



Council Chambers
2 September 2022

The **3764th MEETING** of **COUNCIL** will be held on Cammeraygal lands at the Council Chambers, North Sydney at **7.00pm** on Monday 12 September 2022. The agenda is as follows.

ROB EMERSON
A/GENERAL MANAGER

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

-
- 1. Opening Meeting**
 - 2. Acknowledgement of Country**
 - 3. Apologies and applications for leaves of absence or attendance by audio-visual link by councillors**
 - 4. Confirmation of Minutes**
 - 5. Disclosures of Interests**
 - 6. Public Forum**
 - 7. Items by Exception**
 - 8. Mayoral Minutes**
 - 6.1 Determination of Council's Organisational Structure
 - 6.2 Delegations
 - 6.3 Vale Queen Eliabeth II
-

9. Reports of Committees

- 7.1 Sport and Recreation Reference Group Minutes – 15 August 2022

10. Reports to Council

- 8.1 Extraordinary Meeting – referring Financial Statements to Audit
- 8.2 2022 Local Government NSW Conference – Proposed Motions
- 8.3 Corporate Policy Manual Review – Direction 2
- 8.4 Draft amendment to NSDCP 2013 – St Leonards / Crows Nest 2036 Plan
- 8.5 East Crescent Street McMahons Point – Streets as Shared Spaces
- 8.6 North Sydney Olympic Pool Redevelopment Monthly Progress Report
- 8.7 The Living Futures Festival
- 8.8 Review of Community Awards
- 8.9 Nan Manefield Young Writer’s Award

11. Notices of Motion/Questions with Notice

- 9.1 Notice of Motion 49/22 – StreetPlay in the North Sydney LGA - Cr Beregi
- 9.2 Notice of Motion 50/22 – Unoccupied Dwellings – investigating incentives for property owners to increase housing supply and availability
- 9.3 Notice of Motion 51/22 – Organisational Transparency – Cr Gibson
- 9.4 Notice of Motion 52/22 – Billboards on Council pavements – Cr Gibson
- 9.5 Notice of Motion 53/22 – Cleanliness in Kirribilli Village and surrounding streets – Cr Gibson
- 9.6 Notice of Motion 54/22 – Trial Weekend Closure of the Western end of Bligh St Kirribilli – Cr Gibson

12. Matters of Urgency

Nil.

13. Confidential Matters

Nil

In the spirit of open, accessible and transparent government, the Council meetings of North Sydney Council will be streamed live via Council’s website. By speaking at a Council meeting, members of the public agree to being recorded and must ensure their speech to the Council is respectful and use appropriate language. A person who uses defamatory, discriminatory or offensive language may be exposed to liability for which Council takes no responsibility. Any part of the meeting that is held in Closed Session will not be recorded.

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

**SUBJECT: 3764th MEETING OF COUNCIL TO BE HELD ON MONDAY
12 SEPTEMBER 2022**

1. OPENING MEETING

2. ACKNOWLEDGEMENT OF COUNTRY

**3. APOLOGIES AND APPLICATIONS FOR LEAVES OF ABSENCE OR
ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS**

4. CONFIRMATION OF MINUTES

THAT THE MINUTES of the previous 3763rd Council Meeting held on Monday, 22 August 2022 be taken as read and confirmed.

5. DISCLOSURES OF INTEREST

6. PUBLIC FORUM

7. ITEMS BY EXCEPTION

8. MINUTES OF THE MAYOR

6.1 Determination of Council's Organisational Structure

Under section 333 of the *Local Government Act 1993* the Council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of Council.

This Mayoral Minute is provided for the purpose of meeting this statutory obligation.

As Council is currently in the process of recruiting a General Manager it would not be prudent to undertake a review of the organisation structure until an appointment has been made. However, it is necessary for Council to formally make a determination regarding the organisational structure by December 2022.

Making a determination at this time meets Council's statutory obligations without precluding a further organisational review in the future. Any such review is required to be undertaken with consultation between the Council and the General Manager.

Section 332 of the Act sets out the requirements for the determination of structure. It is the role of the Council, after consulting the General Manager, to determine:

- The senior staff positions within the organisation structure of the Council;
- The roles and reporting lines of holders of senior staff positions; and
- The resources to be allocated towards the employment of staff.

It is the role of the General Manager to, after consulting the Council, determine the positions (other than the senior staff positions) within the organisation structure of the Council. The positions within the organisation structure of the Council are to be such as to give effect to the priorities set out in the strategic plans (including the Community Strategic Plan) and delivery program of the Council.

I therefore recommend:

1.THAT Council resolve that it has redetermined the organisational structure within 12 months of the December 2021 Local Government election as required under section 333 of the *Local Government Act 1993*.

2.THAT Council note that by redetermining the organisational structure it does not preclude any further structural review which may be undertaken in accordance with section 332 of the *Local Government Act 1993*.

6.2 Delegations

Under the Local Government Act 1993 (the Act), Council must review all their delegations within 12 months of an election. Council may, by resolution, delegate to the General Manager or any other person or body (but not an employee of the Council

other than the General Manager) any of the functions of the Council other than those referred to in section 377 of the Act.

