



**MINUTES: 3700th MEETING OF THE NORTH SYDNEY COUNCIL
HELD ON MONDAY, 19 FEBRUARY 2018 AT 7.00 PM.**

PRESENT

The Mayor, Jilly Gibson, in the Chair, and Councillors Baker, Barbour, Beregi, Brodie, Carr, Drummond, Gunning, Keen and Mutton.

At the commencement of business (7.00pm) those present were:
The Mayor, and Councillors Baker, Barbour, Brodie, Carr, Drummond, Gunning, Keen and Mutton.

The meeting was opened by the Mayor.

The Acknowledgement of Country was read by Councillor Baker.

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

The following items were brought forward and dealt with at this stage:

Re Item MM01	Military Road Corridor
Re Item MM02	Reclaim Hayes Street Beach
Re Item CiS02	Planning Proposal 2/17 and DCP Amendments – North Sydney Centre – Post Exhibition Report
Re Item CiS03	Planning Proposal 5/17 – 173-179 Walker Street, North Sydney
Re Item CiS04	Planning Proposal 4/17 – 41 McLaren Street, North Sydney
Re Item CiS05	Planning Proposal 1/17 – 617-621 Pacific Highway, St Leonards & Draft VPA – Post Exhibition Report
Re Item EPS03	Council Submission to RMS on Sydney Harbour Bridge North Cycle Ramp Proposal
Re Item NoM01	Notice of Motion No. 1/18 by Cr Mutton – 4/12/17 Re: HMAS Platypus “Site”

development process.

I believe the plan should incorporate major landmarks including the Military Road Island, the bus depot and the Big Bear. The plan should address how development should relate to existing pedestrian thoroughfares including Grosvenor Street and Grosvenor Lane. It would also be an opportunity for Council to look at its own land holdings in the area such as the Neutral Bay Community Centre, the Barry Street carpark and the Grosvenor Street carpark and ensure that we are making the best use of these assets.

I therefore recommend:

1. THAT Council staff prepare a report outlining how a Planning Study for the Military Road corridor can best be progressed. The planning study should include a process to manage development interest to ensure that tangible public benefit is gained for any future development process.

Mr J Lucas addressed Council.

Mr B Cornell addressed Council.

By consent, the Motion was amended to read,

1. THAT Council staff prepare a report outlining how a Planning Study for the Neutral Bay/Cremorne Military Road corridor can best be progressed. The planning study should include a process to manage development interest to ensure that tangible public benefit is gained for any future development process.

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT Council staff prepare a report outlining how a Planning Study for the Neutral Bay/Cremorne Military Road corridor can best be progressed. The planning study should include a process to manage development interest to ensure that tangible public benefit is gained for any future development process.

6. **MM02: RE: Reclaim Hayes Street Beach**

For many years now Council has allowed small watercraft to be stored along the edge of the Hayes Street Beach, leaving minimal sand for people to sit on at low tide and none at high tide. The 55 watercraft that are currently stored on the beach pay nothing for this privilege, while in other areas of North Sydney owners are charged \$277. I understand in adjacent council areas people can pay up to \$1,200 a year to store their kayak or dinghy near the waterfront.

While it is good for Council to support active recreation and the use of small watercraft on our beautiful harbour, I believe lining the beach with watercraft is alienating public space for private use and preventing the wider community from enjoying a beach experience. Many of the watercraft are used infrequently.

The use of the beach for watercraft storage made perfect sense when our harbour was dirty and therefore unsafe to swim in. However, thanks to better stormwater management the water is now much higher quality and safe to swim in most of the time. I believe the demand is there because on recent visits I have seen people swimming and sitting on the sand soaking up some sun.

I therefore propose that we reclaim Hayes Street Beach as a swimming beach for the 2018/19 summer season. If we give the watercraft owners notice now, they will have six months to make alternative arrangements and our beach will be available for the start of the swimming season on the October long weekend.

I believe we need to repair the walkway to the beach from Hayes Street and look at ways to neaten or cover the undercroft of the boardwalk. We also need to negotiate with adjacent landholders to make the public access more obvious and inviting and look at whether we could install a cold water shower and tap. In the future, we may be able to arrange a floating pontoon for children to swim out to and play on.

I appreciate that Council has exhibited a discussion paper on the storage of small watercraft and is in the middle of developing a strategy for the LGA as a whole. This is an important process, but I do not believe we should be including the Hayes Street Beach in this strategy. As I have noted, the Hayes Street Beach is North Sydney's only sandy beach and a harbourside treasure. It should be available for use by all residents.

I therefore recommend:

- 1. THAT** Council resolve to write to all permit holders advising them that their watercraft must be removed from the Hayes Street Beach by 31 August 2018.
- 2. THAT** Council staff prepare a report outlining work that would need to be done to improve access to and the amenity of the beach.
- 3. THAT** Council continue to develop a municipality wide small watercraft strategy that excludes Hayes Street Beach.
- 4. THAT** Council engage with affected local owners of small watercraft regarding alternate storage options.
- 5. THAT** the frequency of beach cleaning be increased, particularly during the summer swimming season.
- 6. THAT** Council continue to lobby RMS for more frequent harbour cleaning in Neutral Bay.

Mr T Galvin addressed Council.

Ms L Moy addressed Council.

Mr J Walsh addressed Council.

By consent, the Motion was amended to read,

- 1. THAT** Council resolve to write to all permit holders advising them that their watercraft must be removed from the Hayes Street Beach by 31 August 2018.
- 2. THAT** Council staff prepare a report outlining work that would need to be done to improve access to and the amenity of the beach.
- 3. THAT** Council continue to develop a municipality wide small watercraft strategy.
- 4. THAT** Council engage with affected local owners of small watercraft regarding alternate storage options.
- 5. THAT** the frequency of beach cleaning be increased, particularly during the summer swimming season.
- 6. THAT** Council continue to lobby RMS for more frequent harbour cleaning in Neutral Bay.

An Amendment was moved by Councillor Beregi and seconded by Councillor Baker

1.THAT Council defer a decision on Hayes Street Beach until such time as the small watercraft strategy is completed and reported to Council.

The Amendment was ruled out of order by the Mayor

The Motion was put and carried on the casting vote of the Mayor.

Voting was as follows:

For/Against 5/5

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi		N	Drummond	Y	
Keen	Y		Gunning		N
Brodie	Y		Mutton		N
Carr		N	Baker		N

RESOLVED:

- 1. THAT** Council resolve to write to all permit holders advising them that their watercraft must be removed from the Hayes Street Beach by 31 August 2018.
- 2. THAT** Council staff prepare a report outlining work that would need to be done to improve access to and the amenity of the beach.
- 3. THAT** Council continue to develop a municipality wide small watercraft strategy.
- 4. THAT** Council engage with affected local owners of small watercraft regarding alternate storage options.
- 5. THAT** the frequency of beach cleaning be increased, particularly during the summer swimming season.
- 6. THAT** Council continue to lobby RMS for more frequent harbour cleaning in Neutral Bay.

MATTERS BROUGHT FORWARD

7. CiS02: Planning Proposal 2/17 and DCP Amendments – North Sydney Centre – Post Exhibition Report

Report of Marcelo Occhiuzzi – Manager Strategic Planning

On 1 May 2017, Council resolved to forward a Planning Proposal (2/17) to the Department of Planning and Environment to amend the planning controls relating to the North Sydney Centre under North Sydney Local Environmental Plan 2013 (NSLEP 2013). The amendments arose from a strategic review of the planning controls that apply in the CBD which resulted in the preparation of the *North Sydney Capacity and Land Use Strategy*. The Strategy sought to provide a framework to allow for the growth of the North Sydney Centre to ensure it maintains and improves its status as a resilient, vibrant and globally relevant commercial centre and to accommodate forecast demand for additional commercial/employment floor space. The amendments to the North Sydney Local Environmental Plan (NSLEP) 2013, seek to implement the recommendations of that Strategy.

The proposed amendments include:

- Amending the Height of Buildings Map to increase the maximum building height limit on a number of sites zoned B3 Commercial Core, consistent with the outcomes of the *North Sydney CBD Capacity and Land Use Strategy*;
- Amending the extent to which “special areas” applies to land identified on the North Sydney Centre Map consistent with the outcomes of the *North Sydney CBD Capacity and Land Use Strategy* (Elizabeth Plaza, Blue Street as well as Tower

- Square given the development of Metro).
- Amending clause 6.1 such that the objectives of the North Sydney Centre better relate to the provisions contained within the Division.
 - Amending clause 6.3 to:
 - Ensure the objectives and provisions of the clause align with the outcomes of the North Sydney CBD Capacity and Land Use Strategy; and
 - Restrict the development of sites less than 1000sqm in area to 45m in height.
 - Deletion of clause 6.5 to remove the requirements for railway infrastructure provision and the floor space cap limitation for commercial development;
 - Removing 'serviced apartments' from the list of permissible uses in the B3 Commercial Core zone to the Land Use Table.

