



**MINUTES: 3729<sup>th</sup> MEETING OF THE NORTH SYDNEY COUNCIL  
HELD ON MONDAY, 23 MARCH 2020 AT 7.30PM  
(rescheduled to Monday 6 April 2020 at 6.30pm)**

**PRESENT**

At the commencement of business (7.35pm) those present in the Council Chambers were:

The Mayor and Councillors Drummond and Mutton.

**Apologies**

Apologies were received from Councillors Baker, Barbour, Beregi, Brodie, Carr, Keen and Gunning.

As there was no quorum present, the meeting was adjourned to a date to be determined.

The meeting was rescheduled to be held on Monday, 6 April 2020 at 6.30pm.

**RECOMMENCEMENT – MONDAY, 6 APRIL 2020**

At the commencement of business (6.45pm) those present in the Council Chambers were:

The Mayor and Councillors Drummond and Mutton.

Those participating remotely were:

Councillors Baker, Barbour, Beregi, Brodie, Carr, Gunning and Keen were also in attendance.

(NB. Councillor Beregi joined the meeting at 7.47pm during consideration of Item 19, North Sydney Olympic Pool Development Application Amendments Requested by the Independent Planner - Heritage Planners and Public Consultation Feedback, see page 83.)

The meeting was opened by the Mayor.

The Acknowledgement of Country was read by Councillor Mutton.

**49. Minutes**

The Minutes of the previous 3728<sup>th</sup> Council Meeting held on Monday, 24 February 2020, copies of which had been previously circulated, were taken as read and confirmed.

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

**THAT** the Minutes of the previous 3728<sup>th</sup> Council Meeting held on Monday, 24 February 2020, copies of which had been previously circulated, were taken as read and confirmed.

The Motion was put and carried unanimously.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

**RESOLVED:**

**THAT** the Minutes of the previous 3728<sup>th</sup> Council Meeting held on Monday, 24 February 2020, copies of which had been previously circulated, were taken as read and confirmed.

**50. Declarations of Interest**

Re Item 10

Site for Sculpture by the Sea Winner, 2019  
- Results of Public Exhibition

Councillor Keen

Sydney Harbour Trust Board Member (Non-pecuniary)

**51. By Exception**

It was moved by Councillor Gibson and seconded by Councillor Barbour that the recommendations for Items 1, 2, 3, 8, 9, 10, 11, 12, 14, 15, 17 and 18 be adopted.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

## MINUTES OF THE MAYOR

### 52. **MM01: Western Harbour Tunnel & Warringah Freeway Upgrade Environmental Impact - It's Time to Get Political**

In recent weeks I have met on several occasions with members of the community who are deeply concerned about the impact of the Western Harbour Tunnel (WHT) project including Georgina Taylor, Paul Walter, Brian Emanuel and Ian Grey. We have discussed the complexity and breadth of concerns about the project and agreed that we need to focus on some key priorities if we are to ameliorate the impact of the proposed work.

Let me be clear at the outset. I am not opposed to the project, per se, and I'm sure many people in the community feel the same way. But why should infrastructure that benefits the whole city be built at the cost of the North Sydney community?

In its current form, this project trashes our open space, undermines our economic and sustainable future, and may jeopardise the health of our residents. I don't believe I am going too far when I say that this project will leave a trail of devastation, just as the Warringah Freeway did when it was first built.

The Combined Precincts Committee recently voted to oppose the WHT project. While I understand the sentiment, I believe we need to make this more personal and vote to oppose the project until ALL the major and minor impacts on the North Sydney LGA have been mitigated.

North Sydney residents are generally well-educated and well-informed people. We usually see both sides of the story and tend to be polite. The time for politeness is over. It's time to get political, it's time to get vocal and it's time to act if we are to protect our quality of life.

Of course with the Coronavirus Pandemic local residents are quite rightly focussing on their health, their families, their jobs and how to manage their rapidly changing circumstances. At this point in time I acknowledge it's increasingly difficult to ask our residents to pay attention to the complex Environmental Impact Statement for the WHT. However, as Mayor, I am committing to keeping this discussion alive.

Council staff have prepared a detailed and thoughtful submission which I hope will be considered by the Department of Planning, Industry and Environment as it progresses the project. However, if change is to be achieved, this matter also needs to be escalated to a political level so that the Premier can fully understand the impact her Government is having on the lives of people in her community.

Residents have told me they want Council to be a united voice on this subject. They have also told me what they consider the deal breaker issues are for them. I have therefore prepared four Mayoral Minutes addressing these matters to ensure they receive the focus they need.

#### **I therefore recommend:**

- 1. THAT** Council begin a public campaign seeking widespread community support for changes to the Western Harbour Tunnel and Warringah Freeway Upgrade project to ameliorate the impact on the North Sydney LGA.
- 2. THAT** the General Manager identify a budget of \$50,000 to fund the campaign.
- 3. THAT** the campaign direct people to contact the NSW Premier, in both her capacity

as Premier and Member for Willoughby, seeking an agreement to fund the cost of measures to address and mitigate the impacts that have been identified.

**4. THAT** Council write to the NSW Premier seeking financial and/or other compensation for the temporary and permanent loss of amenity created by the Western Harbour Tunnel project.

By consent, the Motion was amended to read,

**1. THAT** Council begin a public campaign seeking widespread community support for changes to the Western Harbour Tunnel and Warringah Freeway Upgrade project to ameliorate the impact on the North Sydney LGA.

**2. THAT** the General Manager report back to Council on an appropriate budget to fund the campaign and an appropriate commencement date.

**3. THAT** the campaign direct people to contact the NSW Premier, in both her capacity as Premier and Member for Willoughby, seeking an agreement to fund the cost of measures to address and mitigate the impacts that have been identified.

**4. THAT** Council write to the NSW Premier seeking financial and/or other compensation for the temporary and permanent loss of amenity created by the Western Harbour Tunnel project.

The Motion was moved by the Mayor.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

**RESOLVED:**

**1. THAT** Council begin a public campaign seeking widespread community support for changes to the Western Harbour Tunnel and Warringah Freeway Upgrade project to ameliorate the impact on the North Sydney LGA.

**2. THAT** the General Manager report back to Council on an appropriate budget to fund the campaign and an appropriate commencement date.

**3. THAT** the campaign direct people to contact the NSW Premier, in both her capacity as Premier and Member for Willoughby, seeking an agreement to fund the cost of measures to address and mitigate the impacts that have been identified.

**4. THAT** Council write to the NSW Premier seeking financial and/or other compensation for the temporary and permanent loss of amenity created by the Western Harbour Tunnel project.

**53. MM02: Western Harbour Tunnel & Warringah Freeway Upgrade Environmental Impact - Protecting our CBD**

Seven years ago, Council set out to rejuvenate the North Sydney CBD. Recognising its importance as the economic powerhouse of the North Shore, we took a multi-pronged approach addressing everything from land use through to upgrading the public domain and implementing a marketing strategy. We're seeing the results of that hard work, with high profile tenants moving into the centre and a vibrancy and optimism

emerging, despite the background hum of jackhammers!

We have been working closely with the NSW Government at every stage, especially in relation to the new Metro station. The Government is well aware of our plans so it is astounding that they would choose to chop the CBD in half by allowing Berry Street to be the access point to the Western Harbour Tunnel (WHT).

The Government is proposing to remove the parking on either side of Berry Street and create a four-lane through-route, effectively making Berry Street an extension of the Pacific Highway. This Council is well aware of the impact that removing parking has on pedestrian amenity. We've seen what happens in places like Parramatta Road, where the lack of foot traffic results in empty, derelict shops and, to a lesser extent, we've seen the impact that the changed traffic arrangements on Military Road has had on our own village centres.