This Mayoral Minute has been prepared in consultation with the Executive Manager Governance. This Mayoral Minutes considers the delegations to the General Manager and requests a further report to Council regarding delegations to the Mayor.

Legislation

The Act contemplates councils delegating functions and decision making to the General Manager. These are those functions that are operational and administrative in nature rather than strategic.

There are some functions that a council is not able to delegate and these are prescribed in section 377 of the Act as follows:

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following*
- (a) the appointment of a general manager,*
 - (b) the making of a rate,*
 - (c) a determination under [section 549](#) as to the levying of a rate,*
 - (d) the making of a charge,*
 - (e) the fixing of a fee,*
 - (f) the borrowing of money,*
 - (g) the voting of money for expenditure on its works, services or operations,*
 - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
 - (i) the acceptance of tenders to provide services currently provided by members of staff of the council,*
 - (j) the adoption of an operational plan under [section 405](#),*
 - (k) the adoption of a financial statement included in an annual financial report,*
 - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
 - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
 - (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
 - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the [Environmental Planning and Assessment Act 1979](#),*
-

- (p) *the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under [section 194](#),*
- (q) *a decision under [section 356](#) to contribute money or otherwise grant financial assistance to persons,*
- (r) *a decision under [section 234](#) to grant leave of absence to the holder of a civic office,*
- (s) *the making of an application, or the giving of a notice, to the Governor or Minister,*
- (t) *this power of delegation,*
- (u) *any function under this or any other Act that is expressly required to be exercised by resolution of the council.*

(1A) *Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if*

- (a) *the financial assistance is part of a specified program, and*
- (b) *the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
- (c) *the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
- (d) *the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.*

(2) *A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.*

(3) *A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.*

A General Manager can only exercise and sub delegate to staff the powers and functions they have either in their own right (under legislation) or that have been delegated by Council (through a resolution or instrument of delegation).

Generally there are two approaches to council delegation:

1. Delegation by exception

The delegation is drafted in such a way that all the powers and authorities of the council that can be delegated are delegated by a council to the General Manager. The council then expressly excludes powers or functions from the delegation and the council then retains those powers. These retained powers are listed in the Instrument of Delegation.

The exceptions should not seek to unduly restrict the operational and management role of a general manager but instead make clear any decisions the council wishes to retain itself.

2. Individual delegations

The delegation is prescriptive and sets out the functions the general manager is authorised to perform.

This form of delegation is rare at a general manager level due to the significant number of identifiable functions delegable under the Act and other legislation applicable for local government. This form is more commonly used at the officer level where the general manager delegates functions to staff.

Delegation to General Manager

The current North Sydney Council delegation to the General Manager is largely in the form of delegation by exception. There are some specified delegations which reference specific pieces of legislation and this is good practice. There are also some functions listed in the delegation on which there are either restrictions or specified requirements in the performance of the delegation.

However, there are some delegations which state the function and do not relate specifically to legislation nor do they include a restrictions on the function. In these instances it is recommended that the Instrument of Delegation be amended as follows:

1. Remove the reference regarding contracts (item 6). This provision replicates the requirements already present in the legislation. Removing this delegation will not alter the functions the General Manager is delegated to undertake nor will it alter the restrictions around that function.
 2. Remove the reference to Minuting of Council Meetings (item 11). Removing this delegation will not alter the functions the General Manager is delegated to undertake nor will it alter the restrictions around that function.
 3. Remove the reference to Business Papers (item 12). This is the role of the General Manager as set out in the Act. Removing this delegation will not alter the functions the General Manager is delegated to undertake nor will it alter the restrictions around that function.
 4. Remove the reference to appointment of staff (Item 16). It is the General Manager who employs staff. This functions must be performed in accordance with the relevant Industrial instruments in force at any time. Removing this delegation will not alter the functions the General Manager is delegated to undertake nor will it alter the restrictions around that function.
-

5. Remove the reference to Staff- Award Band (item 17). It is the General Manager who employs staff. This functions must be performed in accordance with the relevant Industrial instruments in force at any time. Removing this delegation will not alter the functions the General Manager is delegated to undertake nor will it alter the restrictions around that function.
6. Remove the reference to Salary and Award Variations (item 18). It is the General Manager who employs staff. This function must be performed in accordance with the relevant Industrial instruments in force at any time. Removing this delegation will not alter the functions the General Manager is delegated to undertake nor will it alter the restrictions around that function.
7. Remove the reference to Staff Overtime (item 19). It is the General Manager who employs staff. This functions must be performed in accordance with the relevant Industrial instruments in force at any time. Removing this delegation will not alter the functions the General Manager is delegated to undertake nor will it alter the restrictions around that function.
8. Amend the provisions regarding attendance at conferences (item 20) to include provision to approve attendance at international conferences were the associated costs including travel are less than \$5,000.

Attached is a proposed Instrument of Delegation with the above changes shown in strikethrough.

Delegation to Mayor

The delegation from Council to the Mayor is also to be reviewed and I propose that a report be provided to Council by staff for this purpose.