In association with the proposed amendments to the NSLEP, on 26 June 2017, Council resolved to adopt draft amendments to the North Sydney Development Control Plan 2013 (NSDCP 2013) to supplement the Planning Proposal. The proposed amendments revise the North Sydney Character Statement located in Part C of that document.

In accordance with the Department of Planning and Environment's Gateway Determination, the Planning Proposal and draft DCP amendments were placed on public exhibition for a period of 28 days from Thursday 14 September 2017 to Wednesday 11 October 2017. A total of 32 submissions were received during and after this period.

In broad terms, the submissions related to:

- Objection from Transport for NSW (TfNSW) to the removal of the railway contributions clause and request to insert a requirement to continue to levy contributions on an ongoing basis,
- Suggestions from the Office of Environment and Heritage that additional heritage investigations should occur, especially with regard to the three State listed items in the CBD,
- Suggestion from the Roads and Maritime Services that the Planning Proposal be deferred until Council's Transport Masterplan is completed and any issues identified, are resolved.
- Amenity impacts in and around the CBD,
- Objections to prohibition of serviced apartments in the B3 Commercial Core zone
- Queries regarding the role and function of the privately and unsolicited Planning proposals for 41 McLaren and 139 Walker Streets, North Sydney,
- Queries regarding the role and relationship of the Planning Proposal to potential future planning controls for the Alfred Street B3 zone precinct, and
- Queries regarding the preparation of the Ward Street Masterplan and its relationship to this Planning Proposal.

A significant submission has been made by TfNSW which requests that the railway contributions that currently apply in the CBD, be maintained and extended. The intention of this is to partially offset the cost of the proposed Victoria Cross Metro Station. The TfNSW submission is not supported as the Metro station has been publically announced as being fully funded by the NSW Government. This would therefore represent a new contribution regime that has not been accounted for in any previous policy position of either TfNSW or Council. Any amendment to this end, would require a significant level of collaboration and consultation with stakeholders, redrafting of provisions and re-issuing of Gateway Determination and exhibition. This represents a significant investment of time which, given the stage of the current process, is both unwarranted and unreasonable.

The issues raised during the public exhibition are addressed in detail both in section 3 of this report as well as in Attachment 1. This report recommends that several minor amendments be made to the Planning Proposal and that to be referred to the Department of Planning and Environment to be finalised and made concurrent with the proposed

amendments to the North Sydney DCP 2103.

Recommending:

- 1. THAT** the exhibited Planning Proposal at Attachment 4 be amended to include:
 - a) Changes to the height map as detailed in section 3.1.3 of this report; and
 - b) exclusion of consideration of solar access outside of the solstice and equinox as part of clause 6.3(2) of the NSLEP.
- 2. THAT** the draft DCP amendments as per Attachment 5 be adopted.
- 3. THAT** having completed the community consultation requirements outlined in the Gateway Determination, Council forward the Planning Proposal as amended by this resolution to Parliamentary Counsel with a request that a Local Environmental Plan be made in accordance with section 59 of the Environmental Planning and Assessment Act 1979, to give effect to the Planning Proposal.
- 4. THAT** once the Planning Proposal has been gazetted, Council accept subsequent Planning Proposals (outside the “Ward Street” precinct) that seek to amend the size and height allocation of “polygons” on the North Sydney LEP 2013 height map, if such proposals are consistent with the methodology of the *North Sydney CBD Capacity and Land Use Strategy* from a solar access and urban design perspective.

Mr A Rowan addressed Council.

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

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

- 1. THAT** the exhibited Planning Proposal at Attachment 4 be amended to include:
 - a) Changes to the height map as detailed in section 3.1.3 of this report; and
 - b) exclusion of consideration of solar access outside of the solstice and equinox as part of clause 6.3(2) of the NSLEP.
- 2. THAT** the draft DCP amendments as per Attachment 5 be adopted.
- 3. THAT** having completed the community consultation requirements outlined in the Gateway Determination, Council forward the Planning Proposal as amended by this resolution to Parliamentary Counsel with a request that a Local Environmental Plan be made in accordance with section 59 of the Environmental Planning and Assessment Act 1979, to give effect to the Planning Proposal.
- 4. THAT** once the Planning Proposal has been gazetted, Council accept subsequent Planning Proposals (outside the “Ward Street” precinct) that seek to amend the size and height allocation of “polygons” on the North Sydney LEP 2013 height map, if such proposals are consistent with the methodology of the *North Sydney CBD Capacity and Land Use Strategy* from a solar access and urban design perspective.

8. CiS03: Planning Proposal 5/17 – 173-179 Walker Street, North Sydney

Report of Joanne Chan, Strategic Planner/ Neal McCarry, Team Leader Policy

On 20 October 2017, Council received a Planning Proposal to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) as it relates to land at 173-179 Walker Street, North Sydney. In particular, the Planning Proposal seeks to:

- Establish a site-specific height control, with a maximum height of RL210 (an increase of 140m); and
- Establish a maximum floor space ratio (FSR) control for the site of 13.63:1.

The Planning Proposal is accompanied by an offer to enter into a Voluntary Planning Agreement (VPA), which includes:

- A dedication of 5% (a minimum of 14 apartments) of the residential yield to affordable rental accommodation, in accordance with the *North Sydney Affordable Housing Strategy 2015*;
- Dedicating 1,515m² of gross floor area to Council to be utilised for community facilities;
- Providing 865m² of landscaped publicly accessible space; but
- Excluding the application of section 94 contributions pertaining to any future development applications for the development of the site facilitated by the planning proposal owing to the material public benefit value of the items above.

The exclusion of Section 94 contributions is inconsistent with Council's established policy position with respect to planning proposals seeking significant development uplift. Council's starting point for negotiations should not exclude the application of Section 94 contributions.

In addition, a detailed assessment has yet to be undertaken of the 'value' of the VPA offer. The applicant has not provided a breakdown of costs for the public benefit works, nor any details to indicate the uplift in value of the site resulting from an increase in maximum building height. As such, Council staff are unable to determine whether the value of the offer and level of public benefit is reasonable or not.

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

- The amendment is sought in the absence of a planning study including specialist input and community consultation. This would assist in providing a predictable basis and framework for any future planning proposal to be considered not only for this site, but for the broader precinct, particularly in relation to uplift and VPAs;
- The proposal relies heavily on the yet to be finalised Ward Street Precinct Plan. In particular, the height of buildings from the Ward Street Precinct Plan. Until the Ward Street Precinct Plan is finalised, it is not able to be concluded that the proposal is appropriate with respect to land use, traffic, bulk and scale, public domain upgrades and overshadowing;
- It would be inconsistent with the objectives of the Environmental Planning & Assessment Act 1979 to promote the orderly and economic use of land;
- It is inconsistent with the objectives set out in the relevant regional and draft district plans applying to the land; and
- Issues in relation to overshadowing, heritage, traffic, site isolation, and view loss have not been demonstrated as being acceptable.

Given the strategic significance of the precinct, surrounding density and construction activity, access characteristics and potential amenity issues, there is a real need to plan for this growth holistically and in a measured, coordinated and consultative manner.

On 25 January 2018, the applicant submitted a request to the Department of Planning and Environment (DPE) for a Rezoning Review, due to Council not having made a determination as to whether the Planning Proposal should proceed to Gateway Determination within 90 days.

Council staff had indicated to the applicant that there was a need to prioritise the progression of the Ward Street Masterplan work and then undertake an East Walker Street Precinct to provide a predictable basis for this site and in its absence in this case,

Council would in all likelihood, refuse any planning proposal lodged in the interim.

Recommending:

- 1. THAT** Council resolves not to support the Planning Proposal proceeding to Gateway Determination.
- 2. THAT** Council advise the Department of Planning and Environment of its decision and be provided with a copy of this report and its resolution in support of Council's position.
- 3. THAT** Council notifies the applicant of Council's determination in accordance with clause 10A of the Environmental Planning and Assessment Regulations 2000.
- 4. THAT** any changes to the planning controls for the wider Ward Street Precinct be considered holistically and involve all landowners and stakeholders in and adjacent to the precinct.
- 5. THAT** Council reaffirm its position on separately pursuing the East Walker Opportunity Site from the Ward Street Precinct Masterplan project as per Council resolution dated 1 May 2017.

Mr J Seymour addressed Council.

Ms D Fischer addressed Council.

Mr J Wiseman addressed Council.

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

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

- 1. THAT** Council resolves not to support the Planning Proposal proceeding to Gateway Determination.
- 2. THAT** Council advise the Department of Planning and Environment of its decision and be provided with a copy of this report and its resolution in support of Council's position.
- 3. THAT** Council notifies the applicant of Council's determination in accordance with clause 10A of the Environmental Planning and Assessment Regulations 2000.
- 4. THAT** any changes to the planning controls for the wider Ward Street Precinct be considered holistically and involve all landowners and stakeholders in and adjacent to the precinct.
- 5. THAT** Council reaffirm its position on separately pursuing the East Walker Opportunity Site from the Ward Street Precinct Masterplan project as per Council resolution dated 1 May 2017.

