



Council Chambers  
21 July 2022

The **3761st MEETING** of **COUNCIL** will be held at the Council Chambers, North Sydney at **7.30pm** on Monday 25 July 2022. The agenda is as follows.

**ROB EMERSON**  
**A/GENERAL MANAGER**

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- 1. Opening Meeting**
  - 2. Acknowledgement of Country**
  - 3. Apologies**
  - 4. Confirmation of Minutes**
  - 5. Disclosures of Interests**

*(Note: Agenda Items will be considered By Exception)*

**6. Mayoral Minutes**

MM01: Accounting Treatment Of Rural Fire Service ('Red Fleet') Assets

**7. Reports of Committees**

7.1 Audit Risk and Improvement Committee Minutes - 24 June 2022

**8. Reports to Council**

8.1 Matters Outstanding July 2022

8.2 Precinct System Review – Recommendations

8.3 New Applications for Reference Group Membership

8.4 Investment and Loan Borrowings Report held as at 30 June 2022

- 8.5 Heritage Listing - 115, 117, 119, 121, 123, 125, 131 and 133 Holt Avenue, Cremorne
- 8.6 Draft DCP Amendment - Car Parking Rates
- 8.7 Local Area Traffic Management Action Plans Progress Report 2020-22 (2 Years)
- 8.8 Road Safety Action Plan 2022-23 and Crash Report
- 8.9 Streets as Shared Spaces Grant Funding - Round 2 - East Crescent Street Park
- 8.10 Administration of Special Rates Levied for Crows Nest and Neutral Bay Business Areas and Capital Works Delivery Program Update
- 8.11 North Sydney Council Disability Inclusion Action Plan 2022-2026
- 8.12 North Sydney Seniors Festival 2022
- 8.13 Library Strategy Community Survey 2021-22
- 8.14 North Sydney Olympic Pool Redevelopment Monthly Progress Report

## **9. Notices of Motion/Questions with Notice**

- 9.1 Notice of Motion 41/22 - Free 30-minute parking in Parraween Street - Cr Beregi
- 9.2 Notice of Motion 42/22 - North Sydney's Recreational needs - Cr Welch
- 9.3 Notice of Motion 43/22 - Code of Meeting Practice - Cr Beregi

## **10. Matters of Urgency**

Nil

## **11. Confidential Matters**

Nil

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**TO:** The Mayor, Zoë Baker and Councillors Beregi, Bourke, Drummond, Gibson, Lamb, Mutton, Santer, Spenceley, and Welch.

**SUBJECT: 3761st MEETING OF COUNCIL TO BE HELD ON MONDAY 25 JULY 2022**

**1. OPENING MEETING**

**2. ACKNOWLEDGEMENT OF COUNTRY**

**3. APOLOGIES AND APPLICATIONS FOR LEAVES OF ABSENCE BY COUNCILLORS**

**4. CONFIRMATION OF MINUTES**

**THAT THE MINUTES** of the previous 3760<sup>th</sup> Council Meeting held on Monday, 27 June 2022 be taken as read and confirmed.

**5. DISCLOSURES OF INTEREST**

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## 6. MINUTES OF THE MAYOR

### 6.1 MM01: Accounting Treatment Of Rural Fire Service ('Red Fleet') Assets

On 7 July 2022, the peak body, Local Government NSW ("LGNSW") wrote to mayors across the State expressing the sector's strong objection to the determination that Rural Fire Service ("RFS") assets are the property of councils for accounting purposes.

LGNSW has requested that metropolitan councils join with our rural and regional colleagues to call on the State Government to acknowledge rural firefighting equipment is vested in, under the control of, and the property of the RFS and

A long-standing dispute over the accounting treatment of the RFS "Red Fleet" has come to a head with the Auditor-General's 2021 Report on Local Government on 22 June 2022. The Audit Report reemphasises the State Government determination that RFS assets are the "property" of councils and must be recorded in Council's financial statements with Council required to therefore absorb all depreciation costs.

The *Audit Office Local Government Report* has reinforced the notion that RFS mobile and other fire-fighting assets can somehow be deemed to be council assets and applies more pressure on councils and the Office of Local Government (OLG) to conform with this determination, even though councils do not have effective management or control of these assets.

Councils across the State and Local Government NSW (LGNSW) refute this determination. Councils do not have any say in the acquisition, deployment, or disposal of these assets. Comparable assets held by Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES) are not vested anywhere other than with the organisations that purchase, use, maintain and dispose of them.

Councils and LGNSW have also raised concerns that the requirement breaches Australian Accounting Standards. The State Government's own *Local Government Accounting Code of Accounting Practice and Financial Reporting* provides for councils to determine whether to record RFS assets on their books as council assets. This position has been confirmed by the Secretary of the Department of Planning and Environment in his letter to the Auditor-General dated 7 June 2022, presented in Appendix 1 on page 47 of the 2021 Local Government Audit Report.

Council notes advice from LGNSW that many councils are refusing to comply with the Auditor General's instructions. Councils remained firm in 2021, resisting pressure to record RFS assets with the majority (68), choosing not to record the RFS mobile assets in accordance with the *Local Government*

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*Accounting Code.* This was the same number of councils as in 2020. LGNSW is encouraging councils to continue resisting pressure from the Audit Office and make their own determinations notwithstanding overtures that ongoing non-compliance with the Auditor General's instructions may result in future qualified financial reports.

