforce parking restrictions and report back to the next Traffic Committee meeting on *16 June 2017*. (4.2(1))

2. THAT *the matter of food truck parking be deferred and dealt with under delegated authority of the Traffic Engineers*, at the request of the RMS in order to review the wording of the proposed signage. (4.2(3))

3. THAT the traffic aspects contained in the Construction Traffic Management Plan for Construction, prepared by Local Traffic Services Pty Ltd, dated 9 February 2017, Rev3/3, for an approved development under NSW Planning and Environment approval "SSD 6952" at 263-265 Miller Street, North Sydney is approved under delegated authority of Council's Traffic Engineer, subject to the conditions outlined in the report. (6.1)

4. THAT the Work Zone as described in this CTMP is approved under delegated authority of Council's Traffic Engineer, with the same conditions pending lodgment of a Work Zone application, payment of all applicable fees. (6.1)

5. THAT the Traffic Committee does not approve use of Truck and Dog trailers for this site due to the impacts on parking. (6.1)

6. THAT the hours in Condition 7 be changed to 8am to 9.30am during the morning period. (6.1)

7. THAT the traffic aspects of the Construction Traffic Management Plan prepared by Varga Traffic Planning Pty Ltd dated 23 February 2017 for the approved development at 467-473 Miller Street, Cammeray (Development Consent 280/15) is approved under delegated authority of Council's Traffic Engineer subject to the conditions outlined in the report. (6.2)

8. THAT the Work Zone as described in this CTMP is approved under delegated authority of Council's Traffic Engineer, with the same conditions pending lodgment of a Work zone application and payment of all applicable fees. (6.2)

9. THAT the information regarding Delegated Authority items be received. (4.1)

10. THAT the remainder of recommendations made for changes in the parking restrictions be adopted. (4.2)

11. THAT the recommendations made for minor traffic investigations be adopted subject to RMS review of the Bligh Street Shared Zone. (4.3)

12. THAT the information concerning Bradfield Bark Event Traffic Management Plan

be received. (4.4)

13. THAT the temporary closure of Burton Street, Milsons Point on Sunday 28 May 2017 from 6.00am to 5.00pm for the purposes of managing supplier and event staff deliveries for the Bradfield Bark event be approved as per the submitted Traffic Management Plan, subject to NSW Police and RMS approval of the TMP. (4.4)

14. THAT the *Ridge Street Active Transport Upgrades Plan* be distributed to properties directly affected by the proposed works and other relevant stakeholder groups, to allow submissions on the plan. (4.5)

15. THAT should no significant issues be raised during consultation on the *Ridge Street Active Transport Upgrades Plan* the following works be constructed:

- traffic control signal upgrades and associated kerb adjustments at the intersection between Miller Street and Ridge Street (subject to the additional required approvals from the RMS).
- intersection adjustments and associated public domain/landscaping works at the intersection between West Street and Ridge Street.
- upgrades to the existing marked pedestrian crossings at the intersection between Ridge Street and West Street (including the installation of a cycle crossing across West Street) and mid-block on Ridge Street.
- separated bi-directional cycle path along the north side of Ridge Street.
- a continuous footpath treatment at the intersection between Ridge Street and Cunningham Street.
- associated landscaping and public domain works. (4.5)

16. THAT the proposed intersection adjustments, pedestrian facilities, cycle lane and traffic management changes in Winter Avenue and Bent Street be constructed subject to funding available. (4.6)

17. THAT the proposed pedestrian refuge, cycle lane, and associated traffic management, public domain/landscaping and car park reconfiguration works proposed on Kurraba Road and shown in the attached plan be constructed subject to funding available, RMS approval of proposed changes to Traffic Control Signals, and the outcome of a Traffic Management Plan prepared for the project. (4.7)

18. THAT Council forward a revised TCS Plan for the intersection between Kurraba Road and Ben Boyd Road to the RMS for consideration. (4.7)

19. THAT Council Prepare a Traffic Management Plan for the proposed closure of right turns into Holdsworth Street from Kurraba Road and right out of Holdsworth Street on to Kurraba Road. (4.7)