9. CiS04: Planning Proposal 4/17 – 41 McLaren Street, North Sydney

Report of Ben Boyd, Executive Strategic Planner

On 1 September 2017, Council received a Planning Proposal to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) as it relates to land at 41 McLaren Street, North Sydney. In particular, the Planning Proposal seeks to:

- Amend the Height of Buildings Map in NSLEP 2013 to allow for a building height of up to RL 226m AHD (a 126m increase); OR
- include a site specific clause under Division 2 to Part 6 – Additional Local Provisions of NSLEP 2013 allowing for a development up to RL 226m, where the development satisfies requirements of heritage conservation and public domain improvements.

The Planning Proposal was also accompanied by a Voluntary Planning Agreement (VPA), which sought to offer a contribution to the value of \$10,557,750 to fund the following public benefits:

- 50% of the north-south pedestrian spine between Berry and McLaren Streets / public open space area (i.e. public domain embellishment works) within the Ward Street Precinct; and
- 6 x affordable housing units.

On 8 December 2017, the applicant submitted a request to the Department of Planning and Environment (DPE) for a Rezoning Review, due to Council not having made a determination as to whether the Planning Proposal should proceed to Gateway Determination within 90 days. This report seeks to obtain Council's response to the Planning Proposal. In the interim, on 7 February 2017, Council submitted a response to the DPE effectively outlined the key issues as identified within this report. In addition, Council advised that it would provide the DPE with an unendorsed version of this assessment report, to meet the DPE's reporting timeframes to the North District Planning Panel which is scheduled to meet on 7 March 2018 to determine the applicant's review request.

Having completed an assessment of the Planning Proposal, 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 strategic planning work currently being undertaken in the locality, specifically the work relating to the *Ward Street Precinct Masterplan* and the *North Sydney Centre Review*;
- The *Ward Street Precinct Masterplan* review process commenced in December 2017 and is expected to be completed for exhibition by mid-2018. A holistic and integrated outcome on this Master planning process will not be able to be achieved if individual landowners pre-empt the process by lodging individual Planning Proposals such as that being considered for 41 McLaren Street. In this context, the proposal for 41 McLaren Street unfairly burdens the future development potential capacity of adjoining sites, including Council land;
- 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 significantly change the land use mix on the subject site.
- It is inconsistent with the desired outcomes of the *draft Ward Street Precinct Masterplan*. In particular, the proposal:
 - does not apply a precinct scale planning approach;
 - does not provide clarity on the future growth of the Precinct;
 - does not balance growth within the Centre or amenity to surrounding properties;

- may result in poor pedestrian interfaces and connections with future potential public open spaces;
- may not result in a significant public benefit being achieved;
- does not achieve a net increase in traffic generation.
- It is difficult to determine if the quantum of proposed public benefits identified within the Planning Proposal, which would ultimately form part of a future VPA is reasonable with respect to the anticipated uplift that the Planning Proposal seeks.

Although the Planning Proposal has not yet been formally exhibited, Council has received nine (9) submissions objecting to the Planning Proposal on a number of grounds. In particular, it was identified that the Planning Proposal has the potential to significantly undermine Council's strategic planning processes for the locality. Whilst there is no legislative requirement to consider these submissions, the degree of objection indicates that the proposal is not necessarily in the public interest.

It is noted that there are various landowners in the Precinct with a keen interest to redevelop their sites. Allowing this to occur, including 41 McLaren Street, would be premature as this would likely undermine Council's efforts to facilitate the best possible holistic outcomes for the precinct.

Recommending:

1. THAT Council resolves not to support the Planning Proposal proceeding to Gateway Determination.

2. THAT Council advise the Department of Planning and Environment of its decision and be provided with a copy of this report and its resolution in support of Council's position.

3. THAT Council notifies the applicant of Council's determination in accordance with clause 10A of the Environmental Planning and Assessment Regulations 2000.

4. THAT Council extends an opportunity to the applicant to make a submission to the revised *Ward Street Precinct Masterplan* once publicly exhibited.

5. THAT any changes to the planning controls for the Ward Street Precinct be considered holistically and involve all landowners.

6. THAT the applicant be invited to submit a new planning proposal upon the completion of the *Ward Street Precinct Masterplan*.

Mr R McEwen addressed Council.

Mr M Harrison addressed Council.

A Motion was moved by Councillor Baker, seconded by Councillor Beregi and carried that Mr Harrison be permitted to distribute a proposed recommendation regarding this matter.

The Motion in Council's Report was moved by Councillor Barbour and seconded by Councillor Baker.

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

- 1. THAT** Council resolves not to support the Planning Proposal proceeding to Gateway Determination.
- 2. THAT** Council advise the Department of Planning and Environment of its decision and be provided with a copy of this report and its resolution in support of Council's position.
- 3. THAT** Council notifies the applicant of Council's determination in accordance with clause 10A of the Environmental Planning and Assessment Regulations 2000.
- 4. THAT** Council extends an opportunity to the applicant to make a submission to the revised *Ward Street Precinct Masterplan* once publicly exhibited.
- 5. THAT** any changes to the planning controls for the Ward Street Precinct be considered holistically and involve all landowners.
- 6. THAT** the applicant be invited to submit a new planning proposal upon the completion of the *Ward Street Precinct Masterplan*.

10. CiS05: Planning Proposal 1/17 – 617-621 Pacific Highway, St Leonards & Draft VPA – Post Exhibition Report

Report of Ben Boyd, Executive Strategic Planner

On 24 July 2017, Council resolved to forward a Planning Proposal (PP 1/17) to the Department of Planning and Environment to amend the planning controls relating to 617-621 Pacific Highway, St Leonards under North Sydney Local Environmental Plan 2013 (NSLEP 2013). In particular, the proposed amendments include:

- increasing the maximum building height from 49m to 180m;
- imposing a maximum floor space ratio (FSR) of 25.4:1;
- imposing a minimum non-residential FSR of 4.7:1; and
- incorporating an additional clause within Schedule 1 – Additional Permitted Uses such that “shop top housing” is permissible with consent on the subject site.

Council also resolved to support an accompanying draft Voluntary Planning Agreement (VPA), with an offer to dedicate to Council two entire fitted out floor levels within the podium of a future development on the site for the purposes of an Arts Centre.

On 25 October 2017, the Minister for Planning issued a Gateway Determination, permitting the Planning Proposal to be placed on public exhibition.

In accordance with the Gateway Determination, the Planning Proposal was placed on public exhibition for a period of 28 days from Thursday 16 November 2017 to Wednesday 13 December 2017.

A total of 38 submissions were received in response to the public exhibition of the Planning Proposal. Of these 33 were made by the general public, 4 by public authorities and 1 from Precinct Committee. Of these submissions, 1 supported the proposal, 34 objected to the proposal and 4 neither supported or objected to the Planning Proposal. The issues raised in the submissions to the exhibition period do not warrant an amendment to the Planning Proposal.

Whilst it is acknowledged that the proposal has attracted a significant number of objections, these mainly relate to amenity impacts. It needs to be recognised that the Precinct is undergoing significant change and there is an opportunity to manage this change and guide it in a direction that will influence the built form in a manner that improves the public domain as well as leveraging public benefit. It is further acknowledged that given the extent of change and growth expected in the Precinct, there will be some element of amenity impact.

Condition 1(a) of the Gateway Determination required that the Planning Proposal be amended to incorporate a local clause within NSLEP 2013 that requires the payment of a State Infrastructure Contribution (SIC) for increased development potential on the

subject site.

The need to include a SIC requirement is dependent upon the implementation of the St Leonards Crows Nest Station Priority Precinct work being undertaken by the DPE. However, as this work is unlikely to be placed on public exhibition in at least a draft form until the second half of this year, it is unreasonable to impose such a requirement at this point in time. Furthermore, its inclusion may result in the significant public benefit not being secured through the agreed VPA. Council was successful in removing a similar requirement when amending NSLEP 2013 in relation to 31-33 Albany Street, Crows Nest.

It is therefore recommended that Council resolves to forward the Planning Proposal to Parliamentary Counsel with a request that the Planning Proposal be made, subject to the removal of the requirement for the payment of a SIC.

Should the draft VPA be executed, it will result in the dedication to Council of two fitted out levels within a future development upon the site for the purposes of an Arts Centre to the approximate value of \$16,500,000 which is consistent with the desired future outcomes of the St Leonards / Crows Nest Planning Study for Precincts 2&3.

Recommending:

1. THAT having completed the community consultation requirements outlined in the Gateway Determination, Council forward the Planning Proposal (Attachment 2) to Parliamentary Counsel with a request that a Local Environmental Plan be made in accordance with section 59 of the Environmental Planning and Assessment Act 1979, to give effect to the Planning Proposal, subject to removal of the requirement for the payment of a State Infrastructure Contribution.

2. THAT Council finalise the Voluntary Planning Agreement with the view to have it in force prior to the gazettal of the LEP amendment.

