



Council Chambers  
18 May 2017

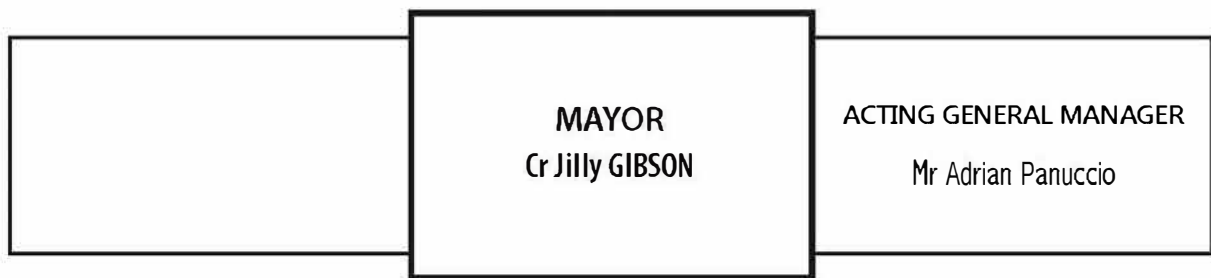
The **3691<sup>st</sup> MEETING of COUNCIL** will be held at the Council Chambers, North Sydney at **7.00pm** on Monday, 22 May 2017. The agenda is as follows.

**ADRIAN PANUCCIO**  
**ACTING GENERAL MANAGER**

North Sydney Council is an Open Government Council. The records of Council are available for public viewing in accordance with this policy, with the only exception being made for certain confidential documents such as legal advice, matters required by legislation not to be divulged, and staff matters.

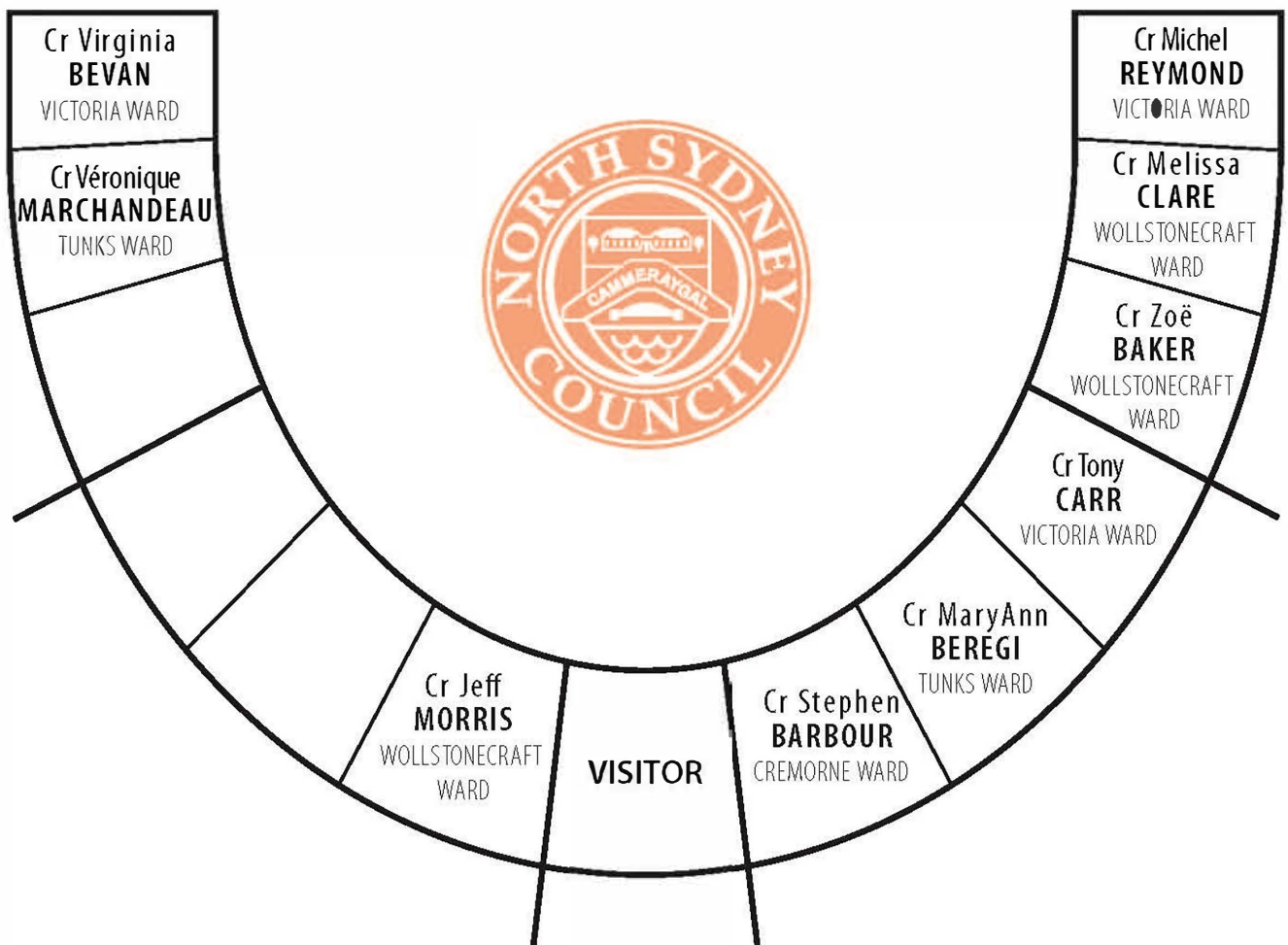
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- **APOLOGIES/LEAVE OF ABSENCE**
  - **ACKNOWLEDGEMENT OF COUNTRY**
  - **MATTERS BROUGHT FORWARD**
  - **CONFIRMATION OF MINUTES** of the previous Meeting
  - **DECLARATIONS OF INTEREST**
  - **MATTERS REFERRED TO COUNCILLOR INSPECTIONS**
  - **MINUTES OF THE MAYOR**
  - **RESCISSION MOTIONS** of which due notice has been given
  - **REPORTS** from Officers of the Council
  - **CORRESPONDENCE** to be read, and if necessary ordered upon
  - **MOTIONS** of which due notice has been given
  - **QUESTIONS** of which due notice has been given
  - **QUESTIONS** without notice.