The latest Audit Report has made further impositions on councils by:

- recommending councils undertake a stocktake of RFS assets and records the value in financial statements;
- warning that if councils do not recognise the assets, they will be found to be non-compliant and will have a high risk finding reported; and
- calling on the NSW Department of Planning and Environment (OLG) to intervene where councils do not recognise rural firefighting equipment.

The Government's blanket determination is not only nonsensical, but also inconsistent with the treatment of the comparable assets of other emergency service agencies such as Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES). There is no rational reason for maintaining this anomaly.

LGNSW has been advocating this position on councils' behalf and has written to the NSW Treasurer the Hon. Matt Kean MP, Minister for Emergency Services, the Hon. Steph Cooke MP, Minister for Local Government the Hon. Wendy Tuckerman MP and the Auditor-General, Ms Margaret Crawford to express the local government sector's strong objection to the NSW Government's determination, applied by the Auditor-General, that RFS assets are the property of councils for accounting purposes and amend the *Rural Fires Act 1997*.

LGNSW has advised it will continue its advocacy efforts on councils' behalf and is asking all affected councils in NSW to consider adopting a resolution advising the Audit Office that Council will not carry out the RFS stocktakes on behalf of the NSW Government and will not record RFS assets on Council's financial statements.

**I therefore recommend:**

**THAT:**

1. Council writes to the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP, the Minister for Local Government Wendy Tuckerman MP and Felicity Wilson MP and Tim James MP:
    - a. Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
    - b. Amending s119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils.
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2. Council writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
  - a. Advising Members of (North Sydney Council's) position, including providing copies of correspondence to NSW Government Ministers; and
  - b. Seeking Members' commitments to support NSW Councils' call to amend the *Rural Fires Act 1997* as set out in correspondence.
3. North Sydney Council writes to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not carry out RFS stocktakes on behalf of the NSW Government and will not record RFS assets in (North Sydney Council's) financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.
4. Council promotes these messages via its digital and social media channels and via its networks.
5. Re-affirms its complete support of and commitment to local RFS brigades noting that North Sydney Council's action is entirely directed towards the NSW Government's position that, rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
6. That North Sydney Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on behalf of the sector to obtain clarification finally from the State Government about the accounting treatment of RFS assets.

**COUNCILLOR ZOË BAKER**  
**MAYOR**

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## 7. REPORTS OF COMMITTEES

### 7.1. Audit Risk and Improvement Committee Minutes - 24 June 2022

Report of Ian Curry, Manager Council and Committee Services

Council is required to consider the Minutes of this Committee under the Code of Meeting Practice.

This report presents the recommendations of the last meeting of the Audit, Risk and Improvement Committee held on 24 June 2022 for Council adoption. The minutes are attached for information.

**Recommending:**

**1.THAT** the Minutes of the 24 June 2022 Audit, Risk and Improvement Committee meeting be noted.

**2. THAT** the attached revised Fraud and Corruption Control Policy be adopted by Council.

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## 8. REPORTS TO COUNCIL

### 8.1. Matters Outstanding July 2022

Report of Ian Curry, Manager Council & Committee Services

To report to Council on the status of Councillor resolutions.

Each month, a report is presented to Council on the status of those resolutions arising from Mayoral Minutes, Notices of Motion and Questions Without Notice.

The attached table has been updated to include resolutions up to the 27 June 2022 Ordinary Meeting of Council.

This report will continue to be provided to Council once a month, to the second meeting of the month, where practicable.

**Recommending:**

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

### 8.2. Precinct System Review - Recommendations

Report of Jenny Gleeson, Manager Corporate Planning & Engagement

The purpose of this report is to refer the matter back to Council as resolved on 23 May 2022, with a revised implementation timetable. It is noted that an operational decision has been made to introduce remote attendance at Precinct meetings.

The North Sydney Community Precinct System is one of several engagement programs currently coordinated by Council. This program, now 50 years old, is under review to ensure it remains fit for purpose for both the Council and the community.

In December 2017, Council resolved to undertake the review. The Review was included as a project in the *Delivery Program 2018/19-2021/22*. Council adopted the Review methodology on 25 November 2019 and adopted the project-specific Engagement Strategy on 24 February 2020. Stages 1 and 2 consultations occurred in 2020/21.

A Councillor Briefing was held on 14 March 2022 where the proposed process for progressing the Review was presented. Council at its meeting of 23 May 2022 resolved:

*THAT this matter be deferred to the July Council Meeting.*

This report presents the preliminary recommendations arising from the Review and again seeks endorsement to undertake a further round of consultation prior to presenting the final recommendations to Council.

Attached are the previous report provided to Council and the attachments to that report.

Two key changes to the recommended actions within Attachment 1A are:

a) Timetable - the originally proposed implementation timing now requires adjustment due to the deferral and clarification of the steps outlined in the report.

b) Remote meetings - It has been determined to implement remote participation in Precinct Committee Meetings. This is in accordance with the management response to Recommendation 7 (Administrative support by



Council) and in response to feedback from Precincts particularly with potential for further concerns regarding COVID.

The proposed next steps are:

- a final round of public consultation (via public exhibition) regarding the proposed boundary realignment options running simultaneous to; and
- consultation with active Precincts to finalise the Implementation Plan, and amendments to the *Precinct System Guidelines*, *Precinct System Policy* and *Code of Conduct - Precinct Office Bearers & Members*; and

Following the next round of consultation, the following reports will be provided to Council:

- Post exhibition report on the feedback received on the revised Precinct area boundaries;
- Report providing the amendment Policy and Code seeking endorsement for public exhibition; and
- Post exhibition report presenting the submissions received, and proposed changes and seeking adoption of the Policy and Code.