3. THAT the negotiation of any minor amendments to the legal wording of the Voluntary Planning Agreement that are not of a policy nature be delegated to the General Manager.

Mr J Fitzgerald addressed Council.

Mr S Jamison addressed Council.

Ms L Tilsed addressed Council.

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

1. THAT Council defer consideration of this Planning Proposal pending provision of additional advice in relation to:

- further reducing the proposed variation to Council's height control (below 50 storeys); and
- whether Council may legally confine the support of the variation to Council's planning controls (consistent with the St Leonards/Crows Nest Precinct 2 and 3 Planning Study) to provision of the public benefits defined within the VPA and whether it is possible to resolve that the Planning Proposal (and variation to the controls) is revoked or terminates without the proposed public benefits outlined in the VPA being provided (notwithstanding the operation of any future State Infrastructure Contribution).

2. THAT Council urgently write to the Minister for Planning seeking an undertaking that if Council proceeds with the Planning Proposal the Minister will exempt the site from the application of any State Infrastructure Contribution on the basis that the defined public benefits within the VPA.

3. THAT these matters be reported back to the next Council meeting.

The Motion was put and carried.

Voting was as follows:

For/Against 6/4

Councillor	Yes	No	Councillor	Yes	No
Gibson		N	Barbour		N
Beregi	Y		Drummond		N
Keen	Y		Gunning	Y	
Brodie	Y		Mutton		N
Carr	Y		Baker	Y	

RESOLVED:

1. THAT Council defer consideration of this Planning Proposal pending provision of additional advice in relation to:

- further reducing the proposed variation to Council's height control (below 50 storeys); and
- whether Council may legally confine the support of the variation to Council's planning controls (consistent with the St Leonards/Crows Nest Precinct 2 and 3 Planning Study) to provision of the public benefits defined within the VPA and whether it is possible to resolve that the Planning Proposal (and variation to the controls) is revoked or terminates without the proposed public benefits outlined in the VPA being provided (notwithstanding the operation of any future State Infrastructure Contribution).

2. THAT Council urgently write to the Minister for Planning seeking an undertaking that if Council proceeds with the Planning Proposal the Minister will exempt the site from the application of any State Infrastructure Contribution on the basis that the defined public benefits within the VPA.

3. THAT these matters be reported back to the next Council meeting.

Councillor Gunning left the meeting at 8.33pm.

11. **EPS03: Council Submission to RMS on Sydney Harbour Bridge North Cycle Ramp Proposal**

Report of Lindsay Munday, Sustainable Transport Projects Coordinator

The Roads and Maritime Services (RMS) publically exhibited a proposal to construct a ramp providing step free access to the Sydney Harbour Bridge Cycleway, the "North Cycle Ramp", late in 2017.

The proposal included two potential ramp options landing in Bradfield Park to the western side of the approaches to the Harbour Bridge, one which landed to the north of Burton Street past the entry to Milsons Point Station, and the other to the south of Burton Street.

A submission on the proposal was prepared based on contributions from each of the divisions impacted, and community feedback, and was submitted to the RMS in December 2017. The submission noted that matters raised were yet to be considered at a full Council meeting, but that this was likely to occur in February 2018.

A copy of the submission is attached.

The full set of RMS project documentation relating to the proposal can be accessed at <http://www.rms.nsw.gov.au/projects/sydney-inner/sydney-harbour-bridge/access-projects/cyclist-access/cycleway-access-proposals.html>

Recommending:

1. THAT Council note the submission made by Council to the RMS on the North Cycle Ramp proposal.

Ms J Connor addressed Council.

Councillor Gunning returned to the meeting at 8.39pm.

A Motion was moved by Councillor Mutton, seconded by Councillor Keen,

1. THAT the Mayor seeks a meeting with the Minister for Transport to reinforce Council's opposition to the current cycleway ramps proposal on the Sydney Harbour Bridge north side.

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT the Mayor seeks a meeting with the Minister for Transport to reinforce Council's opposition to the current cycleway ramps proposal on the Sydney Harbour Bridge north side.

12. NoM01: Notice of Motion No. 1/18 by Cr Mutton – 4/12/17
Re: HMAS Platypus "Site"

1. THAT North Sydney Council make representations to the Sydney Harbour Federation Trust in respect of the former HMAS Platypus site to encourage it to recognise the importance of the HMAS Platypus site to meeting the needs of the North Sydney and wider communities by:

1. ensuring a minimum of 40% of the site be dedicated to "green space"
2. removing fully the RANTME building
3. ensuring that the remaining buildings are used only for cultural, artistic, sport or other community based recreation purposes.

Councillor Baker left the meeting at 8.52pm.

Councillor Beregi left the meeting at 8.53pm.

Mr R Debney addressed Council.

Councillor Baker returned to the meeting at 8.57pm.

Councillor Beregi returned to the meeting at 8.58pm.

Ms L Moy addressed Council.

A Motion was moved by Councillor Mutton and seconded by Councillor Keen,

1. THAT North Sydney Council make representations to the Sydney Harbour Federation Trust in respect of the former HMAS Platypus site to encourage it to recognise the importance of the HMAS Platypus site to meeting the needs of the North Sydney and wider communities by:

1. ensuring a minimum of 40% of the site be dedicated to “green space”
2. removing fully the RANTME building
3. ensuring that the remaining buildings are used only for cultural, artistic, sport or other community based recreation purposes.

An Amendment was moved by Councillor Drummond, seconded by Councillor Baker,

1. THAT Council acknowledge the efforts of the Harbour Trust and their broad community consultation.

2. THAT Council write to the Trust requesting:

- a. That all available open space be fully utilised to serve the local and broader community.
- b. That the Trust look for all available opportunities to deliver additional open space on the Platypus site.
- c. That the beautification works planned for the RANTME building be carried out as soon as possible.
- d. That Council strongly oppose the use of the RANTME building as a car park in the long term.

The Amendment was put and carried.

Voting was as follows:

For/Against 8/2

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie		N	Mutton		N
Carr	Y		Baker	Y	

The Amendment became the Motion and was put and carried.

Voting was as follows:

For/Against 9/1

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie		N	Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT Council acknowledge the efforts of the Harbour Trust and their broad community consultation.

2. THAT Council write to the Trust requesting:

- a. That all available open space be fully utilised to serve the local and broader community.
- b. That the Trust look for all available opportunities to deliver additional open space on the Platypus site.
- c. That the beautification works planned for the RANTME building be carried out as soon as possible.

- d. That Council strongly oppose the use of the RANTME building as a car park in the long term.

General Manager's Office

Councillor Drummond left the meeting at 9.12pm.

13. GMO01: Matters Outstanding

Report of Ken Gouldthorp, General Manager

A report on the current status of matters arising from Council resolutions up to the meeting of 4 December 2017 is presented.

Recommending:

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

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

The Motion was put and carried.

Voting was as follows:

For/Against 9/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Absent	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

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

City Strategy Division

14. CiS01: Biannual Review of the Delivery Program 2017/18 for the Period 1 July to 31 December 2017

Report of Katrina Furjanic, Corporate Planning Co-ordinator

This is the first Biannual Review presented to Council on progress to deliver the Delivery Program 2017/18.

The Biannual Review shows that performance against the Delivery Program for the year to date is on track.

Full financial performance information and implications on Council's financial position are detailed within the December Quarterly Budget Review Statement (QBRs) presented separately to Council.

Recommending:

1. **THAT** the Biannual Review of the Delivery Program 2017/18 for the period 1 July to 31 December 2017 be received.
2. **THAT** Council notes the remedial action for those activities that were not on track for the period ending 31 December 2017, as outlined in the Biannual Review attached.

Councillor Drummond returned to the meeting at 9.15pm.

The Motion was moved by Councillor Carr and seconded by Councillor Brodie.

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT the Biannual Review of the Delivery Program 2017/18 for the period 1 July to 31 December 2017 be received.

2. THAT Council notes the remedial action for those activities that were not on track for the period ending 31 December 2017, as outlined in the Biannual Review attached.

15. CiS02: Planning Proposal 2/17 and DCP Amendments – North Sydney Centre – Post Exhibition Report

(Previously considered – see Minute No. 7)

16. CiS03: Planning Proposal 5/17 – 173-179 Walker Street, North Sydney

(Previously considered – see Minute No. 8)

17. CiS04: Planning Proposal 4/17 – 41 McLaren Street, North Sydney

(Previously considered – see Minute No. 9)

18. CiS05: Planning Proposal 1/17 – 617-621 Pacific Highway, St Leonards & Draft VPA – Post Exhibition Report

(Previously considered – see Minute No. 10)

19. CiS06: North Sydney CBD Public Domain Strategy – Tender 14/2018

Report of Emma Booth, Team Leader – Design, CIS and Jon Higlett, Manager Engineering Infrastructure

Tenders were called and were received until 4:00pm, 15 November 2017 of tenders to undertake the North Sydney CBD Public Domain Strategy.