The WHT proposal is in direct opposition to Council's vision to integrate the north and south sections of the CBD. It severely compromises our Ward Street Masterplan, which is designed to bring much-needed open space to the centre. Instead of the connected, pedestrian friendly and sustainable CBD that we have been working towards, this project will turn our CBD into a series of isolated commercial islands bordered by high speed thoroughfares.

This will be a nightmare for vulnerable people and the thousands of students who cross our roads every day. It will make it harder to create a liveable city, where people can walk around at lunch time or after hours and will make it almost impossible to revitalise the night life.

The traffic implications of this project aren't just limited to the CBD - some of our local streets will take increased traffic as people make their way to the tunnel entrances.

**I therefore recommend:**

1. **THAT** Council write to the NSW Premier asking her to attend a meeting with the Mayor, Deputy Mayor, General Manager, Georgina Taylor, Paul Walter, Brian Emanuel and Ian Grey to discuss alternative options for the tunnel entrance in North Sydney.
2. **THAT** Council write to the NSW Premier, Member for North Shore and Minister for Transport, urging them to promptly redesign the access points to the tunnel to ameliorate the identified negative impacts in our North Sydney CBD.

The Motion was moved by the Mayor.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

**RESOLVED:**

1. **THAT** Council write to the NSW Premier asking her to attend a meeting with the Mayor, Deputy Mayor, General Manager, Georgina Taylor, Paul Walter, Brian

Emanuel and Ian Grey to discuss alternative options for the tunnel entrance in North Sydney.

**2. THAT** Council write to the NSW Premier, Member for North Shore and Minister for Transport, urging them to promptly redesign the access points to the tunnel to ameliorate the identified negative impacts in our North Sydney CBD.

**54. MM03: Western Harbour Tunnel & Warringah Freeway Upgrade Environmental Impact - Protecting our Open Space**

The Western Harbour Tunnel and Warringah Freeway Upgrade project will reduce Council's open space temporarily and permanently. This harsh truth needs to be looked at within the context of another equally harsh truth, which is that North Sydney has more people per hectare of open space than any of the other six councils in the Northern Suburbs Regional Organisation of Councils (NSROC).

North Sydney has 557 people per hectare while our NSROC neighbours range from just 85 people per hectare in Ku-ring-gai through to 220 in Willoughby. (This does beg the question: why couldn't the interchange be located in Willoughby?). Incredibly, we even have more residents per hectare than the densely populated City of Sydney across the bridge.

In short, we need our open space and it must not be sacrificed to road infrastructure. The loss in St Leonards Park (equivalent to approx. one soccer field) is temporary, but the loss on the Cammeray Golf Course (equivalent to approx. five soccer fields) will be permanent.

Some of the land that will be returned to open space will have two operational buildings on it. I think we can all be tolerant of temporary structures above ground when we know the area is returning to public use, but permanent structures in the midst of open space is untenable. These structures must be placed underground.

More importantly, the land that is alienated by the project should be replaced. One option is to build a connection bridge between Anzac Park and the Cammeray Golf Course across the Warringah Freeway. This is not a new concept. A few years ago I proposed the same thing further south to link the western and eastern halves of the North Sydney CBD.

This is a once in a lifetime opportunity to redress some of the negative impacts of the Warringah Freeway on the North Sydney community. The price tag for building Cammeray Connection, as I am calling it, won't be cheap, but it is eminently affordable in the context of the tunnel project. More importantly, it is the right and fair thing to do.

**I therefore recommend:**

**1. THAT** Council write to the NSW Premier asking her to attend a meeting with the Mayor, Deputy Mayor, General Manager, Georgina Taylor, Paul Walter, Brian Emanuel and Ian Grey to discuss how the open space permanently alienated by this project can be replaced.

**2. THAT** Council write to the NSW Premier asking her to guarantee that there will be no permanent structures on any of the land returned to public space.

The Motion was moved by the Mayor.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

**RESOLVED:**

**1. THAT** Council write to the NSW Premier asking her to attend a meeting with the Mayor, Deputy Mayor, General Manager, Georgina Taylor, Paul Walter, Brian Emanuel and Ian Grey to discuss how the open space permanently alienated by this project can be replaced.

**2. THAT** Council write to the NSW Premier asking her to guarantee that there will be no permanent structures on any of the land returned to public space.

**55. MM04: Western Harbour Tunnel & Warringah Freeway Upgrade Environmental Impact - Air Filtration**

One of the primary concerns of residents about this project has been, and remains, the impact of air pollution on community health. Councillors will recall that we have resolved to undertake our own air quality monitoring to collect base line data on air quality. A monitoring station has been installed in St Leonards Park and the results will be published on Council's website.

The NSW Government has consistently argued that air filtration systems create no real benefit over unfiltered systems. They base this on scientific modelling, which has been included in the Environmental Impact Statement. Like all economic and scientific modelling, the outputs are based on best-guess inputs. Change the input and you get a different result.

The decision to go without an air filtration system feels like a massive experiment in community health which will keep epidemiologists of the future well employed tracking air pollution and disease patterns. Our community is asking a simple question and they have not yet received a satisfactory answer - if air filtration systems are considered to be standard requirements elsewhere in the world, why is the NSW Government so unwilling to compromise?

Residents have told me they would like the NSW Premier to attend a site visit in Cammeray to discuss both the location of the stacks and the impact on air quality on the surrounding residents and schools.

**I therefore recommend:**

**1. THAT** Council write to the NSW Premier asking her to attend a meeting with the Mayor, Deputy Mayor, General Manager, Georgina Taylor, Paul Walter, Brian Emanuel and Ian Grey to discuss the location of the proposed ventilation stacks and the need for appropriate filtration.

**2. THAT** in the event the NSW Government will not commit to air filtration, the NSW Premier be asked to guarantee that the infrastructure is built in a way that allows it to be easily adapted/retrofitted if a future need is identified.

The Motion was moved by the Mayor.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

**RESOLVED:**

**1. THAT** Council write to the NSW Premier asking her to attend a meeting with the Mayor, Deputy Mayor, General Manager, Georgina Taylor, Paul Walter, Brian Emanuel and Ian Grey to discuss the location of the proposed ventilation stacks and the need for appropriate filtration.

**2. THAT** in the event the NSW Government will not commit to air filtration, the NSW Premier be asked to guarantee that the infrastructure is built in a way that allows it to be easily adapted/retrofitted if a future need is identified.

**56. MM05: Free 15 Minute Parking at all Meters**

For a number of years, I have thought that North Sydney Council should be providing its residents and visitors with free parking for a 15 minute period at all our parking meters.

Our small businesses are struggling and need support in these uncertain times. Providing the opportunity for people to park outside a small business and quickly pick up items they need, whether it be bread & milk, a prescription, or just a coffee, is a win-win situation for both residents and the businesses.

The City of Sydney is currently trialling free 15 minute parking in retail areas of village main streets outside the City Centre.

I would like to see North Sydney conduct its own trial.

**I therefore recommend:**

**1. THAT** Council request a report from the General Manager (Director Engineering and Property Services) outlining the practicality of running a 12-month trial for free 15-minute parking at all North Sydney Council parking meters.

**2. THAT** the report be submitted to the 27 April 2020 Council meeting.

(NB. The General Manager advised that the organisation would endeavour to provide the report for 27 April 2020 however, as a result of the adjournment, this may not be practicable.)

The Motion was moved by the Mayor.

The Motion was put and **carried**.



Voting was as follows:

For/Against 6/3

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

**RESOLVED:**

- 1. THAT** Council receive a report from the General Manager (Director Engineering and Property Services) outlining the practicality of running a 12 month trial for free 15 minute parking at all North Sydney Council parking meters.
- 2. THAT** the report be submitted to the 27 April 2020 Council meeting, if practicable.