In 2022/23, each Precinct Committee is eligible for \$1,500 operational funding; this amount has remained the same since 2013/14. The amount of operational funding available per Committee in 2023/24 will be reviewed, in consultation with Precinct Committees, as part of updating the Guidelines and final determination of the total number of Precinct areas. This, in part, will be informed by the number of Precinct areas to be in operation effective from 2023/24.

In 2022/23, excluding staff salaries, a total of \$40,000 has been allocated to the Precinct System program - the breakdown includes: \$35,000 operational funding, \$3,500 printing and \$1,500 postage and mail.

It is proposed that the \$40,000 non-recurrent funding, that was allocated in 2021/22 to the finalisation of the Review, be carried over to 2022/23 to fund the direct notification mailout promoting the public exhibition of the revised Precinct area boundary options; and any remaining funds be used towards marketing and promotion of the Precinct System.

Further budget requirements resulting from the finalisation of the Review can be considered as part of preparation of the draft 2023/24 Operational Plan & Budget.

**Recommending:**

- 1. THAT** the Precinct System Review - Stage 2 Consultation Outcomes Report be received and noted.
  - 2. THAT** the management responses to the consultant's recommendations be adopted, and the Implementation Plan (including Communications Plan) be finalised in consultation with Precinct Committees prior to a further report to Council seeking adoption of the final Implementation Plan.
  - 3. THAT** a further and final round of consultation occur regarding Precinct area boundaries, as outlined in this report, by way of public exhibition for a minimum of 60 days, prior to a further report to Council seeking adoption of the Precinct area boundaries.
  - 4. THAT** the Precinct System Guidelines, Policy and Code be updated as outlined in this report and in consultation with Precinct Committees, prior to a further report to Council seeking endorsement to place the revised Policy and Code on public exhibition for 42 days prior to final adoption.
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5. **THAT** the consultation with Precinct Committees on facilitating remote meeting participation be noted.

### 8.3. **New Applications for Reference Group Membership**

Report of Peita Rose, Governance Officer

The purpose of this report is to inform Council of two applications received for Reference Group (Environment) citizen membership from Mr Timo Schmechel and Ms Wendy Pryor.

Mr Timo Schmechel has applied to be a member of the Environment Reference Group as he is an active member of the Kurraba Point community garden.

Ms Wendy Pryor has applied to be a member of the Environment Reference Group as she would like to get more involved in community activities.

It is recommended that the applications be accepted.

There are no financial implications arising from this report.

**Recommending:**

**1.THAT** the applications from Mr Timo Schmechel and Ms Wendy Pryor for citizen membership of the Environment Reference Group be accepted.

**2.THAT** Council note that a review of the Reference Group Charters is proposed to be undertaken in 2022-2023.

### 8.4. **Investment and Loan Borrowings Report held as at 30 June 2022**

Report of Christian Menday, Manager Financial Services

The report provides details of the performance of Council's investment portfolio and borrowing limits for the period ending 30 June 2022.

**Investment Portfolio:**

The Investment Portfolio (excluding cash balances) held for the period ending 30 June 2022 had a market value of \$108,892,446. The annualised returns were 1.26%. This return exceeded the Australian Bond Bank Bill performance benchmark by 1.16%.

Cash deposits at call were \$34,793,355 with \$33,053,075 of these held in interest bearing accounts. \$1,740,280 cash is held in Council's non-interest-bearing transaction account with the Commonwealth Bank to meet day-to-day operational needs.

The investment portfolio is managed to ensure liquidity to meet operational requirements and to fund outflows on major projects. Cashflow is monitored and assessed on an on-going basis.

The actual year to date returns for cash and investments to 30 June 2022 were \$1,179,000 compared to a year-to-date budget of \$1,300,000.

The Reserve Bank of Australia (RBA) Board increased the official cash rate by 50 basis points to 0.85% citing the need to control unexpectedly high inflation.

The RBA Governor commented that it was reasonable to expect the official cash rate will reach 2.5% but did not indicate when or how fast this is expected to occur. The RBA Board had also increased the official cash rate by 25 basis points to 0.35% in May.

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Recent increases in the official cash rate are starting to flow through to term deposit rates bringing the prospect of improving returns for new investments in the coming months. The best available returns are actively sought when surplus funds are invested.

**Borrowings:**

**Loan Facility for Council Projects**

Council entered into a fixed interest loan of \$9.5 million with quarterly interest and principal payments on 31 July 2018. The principal outstanding as at 30 June 2022 is \$6,373,192.

The projects funded are outlined in the body of the report.

**North Sydney Olympic Pool Redevelopment**

In January 2022 Council established a \$31 million TCorp loan facility to partially fund the redevelopment of North Sydney Olympic Pool. Drawdown on the facility was processed on 28 April 2022. The drawdown rate is 4.24%. The funds will be restricted and then released as required to fund project cash outflows. Council's total investment portfolio performance for the financial year to date is 1.16% above the benchmark (1.26% against 0.10%). The actual year to date returns for cash and investments to 30 June 2022 were \$1,179,000 compared to a year-to-date budget of \$1,300,000.

Investment returns will continue to be monitored and reported.