I therefore recommend:

1.THAT Council delegate to the General Manager any of the functions under the *Local Government Act 1993* or any other Act other than those provided in section 377(1) in accordance with the attached Instrument of Delegation.

2.THAT a report be provided to Council for the purpose of considering the Instrument of Delegation to the Mayor before December 2022 in order to meet Council's obligations under the Act.

6.3 Vale Queen Elizabeth II

Her Majesty Queen Elizabeth II reigned as Queen of the United Kingdom and other Commonwealth realms, including Australia, from 6 February 1952 until her death on 8 September 2022.

She reigned for 70 years and 214 days and is the longest recorded female head of state in history and the longest serving of any British monarch.

The Queen visited Australia 16 times and has visited every State and Territory - she had a particular regard for Australia and the Australian people, having first visited in 1954.

In 2002, The Queen said:

“For myself, I thank all Australians... I declare again... that my admiration, affection and regard for the people of Australia will remain, as it has been... constant, sure and true.”

The Queen has, of course, visited the North Sydney local government area on many occasions – not least because Admiralty House, Kirribilli is the official residence of the Governor-General in Sydney.

However, in 1954 The Queen visited North Sydney as part of the official royal tour of Australia. Below is a photograph from Council's Historical Collection: Crowds line Military Road, Neutral Bay Junction, to view the motorcade of HM Queen Elizabeth II and HRH The Duke of Edinburgh, February 1954 (Photograph by Robin Cale).



Council’s Historian, Dr Ian Hoskins, advised that there was great interest in the visit of the Queen to North Sydney. Aldermen lobbied the Premier to alter the route so that it would head up the Pacific Highway. The Rector of St Thomas Church was particularly keen that she should see that building, but he was ultimately disappointed. However, 48,000 school children saw her as she drove slowly through St Leonards Park.

Council is facilitating and encouraging community members who wish to leave their condolences via Council’s website. As a mark of respect, flags on Council buildings will be flown at half-mast during the formal mourning period.

In 2015 the Queen's Canopy was launched at the Commonwealth Heads of Government Meeting (CHOGM) in Malta. The Queen's Canopy is a network of forest conservation projects involving all Commonwealth member countries. Australia committed to planting 20 million native trees by 2020 under the scheme.

In 2021, the Queen launched the Queen's Green Canopy scheme in the United Kingdom to mark Her Majesty's Platinum Jubilee. People were encouraged to plant trees until the end of 2022 to mark her 70 year reign.

Accordingly, it would be appropriate to mark The Queen's passing and acknowledge her reign by planting trees as part of the Queen's Green Canopy commitment.

The Queen's long reign has been admired and respected by many. She will be mourned and sadly missed.

Vale Her Majesty Queen Elizabeth II.

I therefore recommend:

- 1.THAT** Council send condolences to His Majesty King Charles III, the King's Consort and the people of the United Kingdom acknowledging The Queen's long and stable reign and the affection in which she was held by the Australian people.
 - 2.THAT** Council identify an appropriate tree planting project to plant trees as part of the Queen's Canopy scheme.
-

9. REPORTS OF COMMITTEES

7.1. Sport and Recreation Reference Group

Author Ian Curry, Manager Council & Committee Services

To report the proceedings of the Sport and Recreation Reference Group to Council.

This report presents the minutes of the last meeting of the Sport and Recreation Reference Group held on 15 August 2022. The minutes are attached for information.

There are no financial implications associated with this report.

Recommending:

1.THAT the Primrose Park reconfiguration be made a standing item for the Sport and Recreation Reference Group.

2.THAT a copy of the Ryde Council report and resolution regarding synthetic playing surfaces be circulated to the Sport and Recreation Reference Group members.

3.THAT a presentation of the progress and improvements of hybrid hockey playing surfaces be made to the next Sport and Recreation Reference Group meeting.

4.THAT all sporting groups make submissions to NSROC requesting urgent action in relation to increasing the supply of playing fields and courts, both indoor and outdoor, throughout the NSROC area.

5.THAT the Council progress the Development Application to extend the hours of operation at Cammeray Park.

0.

REPORTS TO COUNCIL**8.1. Extraordinary Meeting referring Financial Statements to Audit**

Author Christian Menday, Manager Financial Services

Council is required to consider the conduct of an Extraordinary Council Meeting for the purpose of endorsing the Council's Financial Statements for the year ended 30 June 2022 and referring them to audit.

Council is required to lodge its audited Financial Statements for the year ended 30 June 2022 with the Office of Local Government by 31 October 2022. Prior to this Council must perform a series of administrative steps including endorsing the Statements and resolving to refer them to Audit, whilst leaving sufficient time for the Auditor to conduct final reviews and issue the Auditor's Report.

Due to the conduct of the Local Government NSW Conference from 23 to 26 October 2022 there is only one Council meeting currently scheduled for October. To balance the need to provide staff with sufficient time to prepare the Financial Statements and the need to provide capacity to liaise with the NSW Audit Office it is recommended that an Extraordinary Meeting be conducted on 18 October 2022 at 6.30pm.