## Reports of Committees

### 57. **Item 1: Traffic Committee - Minutes 7 February 2020**

*(This Item was dealt with by exception. See page 54)*

Report of Michaela Kemp, Manager Traffic and Transport Operations

This report presents the recommendations of the last meeting of the Traffic Committee held on 7 February 2020 for Council adoption. The Minutes are attached for information.

The full reports to Traffic Committee can be accessed at:

[https://www.northsydney.nsw.gov.au/Council\\_Meetings/Meetings/Committees/Traffic\\_C\\_Committee/2020/7\\_February\\_2020](https://www.northsydney.nsw.gov.au/Council_Meetings/Meetings/Committees/Traffic_C_Committee/2020/7_February_2020)

**Recommending:**

- 1. THAT** Council acknowledges all submissions from the speed cushion trial on Bannerman Street, Cremorne and that the overall objective of the trial to reduce speed and improve pedestrian safety was successful. (4.2)
- 2. THAT** the trial of speed cushions on Bannerman Street, Cremorne (except the speed cushion between Claude Avenue and Guthrie Avenue), be removed immediately. (4.2)
- 3. THAT** a low profile flat top threshold be approved by Transport for NSW prior to installation, and that the threshold be installed in Bannerman Street, Cremorne in between Claude Street and Guthrie Avenue, with the most suitable location to be determined by Council's Traffic Engineers. (4.2)
- 4. THAT** the threshold in Bannerman Street, Cremorne be carefully designed to serve its purpose, to be friendly to all road users as much as possible, and that it be constructed with haste. (4.2)
- 5. THAT** Council commence speed counts as soon as the speed cushions are removed in Bannerman Street, Cremorne and report back to the Traffic Committee in 3-4 months. (4.2)
- 6. THAT** North Sydney Council acknowledges the rights of our elderly residents and other pedestrians to be safe on Council's footpaths. (4.3)
- 7. THAT** the Council immediately remove all shared zone signage erected in St Peters Park, Lavender Bay. (4.3)
- 8. THAT** signage be installed under Section 632 of the Local Government Act in St Peters Park, Lavender Bay instructing cyclists to dismount in this location. (4.3)
- 9. THAT** signage be installed in St Peters Park, Lavender Bay identifying that aged pedestrians reside here. (4.3)

10. **THAT** a report be brought back to the Traffic Committee in 3 months in relation to signage installed in St Peters Park, Lavender Bay. (4.3)
11. **THAT** the information concerning Standing Item - Military Road B-Line be received. (5.3)
12. **THAT** detailed information about Puffin Crossings and their appropriateness for use in Cremorne and Neutral Bay Shopping Centres, as well as information on red light cameras and pedestrian safety, be brought back to the next Traffic Committee meeting. (5.3)
13. **THAT** the information regarding Delegated Authority items be received. (4.1)
14. **THAT** the information concerning the Abandoned Vehicles and Unattended Boat Trailers Processed Report be received. (5.1)
15. **THAT** the information concerning Standing Item - Gerard Street and Macpherson Street Traffic Control Signals be received. (5.2)
16. **THAT** subject to no objection from the Traffic Committee members, the traffic aspects of the Traffic Impact Assessment prepared by PTC Consultants dated 7 January 2020 for the approved development at 60 Kareela Road, Cremorne Point (Development Consent 202/19) is approved under delegated authority of Council's Traffic Engineer subject to the conditions outlined in the report. (6.1)
17. **THAT** 60 Kareela Road, Cremorne Point CTMP (Demolition Stage Only) be deferred to allow time for Transport for NSW to receive the CTMP. (6.1)
18. **THAT** based on the finding of the Road Safety Audit and safety issues stated in the report regarding Union Street, McMahons Point, the installation of speed cushions are not to proceed. (7.1)
19. **THAT** other alternate treatments be investigated by Council's Traffic Engineer to resolve the speeding issues in Union Street, McMahons Point and report back to Traffic Committee. (7.1)
20. **THAT** pedestrian safety on Spofforth Street, Cremorne be an item on the next Traffic Committee agenda and that the senior staff member as well as Mosman Traffic Committee Chair, Councillor Simon Menzies from Mosman Council be invited to the next meeting to discuss the pedestrian crossing.
21. **THAT** pedestrian safety be added to the Traffic Committee Agenda as a standing item as well as a shared zone in Bligh Street, Kirribilli.

**RESOLVED:**

1. **THAT** Council acknowledges all submissions from the speed cushion trial on Bannerman Street, Cremorne and that the overall objective of the trial to reduce speed and improve pedestrian safety was successful. (4.2)
2. **THAT** the trial of speed cushions on Bannerman Street, Cremorne (except the speed cushion between Claude Avenue and Guthrie Avenue), be removed immediately. (4.2)
3. **THAT** a low profile flat top threshold be approved by Transport for NSW prior to installation, and that the threshold be installed in Bannerman Street, Cremorne in between Claude Street and Guthrie Avenue, with the most suitable location to be determined by Council's Traffic Engineers. (4.2)
4. **THAT** the threshold in Bannerman Street, Cremorne be carefully designed to serve its purpose, to be friendly to all road users as much as possible, and that it be constructed with haste. (4.2)
5. **THAT** Council commence speed counts as soon as the speed cushions are removed in Bannerman Street, Cremorne and report back to the Traffic Committee in 3-4 months. (4.2)
6. **THAT** North Sydney Council acknowledges the rights of our elderly residents and other pedestrians to be safe on Council's footpaths. (4.3)
7. **THAT** the Council immediately remove all shared zone signage erected in St Peters Park, Lavender Bay. (4.3)
8. **THAT** signage be installed under Section 632 of the Local Government Act in St Peters Park, Lavender Bay instructing cyclists to dismount in this location. (4.3)

9. **THAT** signage be installed in St Peters Park, Lavender Bay identifying that aged pedestrians reside here. (4.3)
10. **THAT** a report be brought back to the Traffic Committee in 3 months in relation to signage installed in St Peters Park, Lavender Bay. (4.3)
11. **THAT** the information concerning Standing Item - Military Road B-Line be received. (5.3)
12. **THAT** detailed information about Puffin Crossings and their appropriateness for use in Cremorne and Neutral Bay Shopping Centres, as well as information on red light cameras and pedestrian safety, be brought back to the next Traffic Committee meeting. (5.3)
13. **THAT** the information regarding Delegated Authority items be received. (4.1)
14. **THAT** the information concerning the Abandoned Vehicles and Unattended Boat Trailers Processed Report be received. (5.1)
15. **THAT** the information concerning Standing Item - Gerard Street and Macpherson Street Traffic Control Signals be received. (5.2)
16. **THAT** subject to no objection from the Traffic Committee members, the traffic aspects of the Traffic Impact Assessment prepared by PTC Consultants dated 7 January 2020 for the approved development at 60 Kareela Road, Cremorne Point (Development Consent 202/19) is approved under delegated authority of Council's Traffic Engineer subject to the conditions outlined in the report. (6.1)
17. **THAT** 60 Kareela Road, Cremorne Point CTMP (Demolition Stage Only) be deferred to allow time for Transport for NSW to receive the CTMP. (6.1)
18. **THAT** based on the finding of the Road Safety Audit and safety issues stated in the report regarding Union Street, McMahons Point, the installation of speed cushions are not to proceed. (7.1)
19. **THAT** other alternate treatments be investigated by Council's Traffic Engineer to resolve the speeding issues in Union Street, McMahons Point and report back to Traffic Committee. (7.1)
20. **THAT** pedestrian safety on Spofforth Street, Cremorne be an item on the next Traffic Committee agenda and that the senior staff member as well as Mosman Traffic Committee Chair, Councillor Simon Menzies from Mosman Council be invited to the next meeting to discuss the pedestrian crossing.
21. **THAT** pedestrian safety be added to the Traffic Committee Agenda as a standing item as well as a shared zone in Bligh Street, Kirribilli.