**Recommending**

**1. THAT** the report on Investments and Loan Borrowings held on 30 June 2022 be received.

**8.5. Heritage Listing - 115, 117, 119, 121, 123, 125, 131 and 133 Holt Avenue, Cremorne**

Report of Jayden Perry, Strategic Planner

The purpose of this report is to provide Councillors with the opportunity to consider a planning proposal which proposes to amend the North Sydney Local Environmental Plan 2013 such that the properties at 115, 117, 119, 121, 123, 125, 131, 133 Holt Avenue, Cremorne would be identified as heritage items under Schedule 5 - Environmental Heritage and identified on the Heritage Map. This report includes the advice of the North Sydney Local Planning Panel meeting of 13 July 2022.

In response to heritage concerns raised by the public during the assessment of two development applications (DA 239/21 - 131, 133, 135, 137 and 139 Holt Avenue, Cremorne; and DA 243/21 at 115, 117 and 119 Holt Avenue, Cremorne), Council considered a Notice of Motion at its meeting on 24 January 2022, where it resolved:

1. THAT Council obtain urgent advice, including review of existing studies in relation to whether an Interim Heritage Order(s) can be supported in respect of a group of dwellings known as 115, 117, 119, 121, 123, 125 and 131, 133 Holt Avenue, Cremorne.

2. THAT Council prepare an urgent report, including review of existing studies to assess whether a new Heritage Conservation Area ought to be identified and adopted in relation to the area bounded by Spofforth Street, Military Road, Cranbrook Avenue and Cabramatta Road, Cremorne and that such review

consider the inclusion of the group of dwellings at 115, 117, 119, 121, 123, 125 and 131, 133 Holt Avenue, Cremorne and be informed by the provisions relating to Mosman Council's Holt Estate Conservation Area.

3. THAT the review consider whether there are contributory items within any recommended conservation area.

Council engaged heritage consultants GML to prepare a preliminary heritage assessment to determine if the properties may potentially satisfy the criteria for heritage listing under North Sydney Local Environmental Plan 2013 (NSLEP 2013).

On 11 March 2022, Council imposed an Interim Heritage Order (IHO) on the sites (115, 117, 119, 131 and 133 Holt Avenue, Cremorne) in response to the outcomes of the preliminary assessment, which identified that the sites may be eligible for heritage listing.

A comprehensive final assessment report was produced by GML Heritage on 3 June 2022. The detailed assessment of the properties concluded that the following group, pair and individual items meet the criterion for heritage listing at a local level summarised as;

- The Holt Avenue group (115-123 Holt Avenue) meets the threshold for cultural significance for historic, aesthetic, rarity and representative values, as a rare group of Federation Bungalows constructed as part of a speculative housing development in Cremorne.
- 125 Holt Avenue meets the threshold for cultural significance for historic, aesthetic, rarity and representative values, as a rare extant two-storey Federation Bungalow in the Cremorne area (which has been converted to flats).
- 131 and 133 Holt Avenue meet the threshold for cultural significance for historic, aesthetic and rarity values as a pair of Victorian semi-detached dwellings which serve as rare surviving examples of their type.

The final report made the recommendation that Council prepare a planning proposal to amend NSLEP 2013 to include the following items of local significance:

1. The 'Holt Avenue Group' comprising property No's 115, 117, 119, 121 and 123 Holt Avenue, Cremorne.
2. 'Carina', No. 125 Holt Avenue, Cremorne.
3. 'Victorian semi-detached houses', No's 131 and 133 Holt Avenue, Cremorne.

In response to the outcomes and recommendations of the final Heritage Assessment report produced by GML, Council has prepared a planning proposal to amend NSLEP 2013 as follows:

- that the properties at 115, 117, 119, 121, 123, 125, 131, 133 Holt Avenue, Cremorne are identified as local heritage items through their listing within Schedule 5 - Environmental Heritage and identification on the Heritage Map. Prior to the Council considering a Planning Proposal, it must be referred to the North Sydney Local Planning Panel which performs an advisory role. The Planning Proposal was considered by the Panel on 13 July 2022. The Panel considered that whilst the diverse advice of various experts was provided for the benefit of the Panel, it was not persuaded that the subject properties meet the threshold for listing under the Heritage Assessment Guidelines.

This report notes the Panel's advice and observations. Whilst it is acknowledged that various expert opinions have been canvassed, on the basis

of the independent heritage advice provided to Council, however, the Planning Proposal is considered to be satisfactory and consistent both with that independent advice as well as the various legislative and applicable plan making guidelines. This report recommends that the Planning Proposal may be forwarded to the DPE for Gateway Determination.

Preparing and exhibiting a Planning Proposal to amend the North Sydney Local Environmental Plan in the manner proposed represents a modest investment in Council resources. These can be accommodated within existing budget lines. The cost of the engagement of specialist Heritage advice and reports, including that prepared to initiate the Interim Heritage Order, has been in the order of \$23,000. It is anticipated that the public exhibition of the planning proposal would generate several submissions. As a result, further engagement of heritage specialist advice may be required to review these submissions, which could be in the range of \$2,000-\$3,000. Exclusive of staff time, the total cost of the IHO and Planning Proposal process is estimated to be \$25,000.

**Recommending:**

1. THAT Council resolves to endorse the Planning Proposal attached to the report to the North Sydney Local Planning Panel on 13 July 2022, and forward it to the Minister for Planning in order to obtain a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act, 1979.
2. THAT upon receipt of Gateway Determination, the Planning Proposal be exhibited consistent with Council's Community Engagement Protocol.
3. THAT a further report be presented to Council following the public exhibition of the Planning Proposal detailing submissions received.