**COUNCILLORS PLEASE NOTE - ANY PAPERS RELATING TO FUTURE COUNCILLOR  
INSPECTIONS OR RESCISSION MOTIONS SHOULD BE KEPT**



**COUNCIL OFFICERS**

<b>DIRECTOR</b> <b>Open Space &amp; Environmental Services</b> Mr Robert Emerson	<b>DIRECTOR</b> <b>Community &amp; Library Services</b> Mr Martin Ellis	<b>DIRECTOR</b> <b>Engineering &amp; Property Services</b> Mr Duncan Mitchell	<b>DIRECTOR</b> <b>City Strategy</b> Mr Joseph Hill	<b>MANAGER</b>	<b>CHIEF OPERATING OFFICER</b> Mr Ross McCreanor
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**PUBLIC GALLERY**



### Explanatory Notes for Members of the Public Attending Meetings

1. Council meetings comprise the full membership of the Council with a quorum of six Councillors. Ordinary Council meetings consider reports from all Divisions of Council.
2. The Chairperson shall be the Mayor or, in her absence, the Deputy Mayor.
3. A recorded message listing all items on the agenda is placed on the Agenda Information Line (9936 8188) after midday on the Thursday before a Council meeting. Reports are published on Council's website ([www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)) by close of business on the **Thursday** before the meeting or printed copies may be viewed at Stanton Library or the Council Chambers.
4. Members of the public wishing to address Council or have an item brought forward may register by telephoning the Council (9936 8115) by 5.00pm on the day of the meeting or by speaking to the officer who is present in the foyer outside the Council Chamber from 6.40pm to 6.55pm.
5. As the Chairperson calls the brought forward items on the agenda, speakers are invited to take their place at the foot of the Councillors' table. When you are called to speak, you must identify yourself by name and address or professional status. When you have made your address, the Council may wish to ask questions of you, after which you should resume your seat in the Gallery.
6. The following points should be noted by members of the public wishing to address Council:
  - Addresses must relate to an item on the agenda.
  - Addresses should be limited to three (3) minutes.
  - Addresses should be made to "Mayor and Councillors".
  - If you have previously addressed the Council on the subject then any further address must be made to present new information **ONLY**.
  - Groups, or persons wishing to present similar points of view, should nominate a spokesperson and not address the Council individually.
  - All questions and comments are to be addressed through the Chairperson.
  - Having made your address and answered any questions put to you by the Councillors, you may take no further part in the debate.
  - No written submissions or documentation may be presented to the meeting without a resolution of Council
  - Members of the public are asked not to make insulting or defamatory statements, and to take care when discussing other people's personal information (without their consent).
7. When all representations have been heard, the Chairperson will ask for a motion to determine the matter.



### **Explanatory Notes for Members of the Public Attending Meetings**

8. It should be noted that any three (3) Councillors may lodge a Notice to have a decision reviewed. The Notice must be lodged with the General Manager by 12.00 noon on the second business day after the meeting. You should not act on any decision of this meeting until you receive written notice of the decision from the General Manager.

9. Members of the public should acknowledge the Chairperson when entering or leaving the Chamber whilst the meeting is in progress.

10. Members of the public gallery are requested to switch off mobile phones for the duration of the meeting.

11. Parts of this meeting may be recorded for the purpose of assisting in the transcription of the Minutes. The Government Information (Public Access) Act applies to the recording of Council meetings and, from time to time, Council may receive an application to release such recordings to a member of the public.

All Council meetings are also webcast via the internet. Members of the public are advised that if they address Council their voice will form part of the webcast but they will not appear on camera.

*Note: The Code of Meeting Principles and Practices may be viewed on Council's Website, at Council Offices or Stanton Library.*

**TO:** The Mayor, Jilly Gibson and Councillors Reymond, Carr, Bevan, Barbour, Morris, Clare, Baker, Marchandean, Beregi.

**SUBJECT: 3691<sup>st</sup> MEETING OF COUNCIL TO BE HELD ON MONDAY, 22 MAY 2017**

**THAT THE MINUTES** of the previous 3690<sup>th</sup> Council Meeting held on Monday, 1 May 2017 be taken as read and confirmed.

## **DECLARATIONS OF INTEREST**

### **MINUTES OF THE MAYOR**

**1. MM01: Reclassification of Local Government Remuneration Tribunal**

Councillors will note the Corporate Services report outlining the reclassification of North Sydney Council by the Local Government Remuneration Tribunal to Metro Small and the resulting reduction in councillor fees from 1 July 2017.

This is obviously a difficult matter to raise as any criticism of the categorisation may look as though we are defending our own financial interests. However, I believe it is important to ask for this categorisation to be reviewed.

The new categories have been developed according to a range of factors including a Council's geographic context, population, sphere of economic influence and degree of regional servicing. In choosing North Sydney's new category, the Tribunal is clearly choosing to ignore both our economic influence and regional influence.

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The North Sydney CBD currently accounts for 2.5% of employment in the NSW. Importantly, the workforce is highly educated so the centre contributes significantly to Australia's knowledge based industries. The NSW Government has identified North Sydney as part of the global economic corridor with diverse, competitive industries with international reach.

Similarly, St Leonards has been identified as so significant, the NSW Government is developing a District Plan for the area. The Gross Regional Product generated by the North Sydney CBD and surrounding areas was \$16.14 billion in the 14/15 financial year.

The NSW Government also chooses to call North Sydney a regionally significant area when it wants support and funding for its many regional events including New Year's Eve, Australia Day, Spring Cycle and the Sydney Running Festival.

It seems to me the NSW Government can't have it both ways. Either North Sydney is acknowledged for its economic and regional importance or it isn't. If it is, then we should be classified as a major CBD and councillors paid in accordance with that responsibility. If it isn't, then the State Government should stop inconveniencing our residents and staff with its endless requests to accommodate and financially underwrite its regional events.

I do not understand the thinking of the Tribunal in this decision but it feels a little like payback for daring to oppose forced amalgamations.

**I therefore recommend:**

- 1. THAT** Council write to the Local Government Tribunal asking them to provide an explanation of how they determined North Sydney is a "small" metro centre.
- 2. THAT** Council writes to the Minister for Local Government asking her to reclassify North Sydney Council as a major CBD in the light of the State Government's own statements that North Sydney plays a key role in both the State's economy and cultural events.
- 3. THAT** Council writes to the Member for North Shore and the Member for Willoughby seeking recognition of its role in the State economy and support for reclassification as a major CBD.

**2. MM02: 12A Shirley Rd, Wollstonecraft - Childcare Centre**

While there is a need for more childcare facilities in North Sydney, I have been made aware of significant community concern regarding a development application for a new childcare centre in Wollstonecraft. This large-scale development would involve the demolition of the existing building at 12A Shirley Road to make way for a new three-storey childcare facility for 154 children aged from newborn to preschool.