58. **Item 2: Legal and Planning Committee - Minutes 9 March 2020**

*(This Item was dealt with by exception. See page 54)*

Report of Melissa Dunlop, Governance Co-ordinator

This report presents the recommendations of the last meeting of the Legal and Planning Committee held on 9 March 2020 for Council adoption. The Minutes are attached for information.

**Recommending:**

1. **THAT** the Current Appeals and Results - March 2020 report be received. (LP01)
2. **THAT** the 2019 Appeals Statistical Review be received. (LP02)
3. **THAT** the Q2 2019 report of Development Applications lodged be received. (LP03)
4. **THAT** the North Sydney Local Planning Panel Annual Report 2018/19 be received. (LP04)
5. **THAT** the Variations to Development Standards report be received. (LP05)
6. **THAT** Council not accept the role of the Planning Proposal Authority for Planning Proposal 3/19 – 173-179 Walker Street and 11-17 Hampden Street, North Sydney. (LP06)

7. **THAT** in not accepting the Planning Proposal Authority role, that Council advise the Department of Planning, Industry and Environment:
  - a. that the recommendations of the Sydney North Regional Planning Panel form conditions to any Gateway Determination issued;
  - b. that it consider the outcomes of Council’s Civic Planning Study prior to the issue of Gateway Determination;
  - c. that the terms of any draft Voluntary Planning Agreement or public benefit associated with the Planning Proposal be determined prior to the public exhibition of the Planning Proposal in conjunction with Council;
  - d. that the Planning Proposal, any VPA and site specific DCP controls, be placed on public exhibition concurrently;
  - e. that Council retain the authority to amend North Sydney Development Control Plan 2013. (LP06)
8. **THAT** Council advise the Sydney North Regional Planning Panel of its decision. (LP06)
9. **THAT** the Review of the Neutral Bay Heritage Conservation Area be deferred to the next Financial Year, 2020/21. (LP07)

**RESOLVED:**

1. **THAT** the Current Appeals and Results - March 2020 report be received. (LP01)
2. **THAT** the 2019 Appeals Statistical Review be received. (LP02)
3. **THAT** the Q2 2019 report of Development Applications lodged be received. (LP03)
4. **THAT** the North Sydney Local Planning Panel Annual Report 2018/19 be received. (LP04)
5. **THAT** the Variations to Development Standards report be received. (LP05)
6. **THAT** Council not accept the role of the Planning Proposal Authority for Planning Proposal 3/19 – 173-179 Walker Street and 11-17 Hampden Street, North Sydney. (LP06)
7. **THAT** in not accepting the Planning Proposal Authority role, that Council advise the Department of Planning, Industry and Environment:
  - a. that the recommendations of the Sydney North Regional Planning Panel form conditions to any Gateway Determination issued;
  - b. that it consider the outcomes of Council’s Civic Planning Study prior to the issue of Gateway Determination;
  - c. that the terms of any draft Voluntary Planning Agreement or public benefit associated with the Planning Proposal be determined prior to the public exhibition of the Planning Proposal in conjunction with Council;
  - d. that the Planning Proposal, any VPA and site specific DCP controls, be placed on public exhibition concurrently;
  - e. that Council retain the authority to amend North Sydney Development Control Plan 2013. (LP06)
8. **THAT** Council advise the Sydney North Regional Planning Panel of its decision. (LP06)
9. **THAT** the Review of the Neutral Bay Heritage Conservation Area be deferred to the next Financial Year, 2020/21. (LP07)

## Reports to Council

### 59. **Item 3: Matters Outstanding – March 2020**

*(This Item was dealt with by exception. See page 54)*

Report of Ken Gouldthorp, General Manager

A report on the current status of matters arising from Council resolutions up to the meeting of 24 February 2020 is presented.

**Recommending:**

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

**RESOLVED:**

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

### 60. **Item 4: Resilient Sydney – Funding Request**

Report of Jon Paul Agnew, Risk Manager

Resilient Sydney is an initiative hosted by the City of Sydney on behalf of all metropolitan councils, including North Sydney Council, with links to the NSW Government, business and the community. Resilient Sydney is part of a global network of major cities in 40 countries around the world, and promotes resilience based on a model of identifying, assessing and preparing for acute shocks and chronic stresses.

In recent times catastrophic bushfires, wild weather, epidemic, socioeconomic disruption and cyber threats have illustrated the importance and value of this initiative for Council. Council staff have been particularly active in the areas of risk management, integrated planning and reporting (IPR), and sustainability. The shocks-and-stresses model is integral to Council's enterprise risk assessment process, as described in the 2018/19 Annual Report (p.38-41). Council's staff also benefit from the resources and opportunities that Resilient Sydney offers for collaboration, networking, knowledge-sharing and benchmarking.

The Resilient Sydney Office has developed objectives to operationalise its strategy and seeks financial support from member councils to ensure its viability and effectiveness in the four years FY2021-2024. The individual contributions sought are proportionate to the size of each member council, which in North Sydney's case is \$10,000 per year (\$40,000 total). This report recommends that Council commit \$10,000 in FY2021 and, subject to being satisfied with the value obtained in that year, subsequently commit \$10,000 per year in FY2022-2024 (\$30,000). Financial Services will allocate funding from general revenue subject to Council's decision on these recommendations. The FY2021 return on investment will be measured qualitatively as it is not possible to reliably quantify it in monetary terms.

Up to \$40,000 in total over FY2021-FY2024 (\$10,000 per year), subject to Council determination and inclusion within future budgets, and consisting of:

- \$10,000 in FY2021.
- \$10,000 per year in FY2022-2024 (\$30,000), subject to being satisfied with the value obtained by Council in FY2021.

**Recommending:**

1. **THAT** Council contribute \$10,000 to the Resilient Sydney program in FY2021.

2. **THAT** subject to being satisfied with the value obtained by Council in FY2021, the General Manager be authorised to commit \$10,000 per year in FY2022-2024 (\$30,000).

The Recommendation was moved by Councillor Baker, seconded by Councillor Barbour.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/1

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

**RESOLVED:**

- 1. THAT** Council contribute \$10,000 to the Resilient Sydney program in FY2021.
- 2. THAT** subject to being satisfied with the value obtained by Council in FY2021, the General Manager be authorised to commit \$10,000 per year in FY2022-2024 (\$30,000).

**61. Item 5: Investments and Loan Borrowings Held as at 29 February 2020**

Report of Garry Ross, Manager Financial Services

This report provides details of the performance of Council's investment portfolio and borrowing limits for the period ending 29 February 2020.

Investment Portfolio:

The Investment portfolio provided an annualised return of 2.52% for the year to date as at 29 February 2020, 1.22% above the reportable BBSW Bank Bill Index.

Borrowings:

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 29 February 2020 is \$8,306,826.48

The 2019/20 budgeted returns on investments is estimated to be \$1,529,055.00. This is significantly less than previous returns due to the declining cash reserve balances and continued low interest rates. Any surplus funds generated in excess of adopted estimates will be transferred to Council's internally restricted reserves.

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

**Recommending:**

- 1. THAT** the report on Investments and Loan Borrowings held as at 29 February 2020 be received.

The Recommendation was moved by Councillor Barbour, seconded by Councillor Drummond.

The Motion was put and **carried**.

Voting was as follows:

For/Against 7/2

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

**RESOLVED:**

1. **THAT** the report on Investments and Loan Borrowings held as at 29 February 2020 be received.