## **8.6. Draft DCP Amendment - Car Parking Rates**

Report of Marcelo Occhiuzzi, Manager Strategic Planning

To seek endorsement of a draft amendment to North Sydney Development Control Plan 2013 as it relates to off street parking requirements for new development within areas of high public transport accessibility, especially Metro stations at Crows Nest and North Sydney and place that draft amendment on public exhibition.

Transport throughout Sydney and indeed in North Sydney, is in a period of immense change, with population growth, new transport infrastructure and emerging trends and technologies fundamentally disrupting traditional travel behaviour and patterns.

Parking planning and management, provides an opportunity to both support positive emerging trends and manage the negative impacts of traffic on the North Sydney community. Because every parking space generates a proportionate number of vehicle trips per day, policies that increase parking supply will lock in car dependency and stimulate traffic growth, thereby increasing the impact and cost of increasing traffic and congestion on the North Sydney community as more development occurs and the population grows. The parking policy direction included in this report is designed to address emerging development density increases and capitalise on new

transport infrastructure to minimise traffic growth and the minimise impacts on amenity and place-making.

This report outlines amended off street parking requirements for private development for those areas that will be served by excellent levels of public transport represented by the operation of Crows Nest and North Sydney Metro stations. The fundamental direction adopted by this report, consistent with Council's Ecologically Sustainable Development Best Practice Project (2014) and the North Sydney Transport Strategy (2017), is that in areas of high public transport accessibility, as represented by walking catchments of the future metro stations and existing railway stations located within existing commercial centres, off street parking rates should be managed accordingly.

More specifically, this report recommends that all types of high density residential development within areas that have been identified as having high levels of public transport accessibility, should have a reduced rate of off-street parking provision. Similarly, the lower rate of parking that is currently applied in the North Sydney CBD, St Leonards and Milsons Point for commercial type development, should also be applied in these areas of high public transport accessibility.

This approach supports the principle of more sustainable transport options like walking, cycling and public transport as well as managing traffic growth and cumulatively assisting in creating and or preserving, safer environments of higher amenity for people.

The surge of development that has been and continues to occur in these areas, requires an immediate policy response to capture the benefits of the higher levels of accessibility represented by the commencement and operation of Metro.

The costs associated with the exhibition of the draft Development Control Plan amendments will borne out of existing budget lines.

**Recommending:**

- 1. THAT** the draft amendments to North Sydney Development Control Plan 2013 as shown in Attachment 2, be adopted for the purposes of public exhibition.
- 2. THAT** the draft amendment to North Sydney Development Control Plan 2013 be exhibited for 28 days and a report be prepared for Council following this process, outlining submissions received.

**8.7. Local Area Traffic Management Action Plans Progress Report 2020-22 (2 Years)**

Report of Iman Mohammadi, Acting Manager Traffic & Transport Operations  
The purpose of this report is to provide an update to Council on the progress of the implementation of the Local Area Traffic Management (LATM) Action Plans for the last two financial years - 2020/22.

Council adopted the Local Area Traffic Management (LATM) Action Plans for seven zones across the North Sydney local government area in December 2017. LATM Action Plans consider the current and future traffic and parking conditions and needs of the local community in each identified area.

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The LATM Action Plans are reviewed and updated on an ongoing basis to ensure they are relevant and current, as actions within the LATM Action Plans are investigated and completed, and as new issues arise or are identified.

Over the last two financial years Council has completed a further 45 x Projects that were identified in the adopted LATMs.

Projects within the LATM Action Plans are determined and implemented subject to annual budgets approved in Council's Delivery Program. The 2020/21 and 2021/22 Delivery Programs included \$1,000,000 per year for LATM Implementation. Council also received grant funding of \$260,000 from Transport for NSW (TfNSW) each year towards the installation and maintenance of lines and signs.

Other Grant funding that Council received over the last two financial years totalled \$5,700,483 which went towards the delivery of 16 major LATM projects – including Cycleway Projects. This grant funding also included \$540,000 for four (4) x identified "Blackspot" projects that were completed in 2020/21.

In 2020/21 and 2021/22 Council expended \$3,345,169 on forty-five (45) LATM Projects across the LGA. This expenditure included grant funding received over that period.

In this current financial year 2022/23 - Council has adopted in its Delivery Program a budget of \$1,000,000 to continue the implementation of the LATM program.

**Recommending:**

**1. THAT** the Local Area Traffic Management Action Plans – Progress Report for the last two financial years 2020/22, be received.

## **8.8. Road Safety Action Plan 2022-23 and Crash Report**

Report of Bec Thomas, Road Safety Co-ordinator

This report provides information pertaining to the preparation and content of the North Sydney Council Road Safety Action Plan for 2022-23.

The North Sydney Council Road Safety Action Plan 2022-23 (the Action Plan) is a requirement of Transport for NSW (TfNSW) under the Local Government Road Safety Behavioural Program (LGRSBP). It sets out proposed projects based on local crash data analysis, council priorities, community feedback, and the road safety priorities set out in the NSW Road Safety Action Plan 2026.

The NSW Road Safety Action Plan recognises the critical role Councils play in reducing crashes and road trauma. It includes a commitment to delivering and refining the LGRSBP, providing funding to Councils for projects and initiatives to assist in reducing the likelihood of deaths and injuries from road trauma in local communities.

This report and accompanying North Sydney Road Safety Action Plan provide an outline of the major road safety projects implemented in 2021-22 along with the major road safety projects and initiatives planned for the current 2022-23 financial year.