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There are already other large childcare centres in the LGA, such as All About Children in Cremorne and in Cammeray, but these are all located close to busy village centres with good public transport links. A childcare centre for 154 children in a highly residential area would, however, be unprecedented in North Sydney.

Cr Baker and I recently met with the Wollstonecraft Residents Group, who raised numerous concerns about this development. Among their key concerns is the sheer size of the proposed childcare centre and the limited access to public transport near the site.

This would inevitably result in the parents of 154 children driving to and from the centre at least twice a day, creating up to 600 additional car movements in a quiet, dead-end, residential street and potentially causing significant traffic and parking issues in the area.

Because of the negative impact such a large scale of increased traffic would have on surrounding streets and residents, the group has requested that we expand the current notification area and the consultation period to allow for more community feedback on the proposed development.

**I therefore recommend:**

- 1. THAT** the DA notification area for 12A Shirley Road, Wollstonecraft, be extended to include all properties on the Berry Island peninsular, boarded by River Road to the North, the Harbour and railway to the south, Gore Cove to the west and Shirley Rd to the east (a map is attached).
- 2. THAT** the consultation period be extended from the current closing date of 29 May 2017 to 26 June 2017 to allow time for the additional notifications and community feedback.
- 3. THAT** Council staff prepare a report for Council to review so that Council can make a submission to the Sydney North Planning Panel if desired.
- 4. THAT** Council staff keep the Wollstonecraft Residents Group informed of the progress of the DA.

**3. MM03: North-West Harbour Tunnel**

Over the past few weeks I have been asked by numerous residents what is happening with the Western Harbour Tunnel which the NSW Government announced in the lead up to the by-election for the seat of North Shore. At present the rumours about the tunnel are outweighing actual facts, which seem a little scarce on the ground.

Some of the concerns that I have heard include:

- *Will I be paid the true value for my property if it is compulsorily acquired?*
  - *What will the impact be on people whose property isn't acquired? Will it be like West Connex where families will have a major road 1.8 metres from their bedroom window?*
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- *Is it true that the NSW Government told residents they couldn't tell anyone their property might be bought for the tunnel?*
- *Is the NSW Government test drilling in our parks?*
- *Does test drilling mean some of our open space will be being taken up for the tunnel?*

On 12 May 2017 I met with the Member for North Shore Felicity Wilson and passed on this resident feedback.

I believe it is time for the State Government to put all the plans on the table so that we can be consulted on the whole project, not just some small part of it. We do not want a repeat of the B-Line where the consultation did not take place along Military Road until they had already started building on the northern beaches. We also need to be informed directly, not read about it in the papers.

Consultation now would allow us to protect the amenity of our neighbourhoods. For example, if properties are to be acquired, I believe the NSW Government should buy additional properties to create a green belt between the remaining houses and the new tunnel interchanges. Leaving houses on the edge of a noisy road canyon may have been acceptable when the Warringah Expressway was built but it is not acceptable now.

The State Government is holding information sessions and Council officers have pushed for an additional session, which will be held at the North Sydney Oval Function Centre on 13 and 15 June 2017 from 2pm to 6pm. I encourage residents to attend one of these sessions and have their voice heard early in the project.

**I therefore recommend:**

- 1. THAT** Council seek a meeting with the Premier to reinforce Council's view that a holistic transport plan be developed for northern Sydney.
  - 2. THAT** Council ask the Premier to release detailed plans of the proposal, including details of which properties are to be acquired and what, if any, parks or other open space will be affected by the proposal.
  - 3. THAT** Council ask the Premier to commit to meaningful community consultation about the whole project before any tenders are let or contracts signed.
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## REPORTS

### General Manager's Office

#### 4. **GMO01: Matters Outstanding**

Report of Adrian Panuccio, Acting General Manager

A report on the current status of matters arising from Council resolutions up to the meeting of 1 May 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.

## City Strategy Division

### 5. **CiS01: Adoption of Final Delivery Program/Operational Plan 2017/18**

Report of Katrina Furjanic, Corporate Planning Coordinator and Darren Goode, Manager Accounting Services

The purpose of this report is to adopt the proposed Delivery Program 2017/18 following its public exhibition. Council is required to adopt the Delivery Program 2017/18 by 30 June 2017.

Council adopted the Draft Delivery Program 2017/18 at the Council Meeting on 20 March 2017 and invited submissions from the public.

Council received no submissions on the Draft Delivery Program 2017/18. No changes to the plan in response are recommended.

A number of amendments are proposed to the Draft Delivery Program 2017/18 based on internal submissions which are outlined in this report.

Printing and promotion associated with the Delivery Program 2017/18 can be met from existing administrative budgets.

#### **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** having considered the amendments detailed, Council adopts the Delivery Program 2017/18 as attached to this report.

### 6. **CiS02: Planning Proposal 655-657 Pacific Highway, St Leonards**

Report of Ben Boyd, Executive Strategic Planner

On 1 May 2017, Council considered a Planning Proposal (refer to Attachment 1) seeking to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) as it relates to land located 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.

The report recommended that Council not support the progressing of the Planning Proposal to Gateway Determination.

Council resolved to defer determining the matter as a quorum could not be reached. Accordingly, this matter is re-reported to Council for its 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 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 / Crows Nest.

**7. CiS03: Post Gazettal Report – NSLEP 2013 Amendment No. 15 (Hume Street Park)**

Report of Mark Yee, Strategic Planner

On 7 December 2015, Council resolved to forward a Planning Proposal (PP) to the Department of Planning and Environment to facilitate the redevelopment and expansion of Hume Street Park. The expansion of Hume Street Park is a major Council priority as identified under St Leonards/Crows Nest Planning Study - Precinct 1. The PP sought to:

- Rezone the entire site to RE1 Public Recreation;
- Introduce recreation facilities (indoor), child care centres, health consulting rooms, entertainment facilities, business premises, retail premises, and car parks as site specific uses via Schedule 1 of NSLEP 2013 (Clause 11);
- Remove height controls from the site on the Building Height Control Map;
- Remove non-residential floor space ratio controls from the site on the Non-Residential Floor Space Ratio Range Map;
- Identify the site at 90-92 Willoughby Road (Lot11 Sec4 DP2872) on the Land Reservation Acquisition Map;
- Classify the land (with the exception of 90-92 Willoughby Road) as 'operational' in accordance with Part 2 of Chapter 6 of the Local Government Act 1993 by listing the subject site within Part 2 of Schedule 4 of North Sydney LEP 2013.

A Gateway Determination was received on 20 April 2016, permitting the PP to proceed to public exhibition. The Proposal was publicly exhibited in July and August 2016.