62. **Item 6: Council Submission to the Western Harbour Tunnel and Warringah Freeway Upgrade Environmental Impact Statement**

Report of Neal McCarry, Team Leader Strategic Planning Policy

On 29 January 2020 the NSW Government released the Western Harbour Tunnel (WHT) and Warringah Freeway Upgrade (WFU) Environmental Impact Statement (the EIS) for the proposed projects. The public exhibition period has recently been extended and now concludes on 30 March 2020.

This report provides a description of the key elements and impacts of the Western Harbour Tunnel and Warringah Freeway upgrade projects and seeks Council's endorsement to submit a formal response on the Environmental Impact Statement to the Department of Planning, Industry and Environment.

This report has been prepared with input from a multi-disciplinary team across Council's divisions as well as some external specialist consultant input. Given the short timeframe relative to the scale of the project and volume of exhibition documentation, some sections of the EIS have not been the subject of detailed review and the response prepared to such a voluminous and highly technical document, has been influenced by the time available to comment. At the time of completion of this report, a formal request by Council to extend the consultation period for an extension of time until 12 May 2020, was yet to receive a response.

The review of the EIS for these projects has identified significant concerns including; inadequate justification and need, loss of open space, construction and operational road network impacts, air quality and human health concerns, environmental, visual, social, amenity and heritage impacts as well as numerous key (State and Local) strategic projects having the potential to be compromised. The analysis has also concluded that aspects of the Secretary's Environmental Assessment Requirements (SEARs) have not been adequately met in the EIS.

Due to the scale and complexity of the project and nature and number of issues arising, the identified concerns are summarised and presented at a high level in this report and addressed in more detail in the submission attached to this report. Recommended mitigation measures and matters requiring further resolution, are also provided, in the event that the project proceeds in its current form.

Due to the limited time available a detailed evaluation of likely financial implications of the WHT and WFU project is yet to be undertaken. Depending on the metrics applied, financial implications are likely to be substantial.

**Recommending:**

1. **THAT** the submission to the Western Harbour Tunnel and Warringah Freeway Upgrade Environmental Impact Statement, included at Attachment 1, be endorsed by Council and forwarded to the NSW Department of Planning, Industry and Environment.

2. **THAT** the General Manager be delegated authority to incorporate any amendments or additions by Council and finalise the submission to be forwarded to the NSW Department of Planning, Industry and Environment.

3. **THAT** Council make separate written representations regarding the need to establish a process for determining terms of reference setting out guiding principles and a framework for the development of any future Interface Agreement or Deed of Agreement in relation to all Council assets and to adequately ameliorate the identified adverse impacts of the project on the North Sydney Community.

4. **THAT** the submission form the basis of any further near-term discussions and negotiations with the proponent with respect to proposed compulsory land acquisitions and construction leases.

5. **THAT** Council re-iterate its previous request for an extension of time, until 12 May 2020, to allow the community adequate time to review the EIS documentation as well the impacts identified in Council’s detailed submission.

The Recommendation was moved by Councillor Barbour, seconded by Councillor Drummond.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

**RESOLVED:**

1. **THAT** the submission to the Western Harbour Tunnel and Warringah Freeway Upgrade Environmental Impact Statement, included at Attachment 1, be endorsed by Council and forwarded to the NSW Department of Planning, Industry and Environment.

2. **THAT** the General Manager be delegated authority to incorporate any amendments or additions by Council and finalise the submission to be forwarded to the NSW Department of Planning, Industry and Environment.

3. **THAT** Council make separate written representations regarding the need to establish a process for determining terms of reference setting out guiding principles and a framework for the development of any future Interface Agreement or Deed of Agreement in relation to all Council assets and to adequately ameliorate the identified adverse impacts of the project on the North Sydney Community.

4. **THAT** the submission form the basis of any further near-term discussions and negotiations with the proponent with respect to proposed compulsory land acquisitions and construction leases.

5. **THAT** Council re-iterate its previous request for an extension of time, until 12 May 2020, to allow the community adequate time to review the EIS documentation as well the impacts identified in Council’s detailed submission.

63. **Item 7: Military Road Corridor, Stage 1 – Draft Future Direction Report**

Report of Tomas van der Meer, Senior Strategic Planner Urban Design

At its meeting on 28 May 2018, Council endorsed the preparation of a planning study to guide future development along the Military Road Corridor in Neutral Bay. The purpose of its ongoing preparation has been to formulate directions that guide future development in a manner that meets the needs and expectations of our community as well as ensuring that much needed public benefits can be leveraged and delivered from such development.

The Military Road Corridor is experiencing significant development pressure that is intended to be guided by the planning study. The alternative to Council managing such development pressure, is landowners/proponents lodging *ad-hoc* planning proposals



and potentially pursuing approvals via the NSW Government, thereby bypassing Council. An overarching framework that has been the subject of wide-ranging consultation, is an effective and considered way of avoiding this and placing the capacity to plan for the precinct's future, more squarely in Council's hands.

Extensive stakeholder engagement has informed the preparation of the draft *Future Direction Report*. The draft *Future Direction Report* seeks to:

- Recognise and address the ongoing loss of employment floor space by ensuring that more commercial/retail floor space is provided in future development. This will improve the diversity, vibrancy and long-term viability of the town centre. The adjustment is proposed to increase the existing building height controls from 5 storeys to 6 storeys with the added 1 storey required to be commercial/retail.
- Adjust building setbacks, through-site links and other changes to improve the urban design and amenity of the centre.
- Identify unusually large or strategically significant sites that can deliver on the employment/retail demand whilst delivering tangible and much needed public benefits. Significant demand for both public domain and community facilities was identified during stakeholder engagement, research and other Council endorsed policies. These sites would leverage managed increases in height to deliver on this significant demand that would otherwise be beyond Council's financial and spatial capacity in the Neutral Bay town centre.

The identified potential uplift in height has been carefully managed to ensure reasonable and managed environmental impacts, whilst aligning with the delivery of the tangible public benefits and improved employment/retail outcomes. The additional uplift is limited to four sites with a height uplift of 8 storeys and 12 storeys. These proposed heights remain lower than higher buildings in the surrounding high-density residential perimeter of the town centre and transition to the local residential streets. This balanced uplift has the potential to deliver:

- Existing and new public domain improvements (~9,000m<sup>2</sup> total)
  - New public open space (~3,800m<sup>2</sup>);
  - Existing public domain improvements (~5,200m<sup>2</sup>);
- Undergrounding of public car parking (155 parking spaces);
- Regional secured commuter bicycle parking (28 spaces)
- New community centre with accessible toilet and family room (~1,000m<sup>2</sup>);
- New recreational facility (~900m<sup>2</sup>);
- New creative makers art alley (~500m<sup>2</sup>); and
- Increased employment floorspace from existing non-residential FSR of 0.5:1 to 1.2:1, 1.7:1 & 2.2:1.

The finalisation of the draft *Future Direction Report* will assist to deliver much needed public domain and facilities improvements as well as on employment growth by leveraging limited and managed height increases on specific sites.

A budget of \$108,000 in the 2019/20 is allocated to the Military Road Corridor Planning Study. External consultants have provided technical input regarding financial feasibility, heritage and costs covered for public exhibition/consultation activities. A total of \$50,000 has been spent to date, and further expenditure will be required as part of the exhibition of this work.

**Recommending:**

1. **THAT** Council adopt the draft *Future Direction Report* for the Military Road Corridor Planning Study for the purposes of public exhibition and feedback.
2. **THAT** the draft *Future Direction Report* is placed on public exhibition for a period of 6 weeks and that a comprehensive process of consultation be undertaken including with relevant stakeholders.
3. **THAT** the results of the public exhibition be reported back to Council with amendments as required to the draft *Future Direction Report* prior to it being finalised.

The Recommendation was moved by Councillor Keen, seconded by Councillor Barbour.

The Motion was put and **carried**.