20. THAT the proposed changes to the pedestrian crossing on Anzac Avenue in front of Anzac Park Public School as shown on the attached plans be approved under delegated authority to Council's Traffic Engineer and implemented at the expense of the Department of Public Works. (4.8)

21. THAT the southern kerb extension be reduced to allow the adjacent parking space to be increased to a minimum of 2.4 metres wide and the radius of the kerb extension be increased to create a smooth transition at the expense of the Department of Public Works. (4.8)

22. THAT the proposed raised threshold on Anzac Avenue north of Ernest Street be approved under delegated authority to Council's Traffic Engineer and implemented at the expense of the Department of Public Works. (4.8)

23. THAT the lighting levels at the pedestrian crossing in Anzac Avenue be upgraded to the relevant PX levels in accordance with AS1158 at the expense of the Department of Public Works. (4.8)

24. THAT the angle parking spaces on the eastern side of Anzac Avenue be converted to parallel parking; and the No Stopping restrictions across the angle parking spaces on the western side of Anzac Avenue, north of the pedestrian crossing be removed at the expense of the Department of Public Works. (4.8)

25. THAT the pedestrian safety and School Zone matters raised be investigated with a

report submitted to the Traffic Committee meeting on 16 June 2017, including the possibility of a Local Traffic Area 40km/hour zone for this area. (4.8)

26. THAT a request to relocate the No Stopping sign on the western side of the disabled parking space in the kiss and drop bay in Anzac Avenue to the western side of the adjacent marked parking space be forwarded to the Traffic Committee under delegated authority of the Traffic & Transport Operations Manager. (4.8)

27. THAT the median island in Miller Street between Pacific Highway and Berry Street be removed to allow for widening of the footpath on the western side of Miller Street in accordance with the attached plans, subject to Council Engineers investigating measures to alleviate the concerns raised by RMS and the Police, and that a report be presented to the Traffic Committee outlining the result of those discussions. (4.9)

28. THAT the information concerning the Abandoned Vehicles Processed Report be received. (5.1)

29. THAT the information regarding the North Sydney Crash Analysis Report be received. (5.2)

30. THAT the information concerning the Unattended Boat Trailers Processed Report be received. (5.3)

112. **EPS03: Supply of Licence Plate Recognition Carpark Equipment and Signage – Tender 28/2017**

Report of Cameron Sim, Fleet and Parking Stations Manager

Tenders were called and were received until 4pm, 16 March 2017 for the submission of tenders to undertake Supply of Licence Plate Recognition (LPR) Based Carpark Access Control Equipment and Signage.

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.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT Council accept the tender of the highest ranked Tenderer for Contract 28/2017 for Supply of Licence Plate Recognition (LPR) Based Carpark Access Control Equipment and Signage.

2. THAT Council hereby authorises its Official Seal to be affixed to Contract 28/2017 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 Marchandreau.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1. THAT Council accept the tender of Ybern Pty Ltd for Contract 28/2017 for Supply of Licence Plate Recognition (LPR) Based Carpark Access Control Equipment and Signage.

2. THAT Council hereby authorises its Official Seal to be affixed to Contract 28/2017 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*.

113. **EPS04: Ernest Plaza Crows Nest Public Domain Upgrade–Tender 36/2017**

Report of Adam Deutsch, Projects Manager

Tenders were called and were received until 4pm, Thursday 20 April 2017 for the submission of tenders to undertake the Ernest Plaza Crows Nest Public Domain Upgrade–Tender 36/2017.

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 is committed in the 2016/17 Delivery Program. Additional fund are required from the 2017/18 Delivery Program.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable as this project is committed within Council's Delivery Program.

Recommending:

1. THAT Council accept the tender of the highest ranked Tenderer for Tender 36/2017 for the Ernest Plaza Crows Nest Public Domain Upgrade.

2. THAT Council hereby authorises its Official Seal to be affixed to Contract 36/2017 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 Marchandean.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

- 1. THAT** Council accept the tender of Starcon Group Pty Ltd for Tender 36/2017 for the Ernest Plaza Crows Nest Public Domain Upgrade.
- 2. THAT** Council hereby authorises its Official Seal to be affixed to Contract 36/2017 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*.