The Audited Financial Statements for the year ended 30 June 2022 must be certified by Council and referred to the NSW Audit Office with sufficient time to lodge audited Statements to the Office of Local Government by Monday, 31 October 2022.

Council must then receive the final audited Financial Statements by the end of November. It is planned that they will be reported to the meeting of 28 November 2022. It is currently planned that this will be published with the agenda on 18 November 2022.

Recommending:

1. THAT Council resolve that an Extraordinary Council Meeting be conducted on Tuesday, 18 October 2022 at 6.30pm for the purpose of endorsing the Financial Statements for the year ended 30 June 2022 and referring them to audit.

8.2. 2022 Local Government NSW Annual Conference proposed Motions

Author Ian Curry, Manager Council & Committee Services

The purpose of this report is to determine Council's motions for the LGNSW Conference

The Local Government NSW (LGNSW) Annual Conference is taking place from 23 to 25 October 2022 at the Crowne Plaza Hunter Valley, and will feature a range of keynote speakers, workshops, training sessions, plus much more.

As the main policy-making event for the local government sector, the Annual Conference is an opportunity to help set the advocacy agenda for the year ahead. Motions passed at Conference become Resolutions, which LGNSW actions on behalf of its members, as part of its advocacy program.

Costs will include delegate registration and travel costs. An amount of \$12,500 has been allocated in the 2022/23 budget for Mayor and Councillor attendance at conferences, seminars and training.

Recommending:

1.THAT Council submit the following Motions for consideration by the LGNSW Annual Conference:

- That Local Government NSW lobby the NSW State Government to change the Section 34 process to allow more community participation and transparency
- That the NSW Government continue to develop the draft Design and Place State Environmental Planning Policy, which formed part of Minister's Planning Principles and SEPP consolidation plan released in December 2021.
- That the NSW Government develop guidelines to improve the transparency of decision making by Local Planning Panels, either by requiring the panels to hold their discussions in public or by publishing a statement of reasons similar to that used for District and Regional Planning Panels.
- 1. THAT this conference ask the State Government to investigate and look to implement measures to incentivise property owners to not leave their property(ies) unoccupied.
2. THAT in doing so, measures which allow such unoccupied properties to be utilised on a long or short time basis for low-cost accommodation be positively explored.

2.THAT Council consider any further Motions that may be raised by Councillors at this meeting.

8.3. Corporate Policy Manual Review Direction 2

Author Jenny Gleeson, Manager Corporate Planning and Engagement

This purpose of this report is to present the corporate policies under Direction 2. Our Built Infrastructure for re-adoption.

Council's corporate Policy Manual is being progressively presented to the Council for re-adoption between August and November 2022, with Direction 1 reported to Council on 22 August 2022. This long-standing practice occurs in line with Council's commitment to open government and ensures each term of Council is aware of the policies in operation.

Corporate policies are grouped by the five Strategic Directions of the *North Sydney Community Strategic Plan*, demonstrating alignment between Council services and programs and the community vision.

Most of the Direction 2 policies have been reviewed and required only correction of administrative or typographical errors and/or updating of legislative changes/Act references. Exceptions are as follows:

- the *Asset Management Policy* was recently re-adopted as part of Council's *Resourcing Strategy 2022-2032*
 - review of the *Outdoor Dining and Goods Display Policy and Guidelines* is pending
-

- review of the *Resident Parking Permit Policy* is pending
- minor amendment to the *Car Share Policy*; and
- minor amendment to the *Encroachments Management Policy*.

A minor amendment is proposed to the *Car Share Policy* to reference the long-standing notification practice regarding proposed new car share spaces aligning to the notification period for Development Applications. This Policy is categorised 'strategic'; the amendment is not considered significant and therefore it is recommended that public exhibition is not required.

Minor amendments have also been made to the *Encroachments Management Policy*. This policy is categorised 'operational' and accordingly, the amendments were approved by the General Manager on 25 August 2022. The reason for the amendment is that the policy previously required two valuations in all circumstances when this does not reflect the procurement guidelines. In addition, legal costs have increased since the policy was last reviewed, hence the increase in the bond amount is required to cover the costs of the required valuations and is based on actual costs incurred in recent years. Consultation on the increase to the bond is not required as is distinct from fees and charges.

There are no financial implications arising from the review of Direction 2 corporate policies.

Recommending:

1. THAT Council readopt the Direction 2 corporate policies as attached to this report being the following:

- a) Banner Hire Policy
- b) Encroachment Management Policy
- c) Graffiti Management Policy
- d) Restoration Works on Public Land Policy
- e) Rights of Way over Drainage Reserves and Community Land Policy
- f) Road and Place Remaining Policy
- g) Street Lighting and Under Awning Policy
- h) Telecommunications and Electrical Network Infrastructure Policy
- i) Trailer Parking Policy

2. THAT the minor amendments to the Car Share Policy be adopted.

8.4. Draft Amendment to NSDCP 2013 St Leonards Crows Nest 2036 Plan

Authors Jing Li, Senior Strategic Planner – Urban design, Strategic Planning, and Ben Boyd, Executive Strategic Planner, Strategic Planning

The purpose of this report is to seek Council's endorsement to amend *North Sydney Development Control Plan 2013* (NSDCP 2013) to provide built form guidance for medium and tall towers enabled under the *St Leonards and Crows Nest 2036 Plan* and improve public space and street level amenity; and place that draft amendment on public exhibition.