As part of the PP included classifying the whole of the site as 'operational' land, a public hearing was held in August 2016, in accordance with section 29 of the Local Government Act 1993.

The report from the public hearing noted that all attendees supported the development proposal but there was concern regarding classifying the whole of

the site as ‘operational’ land. In response, the PP was amended so that child care centres and recreation facilities (indoor) are still permitted with business premises, car parks, entertainment facilities, health consulting rooms, retail premises only being permitted where those uses are located below finished ground level.

On 19 September 2016, Council considered a report regarding the submissions received during the public exhibition as well as the outcomes from the public hearing. From this, Council resolved to adopt the amended version of the PP and proceed with the making of a Local Environmental Plan.

The PP was forwarded to the Department of Planning and Environment on 27 September 2016, with a request that the plan be made.

North Sydney LEP 2013 (Amendment No.15) gives effect to the PP and is now in force following its publication on the NSW legislation website on 5 May 2017.

As amendment No.15 included identifying 90-92 Willoughby Road on the Land Reservation Acquisition Map, it triggers the potential for the privately owned property to be compulsorily acquired under the Land Acquisition (Just Terms Compensation) Act 1991. The acquisition of this site is critical to create the connection of the park to the high amenity precinct of Willoughby Road.

This report is for the information of Councillors.

**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.

**8. CiS04: Post Gazettal Report – NSLEP 2013 Amendment Nos. 19 & 20 (Property Descriptions & Heritage Map)**

Report of Ben Boyd, Executive Strategic Planner

On 21 November 2016, Council resolved to notify the Department of Planning and Environment of Council’s intent to prepare an amendment to North Sydney Local Environmental Plan 2013 in accordance with Section 73A of the Environmental Planning and Assessment Act, 1979 (EP&A Act). Section 73A of the EP&A Act enables certain types of minor amendments to be made to an LEP without the need to follow the usual procedures for preparing and amending an instrument (particularly public exhibition) under Part 3 of the EP&A Act.

In particular, the proposed amendments sought included:

- Remove all lot references where Strata Plans are mentioned throughout the LEP, with the exception of Clause 21 to Schedule 1;
- Remove all lot references where Company Titles are mentioned throughout the LEP, and inclusion of the underlying Deposited Plan information;
- Correction of the legal descriptions to heritage items within Schedule 5; and
- Replacement of the Heritage Map Sheet 002 with a new map that removes the references to nine heritage items that were previously formally removed from Schedule 5, prior to the LEP's commencement.

NSLEP 2013 (Amendment No's 19 & 20) give effect to Council's request under s.73A of the EP&A Act and is now in force following their publication on the NSW legislation website on 28 April 2017 and 5 May 2017 respectively.

This report is for the information of Councillors.

**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.

9. **CiS05: Draft Amendment to NSDCP 2013 - Advertising and Signage – Interim Submissions Report**

Report of Chloe Desgrand, Student Strategic Town Planner

On 21 November 2016, Council considered a report (Attachment 1) to amend Section 9 – Advertising and Signage to Part B of the North Sydney Development Control Plan (NSDCP) 2013. Council resolved to adopt the draft DCP amendment and place it on public exhibition.

The draft amendment to NSDCP 2013 was initially publicly exhibited between 2 February 2017 and 1 March 2017. This was extended by four weeks to 31 March 2017 in response to a number of requests from various stakeholders.

A total of 31 submissions were received during the public exhibition period. In addition, there were four (4) separate requests to extend the exhibition, which was implemented as detailed above. The submissions received were predominantly from property owners, commercial asset management companies, and signage and advertising industry businesses, with only two submitted by residents of the North Sydney Local Government Area.

Whilst a few submissions supported some of the specific planning controls and policy positions, the majority objected to the proposed amendments and/or raised issues relating to six broad categories, including:

1. Consultation mechanisms employed during the preparation of the draft DCP amendment, and during notification and advertising for public exhibition;
2. The role and importance of signage in the economic function, identity and character of the North Sydney Centre;
3. The acknowledgment and understanding of the benefits and applications of digital technology;
4. Consistency between the draft DCP amendment and overarching strategic planning policies, documents, and environmental planning instruments;
5. The flexibility of the draft controls to respond to emerging technology and future directions of the North Sydney Centre; and
6. The financial implications for a variety of stakeholders.

Due to the complexity and depth of issues raised, it was deemed appropriate to report these matters to Council as an interim step to keep Councillors, submitters and general public informed of the draft DCP amendment process, until such time as Council staff can provide a considered response.

Once a comprehensive assessment has been completed, the matter will be reported back to Council for its consideration. If significant amendments are required to the draft DCP amendment, it may require re-exhibition. This would

provide all stakeholders an opportunity to comment on any revised controls before they are considered by Council for adoption.

**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 note the issues raised by the community as part of the public exhibition of the draft amendment to Section 9 – Advertising and Signage to Part B of NSDCP 2013.

**2. THAT** Council staff complete its assessment of the submissions received and report the matter back to Council.

**10. CiS06: Balls Head Coal Loader Wharf – Update on Council’s Nomination on the State Heritage Register and Application for an Interim Heritage Order**

Report of Lisa Trueman, Conservation Planner

This report has been prepared to update Council on the progress of Council’s Nomination Coal Loader Wharf at Waverton on the State Heritage Register (SHR) and Application for an Interim Heritage Order (IHO) over the structure. At its meeting on 14 June 2016, Council considered a report relating to the former Coal Loader Wharf, Waverton. The report had been prepared in response to correspondence from the Roads and Maritime Services (RMS) indicating their intention to demolish the Wharf in its entirety, due to safety risks posed by the deteriorating structure.

At that meeting, Council also resolved to nominate the Balls Head Coal Loader Wharf on the State Heritage Register and apply to the Heritage Council for an Interim Heritage Order on the Balls Head Coal Loader Wharf.

In accordance with this resolution, Council wrote to the Minister for Heritage, Hon Mark Speakman, on 21 July 2016, enclosing a completed *Nomination for State Listing* to have the former Coal Loader Wharf listed on the State Heritage Register under Part 3A of the Heritage Act 1977, and requesting that an Interim Heritage Order be placed over the Wharf under section 24 of the Heritage Act 1977 to protect the structure while the Nomination for State Listing is being considered.

Council has recently received correspondence from the Office of Environment and heritage with an update on the progress of these requests (attached).