It was moved by Councillor Baker and seconded by Councillor Marchandean that Items EPS05 and EPS06 be deferred to a Confidential session at the end of the meeting

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

114. **EPS05: Property Matter (No.1)**

Report of Duncan Mitchell, Director Engineering and Property Services

The purpose of this report is to seek Councils approval on a property matter in the North Sydney Local Government Area.

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

Funding for the proposal is available.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

- 1. THAT** Council determines its position on this matter.

RESOLVED:

- 1. THAT** Item EPS05 be deferred to a Confidential session at the end of the meeting.

115. **EPS06: Property Matter (No.2)**

Report of Duncan Mitchell, Director Engineering and Property Services

The purpose of this report is to seek Councils approval on a property matter in the North Sydney Local Government Area.

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

Funding for the proposal is available.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT Council determines its position on this matter.

RESOLVED:

1.THAT Item EPS06 be deferred to a Confidential session at the end of the meeting.

Open Space & Environmental Services Division

It was moved by Councillor Baker, seconded by Councillor Reymond and resolved that Items OSE01, OSE02, OSE03, OSE05 and OSE06 be considered en globo.

Voting was as follows:

For/Against 7/0

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

116. OSE01: North Sydney Oval Business Unit

(This matter was considered en globo. See page 110)

Report of Jennie Devlin, Oval Manager

North Sydney Oval is a highly regarded and well-loved community asset which holds strong social, sporting, historic and economic value for our community.

In October 2015 Council created a separate Business Unit for the North Sydney Oval and Function Centre to ensure that the Oval is regarded as a first-class sporting venue and continues to contribute to the overall vitality and economic value of the North Sydney LGA.

A Business Plan for North Sydney Oval has been developed which outlines a plan of management to ensure the growth of the Oval into the future. This Council report outlines the progress to date in delivering the North Sydney Oval Business Plan and highlights the upcoming projects to be undertaken to deliver the vision for the oval.

Some of the highlights achieved to date include:

- Attainment of first ever Commonwealth Bank Women's Ashes Series day-night test
- Attainment of 12 first class fixtures and 1 international fixture
- Drop in cricket wicket installed
- Sportsground lighting upgraded to accommodate for all field sports and

television coverage

- Four iconic cultural events held – Sunset Cinema, Demonstration School Gala Day, The Footy Show, Pirates Gala Day
- 72 sporting events held in 2016 with 32,734 attendees.

Some of the upcoming projects that will take place in 2017/18 include:

- Refurbishment of corporate facilities in the Duncan Thompson stand
- Improvement of the PA system.

The overall aim of North Sydney Oval is to achieve 200,000 attendees by 2020. This will be ensured by the continued implementation of the Business Plan, including:

- Implementation of the Capital Works Program
- Creation of a marketing brochure for North Sydney Oval & Function Centre (April 2017)
- Continued negotiation to ensure first class fixtures
- Continued promotion of Function Centre and negotiation for cultural events.

Scheduled capital works will be funded through the 2017/18 Operational Plan.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. **THAT** the North Sydney Oval Business Unit Report be received.

RESOLVED:

1. **THAT** the North Sydney Oval Business Unit Report be received.

117. OSE02: Sport and Recreation Reference Group – 13 March 2017

(This matter was considered en globo. See page 110)

Report of Melissa Dunlop, Governance Co-ordinator

This report presents the recommendations of the last meeting of the Sport and Recreation Reference Group held on 13 March 2017, for Council endorsement. The Minutes are attached for information.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. **THAT** CentraTech Services be thanked for their presentation.
2. **THAT** the Waverton Oval Lighting Upgrade report be received.
3. **THAT** the progress report on the Forsyth Park Field #1, New Sportsfield Lighting project be received.
4. **THAT** the Forsyth Park #2 Oval – Reconstruction report be received.
5. **THAT** the Director Open Space and Environmental Services and the Acting General Manager liaise with Wenona School in relation to the notification timeframe of closure to Forsyth Park #2 Oval.
6. **THAT** the Manager Parks and Reserves liaise with Cricket NSW in relation to replacing the synthetic wicket on Forsyth Park #2 Oval.
7. **THAT** the Cammeray Park Section 96 Application report be received.
8. **THAT** the report regarding the Demand and Supply of Sportsfields within the North Sydney Local Government Area be received.