St Leonards and Crows Nest are undergoing a period of increased development interest following the making of the *St Leonards and Crows Nest 2036 Plan (2036 Plan)* by the Department of Planning and Environment (DPE) in 2020. The 2036 Plan recommends substantial change and uplift adjacent to St

Leonards Railway Station and the future Crow Nest Metro Station and along the Pacific Highway. In particular, it seeks in part, increasing the maximum building height, amending the minimum non-residential Floor space Ratio (FSR) and establishing maximum FSR controls under North Sydney Local Environmental Plan 2013 (NSLEP 2013). These controls are currently being amended via site-specific planning proposals lodged by landowners.

To manage the impacts of the increased density and height uplift, the *2036 Plan* also recommends built form controls on building setback, street wall (or podiums) height and solar protection. This report proposes to amend NSDCP 2013 to implement the intent of these recommendations, and provide amended and additional design guidance to:

- minimise the impacts of tall towers;
- create a human scale to the street and transition to lower density areas; and
- improve public spaces and street level amenity.

It is recommended that the attached draft DCP amendment is adopted by Council for the purposes of public exhibition.

As previously reported to Council, the DPE did not consult Council following the exhibition of the draft *2036 Plan* and significant post exhibition changes were made to the final *2036 Plan*. In preparing this draft DCP amendment, several problematic issues have been identified with the final plan including FSR controls that don't match proposed heights, reduced and limited employment capacity on land near the Railway and Metro Stations and mapping errors. This report recommends the DPE be advised of these issues. This will make it easier for Council to implement the intent of the *2036 Plan* when it amends NSLEP 2013 via landowner-initiated planning proposals.

There will be relatively modest expenses with respect to the public exhibition of the DCP amendment and its implementation which can be funded through existing recurrent budgeting lines.

Recommending:

1.THAT Council resolves to adopt the draft amendments to NSDCP 2013, as provided in Attachments 1 and 2.

2.THAT the draft amendments to NSDCP 2013 be placed on public exhibition for a minimum period of 42 days.

3.THAT Council write to the Department of Planning and Environment outlining the identified issues and inconsistencies with the implementation of the *2036 Plan* as discussed in this report.

4.THAT a Councillor Briefing be held prior to or in the early stages of the exhibition period.

8.5. East Crescent Street McMahons Point Streets as Shared Spaces

Author Matthew Noonan, Engineering Project Manager

The purpose of this report is to update Council on the design changes that have been made to the East Crescent Street "Shared Space", McMahons Point, for which Council has received funding under Round 2 – "Streets as Shared Spaces" Program.

On 25 July 2022 Council resolved that the design for the East Crescent Street “Shared Space” as reported to Council on 27 June 2022 be redesigned based on the feedback received from residents who attended a site meeting on Saturday 23 July 2022. Council also resolved at the July Council meeting that the changes to the design be reported back to Council as soon as practicable and that the changes to the design be communicated to all residents/submitters, signatories to the petitions received by Council and relevant precinct committees.

On 2 May 2022, the Minister for Infrastructure, Cities and Active Transport announced that North Sydney Council was 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 “Shared Space” at the intersection of East Crescent Street and Blues Point Road McMahons Point. The creation of new Public Open Space in this location was 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 Shared Space” in this location, with the view to making it a permanent pocket park if the community supports the trial.

As previously reported to Council, Council was successful with its Grant Funding Application through the NSW State Governments “*Streets as Shared Spaces*” Program – Round 2. A condition of the grant that Council has accepted is that Council must contribute \$250,000 towards the creation of the “*Shared Space*” which will be matched dollar for dollar by the “*Streets and Shared Spaces*” – Round 2 program.

\$250,000 is available in the current capital works budget for 2022-23 for the implementation of the McMahons Point - Blues Point Road Village Centre Master Plan.

The Grant Funding that Council has accepted through the “*Streets and Shared Spaces*” Program does have strict timeframe obligations-as detailed within the program section of this report.

If the project is delayed further, Council runs the risk that the funding will be withdrawn by the Department of Planning Industry and Environment (DPIE) who administer the “*Streets and Shared Spaces*” Program.

Public Domain upgrades to McMahons Point - Blues Point Road Village Centre was identified as one of the SRV funded projects approved by IPart and adopted by Council in its 2019-20 Delivery Program. Due to budget constraints the Master Plan is being progressively implemented as funding becomes available.

Recommending:

1.THAT Council proceeds with Option 2a to Request for Quotation and construction as soon as possible to meet the “*Streets and Shared Spaces*” grant program funding requirements for a “*Trial Shared Space*” in East Crescent Street, McMahons Point. The trial period that forms part of Councils funding Agreement is December 2022 to March 2023.

2.THAT feedback be sought during the trial period from December 2022 to March 2023.