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

Funding for this project is included in the adopted 2017/18 budget. Transport for NSW

is contributing \$60,000 in the 2017/18 financial year towards the delivery of this project. There is a shortfall of \$8,645 (ex GST). This variation is considered minor and will be found through the existing budget.

Funding for the project is appropriate.

Recommending:

1. THAT Council accept the tender of the highest ranked Tenderer for Tender 14/2018 for North Sydney CBD Public Domain Strategy.

2. THAT Council hereby authorises its Official Seal to be affixed to Contract 14/2018 under signature of the Mayor and the General Manager.

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

4. THAT if Council is unable to execute the Contract with the preferred tenderer for any reason, authority is delegated to the General Manager to enter into the Contract with the next highest ranked tenderer.

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

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT Council accept the tender of Aspect Studios for Tender 14/2018 for North Sydney CBD Public Domain Strategy.

2. THAT Council hereby authorises its Official Seal to be affixed to Contract 14/2018 under signature of the Mayor and the General Manager.

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

4. THAT if Council is unable to execute the Contract with the preferred tenderer for any reason, authority is delegated to the General Manager to enter into the Contract with the next highest ranked tenderer.

20. **CiS07: State Mandated Local Planning Panels - Update**

Report of Stephen Beattie, Manager Development Services

From 1 March 2018 determination of local development applications can only occur through the local planning panel, a regional planning panel or under officer delegation. The operation of the North Sydney Local Planning Panel is ready for commencement in March 2018 with the various panel members now appointed.

The Minister for Planning appoints the chair and alternate chairs with Council appointing the both the expert panel members from a pool formed by the Minister and the community representatives from an expressions of interest process. The Chair and alternate Chairs are as follows:

Panel Chair: Jan Murrell

Alternate Chairs: Grant Christmas; Jason Perica

The A/General Manager has appointed the following list of Community Representatives:

- Veronique Marchandean
- Jane van Hagen
- Virginia Waller
- Ken Robinson

The expert panel members are detailed in the report.

The report further explores the nature of the Legislative Changes and provides an update regarding the establishment of the North Sydney Local Planning Panel since the matter was last reported to Council in October 2017.

No additional funding is required at this stage. The existing budget of \$85,000 to operate North Sydney Independent Planning Panel is likely to cover the new costs of running the new panel.

Recommending:

1. THAT Council note the contents of this report.

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

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT Council note the contents of this report.

It was moved by Councillor Beregi, seconded by Councillor Baker and resolved that Items CLS01, CLS04, CLS05, CLS06 and CLS07 be considered en globo.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

Community & Library Services Division

21. CLS01: Donations – Food Grants 2017/18

(This matter was considered en globo – see page 20)

Report of Helen Campbell, Manager, Community Development

This report updates Council on the successful food grant recipients for 2017/18. At its meeting on 1 May 2017 Council foreshadowed its annual grants to local services providing food to needy persons at Christmas, December 2017. Closer to the date three out of ten organizations advised they were no longer providing this service for the reasons outlined in the report. As a result, seven organizations delivering ten programs were funded. Although a formal acquittal is not due until June 2018, verbal reports are that all events were very well attended and Council's support is greatly appreciated.

Recommending:

1. THAT that the Food Grants 2017/18 dispersal to the named organisations and their successful outcome be noted.

RESOLVED:

1. THAT that the Food Grants 2017/18 dispersal to the named organisations and their successful outcome be noted.

22. **CLS02: Mary's House – Proposed Increased Donation**

Report of Martin Ellis, Director Community and Library Services

Council a Notice of Motion No. from by Cr Keen at its meeting on 29/11/17 regarding Women's Refuges in North Sydney and resolved the following:

1. THAT Council increase the support for Women's refuges in the North Sydney local government area.

2. THAT a report be submitted to Council detailing the current level of support provided by Council and outlining options for increasing both in-kind and monetary support in future.

A review of the needs of the only local Women's refuge in North Sydney was undertaken with the refuge, by Council's Director Community and Library Services with advice from Council's Manager Ranger Services. The problem to be addressed was straightforward: short term parking for discrete settling in of, and deliveries of supplies to, the women and children on site. Two permits have been issued and are valid until 31 March 2018 as a pilot. The spaces are not metered.

The refuge advises their difficulty has been solved by the permits. It is proposed this donation be renewed for 12 months on 1 April 2018.

This is in addition to the provision of four spaces in a Council Car park which are provided under the adopted 2017/18 budget. These spaces are provided so that vulnerable women cannot be tracked to the refuge by perpetrators.

The annual value of this additional donation is estimated at \$800.

Recommending:

1. THAT two permits for on-street parking for Mary's House Women's Refuge be renewed for 12 months from 1 April 2018.

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

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT two permits for on-street parking for Mary's House Women's Refuge be renewed for 12 months from 1 April 2018.

23. **CLS03: Council-owned Residential Properties – Values, Outgoings and Income**

Report of Martin Ellis, Director, Community and Library Services

In response to Notice of Motion No. 46/17 - 25/10/17 information is provided on Council-owned residential properties: values, outgoings and income. They are acquired and managed for two distinct purposes:

- (A) Commercial purposes - residential tenancies.
- (B & C) Community safety (inclusiveness, combating homelessness and addressing housing affordability, through community housing).

The basis for Council decision making on issues relating to the first purpose is its *Revenue Policy*; for the second purpose, its *Affordable Housing Strategy 2015, updated 2017*.

(A) For commercial residential premises, totalling 13 tenancies and 12 addresses, the total *market value subject to lease* is \$15.733 million

Outgoings for 2017 was \$80,517; for 2016: \$30,828.

Net income to Council for 2017 was \$249,910; for 2016: \$243,169.

(B) For community housing managed by Link Housing totalling 59 tenancies and 14 addresses, the total *market value subject to lease* of the residential tenancies is \$25.986 million,

Outgoings for 2017 \$385,700; for 2016 \$295,235.

Net income to Council for 2017 was \$86,000; for 2016 \$129,670.

(C) For community housing managed by NSW Department of Family and Community Services (FACS) totalling 72 tenancies and 9 addresses, the total *market value subject to lease* of the residential tenancies is \$17.505 million,

Outgoings for 2016 & 2017 are unknown.

Net income to Council for 2016 & 17 was Nil.

Recommending:

1. THAT Council note the existing reserve (surplus to operations) formerly held by Link Housing on Council's behalf is being brought onto Council's books.

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

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT Council note the existing reserve (surplus to operations) formerly held by Link Housing on Council's behalf is being brought onto Council's books.

24. CLS04: Community Housing – Council-owned/FACS-Managed Transfers

(This matter was considered en globo – see page 20)

Report of Martin Ellis, Director, Community and Library Services

The purpose of this report is to advise Council that management of NSW Land and Housing Corporation (LAHC)'s community housing properties in North Sydney has been transferred from The Department of Family and Community Services (FACS) to St George Community Housing Ltd, for a period of 20 years, commencing 2019.

The management of eight properties wholly-owned by Council, which have been leased to the Department until 2040 for social housing in most cases, and accommodating dozens of vulnerable North Sydney residents, has not yet been included in the transfers. FACS however has advised Council that it seeks to transfer these as well, to a community housing provider, by 2019. This report recommends the basis on which Council can agree to this transfer, without departing from its policies on Affordable Housing.

The recommended terms for Council agreeing to the transfer are:

- surplus income from the properties must not be diverted outside North Sydney but continue to be applied to support the local portfolio.
- The option for the properties to be developed where the outcome provides additional social housing beds should remain in place.

There are, in addition, seven properties jointly owned by Council and LAHC where the leases have expired, but which also house vulnerable North Sydney residents. These are managed by Link Housing and are already subject to Council's Affordable Housing policies. FACS has asked to discuss with Council their future as well.

Recommending:

1. THAT Council reaffirms that its current Affordable Housing policies should apply to any management-transfer of its community housing, in particular that surplus from the properties continue to be retained for Council's own properties, and the option for the properties to be developed where the outcome provides additional social housing beds should remain in place.

2. THAT Council writes to the NSW Department of Family and Community Services (FACS), noting their intention to complete community housing property management-transfers in North Sydney by 2019, for a 20-year period, and agrees to meet to discuss the transfer of Council owned properties.

3. THAT Council additionally advise FACS that the properties Council jointly owns with the NSW Land and Housing Corporation should continue to be subject to Council's Affordable Housing policies.

RESOLVED:

1. THAT Council reaffirms that its current Affordable Housing policies should apply to any management-transfer of its community housing, in particular that surplus from the properties continue to be retained for Council's own properties, and the option for the properties to be developed where the outcome provides additional social housing beds should remain in place.

2. THAT Council writes to the NSW Department of Family and Community Services (FACS), noting their intention to complete community housing property management-transfers in North Sydney by 2019, for a 20-year period, and agrees to meet to discuss the transfer of Council owned properties.

3. THAT Council additionally advise FACS that the properties Council jointly owns with the NSW Land and Housing Corporation should continue to be subject to Council's Affordable Housing policies.