Total budget allocation for the 2022-23 Road Safety Program at North Sydney Council is \$26,000 including an \$11,000 contribution from TfNSW. Council's \$15,000 contribution comes from the Roads Safety Programs Budget which is

part of the Traffic and Parking Operations business unit at Council. For 2022-23 a total of nine projects have been identified to be funded. Refer to the 2022-23 North Sydney Road Safety Action Plan.

**Recommending:**

**1. THAT** the information regarding the Road Safety Action Plan 2022-23 be received.

**8.9. Streets as Shared Spaces Grant Funding - Round 2 - East Crescent Street Park**

Report of Matthew Noonan, Engineering Projects Manager.

The purpose of this report is to update Council on the Round 2 – “Streets as Shared Spaces” Program – Grant Application that Council has received funding for.

On 2 May 2022, the Minister for Infrastructure, Cities and Active Transport announced that North Sydney Council had been successful with its funding application for Round 2 of the “Street as Shared Spaces” Program. Council had applied for funding for the creation of a small pocket park at East Crescent Street, McMahons Point which has been identified as one of the priority projects in the McMahons Point - Blues Point Road Village Centre Master Plan, which was adopted by Council in April 2021.

The Funding that Council has received is for a “Trial Pocket Park” in this location, with the view to making it a permanent pocket park.

Council has been previously successful with the Round 1 “Streets as Shared Spaces” program – receiving over \$1million in funding from that program for the trial closure of Burton Street, Kirribilli as a public plaza, the Miller Street “Pop up” Space located opposite the Victoria Station Metro site on Miller Street and a “Street Play” Pilot Program which encompassed the temporary closure of streets to vehicles to allow ‘opening to people’ to use the road space as community space. Council ran that program from October – December 2020, which involved the temporary closure of seven (7) streets across the LGA for “Street Play” activities.

Council at its 27 June 2022 Meeting resolved

*1. THAT this matter be deferred to allow the conduct of a site visit and further report be provided to Council*

A site visit was undertaken on Saturday 23 July at 12pm.

This report identifies that Council has been successful with its Grant Funding Application through the NSW State Governments “Streets as Shared Spaces” Program” – Round 2. Council must contribute \$250,000 towards the creation of the pocket park which will be matched dollar for dollar by the Streets and Shared Spaces – Round 2 program. Councils funding contribution is currently funded in the McMahons Point Master Plan budget for 2021-22 and the funds will be required to be rolled over to the 2022-23 Financial Year as the project will be undertaken over two financial years.

If Council resolves not to proceed with the project then Council will need to contact the NSW State Governments “Streets as Shared Spaces” Program” to confirm if the \$250,000 in grant funding that it has received for the project can be re-allocated to another project – which was identified in Councils grant



application but not funded or confirm if the money will be required to be handed back.

**Recommending:**

**1. THAT** Council notes this report on the Round 2 “Street as Shared Spaces” Program funding that has been received by Council for the creation of a “Trial Pocket Park” in East Crescent Street – McMahons Point.

**2. THAT** Council notes that Community Consultation, a Traffic Study and Human Movement (Human Analytics Study) will be undertaken as part of the trial pocket park and reported back to Council in 9 months’ time.

**8.10. Administration of Special Rates Levied for Crows Nest and Neutral Bay Business Areas and Capital Works Delivery Program Update**

Report of Diana Mejia – Engineering Project Manager

The purpose of this report is to update Council on the projects and programs that have been completed in Crows Nest and Neutral Bay over the last two financial years. This report identifies what proportion of Council funds and Mainstreet Levy funds were used to complete the projects and programs. This report also outlines the projects and programs where levy funds are proposed to be spent over the next two financial years, 2022/23 and 2023/24.

Since the 1990s Council has established two Main Street levy funded Commercial areas in its Local Government Area (LGA). Firstly, the Crows Nest commercial Area in 1995, followed by the Neutral Bay commercial Area in 1997.

Since 1 July 2015, a biannual report has been brought to Council requesting that Council resolve on all operational and capital expenditure of Special Rates levied for identified projects and programs in the Crows Nest and Neutral Bay levy funded areas.

The capital works and operating expenditure for both the Crows Nest and Neutral Bay Mainstreet Levies are balanced against the forecast revenue to be received from the Levies over the next 2 years. The operating budgets for both Crows Nest and Neutral Bay Main streets that are proposed to be drawn from the Levies are recommended to be capped.

Due to staff resourcing and the impacts of COVID-19 not all Levy funds for the last two financial years in both Crows Nest and Neutral Bay have been fully expended. These funds have been rolled over each financial year. Refer to Table 1 and 2 of this report and the confidential attachment, which details the funds that have been rolled over into the current financial year – 2022-23.

Budgets for additional capital works to be undertaken in Crows Nest and Neutral Bay are identified in Council’s current adopted delivery program - 2022-2026.

Note 1: Council entered into a funding deed agreement with Transport for NSW (TfNSW) in October 2018 to undertake significant Public Domain upgrading works along the Military Road corridor between Cremorne and Neutral Bay as part of the B-Line project. All streetscape works for this agreement have now been completed and the funds (Over \$11million) have been fully expended except for the Young Street trial Plaza which is now not proceeding.

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Note 2: It is being recommended that there are no proposed increases to the operating budgets for Neutral Bay and Crows Nest Mainstreet levies for the next 2 financial years which are currently capped at \$18,000 per annum.

The cost of the annual independent audit report on levied funded expenditure for Crows Nest and Neutral Bay Business Areas is to be funded from the Mainstreet levy and would only require a minor variation to the current Audit tender.