Voting was as follows:

For/Against 7/2

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

**RESOLVED:**

1. **THAT** Council adopt the draft *Future Direction Report* for the Military Road Corridor Planning Study for the purposes of public exhibition and feedback.
2. **THAT** the draft *Future Direction Report* is placed on public exhibition for a period of 6 weeks and that a comprehensive process of consultation be undertaken including with relevant stakeholders.
3. **THAT** the results of the public exhibition be reported back to Council with amendments as required to the draft *Future Direction Report* prior to it being finalised.

**64. Item 8: North Sydney Centre Review - Public Domain Strategy 2020 – Stage 2**

*(This Item was dealt with by exception. See page 54)*

Report of Pedro Garcia Gidron, Senior Strategic Planner

North Sydney Council is working to create a more engaging and resilient CBD that offers a greater range of activities and unique public spaces for workers, residents and visitors.

The preparation of a Public Domain Strategy (PDS) for the CBD forms part of this work. The strategy establishes a vision for the centre's public domain, identifies a suite of short to long term projects and puts in place an implementation framework for delivery.

The PDS has been undertaken in two stages. Stage 1 was endorsed by Council in October 2018 and was exhibited in late 2018/early 2019. Following the exhibition of Stage 1, Council noted the submissions and resolved to proceed with Stage 2 in May 2019.

This report presents Stage 2 of this Strategy. Stage 2 has built on the work adopted in Stage 1 (ideas phase) and has consolidated these ideas into a holistic vision for the CBD's public domain.

The vision responds and addresses the undergoing transformation of the CBD and the arrival of the Metro and puts forward the framework to deliver the public domain that complements the new public transport infrastructure and commercial developments and caters for the expected growth.

The draft Strategy sets up the goals, the urban structure, the urban elements, and the projects to achieve a high-quality public domain for our CBD.

The draft Strategy sets a series of objectives for the public domain and presents 19 projects in and around the CBD that will contribute to achieve them. The projects are grouped in 4 main categories:

1. Civic Spine
2. Parks & Plazas

3. Laneways
4. Footpaths & Crossings

Within these 4 groups, major projects include:

- **Miller Place.** A new 7,450m<sup>2</sup> pedestrianised public plaza on Miller Street created between Pacific Hwy and Berry St;
- **Post Office Square.** A new 1,675 m<sup>2</sup> plaza outside the Post Office;
- **Tramway Park.** Converting the under-utilised deck of the tramway viaduct into a 4,650 m<sup>2</sup> public space;
- **Laneway links.** Turning Denison, Mount, Hill, Spring and Little Spring Streets into pedestrian areas or shared zones;
- **Little Walker Street.** Upgrade the street as an activated shared zone with art installations; and
- **Upgrading Berry Street.** 8,300m<sup>2</sup> of upgraded road, footpaths and squares with new architecture offering, shops and dining on the street.

Traffic changes required to achieve these key proposals are achievable and substantiated by the *North Sydney CBD Transport Masterplan*, which was endorsed by Council on 27 August 2018. The Western Harbour Tunnel project, which EIS is on exhibition at present, represents a major risk to various projects identified in this draft Strategy and its overriding objectives given its alignment, increased traffic loads on Berry Street and impact on the potential to realise Miller Place.

This report seeks Council's endorsement to proceed with public exhibition of Stage 2 of the draft Strategy.

Stage 2 of this project is fully grant funded from the LEP Acceleration Fund, which totalled \$2.5 million, of which \$100,000 were allocated to this project. To date, a total of \$49K has been spent on this project. Additional funds will be expended on public exhibition and engagement, and finalisation.

The proposed works within the strategy will have significant costs. Council will need to review each project and consider incorporating them into the Council Delivery Program as well as explore funding options in collaboration with State agencies.

**Recommending:**

1. **THAT** the CBD Public Domain Strategy 2020 (Attachment 1) be adopted for the purposes of public exhibition.
2. **THAT** the draft Strategy be placed on public exhibition for a period of 6 weeks.
3. **THAT** relevant state authorities such as Transport for NSW (TfNSW), Department of Planning, Industry and Environment (DPIE) and Greater Sydney Commission (GSC) be notified and issued copies of the North Sydney CBD Public Domain Strategy 2020.
4. **THAT** following exhibition, a report be prepared accounting for submissions made and any resulting amendments to the final CBD Public Domain Strategy 2020.
5. **THAT** Council note the significant risks posed by the current alignment outlined in the Western Harbour Tunnel and Warringah Freeway EIS to the successful pursuit of the North Sydney CBD Public Domain Strategy.

**RESOLVED:**

1. **THAT** the CBD Public Domain Strategy 2020 (Attachment 1) be adopted for the purposes of public exhibition.
2. **THAT** the draft Strategy be placed on public exhibition for a period of 6 weeks.
3. **THAT** relevant state authorities such as Transport for NSW (TfNSW), Department of Planning, Industry and Environment (DPIE) and Greater Sydney Commission (GSC) be notified and issued copies of the North Sydney CBD Public Domain Strategy 2020.
4. **THAT** following exhibition, a report be prepared accounting for submissions made and any resulting amendments to the final CBD Public Domain Strategy 2020.

5. THAT Council note the significant risks posed by the current alignment outlined in the Western Harbour Tunnel and Warringah Freeway EIS to the successful pursuit of the North Sydney CBD Public Domain Strategy.

65. **Item 9: Review of Tree and Vegetation Management Policies and Proposed Further Amendments to North Sydney DCP Review 2020**

*(This Item was dealt with by exception. See page 54)*

Report of Melissa McManus, Landscape Technical Officer (OSE) and Ben Boyd, Executive Strategic Planner (CiS)

This report follows on from two reports presented to Council on 24 February 2020 regarding the Urban Forest Strategy Review of Council's Tree Protection Policy and the North Sydney Development Control Plan Review 2020. At that meeting, Council unanimously adopted all of the recommendations of both reports.

The Urban Forest Strategy report recommended amending the thresholds as to when trees and vegetation require a permit before pruning or removal. In particular, it primarily sought to reduce the height and canopy dimension thresholds from 10m to 5m. These amendments were subsequently incorporated into draft amendments to NSDCP 2013, which was also adopted by Council on 24 February 2020 for public exhibition purposes.

By amending the North Sydney tree protection thresholds in line with other councils and best practice, it was recognised there would be a subsequent increase in the need to apply for a permit. Whilst this issue was briefly considered in the previous report, not all opportunities to mitigate its impact were considered. As a result, further investigations have been undertaken and further amendments identified in line with the findings of the benchmarking survey, to reduce this burden. These include such things as adding to the exempt species list, exempting certain amounts and types of pruning, and providing increased clarification in relation to better definitions and further explanation.

The review of the DCP also provides the opportunity to incorporate further clarifications that will assist in achieving documented canopy cover objectives, including such things as refining statements for more clarity, detailing transparent methods of calculating costs when imposing bonds or when replacement trees are to be provided and explaining how existing canopy cover will be determined at time of development.

Council's Open Space and Environment (OSE) Division has been liaising with Council's City Strategy Division to ensure clear wording that is in line with other councils and relevant Australian Standards legislation. All proposed changes in addition to the draft amendments to NSDCP 2013 as adopted by Council on 24 February 2020, are detailed in this report.

When Council first considered the proposed changes to Council's tree protection policies, it noted that there was likely to be a financial impact to resulting from an increased number of tree pruning and removal applications that will need to be assessed both on private property and on development sites. The report advised that until such time as the new height regime is implemented and an understanding is gained of the additional workload, it is difficult to give an estimate of the necessary budget to maintain the current high level of service that is provided to the community. The further amendments outlined in this report would have a reduction on the anticipated additional workload created. This is achieved by increasing the number of instances where the need to obtain a tree and vegetation permit is removed.