25. CLS05: Primrose Park Art and Craft Centre Alterations and Additions - DA 456/16

(This matter was considered en globo – see page 20)

Report of Martin Ellis, Director, Community and Library Services

A major objective of Council's *Disability Discrimination Action Plan* is to make the Primrose Park Art and Craft Centre accessible and fire compliant. Consent for a design to achieve this and to restore the heritage fabric of the building was received on 6 April 2017 and the Construction Certificate issued on 26 November 2017, following detailed design by Figgis and Jefferson Architects.

The project was scheduled for completion in 2016/17 but has been delayed owing to a greater than expected second cost estimate (needing to be reported to Council; the first cost estimate being based on a sketch design) and issues regarding aspects of the design that Council had asked be clarified.

A Councillor Briefing was held on 4 December 2017 and a site meeting for interested Councillors was held 12 December 2017, with a follow up meeting on 6 February 2018. The project can now proceed, with adequate contingency and project management provisions

Funding for this project will be achieved by reducing funds allocated in 2017/18 to Public Amenities Strategy Implementation, Nutcote Museum Building Refurbishment and Traffic Facilities.

Recommending:

1. THAT the Primrose Park Art and Craft Centre DA 456/16 proceed to Public Tender.

RESOLVED:

1. THAT the Primrose Park Art and Craft Centre DA 456/16 proceed to Public Tender.

26. CLS06: Coal Loader Artist Studio - Selection of Artist for 2018

(This matter was considered en globo – see page 20)

Report of Alison Clark, Team Leader Arts & Culture

Expressions of interest for the 2018 Artist in Residence at the Coal Loader Studio have been processed and a recommendations made.

In 2017 artist Sandra Winkworth was active at the Coal Loader, holding monthly open days and artist talks. Several free community art workshops were very popular with the community, catering for both children and adults. Sandra is also an exhibiting artist in 'The Red Project: Celebrating Creative Women in North Sydney' with an installation located in tunnel 1 and one of the chambers at the Coal Loader from 3-18 March 2018. Overall, the year was very productive and a positive experience for all involved.

Recommending:

1. THAT Council support the selection of Applicant 1 for the Coal Loader Artist Studio Program from 3 April 2018 – 20 February 2019.

RESOLVED:

1. THAT Council support the selection of Applicant 1 for the Coal Loader Artist Studio Program from 3 April 2018 – 20 February 2019.

27. **CLS07: Don Bank Museum Writer in Residence – Selection of Writer for 2018**

(This matter was considered en globo – see page 20)

Report of Amanda Hudson, Community Development Librarian

Expressions of interest for the 2018 Writer in Residence at Don Bank Museum have been processed and recommendations are made.

Yvette Poshoglian, published children's writer, has made the Don Bank residency a success over 2017 despite disruptions from heritage work on the Museum and garden. Yvette worked locally with Stanton Library and schools as well as with broader programs, Children's Book Week and the Premier's Reading Challenge. Yvette worked on several titles during her time at Don Bank and continues to publish to acclaim.

Recommending:

1. **THAT** Council supports the selection of Applicant 2 for the Don Bank Program commencing 2 April – 30 November 2018.

RESOLVED:

1. **THAT** Council supports the selection of Applicant 2 for the Don Bank Program commencing 2 April – 30 November 2018.

28. **CLS08: Stanton Library Musical Instruments Collection Proposal**

Report of Martin Ellis, Director, Community and Library Services

Responding to a Notice of Motion, Council's partners in the Shorelink Library Network (Lane Cove and Mosman Councils) have been asked if they would establish a musical instruments-for loan collection with North Sydney Library. They have declined.

An evaluation has been made of Stanton Library establishing a musical instruments lending library by itself. A number of North American Libraries, which have shown they can be successful, were funded via philanthropy and are very recently established. Their success is difficult to judge at this stage. They require recurrent expenditure on maintenance and cleaning, as well as storage, not currently available in Stanton Library. The public interest however in special library collections in general is to be canvassed in upcoming library consultations.

Recommending:

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

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

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

2. **THAT** the matter be referred to a Councillor Workshop/Briefing, including other issues regarding the Shorelink operation.

3. **THAT** the General Manager pursue, in accordance with the Memorandum of Understanding between Council and the Australian Catholic University, the possibility of working together to establish a musical instrument library.

The Motion was put and carried.

Voting was as follows:

For/Against 9/1

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning		N
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. **THAT** the report be received.
2. **THAT** the matter be referred to a Councillor Workshop/Briefing, including other issues regarding the Shorelink operation.
3. **THAT** the General Manager pursue, in accordance with the Memorandum of Understanding between Council and the Australian Catholic University, the possibility of working together to establish a musical instrument library.

It was moved by Councillor Beregi, seconded by Councillor Keen and resolved that Items CoS01, CoS03 and CoS05 be considered en globo.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

Corporate Services Division

29. CoS01: Quarterly Budget Review - December 2017

(This matter was considered en globo – see page 26)

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 December 2017 and to seek approval to make the necessary adjustments to the 2017/18 budget to reflect the current projected estimates of income and expenditure for the year.

The net effect of the adjustments to the 2017/18 revised budget outlined in this report was the budget remaining in a balanced position at the end of the December quarter with net transfers from reserves and available working capital of \$29.3 million.

Recommending:

1. **THAT** the Quarterly Budget Review Statement – December 2017 report be received.
2. **THAT** the recommended adjustments to the 2017/18 budget be adopted.

RESOLVED:

1. **THAT** the Quarterly Budget Review Statement – December 2017 report be received.
2. **THAT** the recommended adjustments to the 2017/18 budget be adopted.

30. **CoS02: Investments and Loan Borrowings Held as at 31 December 2017**

Report of Garry Ross, Manager Financial Services

This report provides details of the performance of Council's investment portfolio and borrowing limits for the period ending 31 December 2017.

Investment Portfolio:

The portfolio provided an annualised return of 3.31% for the year to date as at 31 December 2017, 1.61% 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.

Recommending:

1. THAT the report be received.

A Motion was moved by Councillor Carr and seconded by Councillor Baker,

1. THAT the report be received.

2. THAT Council seek to engage with the current Bank Debt Provider to request an additional three-year term of the facility effective 1 April 2018 with the results to be provided to the Councillor Workshop – Finance.

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT the report be received.

2. THAT Council seek to engage with the current Bank Debt Provider to request an additional three-year term of the facility effective 1 April 2018 with the results to be provided to the Councillor Workshop – Finance.

31. **CoS03: Vivid Festival**

(This matter was considered en globo – see page 26)

Report of Sandra Moore, Manager Communications & Events

At its meeting of 26 June 2017, Council resolved that Council officers prepare a report exploring options for holding a Vivid event in North Sydney, outlining estimated costs and ways for funding. Vivid Light Festival is based on pedestrian movement through a precinct, rather than gathering in one place and is ideally suited to areas with large pedestrian thoroughfares located near large commercial areas with an existing night-time economy.

North Sydney Council does not currently have an area that meets both those requirements. Two potential options could have been the North Sydney CBD, which is currently disrupted with major developments and would require road closures, and Bradfield Park, which is visually connected with the city Vivid precincts but has no large commercial area to support the activation.

The estimated cost of running a stand-alone Vivid activation would be between \$1.5m and \$2m. Council would need to increase staff resources and contract an external sponsorship broker if it were to host a sponsored Vivid activation in 2019.

If Council wished to proceed with a Vivid activation precinct, funding would need to be allocated in the 18/19 budget.

Recommending:

1. **THAT** Council not proceed with participating in Vivid at this point in time.

RESOLVED:

1. **THAT** Council not proceed with participating in Vivid at this point in time.

32. CoS04: Model Code of Meeting Practice - Office of Local Government Consultation Draft

Report of Ian Curry, Manager Governance and Committee Services

Amendments made to the Local Government Act 1993 (the Act) in August last year by the Local Government Amendment (Governance and Planning) Act 2016 provide for a model code of meeting practice (Model Meeting Code) to be prescribed by regulation. The Office of Local Government (OLG), in consultation with councils, has prepared a consultation draft of the proposed Model Meeting Code. Once this is finalised, it will replace the meeting rules currently prescribed in the Local Government (General) Regulation 2005 (the Regulation).

Once the Model Meeting Code is finalised, councils will be given a period of 6 months in which to adopt a code of meeting practice based on the Model Meeting Code.

A copy of the draft Model Code is attached and this report recommends amendments to Council's own Code of Meeting Principles and Practices.

Recommending:

1. **THAT** Council determine if it wishes to make a submission regarding the Office of Local Government Model Code of Meeting Practice Consultation Draft, as detailed in this report.

A Motion was moved by Councillor Beregi and seconded by Councillor Keen,

1. **THAT** Council receives the report.
2. **THAT** Council not make a submission to the Office of Local Government on the Model Code of Meeting Practice Consultation Draft.

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

- 1. THAT** Council receives the report.
- 2. THAT** Council not make a submission to the Office of Local Government on the Model Code of Meeting Practice Consultation Draft.