It is recommended that Councils financial contribution to the Crows Nest Fair as per previous resolutions of Council be sourced from the Crows Nest Main Street levy and capped to a maximum contribution of \$73,000 ex. GST, including 50% of the clean-up costs. It is being recommended that the Crows Nest Fair continue to be funded from the Mainstreet Levy for the 2022/23 and 2023/24 Financial years. It is also recommended that Crows Nest Mainstreet Pty Ltd will have to formally apply for the funding as a grant application in accordance with Councils Community Grants and Subsidies Policy as they have done in the past.

A Grant application for the Crows Nest Fair 2022 was submitted to Council by Crows Nest Mainstreet Pty Ltd on 28 March 2022

Council at its June 2022 meeting endorsed funding the Crows Nest Fair for 2022 as part of the Community Grants & Subsidies Report. All proposed recipients of Councils Community Grants and Subsidies for the coming financial year are compiled and then publicly exhibited for 28 days. The 28-day public exhibition for this year ran from 25 May to 21 June 2022, (April – May 2022). All applications received including the Crows Nest Fair grant application submitted by Crows Nest Mainstreet Pty Ltd were assessed in accordance with the criteria outlined in Council's Community Grants and Subsidies Policy. Refer to item 8.7. 2022/23 Community Grants & Subsidies - Post Exhibition Report adopted by Council at the June 27 Meeting. Specifically, Category B- Section 15 – Page 15/23 for the Crows Nest Fair 2022 grant funding amount.

The Crows Nest Fair is currently scheduled for Sunday 16 October 2022.

**Recommending:**

**1. THAT** Council endorses the levy funded Operating Budgets for Crows Nest Main Street Pty Ltd and the Neutral Bay Chamber of Commerce at \$18,000 ex GST for each business area for the 2022/23 and 2023/24 financial years.

**2. THAT** Council funds from the Mainstreet Levy the Crows Nest Fair to a maximum (Capped) cost of \$73,000 ex. GST, including 50% of the clean-up costs, for the 2022/23 and 2023/24 Financial years.

### **8.11. North Sydney Council Disability Inclusion Action Plan 2022-2026**

Report of Camelia Tobia, Access and Inclusion Coordinator

To seek endorsement from Council to accept the Draft Disability Inclusion Action Plan 2022- 2026 and for it to be placed on public exhibition in accordance with Council's Community Engagement Protocol.

Under the NSW Disability Inclusion Act 2014, Council is required to develop a Disability Inclusion Action Plan (DIAP) and review this plan every four years. Council's draft Disability Inclusion Action Plan 2022-2026 is the second DIAP prepared by Council.

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The DIAP is a whole of Council strategy, outlining the steps Council will take to create a more inclusive and accessible community and workplace. It is developed in accordance with relevant legislation and is categorised under the following key areas; Positive Community Attitudes and Behaviours, Creating Liveable Communities, Employment and Systems and Processes.

The update of Council's DIAP was undertaken by JC Harwood Consulting, in collaboration with Council's Community Development team. The development of this plan was guided by the input of a disability Stakeholder Group formed for the purpose of this project. Further input has been provided by MANEX, representatives across Council divisions, local service providers and feedback from the community.

Monitoring and reporting of the DIAP will help ensure Council delivers on this plan and is held accountable. The DIAP will be overseen by senior management within Council. An inclusion advisory committee will be established as an action within this plan and will provide input to Council on relevant policies and strategies and ways to advance the inclusion of people with disability. Six monthly progress reports will be provided to MANEX and an Annual Report will be prepared and provided to the Disability Council of NSW in accordance with the Act.

Council has committed \$150,000 annually since 2017, to support the implementation of the DIAP. Funding has been instrumental to effectively resource the implementation of the DIAP and complete capital works.

**Recommending:**

- 1. THAT** Council endorses the Draft Disability Inclusion Action Plan (DIAP) and agrees for the plan to be placed on public exhibition for 28 days
- 2. THAT** should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the Disability Inclusion Action Plan 2022-2026 as adopted at the end of the public exhibition period.

## **8.12. North Sydney Seniors Festival 2022**

Report of Camelia Tobia, Access and Inclusion Coordinator

To provide a summary report for the North Sydney Seniors Festival held from 23 March to 5 April 2022.

The NSW Seniors Festival is an annual celebration to recognise and celebrate the contributions older people make to our community. In 2022, Council hosted 33 in person and 8 online events during the North Sydney Seniors Festival, held from 25 March to 3 April 2022. Programs and events were held across the LGA (Local Government Area) and delivered in partnership with internal and external project partners. The theme for this year's Seniors Festival was Reconnect, encouraging event organisers to consider the importance of reconnecting with other people following the pandemic.

Council provides \$8000 annually to support the delivery of the North Sydney Seniors Festival. Allocation of funding of up to \$500 was provided to project partners in the delivery of events and programs.

**Recommending:**

- 1. THAT** the report be received.

2. **THAT** Council continues to financially support the delivery of the North Sydney Seniors Festival in future years.

### 8.13. **Library Strategy Community Survey 2021-22**

Report of Megan Tolnay, Customer Experience Librarian

The purpose of this report is to communicate the key responses and findings from the Library Strategy Community Survey.

Library staff conducted a community survey from November 2021 to January 2022 to inform the Library and Historical Services Strategy 2022-2027. The results of the survey will be used to help shape the future direction, services and programs of Stanton Library. A total of 396 survey responses were received.