9. **THAT** the report on Standardisation of Sportsfields Fees and Charges be received.
10. **THAT** the Update on Forsyth Park Playground report be received.
11. **THAT** the Update on Hodgson Lookout Playground Upgrade report be received.
12. **THAT** the progress report on the Coal Loader Platform Adaptive Reuse Green Roof Project be received.
13. **THAT** the Director Open Space and Environmental Services coordinate a date for the Sport and Recreation Reference Group to visit the site.
14. **THAT** the Lavender Bay Parklands Concept Masterplan Implementation report be received.
15. **THAT** the Sport and Recreation Reference Group meetings be recorded and it is acknowledged by Citizen Members that the recordings are stored for future use.

RESOLVED:

1. **THAT** CentraTech Services be thanked for their presentation.
2. **THAT** the Waverton Oval Lighting Upgrade report be received.
3. **THAT** the progress report on the Forsyth Park Field #1, New Sportsfield Lighting project be received.
4. **THAT** the Forsyth Park #2 Oval – Reconstruction report be received.
5. **THAT** the Director Open Space and Environmental Services and the Acting General Manager liaise with Wenona School in relation to the notification timeframe of closure to Forsyth Park #2 Oval.
6. **THAT** the Manager Parks and Reserves liaise with Cricket NSW in relation to replacing the synthetic wicket on Forsyth Park #2 Oval.
7. **THAT** the Cammeray Park Section 96 Application report be received.
8. **THAT** the report regarding the Demand and Supply of Sportsfields within the North Sydney Local Government Area be received.
9. **THAT** the report on Standardisation of Sportsfields Fees and Charges be received.
10. **THAT** the Update on Forsyth Park Playground report be received.
11. **THAT** the Update on Hodgson Lookout Playground Upgrade report be received.
12. **THAT** the progress report on the Coal Loader Platform Adaptive Reuse Green Roof Project be received.
13. **THAT** the Director Open Space and Environmental Services coordinate a date for the Sport and Recreation Reference Group to visit the site.
14. **THAT** the Lavender Bay Parklands Concept Masterplan Implementation report be received.
15. **THAT** the Sport and Recreation Reference Group meetings be recorded and it is acknowledged by Citizen Members that the recordings are stored for future use.

118. OSE03: Draft Foreshore Parks and Reserves Plan of Management – Post Exhibition

(This matter was considered en globo. See page 110)

Report of Megan White, Landscape Planner

North Sydney Council's Plans of Management are strategic documents that provide a consistent and useable set of guidelines for the effective short and long-term management of all open space owned or under the care, control and management of North Sydney Council. A new draft Foreshore Parks and Reserves Plan of Management has now been prepared; superseding Council's Foreshore Parks and Reserves Plan of Management 2010.

The new draft Foreshore Parks and Reserves Plan of Management was completed in October 2016. Public exhibition of the draft document was widely advertised, and

known stakeholders were also informed that a new draft Plan was available for comment.

The public submission period ran from 28 October until 9 December 2016, however this was extended until 20 January 2016 due to the advent of the end-of-year holiday period, and the large number of people who expressed interest in the document and were keen to make a submission. 13 written submissions were received. This report sets out the content of the submissions and the alterations it is proposed to make to the Plan of Management as a result.

This report also documents major works carried out in Council's foreshore parks and reserves since the preparation of the previous Plan of Management in 2010. It sets out the key features of the new draft document and lists the major projects to be undertaken in coming years.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1.THAT Council formally adopt the draft Foreshore Parks and Reserves Plan of Management.

RESOLVED:

1.THAT Council formally adopt the draft Foreshore Parks and Reserves Plan of Management.

119. OSE04: Draft Sportsgrounds Plan of Management – Post Exhibition

Report of Megan White, Landscape Architect/Planner

North Sydney Council's Plans of Management are strategic documents that provide a consistent and useable set of guidelines for the effective short and long-term management of all open space owned or under the care, control and management of North Sydney Council. A new draft Sportsgrounds Plan of Management has now been prepared; superseding Council's Sportsgrounds Plan of Management 2011.