The Minister for Heritage has advised Council that the RMS has agreed not to proceed with the Review of Environmental Factors for the demolition of the wharf, pending the resolution of Council Nomination for listing on the SHR. As such, the Minister considers that there is no imminent threat to the wharf, and has resolved not to proceed with the IHO in this instance.

The Heritage Division’s Acting Manager, Listings Section, has advised Council that the assessment of the Nomination of the Coal Loader on the SHR is currently progressing. The history and significance of the site are currently being investigated, and input is being sought from various stakeholders.

At this stage, the Heritage Division anticipates that the nomination will progress to the State Heritage Register Committee in the second half of 2017.

This report provides commentary on the implications of the further delay in progressing this requested listing.

There are no costs to North Sydney Council resulting from the nomination of the Coal Loader Wharf on the State Heritage Register, or the application for an Interim Heritage Order.

**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 resolve to write to the Minister for Heritage, requesting that he consideration of the Nomination of the Coal Loader Wharf, Waverton, on the State Heritage Register, be expedited to the earliest possible meeting of the State Heritage Register Committee meeting, given the ongoing deterioration of the structure.

**2. THAT** Council resolve to write to the Roads and Maritime Services and request that they ensure that the structure is properly protected and maintained, in order to prevent any further deterioration, whilst the nomination of the structure of the State Heritage Register is being resolved.

**11. CiS07: Amendments to Design Excellence Panel Charter**

Report of Yi Ho, Strategic Planner – Urban Design

Design panels are advisory bodies established to inform planning and assessment processes undertaken by Council staff. The Design Excellence Panel has been in operation since 2006. The Panel has provided high quality, independent advice on major development proposals and strategic planning matters throughout the local government area.

In recognition that apart from the Chair, there has been no increase in remuneration for Panel members since 2006, this report seeks to:

- Increase the remuneration for panel members from \$1,000 per meeting to \$1,100 per meeting;
- Increase the remuneration for the Chairperson from \$1,250 to \$1,400 per meeting. If the role is shared, each Panel Co-Chairperson's remuneration will be increased from \$1,125 to \$1,250.

In addition, it is recommended that the Design Excellence Panel Charter be amended to ensure panel members acknowledge the receipt of the draft Design Excellence Panel minutes.

The draft 2017/2018 budget for the Design Excellence Panel is \$65,000 per annum. The recommended increases in remuneration will lead to a budget increase of \$10,000 per annum or a total sum of \$75,000 per annum.

**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 revised *Design Excellence Panel Charter* (Attachment 1).

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## Community & Library Services Division

### 12. **CLS01: Community Trusts Update: James Milson Village and May Gibbs' Nutcote**

Report of Martin Ellis, Director Community and Library Services

#### **James Milson Village**

Council sought expressions of interest for community representatives to act for the next 12 months as its nominees for the Board of the *North Sydney Retirement Trust* (NSRT). Advertisements were placed in the Mosman Daily and North Shore Times on 23 March 2017, as well as on the Board Directions' and AICD's websites. Twelve strong applications were received and a short list based on the selection criteria was established by the author of this report and the Chairperson of NSRT. Interviews were held on Thursday 27 April 2017. Two outstanding candidates are now recommended. Combined, the representatives will enable Council to provide the Trust with:

- Strong experience in operating, strategic planning and governance in aged care
- Risk management in aged care governance
- Marketing in the not-for-profit aged care related sector
- Community engagement in local government
- Pastoral care

#### **Nutcote Trust**

There are only two share shareholders in the Company and only they are entitled to vote at General Meetings: Adrian Panuccio (Acting General Manager) who may vote or assign a proxy as he chooses, and Council. The latter may appoint a proxy by resolution or by delegation.

**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 forward the names Candidates 1 & 2 as specified in the report as its nominees for the Board of the North Sydney Retirement Trust for 2017-18.
2. **THAT** Council write to the nominees thanking them for this offer of community service.
3. **THAT** the Director, Community and Library Services be granted a proxy to vote on Council's behalf at general meetings of the Nutcote Trust.

### 13. **CLS02: Shorelink Minutes February 2017 and April 2017 and Proposal for New Northern Sydney Library Network**

Report of Rebecca Aukim, Manager, Library Services

The Shorelink Committee met on 22 February 2017 and the minutes of that meeting are provided for adoption. Members also met on 26 April 2017 and due to a lack of a quorum present the outcomes by way of a report. Council's attention is drawn to the following resolutions:



(i) 22 February 2017

*THAT the Draft Operating and Capital Shorelink Library Network Estimates for July-December 2017 be adopted.*

*THAT Committee notes the correspondence from Willoughby Council's General Manager (20 February 2017) advising that the estimates for contribution to be calculated should be based on the period 1 July 2017 to 31 December 2017.*

(ii) 26 April 2017 meeting

*THAT Shorelink supports North Sydney Council's resolution that other Northern Sydney Councils be invited to consider joining Shorelink and negotiate a new Deed of Agreement as a basis of a renewed Network to operate from July 2018.*

**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** both the minutes (22/2/2017) where was a quorum and report (26/4/2017) where a quorum was not achieved, of the Shorelink Library Network be adopted.

2. **THAT** the Shorelink Chair's invitation to Northern Beaches Council to join a new Northern Sydney Library Network be noted.

14. **CLS03: North Sydney Community Centre Joint Plan of Management 2017- 2021**

Report of Martin Ellis, Director, Community and Library Services

The Centre's Joint Plan of Management has been updated for a new period to coincide with the term for the Centre's new Strategic 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 draft North Sydney Community Centre Joint Plan of management 2017-2021 be placed on Public exhibition for 28 days.

2. **THAT** should Council receive substantive submissions a further report be prepared. Should Council receive no substantive submissions it considers the North Sydney Community Centre Joint Plan of Management 2017-2021 as adopted after the submission period closes.

15. **CLS04: Kirribilli Centre Joint Plan of Management 2017-2019**

Report of Martin Ellis, Director, Community and Library Services

The Centre's Joint Plan of Management has been updated for a new period to coincide with the term for the Centre's new Strategic Plan. The Plan is published to allow for community consultation and will be reviewed annually by both the Centre and Council.

**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 draft Kirribilli Centre Joint Plan of Management 2017-19 be placed on Public exhibition for 28 days.
2. **THAT** should Council receive substantive submissions a further report be prepared. Should Council receive no substantive submissions it considers the Kirribilli Centre Joint Plan of Management 2017-19 as adopted after the submission period closes.

16. **CLS05: The North Sydney Art Prize 2017**

Report of Alison Clark, Team Leader Arts and Culture

This report details the successful delivery of The North Sydney Art Prize held at The Coal Loader Centre for Sustainability, 2 Balls Head Drive, Waverton from 11 – 26 March 2017. It presents an overview of the project and the positive response from artists, community and visitors across the region.