The community engagement aimed to identify:

- Perception of the quality of service provided by the Library,
- Standard of overall experience and satisfaction with the Library,
- Benefits gained from using the Library, and how it contributes to community wellbeing
- Initiatives and enhancements that Library users want implemented

The community engagement was conducted throughout a period affected by COVID-19 and was impacted by disruption to regular Library services, programs and events, as well as reduced opening hours. The survey was an opportunity for the community to provide feedback on Library services throughout the lockdown and health restriction periods.

The survey was conducted primarily online with hard copies available in the Library and circulated to Home Library users. The survey incorporated quantitative measures and qualitative open-ended response options, where respondents were encouraged to provide richer detail on their responses to the survey. The Your Say North Sydney website also featured an Ideas Board where people could record feedback and others could comment and vote.

A marketing and communication campaign was undertaken to inform the community of the consultation and encourage participation.

Key Findings:

- Public satisfaction with Stanton Library, as measured in the broad community satisfaction survey, is extremely high recording a 98% customer satisfaction level and an overall Net Promoter Score (NPS) of 80.
- In this consultation, service users identified the following areas for improvement: Opening hours, spaces for reading, study, work and meetings, range and variety of titles in the collection, reserve fees, availability of ebook and eaudiobook titles to borrow, building maintenance and improvements, availability of new release items to borrow, availability of children's activities and events, provision of car parking and length of borrowing periods.
- An important highlight from the consultation was that the community is very complimentary about the staff and see them as professional, helpful and friendly.

A budget of \$500 was allocated to deliver the Community Consultation Survey.

**Recommending:**

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

**8.14. North Sydney Olympic Pool Redevelopment Monthly Progress Report**

Report of John Thomson, Corporate Contracts Manager

The purpose of this report is to provide Council with a high-level report on the progress of the redevelopment of the North Sydney Olympic Pool.

At its meeting of 26 July 2021, Council resolved as follows:

- 1. THAT the General Manager provide a high-level update/report on the progress of the redevelopment of the North Sydney Olympic Pool to each Council meeting until the redevelopment is completed.*
- 2. THAT Council notes that this report does not alter the governance structure of the project.*

This report responds to this resolution. This report details Progress since the last Council meeting held on 27 June 2022.

The financial position of the project is reported Quarterly to Council, the next report will be in August 2022.

**Recommending:**

- 1. THAT** the report be received.
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## 9. NOTICES OF MOTION

### 9.1. Notice of Motion 41/22 - Free 30-minute parking in Parraween Street - Cr Beregi

1. **THAT** Council resolve to adopt the following motion that was unanimously supported at the recent Cremorne Streetscape Committee meeting, which stated:

*1. THAT Council undertake a time trial for free 30-minute parking through the day in Parraween Street.*

#### **BACKGROUND (provided by the submitter)**

Businesses in Cremorne have requested that the 15 minute free parking trial be amended so as to allow 30 minutes free parking for the duration of the trial period.

Feedback from businesses indicates that 15 minutes is not long enough for customers to transact business and as such, their businesses are losing potential revenue. The committee recommended extending the free period to 30 minutes to encourage more people to support businesses in the Cremorne Precinct.

### 9.2. Notice of Motion 42/22 - North Sydney's Recreational needs - Cr Welch

1. **THAT** a Councillor Briefing be provided on the demand and need for sport and recreation facilities within the North Sydney local government area and include any solutions that may have been canvassed by this and previous councils.

#### **BACKGROUND (provided by submitter)**

In 2015, the last time a recreational needs study was done, it was stated:

*It is unlikely that all demand for sporting infrastructure can be met locally due to cost and lack of availability of suitable land. Both indoor and outdoor facilities are at capacity.*

However some gains should be made by: extending the indoor centre, further provision of synthetic grass fields, and indoor court sport developments within multi-level buildings or car parks, in conjunction with commercial and /or educational partners. Sports that have indicated a significant level of demand for additional (or indeed any) facilities include: hockey, soccer, netball, touch, basketball (indoor), badminton and squash.

Our recently updated Community Strategic Plan is based on the social justice principles of equity, access, participation and rights.

I would suggest a lack of recreational facilities is preventing many in our LGA from participating in sport.

The CSP also states that in the future:

*Our community enjoys a healthy and active lifestyle, improved accessibility. And the Council will provide infrastructure to encourage and support participation in healthy, physical activity and recreation for all.*

*Equitable Access to Open Space and Recreation :The demand for open space, sporting and recreation facilities continues to increase as our population grows*

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*with limited capacity to deliver more physical open space in a dense urban environment. This is a long-standing regional dilemma, with the NSROC Regional Sportsfields Strategy finding the gap between demand and supply will further escalate by 2036.*

Our challenge is to meet our residential and visitor community demand for active and passive recreation spaces given the limited land supply.

Sporting facilities was one of the top 10 priorities in the CSP.

### **9.3. Notice of Motion 43/22 - Code of Meeting Practice - Cr Beregi**

**1.THAT** Council adopts the following change to the adopted Code of Meeting Practice at Clause 3.32 as follows:

*Pre-meeting briefing sessions will be webcast and made available to the public except for so much of the briefing that the General Manager determines comprises matters and information which would be subject to section10A of the Local Government Act 1993 (Which parts of a meeting can be closed to the public?)*

**2.THAT** a report be provided to Council at its meeting of 22 August 2022 setting out the potential process for the Public Forum to be conducted as part of the Council Meeting including provisions for remote attendance and a recommendation as to meeting commencement time.

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**10.           MATTERS OF URGENCY**

Nil.



11. CONFIDENTIAL MATTERS

12. CLOSURE

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