The new draft Sportsgrounds Plan of Management was completed in October 2016. Public exhibition of the draft document was widely advertised, and known stakeholders were also informed that a new draft Plan was available for comment.

The public submission period ran from 28 October until 9 December 2016, however this was extended until 20 January 2016 due to the advent of the end-of-year holiday period, and the large number of people who expressed interest in the document and were keen to make a submission. 32 written submissions were received.

The vast majority of submissions received related to Tunks Park, and many noted that they were aware that a significant area Plan of Management is being prepared for Tunks Park. All submissions related to Tunks Park have been forwarded to Council's CIS Division for consideration in the development of the upcoming significant area Plan of Management for Tunks Park. This project will involve a thorough and proactive community consultation program.

This report sets out the content of the submissions and the alterations it is proposed to make to the Sportsgrounds Plan of Management as a result.

This report also documents major works carried out at Council's sportsgrounds since the preparation of the previous Plan of Management in 2011. It sets out the key features of the new draft document and lists the major projects to be undertaken in coming years.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making

During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

- 1.THAT** Council formally adopts the draft Sportsgrounds Plan of Management.
- 2.THAT** any matter relating to the management of Tunks Park or to future capital works in Tunks Park be deferred and considered as part of the upcoming significant area Plan of Management (PoM) for Tunks Park.
- 3.THAT** all submissions received regarding the draft Sportsgrounds Plan of Management which raise issues specifically regarding Tunks Park be forwarded to the consultant appointed by Council to prepare the significant area Plan of Management for Tunks Park, for consideration.

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

- 1.THAT** Council formally adopts the draft Sportsgrounds Plan of Management.
- 2.THAT** any matter relating to the management of Tunks Park and Anderson Park or to future capital works in Tunks Park and Anderson Park be deferred and considered as part of the upcoming significant area Plan of Management (PoM) for Tunks Park and Anderson Park.
- 3.THAT** all submissions received regarding the draft Sportsgrounds Plan of Management which raise issues specifically regarding Tunks Park and Anderson Park be forwarded to the consultant appointed by Council to prepare the significant area Plan of Management for Tunks Park and Anderson Park, for consideration.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

- 1.THAT** Council formally adopts the draft Sportsgrounds Plan of Management.
- 2.THAT** any matter relating to the management of Tunks Park and Anderson Park or to future capital works in Tunks Park and Anderson Park be deferred and considered as part of the upcoming significant area Plan of Management (PoM) for Tunks Park and Anderson Park.
- 3.THAT** all submissions received regarding the draft Sportsgrounds Plan of Management which raise issues specifically regarding Tunks Park and Anderson Park be forwarded to the consultant appointed by Council to prepare the significant area Plan of Management for Tunks Park and Anderson Park, for consideration.

120. **OSE05: Bicentennial Fence Reconstruction – Tender 27/2017**

(This matter was considered en globo. See page 110)

Report of David Manson, Parks and Reserves Manager

Tenders were called and were received until 4.00 pm on Tuesday 21 February 2017 for the submission of tenders to undertake the Bicentennial Fence Reconstruction – 27/2017

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.

The budget shortfall for this project can be funded from uncommitted developer contributions.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT Council accept the tender of the Structural Building Management for Tender number 27/2017 – Bicentennial Fence Reconstruction

2. THAT Council hereby authorises its Official Seal to be affixed to Contract 27/2017 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*.

RESOLVED:

1. THAT Council accept the tender of the highest ranked Tenderer for Tender number 27/2017 – Bicentennial Fence Reconstruction

2. THAT Council hereby authorises its Official Seal to be affixed to Contract 27/2017 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*.

121. OSE06: Duncan Thompson Stand Internal Refurbishment-Tender 33/2017

(This matter was considered en globo. See page 110)

Report of Alicja Batorowicz, Landscape Projects Coordinator

Tenders were called and were received until Tuesday, 4pm on 11 April 2017 for the submission of tenders to undertake Duncan Thompson Stand Internal Refurbishment

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.