33. CoS05: Governance Committee - 12 February 2018

(This matter was considered en globo – see page 26)

Report of Ian Curry, Manager Governance and Committee Services

This report presents the recommendations of the last meeting of the Governance Committee held on 12 February 2018, for Council adoption. The minutes are attached for information.

Recommending:

- 1. THAT** Council nominate two councillors to attend the 2018 National General Assembly of Local Government (NGALG).
- 2. THAT** any proposed Motions to NGALG be submitted to the Council meeting on 26 March 2018 for approval.
- 3. THAT** a further report be prepared on the Resolutions made by the National General Assembly involving any Motions submitted by Council.
- 4. THAT** Council note the Proposed Office of Local Government Councillor Induction and Professional Development Guidelines.
- 5. THAT** a further report be submitted to Council on options for managing New Year's Eve sites in North Sydney.

RESOLVED:

- 1. THAT** Council nominate two councillors to attend the 2018 National General Assembly of Local Government (NGALG).
- 2. THAT** any proposed Motions to NGALG be submitted to the Council meeting on 26 March 2018 for approval.
- 3. THAT** a further report be prepared on the Resolutions made by the National General Assembly involving any Motions submitted by Council.
- 4. THAT** Council note the Proposed Office of Local Government Councillor Induction and Professional Development Guidelines.
- 5. THAT** a further report be submitted to Council on options for managing New Year's Eve sites in North Sydney.

It was moved by Councillor Beregi, seconded by Councillor Barbour and resolved that Items EPS01, EPS02, EPS05 and EPS06 be considered en globo.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

Engineering & Property Services Division

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

(This matter was considered en globo – see page 30)

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 1 February 2018.

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

Recommending:

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

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

35. EPS02: 261-263 Pacific Highway, North Sydney - Proposed Sale of Council Owned Property

(This matter was considered en globo – see page 30)

Report of Risha Joseph, Property Officer

The purpose of this report is to seek Council's determination on the offer received for the proposed sale of 261 Pacific Highway, North Sydney.

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.

The net surplus from the sale of this property will be transferred to the income producing projects reserve in order to be used to acquire a property asset that has been identified in Council's Strategic Property Review Acquisition and Disposal Plan. Council's Financial Management Policy states that "4.3.14 All funds generated from

the sale of assets will be directed to assets that offer improved community benefits or are income-producing. Revenue from asset sales will not be directly used to offset recurrent operating expenditure.”

Recommending:

- 1. THAT** Council determines its position on the offer received for the sale of 261-263 Pacific Highway, North Sydney.
- 2. THAT** should Council resolve to proceed, delegated authority be granted to the General Manager to enter into a Contract of Sale for 261 Pacific Highway, North Sydney and to finalise its terms and conditions.
- 3. THAT** The net surplus from the sale of this property will be transferred to the income producing projects reserve in order to be used to acquire a property asset that has been identified in Council’s Strategic Property Review Acquisition and Disposal Plan.
- 4. THAT** Council hereby authorises its Official Seal to be affixed to all the Sale and Transfer documents associated with 261-263 Pacific Highway, North Sydney under the signature of the Mayor and the General Manager.

RESOLVED:

- 1. THAT** Council resolve to proceed and delegated authority be granted to the General Manager to enter into a Contract of Sale for 261 Pacific Highway, North Sydney and to finalise its terms and conditions.
- 2. THAT** The net surplus from the sale of this property will be transferred to the income producing projects reserve in order to be used to acquire a property asset that has been identified in Council’s Strategic Property Review Acquisition and Disposal Plan.
- 3. THAT** Council hereby authorises its Official Seal to be affixed to all the Sale and Transfer documents associated with 261-263 Pacific Highway, North Sydney under the signature of the Mayor and the General Manager.

36. EPS03: Council Submission to RMS on Sydney Harbour Bridge North Cycle Ramp Proposal

(Previously considered – see Minute No. 11)

37. EPS04: Installation of Traffic Control Signals – Merlin and Ernest Streets, Neutral Bay – Contract 17/2018

Report of Robert Esdaile, Engineering Project Manager

Tenders were called and were received until 4pm, 12 December 2017 for the submission of tenders to install Traffic Control Signals at the intersection of Merlin and Ernest Streets, Neutral Bay.

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 is 100% funded by the Roads & Maritime Services (RMS) under the Walking Communities and Priority Cycleways Programs. These Grants must be expended in the 2017/18 financial year.

Funding for the project is appropriate.

Recommending:

- 1. THAT** Council accept the tender of the highest ranked Tenderer for Tender 17/2018 - Installation of Traffic Control Signals – Merlin and Ernest Streets, Neutral Bay.
- 2. THAT** Council hereby authorises its Official Seal to be affixed to Contract 17/2018 under the signature of the Mayor and the Acting 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 Brodie and seconded by Councillor Keen.

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

- 1. THAT** Council accept the tender of Civx Pty Ltd for Tender 17/2018 - Installation of Traffic Control Signals – Merlin and Ernest Streets, Neutral Bay.
- 2. THAT** Council hereby authorises its Official Seal to be affixed to Contract 17/2018 under the signature of the Mayor and the Acting 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*.

38. EPS05: Replacement of Chiller at Stanton Library - Tender 16/2018

(This matter was considered en globo – see page 30)

Report of Albert Lo, Property Asset Manager

Tenders were called and were received until 4.00 pm on 22 November 2017 for the submission of tenders to replace the existing Chiller at Stanton Library.

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

Current Budget: Non-Recurrent expenditure and is funded from Council's Property Maintenance Program 2017/18 and 2018/19.

Note: Part of the funding is from 2018/19 Draft Budget as the Chiller is coming from overseas and the installation will not occur until July / August in the next financial year 2018/19.

Funding for the project is appropriate.

Recommending:

- 1. THAT** Council accepts the tender of the highest ranked tenderer for Tender No. 16/2018 for Replacement of Chiller at Stanton Library.
- 2. THAT** Council hereby authorises its Official Seal to be affixed to Contract 16/2018 under the 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 accepts the tender of Beaver Air Conditioning Service Pty Ltd for Tender No. 16/2018 for Replacement of Chiller at Stanton Library.
2. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 16/2018 under the 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*.

39. **EPS06: Submission of Tenders for North Sydney CBD Public Domain Upgrade – Contract 21/2018**

(This matter was considered en globo – see page 30)

Report of Ashraf Doureih, Engineering Project Manager

Tenders were called and were received until 4pm 16 January 2018 for the submission of public domain upgrade works in the CBD

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 (Separable Portion A) was included in the adopted 2017/18 budget.

Funding for the project is appropriate.

Recommending:

1. **THAT** Council accept the tender of the highest ranked Tenderer for Tender 21/2018 - North Sydney CBD Public Domain Upgrade for Separable Portion A.
2. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 21/2018 under the 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 EzyPave Pty Ltd for Tender 21/2018 - North Sydney CBD Public Domain Upgrade for Separable Portion A.
2. **THAT** Council hereby authorises its Official Seal to be affixed to Contract 21/2018 under the 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*.

40. **EPS07: Traffic Committee - Minutes - 9 February 2018**

Report of Michaela Kemp, Manager Traffic and Transport Operations

This report presents the recommendations of the last meeting of the Traffic Committee held on 9 February 2018 for Council adoption. The Minutes are attached for information.

The full reports to Traffic Committee can be accessed at https://www.northsydney.nsw.gov.au/Council_Meetings/Meetings/Committees/Traffic_Committee/9_February_2018

Recommending:

- 1. THAT** the matter of Minor Traffic Investigations – Pacific Highway, North Sydney be deferred pending investigation by RMS of other options along Pacific Highway for possible bus layover areas. (4.3 (2a)).
- 2. THAT** the matter of 31-33 Albany Street, Crows Nest - Amended Construction Traffic Management Plan – Truck and Dog Trailers (Demolition Stage 3 only) be deferred pending consideration by Council staff of the information provided by the applicant at this meeting, and consideration of alternative truck routes due to the existing No Right Turn from Albany Street into Willoughby Road. (6.1)
- 3. THAT** Council staff investigate the parking patterns in Anzac Avenue and recommend appropriate restrictions to assist traffic flow.
- 4. THAT** the Manager Ranger and Parking Services forward school road safety information to Anzac Park School at the start of each term. (7.1)
- 5. THAT** the information regarding Delegated Authority items be received. (4.1)
- 6. THAT** the recommendations made for changes in the parking restrictions be adopted. (4.2)
- 7. THAT** the recommendations made for minor traffic investigations be adopted. (4.3)
- 8. THAT** Council adopt the attached parking restriction recommendations for North Sydney Parking Areas Area 9 and 10. (4.4)
- 9. THAT** Council notify the residents before installing the parking restriction changes in North Sydney Parking Areas Area 9 and 10. (4.4)
- 10. THAT** Council's Traffic Engineers investigate the traffic and parking concerns in Edward Street south of Mount Street during school drop-off and pick-up periods and report back to the Traffic Committee. (4.4)
- 11. THAT** Council adopt the attached parking restriction recommendations for Crows Nest Parking Area 19. (4.5)
- 12. THAT** Council notify the residents before installing the parking restriction changes in Crows Nest Parking Area 19. (4.5)
- 13. THAT** the information concerning the Abandoned Vehicles Processed Report be received. (5.1)
- 14. THAT** Council make representations to the State Government with a copy to the local Members of Parliament, seeking to include all trailers in the Impounding Act 1993 (Impounding Amendment (Unattended Boat Trailers) Act 2015 and requesting that the legislation include penalties for not moving any trailers within the prescribed period, particularly in high density areas. (5.1)

Councillor Barbour left the meeting at 9.42pm and returned at 9.43pm.