3.THAT a post-trial report be prepared for Council at the end of the trial period inclusive of all the collated feedback as well as a Traffic Study and Human Movement Study which will also be conducted during the trial.

8.6. North Sydney Olympic Pool Redevelopment Monthly Progress Report

Author 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 report to Council at the meeting held on 25 July 2022.

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

Recommending:

- 1. THAT** the report be received.

8.7. The Living Futures Festival

Authors Leonie Netting, Coordinator Coal Loader Centre for Sustainability, and Danielle Birkbeck, Snr Sustainability Programs Coordinator

The purpose of this report is to respond to the resolution of Council at the 28 March 2022 Council:

- 1.THAT Council organise for a 'Sustainable' festival at the Coal Loader as it is our sustainable achievement of North Sydney;*
- 2.THAT the inclusion of a festival be considered as part of the current budget deliberations.*

This report addresses this resolution by putting forward a concept plan for a North Sydney sustainability festival and includes details on festival components, delivery format, and anticipated budget.

The inaugural Living Futures Festival will be held at the Coal Loader Centre for Sustainability over the period 24 – 30 April 2023. The festival will comprise of two components starting with the thought provoking 'Living Ideas' series and culminating in a full day activation on Sunday 30 April.

The expected budget for planning and delivery of the festival is approximately \$150,000. This amount will be funded from Council's Environment Levy Reserve due to the nexus between the expected outcomes of the Sustainability Festival and the policies and plans contained within the Environmental Levy.

Recommending:

- 1. THAT** Council approves the concept plan for the North Sydney Living Futures Festival to be held in April 2023 at the Coal Loader Centre for Sustainability;

2. **THAT** all monies required to be expended throughout the course of planning and delivery of the Living Futures Festival is funded through Council's Environment Levy Reserve.

8.8. Review of Community Awards

Author Helen Campbell, Manager Community Development

The purpose of this report is to present recommendations to Council arising out of a review of the Community Awards event.

North Sydney Council conducts an annual community awards event which recognises citizens and groups who have made outstanding contributions during the year to the life and soul of the North Sydney community.

Up until and including 2019, these awards mirrored the national Australia Day awards, offering awards in the same categories, and took place on Australia Day after Council's Citizenship Ceremony. In 2020 and 2021, the Awards were held separately.

At its meeting held 27 June 2022, Council resolved:

1. *THAT a review be undertaken of the North Sydney Community Awards (Citizen of Year) and a report to Council provided with a view to the future structure of the program, including the possibility of establishing a quarterly North Sydney 'Legacy Awards' where members of the community who have performed great services continuously over the decades – minimum 20 years, be awarded for their dedication to the North Sydney Community.*
2. *THAT the identification of any additional budget requirements beyond those currently provided in the Delivery Program and Operational Plan be made for this award program.*

A review has now been undertaken with an intent to give the awards a revitalised North Sydney character and brand, better championing Council's new Community Vision Statement and Guiding Principles, with the aim to increase the pool of nominations the program will attract and raise the profile of the event in the community.

The former budget allocated to this event of \$1,500 was moderate and limited. Now that the event is held separate to the Australia Day Citizenship Ceremony, it is envisioned that a larger budget will provide the funding to enhance and develop the awards program to become prestigious and the awards more highly regarded, thereby increasing nominations and enthusiasm in the community.

A cost estimate of \$8,000 including contingencies has been developed for 2022/23. An annual budget of \$10,000 is sought for 2023/24 and beyond, to include a guest speaker and any further miscellaneous costs.

Recommending:

1. **THAT** the North Sydney Community Awards are maintained as a distinct Council delivered program, independent from Australia Day.
 2. **THAT** all nominees receive a North Sydney Community Awards certificate in recognition of their achievement.
-

3.**THAT** a new ‘Local Legend’ award is included in the annual Community Awards to recognise individuals who have demonstrated a sustained and long-term commitment to servicing the community.

4.**THAT** a Selection Committee is established and includes the Mayor, Deputy Mayor and key staff for the purposes of making recommendations to Council for determination

5.**THAT** at the next quarterly budget review, the North Sydney Community Awards budget be increased from \$1,500 to \$8,000 for 2022/23.

6.**THAT** the annual North Sydney Community Awards budget be increased to \$10,000 for 2023/24 and beyond.

8.9. **Nan Minefield Young Writers Award**

Authors Bec Shelberg, Children’s and Youth Librarian, Library Services, and Kate Stewart, Manager Library Services

The purpose of this report is to provide a summary of the annual Nan Manefield Young Writer’s Award.

Winners of the 33rd Young Writers’ Award were announced at a presentation evening at Stanton Library on Thursday 9 June 2022.

A total of 354 entries were received from across the Sydney Metropolitan region. The presentation event was held to celebrate the Winning, Highly Commended and Commended entries, many of whom attended with their family members.

Judges of two age categories were in attendance to speak about the entries, provide general feedback and give insight into their choices when awarding the prizes. The other three judges (who were unable to attend due to COVID restrictions) provided written feedback that was read out by a member of the library staff. Prizes across the five age categories totalled \$3500.