Partial funding for this project is included in the adopted 2016/17 budget. Additional funding will be required to deliver the works. Reduction in funds of other capital works programmed for North Sydney Oval will be necessary in order to offset additional funds required for Duncan Thompson Stand Internal Refurbishment.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT Council accept the tender of the highest ranked Tenderer for Tender 33/2017 for Duncan Thompson Stand Internal Refurbishment.

2. THAT Council hereby authorises its Official Seal to be affixed to Contract 33/2017 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*.

RESOLVED:

1. THAT Council accept the tender of the Bermagui for Tender 33/2017 for Duncan Thompson Stand Internal Refurbishment.

2. THAT Council hereby authorises its Official Seal to be affixed to Contract 33/2017 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*.

PETITIONS

122. P01: B-Line Bus Project

(Previously considered – see Minute No. 93)

CORRESPONDENCE

123. C01: Sydney Coastal Councils Group Minutes – 18/3/17

Council has received a copy of the Minutes of the SCCG Full Group Ordinary Meeting held on Saturday 18 March 2017, hosted by Willoughby City Council.

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

1.THAT Council receive the Minutes of the SCCG Full Group Ordinary Meeting held on Saturday 18 March 2017.

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		Absent
Clare		Absent	Morris		Absent
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1.THAT Council receive the Minutes of the SCCG Full Group Ordinary Meeting held on Saturday 18 March 2017.

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

- 124. NoM01: Notice of Motion No. 10/17 by Cr Bevan – 25/04/17**
Re: 24 Cranbrook Avenue, Cremorne – Heritage Listing

(Previously considered – see Minute No. 94)

- 125. NoM02: Notice of Motion No. 11/17 by Cr Beregi – 25/04/17**
Re: Mayor of Mosman, Cr Peter Abelson

THAT Council write to the Mayor of Mosman Council, Cr Peter Abelson thanking him for his service to the people of Mosman and the lower north shore, and in particular acknowledging his leadership and steadfast opposition in relation to the State government's undemocratic proposal to forcibly merge his Council against the wishes of the Mosman ratepayers, and wish him well for the future.

The Motion was moved by Councillor Beregi 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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandau	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1.THAT Council write to the Mayor of Mosman Council, Cr Peter Abelson thanking him for his service to the people of Mosman and the lower north shore, and in particular acknowledging his leadership and steadfast opposition in relation to the State government's undemocratic proposal to forcibly merge his Council against the wishes of the Mosman ratepayers, and wish him well for the future.

- 126. NoM03: Notice of Motion No. 12/17 by Cr Beregi – 25/04/17**
Re: B-Line

(This matter was dealt with in conjunction with P01 – see Minute No. 93)

- 127. NoM04: Notice of Motion No. 13/17 by Cr Beregi – 25/04/17**
Re: Meeting with new Member for North Shore, Felicity Wilson

THAT Council write to congratulate the newly elected MP for North Shore Felicity Wilson and seek an urgent meeting in relation to issues affecting the North Sydney Local Government Area.

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

1.THAT Council write to congratulate the newly elected MP for North Shore Felicity Wilson and seek an urgent meeting in relation to issues affecting the North Sydney Local Government Area.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1.THAT Council write to congratulate the newly elected MP for North Shore Felicity Wilson and seek an urgent meeting in relation to issues affecting the North Sydney Local Government Area.

128. Suspension of Standing Orders

It was moved by Councillor Baker, seconded by Councillor Beregi that standing orders be suspended to move a Motion as follows:

1.THAT Council thank and acknowledge Mr Ross McCreanor for his leadership, good humour and hard work over the last 12 months in the role of Acting General Manager.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1.THAT Council thank and acknowledge Mr Ross McCreanor for his leadership, good humour and hard work over the last 12 months in the role of Acting General Manager.

Standing Orders were resumed at 9.02pm

129. Closed Session

It was moved by Councillor Baker and seconded by Councillor Marchandean and carried

THAT the meeting be closed to the public at 9.03pm to discuss the following matters the open discussion of which would be contrary to sections 10A(1) and 10A(2)(c) of the *Local Government Act 1993*

10A(2)(c) – information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

Public Interest

These matters are classified as confidential as they contain matters of a commercial nature. 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 this matter in Open Council.