Funding for this project was included in the adopted 2016/17 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** the report be received.

17. **CLS06: Community Space Proposal: Supporting Artists with an Intellectual Disability**

Report of Martin Ellis, Director, Community and Library Services

A current community tenancy on offer is an office and large group room (total 145.8 sq. m) on Level 4 of the Crows Nest Centre. Following refurbishment, the occupation certificate was issued in late February 2017, for this space as well as for the larger Early Childhood Centre tenancy on the same floor. (The lease for the latter is currently being finalised.)

In September 2016 Council sought expressions of interest through Tenderlink from not for profit organizations to deliver new services from Council owned premises to the North Sydney community. No submissions were received.

An income stream of \$22,00 inclusive of a car space in Holtermann Street carpark is likely.

**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** pending successful outcomes of leasing details, Council resolves to enter into a lease over part of Level 4, The Crows Nest Centre with *Studio A*, for two years with a two-year option.

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## Corporate Services Division

### 18. CoS01: Quarterly Budget Review - March 2017

Report of Darren Goode, Accounting Services Manager

The purpose of this report is to inform Council of the results of the review of the budget for the quarter ended 31 March 2017 and to seek approval to make the necessary adjustments to the 2016/17 revised budget to reflect the current projected estimates of income and expenditure for the year.

The net effect of the adjustments to the 2016/17 revised budget (as detailed in this report) is that the budget remained in a balanced position at the end of the March quarter, with net transfers from reserves of \$29.4 million.

#### **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 Quarterly Budget Review Statement – March 2017 report be received.
2. **THAT** the recommended adjustments to the 2016/17 budget be adopted.

### 19. CoS02: Adoption of 2017/18 Fees and Charges

Report of Garry Ross, Manager Financial Services

The purpose of this report is to adopt the proposed 2017/18 Fees and Charges following their public exhibition.

The 2017/18 Fees and Charges Schedule was formulated around a general increase of 1.80% over the previous year's adopted schedule and comparable market rates. All existing and proposed Fees and Charges have been assessed according to the nature of the services being provided.

The impacts from the 2017/18 Fees and Charges Schedule have been incorporated into the Financial Estimates within the Delivery Program 2017/18 Operational Plan 2016/17.

#### **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** having considered the amendments detailed, Council adopts the 2017/18 Fees and Charges as attached to this report.

### 20. CoS03: Investments and Loan Borrowings Held as at 30 April 2017

Report of Garry Ross, Manager Financial Services (Responsible Accounting Officer)

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This report provides details of the performance of Council's investment portfolio and borrowing limits for the period ending 30 April 2017.

**Investment Portfolio:**

The portfolio provided an annualised return of 3.61% for the year to date as at 30 April 2017, 1.79% 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.

**21. CoS04: Councillor Workshop - Finance: Actions Rising – 8 May 2017**

Report of Garry Ross, Financial Services Manager

This report presents the actions arising from the Workshop held on 8 May 2017. Actions arising will be addressed at the next Workshop.

**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 summary of actions arising from the Councillor Workshop - Finance held on 8 May 2017 be noted.

**22. CoS05: June Council Meeting Date**

Report of Ian Curry, Manager Governance and Committee Services

Council is scheduled to hold an Ordinary Meeting on 19 June 2017.

Due to their attendance at the ALGA National Conference being held 19-21 June 2017, six Councillors will not be able to attend this Council meeting.

As this will not allow a quorum, this report seeks Council's consent to move the June Council meeting to Monday, 26 June 2017.

**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 date of the June Council meeting be changed from 19 June to 26 June 2017.

23. **CoS06: Carols Under the Bridge – Request for Financial Support from Council**

Report of Gemma North, Events Officer

Church by the Bridge (formerly St John the Baptist Church, Kirribilli) approached Council for financial support to assist with the operation of Carols under the Bridge. A Mayoral Minute was considered at the meeting of Council on 1 May 2017. Carols under the Bridge has been operating in Bradfield Park for 12 years. The number of attendees continues to grow and organisers wish to undertake improvements to the delivery of the event.

This report is the result of a Council resolution that in principle support be given to the request from the church and that a report be submitted by the events team. Detail includes where this event sits within the Events Strategy 2014-2017 and within the wider context of Council's Christmas events.

The related financial implications to subsidise improvements to production and delivery of the event in Bradfield Park is \$10,000. Approximately \$1,100 of this can be absorbed by the Third Party Events 2017/2018 budget as in-kind provision of bins.

The related financial implications to subsidise a road closure of Broughton Street, preparation of Traffic Management Plan and Traffic Control staff is estimated at \$5,000 - \$10,000.

Council in-kind support for staff time and park hire (approximate value \$1250). These costs will be absorbed by day-to-day operational costs.

Funding for the project is available from reserves if Council supports the proposal.

**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 continue to provide existing support to the event; including advice from Council officers, contribution of land for the event, assistance to set-up the event and parking passes.

2. **THAT** Council absorb the cost of providing bins to the event.

3. **THAT** Council provide \$9,000 to assist with additional audio speakers, multimedia screens, additional toilets, security, children's activities and crowd management infrastructure.

4. **THAT** Council provide up to \$7,500 for implementing the Broughton Street road closure for Greenway and James Milson Village participation.

**5. THAT** Council enter into an agreement with Church by the Bridge to ensure appropriate transparency of expenditure and acknowledgement of Council support.

**24. CoS07: Local Government Remuneration Tribunal Determination**

Report of Sandra Moore, Acting Director Corporate Services

The Local Government Remuneration Tribunal (the Tribunal) is required to report to the Minister for Local Government by 1 May each year as to its determination of categories and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils. Recent Council mergers has prompted a review of the existing categories and the allocation of councils into each of those categories by the Tribunal.

This report details the revised categories and subsequent impact on the fees payable to the Mayor and councillors.

Council has allocated \$308,800 for Councillors fees in the 2017/18 Budget. Projected savings from this decision are discussed in the 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.

**Recommending:**

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

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## Engineering & Property Services Division

### 25. **EPS01: Council Owned/Leased Properties: Leasing Transactions**

Report of Risha Joseph, Property Officer

A report is submitted regarding the leasing transactions for Council's owned and leased properties, for the period ending 9 May 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.

**3. THAT** Council grant approval for the release of the drainage easement, Dealing 22892, which lies within lot B in DP 398221.