The judges all acknowledged the consistently high quality of the entries received, a reflection of both the commitment of local schools to high quality creative writing and to the high standards that the Young Writers’ Award has come to elicit from the local community.

There is an allocated budget of \$5,000 to deliver the Young Writers’ Award annually.

Recommending:

1.**THAT** the report be received

11. NOTICES OF MOTION**9.1. Notice of Motion 49/22 – StreetPlay in the North Sydney LGA - Cr Beregi**

1.THAT Council call for expressions of interest from the community in relation to identifying streets, roads etc for StreetPlay for the next 6 months.

2.THAT Council re-assess the locations contained in the 22 June 2020 report as possible locations.

3.THAT Council seek to roll out the StreetPlay Program as soon as possible.

4.THAT Council continue to seek and apply for appropriate funding grants.

5.THAT should Council be unsuccessful in obtaining grant funding, that the General Manager identify funding sources to support the StreetPlay Program.

BACKGROUND (provided by the submitter)

At the Council meeting of 23 March 2020, Council resolved to adopt a motion proposed by Councillors Baker, Beregi and Carr as per below:

1. THAT Council prepare a report investigating the temporary closing of specific streets in the North Sydney LGA for a few hours on some Sunday afternoons to allow children and members of the community to participate in Street Play.

2. THAT the Council report be modelled on the initiative suggested by Waverley Mayor Paula Masselos and the report by Waverley Council as well as the report and any findings from the Inner West Council relating to a similar Play Street initiative,

3. THAT the Council report identify possible streets in the North Sydney LGA for a Pilot Program of "Street Play" in North Sydney

4. THAT the Council report consider following the Waverley model of Street Play, by defining the pilot program of Street Play as an event thereby allowing Council to provide the appropriate insurance cover.

5. THAT the Council report identify financial implications and sources of funding, where needed.

6. THAT should the Council adopt the report to proceed with the Pilot Program, then Council refer the report to the Traffic Committee for its support.

7. THAT should the Pilot Program be adopted, that Council apply to Sport Australia to provide funding for Street Play.

The background to the motion stated that:

The aim of Street Play (sometimes known as Play Streets) is not just about allowing children to play on the street, ride their scooter or have a game of wheelie bin cricket near their homes and with their neighbours. Street Play is about building communities and local connections, as well as building community resilience. With the increasing density in the North Sydney LGA, and many families living in apartments, our LGA is the ideal place to develop such an exciting concept.

Studies have sadly shown that many people don't know their neighbours. Recent data shows that there are increasing levels of social isolation - more

than ever before - and that children aren't playing outside as much as they once did. This is due to a myriad of factors such as devices and social media, concerns over children's safety as well as a reduction in free play spaces.

Street Play encourages families to all participate, make an afternoon of it, set up a table and chairs on the nature strip and enjoy each other's company. Interested residents of the proposed streets for the pilot can be trained in basic traffic management. Based on outcomes from similar initiatives, It is recommended that (i) only small streets are considered for the Pilot and for Street Play in general, (ii) that there be a time limit of a few hours and always during daylight hours, and (iii) that no commercial activities be permitted.

Street Play allows a community to come together, no invitation required, a build a sense of belonging and inclusiveness.

On 22 June 2020, a report was provided to Council (item 9.8, see page 408 in link [here](#)) and the Council resolved as per below:

- 1. THAT staff undertake consultation with the community on the 15 streets identified in this report and refine a short list of up to five (5) pilot sites for the Street Play program.*
- 2. THAT should Council be successful in its grant application for \$40,000 from the NSW Department of Planning, Industry and Environment - "Streets as Shared Spaces" program, that Council match the grant by allocating \$40,000 to the project from the 2020/2021 the Bike Strategy Projects to be established budget, and that staff proceed with a "Street Play" program as proposed in this report.*
- 3. THAT should Council be unsuccessful in its grant application to the "Streets as Shared Spaces" program, that \$80,000 be allocated from the Bike Strategy Projects to be established budget to the "Street Play" program in the 2020/2021 financial year, and that staff proceed with a "Street Play" pilot program with a scope that is consistent with the budget.*
- 4. THAT should Council be successful in obtaining a grant for the program, that staff commission the design and construction of a mobile 'parklet' to support the program.*
- 5. THAT staff prepare a "Street Play" Program Policy and Guidelines document for review at the 24 August 2020 Council meeting.*

The Council report concluded as follows:

The "Street Play" program will deliver immediate place improvements by reducing the impact of vehicles on local amenity, provide new spaces for people to walk, cycle and interact with their community, and facilitate opportunities for increased physical activity while also enabling people to maintain and observe social distancing protocols. Depending on the location, the program

also has the capacity support the local economy by bringing people to local village centres and businesses.

More so than the short-term outcomes, the “Street Play” program provides an ideal platform to test proposed improvements to public space and/or the walking and cycling network, as changes can be implemented temporarily to test and refine designs and build community support and ownership over long term outcomes. It is envisaged that the program can include ‘design my street’ days, where people participate in setting out potential designs for their street (public space) using paint, planter boxes and furniture. It is also anticipated that the program will stimulate more general (as opposed to site specific) community support for urban and social change that leads to improved place and community interaction outcomes for North Sydney.