**Recommending:**

1. **THAT** the draft amendments to NSDCP 2013 as adopted by Council on 24 February 2020, be further amended as outlined in this report prior to its public exhibition. In particular, it should include:

- a. new definitions for “tree”, “vegetation” and “hedge”;
- b. exclude vegetation located within buildings requiring a permit to be removed;
- c. incorporate additional species that are exempt from requiring a permit to be pruned or removed due to their low amenity or undesirability within the LGA;
- d. replace the term “mature canopy tree” with a measurable quantum;
- e. include instances where maintenance pruning can be undertaken without a permit;
- f. amend the location of where the trunk circumference is to be measured from;
- g. provide additional advice as to how costs are to be determined where relevant; and
- h. provide additional advice as to how canopy cover is to be measured.

**RESOLVED:**

1. **THAT** the draft amendments to NSDCP 2013 as adopted by Council on 24 February 2020, be further amended as outlined in this report prior to its public exhibition. In particular, it should include:

- a. new definitions for “tree”, “vegetation” and “hedge”;
- b. exclude vegetation located within buildings requiring a permit to be removed;
- c. incorporate additional species that are exempt from requiring a permit to be pruned or removed due to their low amenity or undesirability within the LGA;
- d. replace the term “mature canopy tree” with a measurable quantum;
- e. include instances where maintenance pruning can be undertaken without a permit;
- f. amend the location of where the trunk circumference is to be measured from;
- g. provide additional advice as to how costs are to be determined where relevant; and
- h. provide additional advice as to how canopy cover is to be measured.

66. **Item 10: Site for Sculpture by the Sea Winner, 2019 - Results of Public Exhibition**

*(This Item was dealt with by exception. See page 54)*

Report of Martin Ellis, Director Community and Library Services

Following consideration of a report on public art at its 23 September 2019 meeting, the Mayor, Deputy Mayor and General Manger accepted on Council’s behalf, a donation of *The Sun Also Rises* by New Zealand artist, Morgan Jones, winner of the Aqualand Sculpture Award at *Sculpture by the Sea 2019*. The Award, worth \$70,000, is the most generous award for sculpture in Australia. *Sculpture by the Sea* is currently storing the work, following closure of its exhibition on 10 November 2019.

The donation is being made by Aqualand Australia, sponsor of the major prize.

A search in October 2019 of potential sites for installation, by the Mayor, Council staff, the artist, and representatives of *Sculpture by the Sea*, found Milson Park Foreshore to be the most suitable – requiring extensive consultation while not needing a Development Application - and the proposal was placed on public exhibition, closing on 4 December 2019.

75 submissions were received, with 64 against and 11 for the proposal. In summary, the main reasons given against the proposed location were (not in any priority order):

- Not site-specific artwork i.e. not artwork not specifically created to integrate with proposed location/surroundings and use of Milson Park;
- Artwork style/material is out of keeping with the traditional/Edwardian design of Milson Park; and

- Proposed location within Milson Park inhibits use of lawn area used for watercraft access and obstructs harbor views.

Post exhibition discussions with the Sydney Federation Harbor Trust have confirmed that they are unable to host the Sculpture at Sub-base Platypus.

Council staff have identified another suitable location, adjacent to water, not requiring a Development Application, Carradah Park. This report recommends that an exact location be identified in Carradah Park, to be determined by the Director, Open Space and Environmental Services, in consultation with the artist's representatives and Council's Team Leader Art and Culture, and that the proposal be placed on public exhibition.

Costs of the Milson Park public exhibition were approximately \$800 for the mail out and newspaper advertisement. No Development Application costs were incurred as Milson Park foreshore is classified as a closed road and is therefore not a heritage item. Installation costs will be up to \$6,000 when a site has been agreed to. No allowance has been made for ongoing storage costs on the basis that space has been allocated in the Council Depot in Ernest Street, Cammeray. Public Exhibition of the Carradah Park proposal is expected to cost an amount similar to that incurred for Milson Park.

**Recommending:**

1. **THAT** Council resolves not to place *The Sun Also Rises* sculpture at Milson Park foreshore.
2. **THAT** Council resolves to place *The Sun Also Rises* sculpture in Carradah Park and when an exact location acceptable to the Director Open Space and Environmental Services is identified, the proposal be placed on public exhibition for a minimum of 28 days.

**RESOLVED:**

1. **THAT** Council resolves not to place *The Sun Also Rises* sculpture at Milson Park foreshore.
2. **THAT** Council resolves to place *The Sun Also Rises* sculpture in Carradah Park and when an exact location acceptable to the Director Open Space and Environmental Services is identified, the proposal be placed on public exhibition for a minimum of 28 days.

**67. Item 11: Shorelink Library Network Minutes - 4 March 2020**

*(This Item was dealt with by exception. See page 54)*

Report of Rebecca Aukim, Manager Library Services

The Minutes of the 181<sup>st</sup> meeting of the Shorelink Library Network held on 4 March 2020 are provided for Council's information.

The Shorelink Estimates for 2020/21 total \$306,402. This figure represents a savings of \$9,214 compared with the 2019/20 Estimates. North Sydney's individual contribution will be \$115,562 for 2020/21, a decrease of \$4,000 from the 2019/20 total figure.

**Recommending:**

1. **THAT** the Minutes of the Shorelink Library Network meeting held on 4 March 2020 be adopted.
2. **THAT** the Draft Operating and Capital Shorelink Library Network Estimates for 2020-21 be adopted.

**RESOLVED:**

1. **THAT** the Minutes of the Shorelink Library Network meeting held on 4 March 2020 be adopted.
2. **THAT** the Draft Operating and Capital Shorelink Library Network Estimates for 2020-21 be adopted.

**68. Item 12: Graffiti Management Update and the Review of the Graffiti Control Act 2008**

*(This Item was dealt with by exception. See page 54)*

Report of Danilo Giribaldi, Works Manager

The purpose of this report is to update Council on the recent submission the Engineering and Property Services Division made to the Minister of Local Government as part of the Department of Communities and Justices review of the Graffiti Control Act 2008. In addition, this report also updates Council on the proposed amendments that have been made to Councils graffiti management policy and the related documentation that is available to the public on Council's website.

This submission from North Sydney Council responds to the request from the Minister for Local Government (Honourable Shelley Hancock, MP) to participate in the NSW Government Review of the Graffiti Control Act 2008 (the Act). The submission responds directly to the key focus areas of the discussion paper prepared by the Department of Communities and Justice in October 2019 that also includes "Bill Posters" as a focus area.

North Sydney Council since 2006 has provided an effective rapid graffiti removal program for all property types across the North Sydney Local Government Area. Council adheres to all the requirements of Part 4 of the Act whereby we invite both residents and businesses to enter into an agreement with Council to carry out graffiti removal work on their property. A register of the properties where an agreement has been reached with the owner or occupier is kept by Council.

Council also encourages residents and businesses to report any graffiti on public or private property.

In addition to formal agreements entered with residents and businesses, Council also undertakes ad-hoc removal of graffiti from private property when its reported and is easily accessible. North Sydney Council currently offers this service to all property owners in the North Sydney Council Local Government Area (LGA) for "free".

North Sydney Council bears all the costs of graffiti removal across the LGA which is currently managed through a contract with a specialist graffiti removal company at a cost of \$133,000 per annum. The contract is a biannual contract that forms part of Councils Annual Schedule of Rates Contract for maintenance services and minor works.

The contract cost of \$133,000 per annum does not include any of Councils on costs that include contract management, reporting, staff resources and general administration which is estimated to cost a further \$100,000 per annum.