### 26. **EPS02: Interim Report - Sydney Metro City and Southwest – Acquisition of Sub-Stratum Land for Underground Rail Facilities**

Report of Risha Joseph, Property Officer

On 21 April 2017, Council received a notification from Transport for NSW in relation to the delivery of the NSW Government Sydney Metro Rail project.

The project includes the construction of two underground tunnels (located side by side) from Chatswood, under Sydney Harbour, through to new underground stations in the Central Business District and out to Sydenham.

Planning approval for the construction of these tunnels and new stations was granted in January 2017 and is estimated to commence in 2018.

This report serves as an overview of the properties that will be affected by the proposed construction of the underlying rail facilities which will occur pursuant to Section 62(2) of the Land Acquisition (Just Terms Compensation) Act 1991. The project will be funded by Transport for NSW. Property advice is being obtained with relation to the future impact of the value of the properties.

#### **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 note a further report will be prepared outlining more detail on the potential impacts the acquisition of the sub-stratum lots for the underground rail facilities will have on Council owned and controlled land.

**27. EPS03: Traffic Committee - Minutes 5 May 2017**

Report of Michaela Kemp, Manager Traffic and Transport Operations

This report presents the recommendations of the last meeting of the Traffic Committee held on 5 May 2017 for Council adoption. The Minutes are attached for information.

Nil.

**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 recommendations made for changes in the parking restrictions be adopted with the following amendment to item 4.2(1).

***THAT** Council undertake a resident survey with regard to parking arrangements in Shellcove Road between Hollowforth Avenue and Billong Street:*

*a) Resident preference for each of the following options:*

- i. Retain existing arrangements (residents risk fines for blocking footpath and driveway access).*
- ii. Seek RMS approval to implement a Category 2 Shared Zone to formalise the current practise of footpath parking on the eastern side.*
- iii. Install “No Parking” signs on either the eastern or western side of the road.*

*b) The introduction of 2 Hour Parking restrictions. (4.2)*

**THAT** the General Manager be requested to provide appropriate enforcement of current parking restrictions in Shellcove Road between Hollowforth Avenue and Billong Street following a short campaign of warning any vehicles currently parked in this location. (4.2)

**2. THAT** the proposed road and pedestrian network improvements on Clark Road as shown on the attached plan be constructed subject to funding available and additional approvals required from the RMS. (4.4)

**3. THAT** Council prepare and submit a revised TCS Plan to the RMS for the Clark Road/High Street intersection. (4.4)

**4. THAT** Council engage with James Milson Village, relevant Precinct Committees and the Sustainable Transport Reference Group regarding the proposed changes in Clark Road. (4.4)

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

**6. THAT** existing parking restrictions on the northern and southern sides of Selwyn Street be retained. (4.3)

**7. THAT** twelve (12) unrestricted parking spaces on the south side of Milner Crescent, between Russell Street and the boundary of H. Nos 15 and 17, be converted to “2P 8.30am-6pm Mon-Fri Permit Holders Excepted”. (4.3)



8. **THAT** the remaining existing parking restrictions on Milner Crescent be retained. (4.3)
9. **THAT** subject to further discussions with RMS and funding availability, the proposed intersection works and lane reconfigurations on Bannerman Street and Murdoch Street as shown in the attached plan be constructed. (4.5)
10. **THAT** further consultation take place on the two options for mid-block crossings over Bannerman Street, with a preferred option being constructed subject to the level of community support and funding availability. (4.5)
11. **THAT** Council engage with the relevant Precincts and Sustainable Transport Reference Group regarding the proposed changes in Bannerman Street and Murdoch Street. (4.5)
12. **THAT** Council raises no objection to the Seven Bridges Walk to be held on Sunday, 29 October 2017 according to the submitted pedestrian and traffic management plan, subject to Police approval, RMS approval, appropriate public liability insurance, and the event being undertaken in accordance with AS 1742.3 and the RMS Traffic Control at Work Sites standard. (4.6)
13. **THAT** the information concerning the Abandoned Vehicles Processed Report be received. (5.1)
14. **THAT** future Abandoned Vehicles Processed Reports also show dates that each vehicle was auctioned. (5.1)
15. **THAT** the information concerning the Unattended Boat Trailers Processed Report be received. (5.2)
16. **THAT** the boat trailer parked in Raymond Road, Neutral Bay (opposite No. 10) be referred to Council Rangers for appropriate action and report back to the Traffic Committee, if required, due to its proximity to the bend in the road, affecting visibility. (5.2)
17. **THAT** the information concerning Sydney Metro City & South-West Construction Update be received. (5.3)
18. **THAT** information concerning Sydney Metro City & South-West Construction Update be reported to the Sustainable Transport Reference Group for their information. (5.3)

28. **EPS04: Mitchell Street Plaza, St Leonards Public Domain Upgrade – Tender 37/2017**

Report of Adam Deutsch, Projects Manager

Tenders were called and were received until 4pm, Tuesday, 2 May 2017 for the submission of tenders to undertake the Mitchell Street Plaza, St Leonards Public Domain Upgrade – Tender 37/2017.

*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 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 as this project is committed within Council's Delivery Program.

**Recommending:**

1. **THAT** Council accept the tender of the highest ranked Tenderer for Tender 37/2017 for the Mitchell Street Plaza, St Leonards Public Domain Upgrade.

2. **THAT** Council resolve to provide additional funding through Section 94 Developer Contributions as identified in the Funding Section of this report.
3. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 37/2017 under signature of the Mayor and the General Manager.
4. **THAT** once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.

## Open Space & Environmental Services Division

### 29. **OSE01: Installation of Fish Bait and Tackle Vending Machines**

Report of Rob Emerson, Director Open Space and Environmental Services

At its meeting on 19 October 2015 Council resolved:

*1. THAT a report be prepared for Council's consideration into the installation of fish vending machines at various waterway locations in North Sydney, a recent example which was exhibited at the recent LGNSW Conference. The report should cover the advantages and disadvantages (if any) in any such installation and the process for consultation.*

*NB. Tunks Park has been suggested as one of three possible locations for such machines*

This report provides information in response to this notice of motion and a recommendation not to pursue use of these commercial vending machines within areas of foreshore public land.

#### **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 not pursue the installation of fishing bait and tackle vending machines within foreshore public open space or any foreshore land owned or managed by North Sydney Council.

### 30. **OSE02: Public Exhibition of the Small Water Craft Storage Strategy Discussion Paper**

Report of Megan White, Landscape Planner

The presence of only limited formal storage facilities coupled with the absence of a formal strategy for water craft storage has contributed to the current situation in North Sydney where informal and ad-hoc storage of large numbers of small water craft on the harbour foreshores is reducing visual amenity, causing environmental damage, alienating public open space and restricting public access to, and enjoyment of, some public foreshore areas.