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

- 1. THAT** the matter of Minor Traffic Investigations – Pacific Highway, North Sydney be deferred pending investigation by RMS of other options along Pacific Highway for possible bus layover areas. (4.3 (2a)).
- 2. THAT** the matter of 31-33 Albany Street, Crows Nest - Amended Construction Traffic Management Plan – Truck and Dog Trailers (Demolition Stage 3 only) be deferred pending consideration by Council staff of the information provided by the applicant at this meeting, and consideration of alternative truck routes due to the existing No Right Turn from Albany Street into Willoughby Road. (6.1)
- 3. THAT** Council staff investigate the parking patterns in Anzac Avenue and recommend appropriate restrictions to assist traffic flow.
- 4. THAT** the Manager Ranger and Parking Services forward school road safety information to *all schools* at the start of each term. (7.1)
- 5. THAT** the information regarding Delegated Authority items be received. (4.1)

6. **THAT** the recommendations made for changes in the parking restrictions be adopted. (4.2)
7. **THAT** the recommendations made for minor traffic investigations be adopted. (4.3)
8. **THAT** Council adopt the attached parking restriction recommendations for North Sydney Parking Areas Area 9 and 10. (4.4)
9. **THAT** Council notify the residents before installing the parking restriction changes in North Sydney Parking Areas Area 9 and 10. (4.4)
10. **THAT** Council's Traffic Engineers investigate the traffic and parking concerns in Edward Street south of Mount Street during school drop-off and pick-up periods and report back to the Traffic Committee. (4.4)
11. **THAT** Council adopt the attached parking restriction recommendations for Crows Nest Parking Area 19. (4.5)
12. **THAT** Council notify the residents before installing the parking restriction changes in Crows Nest Parking Area 19. (4.5)
13. **THAT** the information concerning the Abandoned Vehicles Processed Report be received. (5.1)
14. **THAT** Council make representations to the State Government with a copy to the local Members of Parliament, seeking to include all trailers in the Impounding Act 1993 (Impounding Amendment (Unattended Boat Trailers) Act 2015 and requesting that the legislation include penalties for not moving any trailers within the prescribed period, particularly in high density areas. (5.1)

The Motion was put and carried.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning	Y	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. **THAT** the matter of Minor Traffic Investigations – Pacific Highway, North Sydney be deferred pending investigation by RMS of other options along Pacific Highway for possible bus layover areas. (4.3 (2a)).
2. **THAT** the matter of 31-33 Albany Street, Crows Nest - Amended Construction Traffic Management Plan – Truck and Dog Trailers (Demolition Stage 3 only) be deferred pending consideration by Council staff of the information provided by the applicant at this meeting, and consideration of alternative truck routes due to the existing No Right Turn from Albany Street into Willoughby Road. (6.1)
3. **THAT** Council staff investigate the parking patterns in Anzac Avenue and recommend appropriate restrictions to assist traffic flow.
4. **THAT** the Manager Ranger and Parking Services forward school road safety information to *all schools* at the start of each term. (7.1)
5. **THAT** the information regarding Delegated Authority items be received. (4.1)
6. **THAT** the recommendations made for changes in the parking restrictions be adopted. (4.2)
7. **THAT** the recommendations made for minor traffic investigations be adopted. (4.3)
8. **THAT** Council adopt the attached parking restriction recommendations for North Sydney Parking Areas Area 9 and 10. (4.4)
9. **THAT** Council notify the residents before installing the parking restriction changes in North Sydney Parking Areas Area 9 and 10. (4.4)

10. THAT Council's Traffic Engineers investigate the traffic and parking concerns in Edward Street south of Mount Street during school drop-off and pick-up periods and report back to the Traffic Committee. (4.4)

11. THAT Council adopt the attached parking restriction recommendations for Crows Nest Parking Area 19. (4.5)

12. THAT Council notify the residents before installing the parking restriction changes in Crows Nest Parking Area 19. (4.5)

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

14. THAT Council make representations to the State Government with a copy to the local Members of Parliament, seeking to include all trailers in the Impounding Act 1993 (Impounding Amendment (Unattended Boat Trailers) Act 2015 and requesting that the legislation include penalties for not moving any trailers within the prescribed period, particularly in high density areas. (5.1)

Open Space & Environmental Services Division

41. OSE01: Access to HMAS Platypus (Kiara Close Improvement Contribution and Kesterton Park Access and Minor Park Improvements)

Report of Rob Emerson, Director Open Space and Environmental Services

The ex HMAS Platypus site is managed by the Harbour Trust who are preparing to have the site opened to the public in May 2018. A key feature of the site is the access the new pedestrian bridge provides that connects the Platypus site to Kesterton Park providing a valuable extension of the foreshore access for the community and visitors to the area.

Improved access is also required for both vehicles and pedestrians (shared access) to the northern end of the HMAS Platypus site along Kiara Close.

With the opening planned for May 2018 it is recommended that Council bring our planning forward to construct a pathway and some minor landscape improvement works within the Council's Kesterton Park that will link the Ferry Wharf and High Street to the bridge leading to the new public foreshore site.

It is also recommended that Council make a financial contribution to enable the Harbour Trust to provide shared access along Kiara Close.

Funding can be re-allocated from the Lavender Bay Parklands project to enable the Kesterton Park project to be completed this financial year. The contribution to Kiara Close will be sourced from the Transport Planning and Traffic Facilities budget.

Funding for the project is appropriate.

Recommending:

1. THAT Council undertake the required community consultation for the proposed access and minor park improvements in Kesterton Park.

2. THAT Council allocate the funding required to complete the Kesterton Park works in the current financial year from expected savings from the Lavender Bay Parklands project and proceed with the work if there are no substantive community objections to the proposal.

3. THAT Council contribute \$110,000 to the Harbour Trust to enable them to improve public access along Kiara Close.

4. THAT the funding in point 3. above is subject to Council's approval of the final plans following consultation between the Harbour Trust, neighbouring properties and the community.

Councillor Gunning retired from the meeting at 9.49pm.

Councillor Keen retired from the meeting at 9.49pm.

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

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen		Absent	Gunning		Absent
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

- 1. THAT** Council undertake the required community consultation for the proposed access and minor park improvements in Kesterton Park.
- 2. THAT** Council allocate the funding required to complete the Kesterton Park works in the current financial year from expected savings from the Lavender Bay Parklands project and proceed with the work if there are no substantive community objections to the proposal.
- 3. THAT** Council contribute \$110,000 to the Harbour Trust to enable them to improve public access along Kiara Close.
- 4. THAT** the funding in point 3. above is subject to Council's approval of the final plans following consultation between the Harbour Trust, neighbouring properties and the community.

42. OSE02: Proposed Community Garden at Anzac Park, Cammeray

Report of Eric Sturman, Streets Alive Co-ordinator

At its meeting on 24 July 2017, Council resolved:

THAT Council refer a request to the A/General Manager to facilitate the establishment of a community garden in Anzac Park under Council's Community Gardens Policy."

A consultation letter was drafted and delivered to 685 households in the surrounding streets and a survey was posted on Council's website. The response to the community consultation was overwhelmingly positive. The body of the report details the cost and design of the Anzac Park Community Garden.

The funding of this project will need to be sourced from the 2018/19 capital works budget.

A bid has been submitted for funding to be allocated to this project in the 2018/19 budget.

Recommending:

- 1. THAT** Council consider allocating \$140,000 to the Street Alive Program to allow for the establishment of the Anzac Park Community Garden during the 2018/19 budget deliberations.

A Motion was moved by Councillor Carr and seconded by Councillor Mutton,

1. THAT Council allocate \$140,000 to the Street Alive Program to allow for the establishment of the Anzac Park Community Garden during the 2018/19 budget deliberations.

The Motion was put and carried.

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Absent		Gunning	Absent	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT Council allocate \$140,000 to the Street Alive Program to allow for the establishment of the Anzac Park Community Garden during the 2018/19 budget deliberations.

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

- 43. NoM01: Notice of Motion No. 1/18 by Cr Mutton – 4/12/17**
Re: HMAS Platypus “Site”

(Previously considered – see Minute No. 12)

The Meeting concluded at 9.52 pm.

CHAIRPERSON

GENERAL MANAGER