130. EPS05: Property Matter (No.1)

Report of Duncan Mitchell, Director Engineering and Property Services

The purpose of this report is to seek Councils approval on a property matter in the North Sydney Local Government Area.

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

Funding for the proposal is available.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT Council determines its position on this matter.

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

1.THAT Council approves the potential sale of its Investment Property located at 261 Pacific Highway, North Sydney

2.THAT Expressions of Interest (EOI) for the property be called for and that a report be brought back to Council on the outcome of the EOI process recommending whether to proceed with the sale of the property either by accepting directly any of the offers put forward through the EOI process or to proceed to a public auction of the property. The report may also recommend that Council not proceed with the sale of the property as the offers put forward through the EOI process and or likely offers to be made through a public auction would not be acceptable to Council.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1.THAT Council approves the potential sale of its Investment Property located at 261 Pacific Highway, North Sydney

2.THAT Expressions of Interest (EOI) for the property be called for and that a report be brought back to Council on the outcome of the EOI process recommending whether to proceed with the sale of the property either by accepting directly any of the offers put forward through the EOI process or to proceed to a public auction of the property. The report may also recommend that Council not proceed with the sale of the property as the offers put forward through the EOI process and or likely offers to be made through a public auction would not be acceptable to Council.

131. **EPS06: Property Matter (No.2)**

Report of Duncan Mitchell, Director Engineering and Property Services

The purpose of this report is to seek Councils approval on a property matter in the North Sydney Local Government Area.

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

Funding for the proposal is available.

Local Government Act 1993: Section 23A Guidelines - Council Decision Making During Merger Proposal Period

The Guidelines have been considered in the preparation of this report and are not applicable.

Recommending:

1. THAT Council determines its position on this matter.

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

1.THAT Council approve the privately owned property at 90-92 Willoughby Road be compulsorily acquired under the Land Acquisition (Just Terms Compensation) Act 1991. The compulsory acquisition of this property is to facilitate the expanded Hume Street Park and Through Site Link identified in the St Leonards/Crows Nest Planning Study - Precinct 1 adopted by Council in October 2012 and the Hume Street Park – Planning Proposal to amend NSLEP 2013 and Draft DCP 2013 adopted by Council in September 2016.

2.THAT Council seek consent from the Minister for Local Governments (via a letter from the Acting General Manager) to compulsorily acquire the property under the Land Acquisition (Just Terms Compensation) Act 1991.

3.THAT Council delegates to the Acting General Manager the authority to approve the Just Terms Compensation for the acquisition of the property based on the Valuer General's Valuation and or a determination by the Land and Environment Court.

4.THAT Council engage the services of suitably qualified legal representatives to prepare all documentation required to undertake the compulsory acquisition of 90 - 92 Willoughby Road Crows Nest.

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	Absent	
Clare	Absent		Morris	Absent	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

RESOLVED:

1.THAT Council approve the privately owned property at 90-92 Willoughby Road be compulsorily acquired under the Land Acquisition (Just Terms Compensation) Act 1991. The compulsory acquisition of this property is to facilitate the expanded Hume Street Park and Through Site Link identified in the St Leonards/Crows Nest Planning Study - Precinct 1 adopted by Council in October 2012 and the Hume Street Park – Planning Proposal to amend NSLEP 2013 and Draft DCP 2013 adopted by Council in September 2016.

2.THAT Council seek consent from the Minister for Local Governments (via a letter from the Acting General Manager) to compulsorily acquire the property under the Land Acquisition (Just Terms Compensation) Act 1991.

3.THAT Council delegates to the Acting General Manager the authority to approve the Just Terms Compensation for the acquisition of the property based on the Valuer General's Valuation and or a determination by the Land and Environment Court.

4.THAT Council engage the services of suitably qualified legal representatives to prepare all documentation required to undertake the compulsory acquisition of 90 - 92 Willoughby Road Crows Nest.

132. Open Session

It was moved by Councillor Baker and seconded by Councillor Beregi and **carried** that the meeting be opened to the public at 9.05pm.

The Mayor read the resolutions for Item EPS05 and EPS06.

The Meeting concluded at 9.06pm.

CHAIRPERSON

ACTING GENERAL MANAGER