A Small Water Craft Storage Strategy (SWCSS) is needed to ensure that in the future, water craft stored on public land on the harbour foreshore are managed effectively and equitably, for the benefit of water craft owners, and for the convenience and enjoyment of the wider community who wish to access and use North Sydney's foreshore parks for recreation.

The first step in this process is preparation of a Discussion Paper to provoke thought around the various issues associated with the storage of small water craft on public foreshore land in North Sydney. Public exhibition of the Discussion Paper will provide the many interested community members and other stakeholders with an opportunity to contribute ideas, and offer thoughts and suggestions about the future of small water craft storage in North Sydney.

**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 endorses public exhibition of the Small Water Craft Storage Strategy Discussion Paper.

**31. OSE03: Cities Power Partnership**

Report of Niki Carey, Senior Sustainability Programs Coordinator

This report provides an overview of the Cities Power Partnership program with the view for Council to participate. The program is designed to support and promote energy saving and climate change mitigation initiatives in local councils across the country.

**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 signs up to the program to become a Cities Power Partner.

**32. OSE04: Tender No 35/2017 Forsyth Park, Field No 1 New Sportsfield Lighting**

Report of Kate Bambrick-Browne, Landscape Grants Coordinator

Tenders were called and were received until 4.00pm, Thursday 13 April 2017, via Tenderlink for the submission of tenders to undertake Forsyth Park Field No1 New Sportsfield Lighting.

*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 the project was included in the adopted 2016/2017 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 accept the tender of the highest ranked Tenderer for Tender 35/ 2017 for Forsyth Park Field No1 – New Sportsfield Lighting.

**2. THAT** Council hereby authorises its Official Seal to be affixed to Contract 35/2017 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**

**CORRESPONDENCE**

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

**33. NoM01: Notice of Motion No. 14/17 by Crs Baker, Clare and Morris - 17/05/17**

**Re: Official Opening of the Coal Loader Platform**

**1. THAT** the official opening of the Coal Loader Platform be arranged for Saturday 19 August 2017 to coincide with the 20<sup>th</sup> anniversary of the declaration by the Carr Government of the preservation of the Waverton Peninsula lands (including the Coal Loader Platform) as public lands.

**2. THAT** the Coal Loader Platform be officially opened by community representatives nominated by the Waverton Precinct rather than politicians/elected officials in recognition that the Waverton Peninsula parklands have been protected and placed in community care and control due to the continued activism and engagement of residents and community members for a century.

**3. THAT** former Premier Bob Carr, former Federal Minister for Local Government and Infrastructure, Anthony Albanese (who granted funds to enable the completion of the adaptive reuse of the administrative buildings on the site) and former North Sydney Mayor and councillors who were on the Council at the time of the declaration be invited to the ceremony together with the current Federal Member for North Sydney, the Hon Trent Zimmerman, and State Member for North Shore, the Hon Felicity Wilson.

**34. NoM02: Notice of Motion No. 15/17 by Cr Baker - 17/05/17**

**Re: Educational Institutions Working Group**

**1. THAT** the Educational Institutions Working Group be reconstituted to meet to discuss the impacts of increasing population densities and large infrastructure projects on schools and educational institutions within the North Sydney Local Government area.

**2. THAT** representatives of the new public schools, Cammeraygal High School and Anzac Park Public School be invited to attend.

**Background**

The Educational Institutions Working Group was established to foster greater communication and cooperation between Council and educational institutions in the North Sydney local government area. Membership is open to representatives from educational institutions (primary, secondary and tertiary) in the North Sydney local government area as well as local residents. The Working Group has been in hiatus over the last 18 months or so, however in that time major transport infrastructure projects (metro and the proposed Western Harbour Tunnel) have been announced or commenced, the Draft District Plan under the Greater Sydney Commission has been released and increasing population pressures are continuing. It is, therefore, timely that the

Working Group meet once again on an “as needs” basis in order to address these issues.

**35. NoM03: Notice of Motion No. 16/17 by Cr Baker - 17/05/17**  
**Re: Local Government Elections – Conduct by NSW Electoral Commission**

**1. THAT** Council request that the NSW Electoral Commission reduce the number of polling booths at the September 2017 elections and that all booths be within the North Sydney Local Government Area boundaries.

**Background**

The geographical area of the North Sydney local government area is approximately 10km<sup>2</sup>. At the 2012 local government elections the NSW Electoral Commission provided 16 separate polling places staffed by NSW Electoral Commission staff. At the recent State by-election, which covered double the geographical area of the North Sydney Council elections, 16 booths were also provided. It is not clear as to the reasoning for the provision of so many polling places in the much smaller geographical area required for the local government election.

A reduction in the number of polling booths will assist in reducing the cost of holding the election in circumstances where the State Government remains committed to forced amalgamations (and therefore future elections may be required) and where the electors of North Sydney have already endured numerous elections (Federal and State with by-elections in each) over the last 5 years.

**36. NoM04: Notice of Motion No. 17/17 by Cr Reymond - 17/05/17**  
**Re: Kurraba Point Reserve**

**1. THAT** Council retain the name Kurraba Point Reserve and that signage be installed there to convey the role of previous councils, councillors and local residents in the creation of (a) Spains Lookout in 1938 and (b) the rest of the Park in 1965/66, which was saved through their efforts from proposed high rise development resulting in the State Government acquiring the land for a Park.

**37. NoM05: Notice of Motion No. 18/17 by Cr Reymond - 17/05/17**  
**Re: Mixed Use Developments - Landscape Coverage**

**1. THAT** Council call for a report for the next Legal and Planning Committee on a suggested requirement that in mixed use developments where a maximum landscape coverage is required, an independent calculation of the landscaped area and how it is calculated be submitted, if appropriate.

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**Background**

At a recent Panel meeting it was noted with a particular site that issues arose in this calculation and how it was calculated, which only became apparent when a second DA was lodged for the same site.

**38. NoM06: Notice of Motion No. 19/17 by Cr Reymond - 17/05/17****Re: Harbour Bridge Façade Restoration Works**

**1. THAT** Council write to RMS commending them on their restoration work on the Sydney Harbour Bridge façade and bays along Ennis Road Milsons Point and requesting that they carry out restoration work along the Middlemiss Street façade, from Lavender to Alfred Streets, including removal of all overhead lines, restoration and reinstatement of windows and more sympathetic.



**QUESTIONS WITH NOTICE**

**QUESTIONS WITHOUT NOTICE**