The report suggested a number of possible locations for StreetPlay. Since then, residents have suggested other possible streets and locations.

StreetPlay Program was well received by the community and requests have been made to continue the project across various locations in the North Sydney LGA.

9.2. Notice of Motion 50/22 Unoccupied Dwellings – investigating incentive for property owners to increase housing supply and availability – Cr Beregi

1. THAT Council write to the Minister for Local Government, The Hon. Wendy Tuckerman and the Minister for Planning and Homes, The Hon. Anthony Roberts, asking that the State Government:

- a. Explore more fully methods to identify unoccupied dwellings
- b. Consider reforms to the Local Government rating system, and the NSW land tax system, to provide a financial incentive for property owners to ensure their investment property holdings are being utilised for residential accommodation purposes.
- c. Any rate revenue derived from such unoccupied dwellings be directed to acquisition of key worker/affordable housing.

2. THAT in recognizing that lack of housing is an issue across the Sydney metropolitan area, North Sydney Council writes to the Chair of NSROC, seeking support for a joint letter, calling for the actions in point one (a-c).

BACKGROUND (provided by the submitter)

At the recent NSROC meeting, Cr Flood from Lane Cove Council asked for support from neighbouring councils regarding what measures could be taken to incentivise landowners to make their properties available for residential accommodation purposes. With Cr Flood’s permission, some of the background to the motion is adopted below as it is pertinent to North Sydney as well:

Across Australia, including here in North Sydney, we are struggling through a dual rental availability and housing affordability crisis. There is a local rental vacancy rate below 2% - making rental properties difficult to come by. Based on the latest census data, local residents have faced significant rental price hikes since COVID. While these prices may be affordable for professional residents on higher incomes, this has completely priced out other essential workers - including childcare workers, retail staff and others in low to middle income brackets, who help keep our community running. The whole community suffers when essential workers are priced out of an area. While this is a multi-faceted problem, one key driver of the rental shortage and housing affordability crisis is the increasing number of properties sitting vacant.

The 2021 census revealed that across Australia, more than 1 million homes are sitting empty. We should not have a system whereby people are encouraged (via financial or tax incentives) to leave properties vacant - particularly when so many families are struggling to find a place to call home. Housing is a basic right - it is something that we should be able to provide.

This is not a problem local councils can solve alone. There are steps that can be taken to help advocate for reform. Other councils, including Lane Cove Council and Northern Beaches Council have written to the Minister for Local Government, calling for reform of the Local Government rating system, and the NSW land tax system, to provide a financial incentive for property owners to ensure their investment property holdings are being utilised for permanent residential accommodation purposes. These reforms should have a meaningful impact on the housing affordability crisis. It also has the potential to help revitalise communities and bring in more business for our local economy.

9.3. Notice of Motion 51/22 – Organisational Transparency – Cr Gibson

1.THAT the Mayor and Acting General Manager immediately schedule a briefing to address several matters of concern to Councillors.

2.THAT an opportunity for Q&A is included.

BACKGROUND (provided by the submitter)

A group of Councillors have written to the Mayor on numerous occasions over the last six weeks requesting a briefing on matters of great importance to the organisation.

Considering this Council's public commitment to transparency it is paramount that the elected body be provided with all information necessary to fulfill their obligations as elected representatives.

9.4. Notice of Motion 52/22 – Billboards on Council pavements – Cr Gibson

1.THAT a brief report be provided to the next practicable Council Meeting on Council's tolerance to small billboards and other advertising paraphernalia on the pavements in Kirribilli Village.

BACKGROUND (provided by submitter)

Small business owners in Kirribilli are still suffering the effects of Covid. Small businesses in the side streets of Kirribilli- Bligh St, Fitzroy St, and Burton St don't have the passing trade that our businesses on Broughton St have. I've been asked if Council will permit small appropriately placed billboards directing customers to their businesses tucked away on side streets. Of course, concerns about the proliferation of signage and the safety of unsecured signage need to be considered.

9.5. Notice of Motion 53/22 – Cleanliness in Kirribilli Village and surrounding streets – Cr Gibson

1.THAT a brief report be prepared for the next practicable Council Meeting providing details of the current cleaning schedule for Kirribilli Village and surrounding streets.

BACKGROUND (provided by submitter)

Residents and small business owners are concerned that Kirribilli Village is looking less clean than it was last year. Depending on the outcome of the report the cleaning schedule in the Village may need to be increased or altered.

9.6. Notice of Motion 54/22 – Trial Weekend Closure

1.THAT a report be promptly prepared to examine options for the trial closure of Bligh St this Spring/Summer. The relevant section of road is from Humphrey Place to Broughton St and the suggested hours are from 5pm Friday to 5pm Sunday.

BACKGROUND (provided by submitter)

There is support from many residents and small business owners to increase opportunities for outdoor dining and community gatherings in Kirribilli. The Western end of Bligh St - the section of road that is currently painted - provides the perfect opportunity.

MATTERS OF URGENCY

Nil.

CONFIDENTIAL MATTERS

Nil.

CLOSURE