In summary the following statistics highlight the success of this program in the last three (3) years, (January 2017 – December 2019):

A total of 4,254 x graffiti removal jobs across the North Sydney LGA have been undertaken over 3 years (average 5 jobs per working day), of which:

- 2,549 x jobs were on Council / public property, comprising a total of 4,103 square meters of graffiti removed.
- 1,038 x jobs were on private property, comprising a total of 1,979 square meters of graffiti removed, and
- 667 jobs were on public authority properties, such as utility companies Ausgrid, Telstra, Sydney Water and State Government agency property such as that controlled by the RMS, RailCorp and the like comprising a total of 904 square meters of graffiti removed.

In summary Council's submission to the Minister of Local Government concluded that increased powers to Council are required with further funding in resourcing to ensure effective enforcement of the Act is continued. Council also made recommendations on

how the regulation of “Bill Posters” could be better managed including comments on liability, managing clean up requests, community service orders and current penalties under the Act.

North Sydney Council is supportive of the NSW State Government’s review of the Act, and welcomes change to help Council combat this anti-social behaviour which is a large cost impost on Council as well as being resource intensive to manage.

Current annual graffiti removal contractor budget allocation is \$133,000 for 2019/20.

**Recommending:**

**1. THAT** Council notes the submission and recommendations made to the Minister of Local Government as part of the Department of Communities and Justices review of the Graffiti Control Act 2008.

**2. THAT** Council notes the amendments that have been made to the Graffiti Management Policy and related graffiti documentation that are available to the public via Council’s website.

**3. THAT** Council’s amended Graffiti Management Policy go on Public Exhibition for 28 days during which time submissions can be received.

**4. THAT** Council at the conclusion of the 28-day exhibition period, if no submissions are received, adopt the amended Graffiti Management Policy.

**RESOLVED:**

**1. THAT** Council notes the submission and recommendations made to the Minister of Local Government as part of the Department of Communities and Justices review of the Graffiti Control Act 2008.

**2. THAT** Council notes the amendments that have been made to the Graffiti Management Policy and related graffiti documentation that are available to the public via Council’s website.

**3. THAT** Council’s amended Graffiti Management Policy go on Public Exhibition for 28 days during which time submissions can be received.

**4. THAT** Council at the conclusion of the 28-day exhibition period, if no submissions are received, adopt the amended Graffiti Management Policy.

**69. Item 13: Jacaranda Season – McDougall Street, Kirribilli – Response to Mayoral Minute**

Report of Michaela Kemp, Manager Traffic & Transport Operations and Sandra Moore, Manager Communications & Events

Each year between September and November the jacarandas that line both sides of McDougall Street in Kirribilli come into flower for a period of approximately 6 weeks. This seasonal occurrence which generally peaks around mid-November has become a growing attraction for local North Sydney residents and tourists in recent years who wish to photograph themselves amongst the jacarandas which form a spectacular flowering avenue for the length of McDougall Street adjacent to Milson Park.

At the Council meeting on 25 November 2019 (MM01, Minute 325) Council resolved:

1. *THAT Council staff prepare a report on options for managing the impact of visitors in McDougall Street, Kirribilli;*
2. *THAT the options include traffic management, the provision of additional amenities or services, multilingual communications and the feasibility of holding a full day festival; and*
3. *THAT an estimate of costs for each option be provided.*

This report has been prepared in response to the resolutions of Council to outline measures that Council has implemented in previous seasons and the feasibility of additional measures in the future for Council’s consideration.

The financial implications are outlined in Table 2 within the report.

The activities and options are not currently funded in Council’s Operating budget.



Should Council resolve to proceed with any of the options the budget would need to be reallocated from other planned projects which may then not be able to proceed.

**Recommending:**

**1. THAT** Council, taking into consideration the financial implications, proceed with the following measures for the 2020 Jacaranda season:

- Option 1b Stop/slow control during the peak of the season for 4 weeks x 7 days.
- Option 2 Multi-lingual communications.
- Option 4a Installation of three (3) port-a-loos in Milson Park for two weeks.
- Option 4b Installation of six (6) additional temporary garbage bins for rubbish and recyclables in Milson Park for two weeks.

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

**1. THAT** this matter be deferred until July 2020, given the current COVID-19 Pandemic restrictions on public gatherings.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

**RESOLVED:**

**1. THAT** this matter be deferred until July 2020, given the current COVID-19 Pandemic restrictions on public gatherings.

**70. Item 14: North Sydney Council's Road Safety Action Plan 2019-20**

*(This Item was dealt with by exception. See page 54)*

Report of Stella Stefan & Cassie Kite, Road Safety Coordinators

This report has been prepared to update Council on the Road Safety initiatives that have been undertaken to date as part of the North Sydney Council Road Safety Action Plan 2019-20.

Road Safety in North Sydney is one of Council's key responsibilities that is managed by the Traffic and Transport Operations Unit of Council. This unit directly employs two Road Safety Coordinators who currently job share this full-time role at Council.

The Road Safety Coordinators role is to develop and implement a range of agreed road safety educational and behavioural projects each year which also complement the pedestrian, cyclists and vehicle safety initiatives that are in Council's Traffic Facilities and Sustainable and Active Transport delivery program.

Collectively, the Road Safety Coordinators role along with Council's pedestrian, cyclist and vehicles safety initiatives contribute towards making North Sydney's roads and its community safe. The overall aim of the role and its associated programs is to reduce pedestrian, cyclist and vehicle fatalities and injuries on our local roads.

Road safety is undertaken in a coordinated approach, however, funding for the provision of the different road safety initiatives is provided from various state government funding programs and Council funds. Council's traffic facilities projects

are funded primarily through Council's capital works program and through the NSW Safer Roads Program and Australian Government Black Spot Program for Councils. Council's Road Safety and Behavioural projects are also funded partly by Council and under TfNSW Local Government Road Safety Program (LGRSP). North Sydney Council also receives grant funding from State Government Authorities such as Transport for NSW (TfNSW) for specific road safety related projects such as the Kirribilli and Milsons Point 40km/h High Pedestrian Activity Area Funding Grant awarded to Council in October 2019.

Council's sustainable and active transport projects are also heavily reliant on grant funding from the State Government under the NSW Active Transport Program.

The purpose of this report and the accompanying North Sydney Council Road Safety Action Plan (the Action Plan) is to provide an outline of the major road safety educational and behavioural projects implemented in 2018/19, major road safety educational and behavioural projects planned for the current 2019/20 year, and a summary of funding for the Road Safety Program from 2015-2020 and how these road safety educational and behavioural projects link to the strategic plans for Council and TfNSW.

The Action Plan 2019/20 is a requirement of Transport for NSW (TfNSW) under the LGRSP. It sets out proposed road safety educational and behavioural projects based on local crash data analysis, council priorities, community feedback, and the road safety priorities set out in the NSW Road Safety Plan 2021.

The NSW Road Safety Plan 2021 recognises the critical role Councils play in reducing crashes and road trauma. It includes a commitment to delivering and refining the LGRSP, providing funding to Councils for road safety educational and behavioural projects and initiatives to assist in reducing the likelihood of deaths and injuries from road trauma in local communities.

It is intended that an annual report at the end of each Financial Year is provided to Council for information purposes.

The total budget allocation for the 2019/20 Road Safety Program for educational and behavioural projects is \$165,572 which is inclusive of the Road Safety Officer Salaries component. Refer to Table 1 in this report which outlines North Sydney Council's Road Safety budgets since 2017.

**Recommending:**

**1. THAT** the information in relation to the North Sydney Council Road Safety Action Plan 2019-20 be received.

**RESOLVED:**

**1. THAT** the information in relation to the North Sydney Council Road Safety Action Plan 2019-20 be received.

**71. Item 15: North Sydney Council 40km/h and 10km/h Shared Zone Masterplan and Action Plan – Post Engagement**

*(This Item was dealt with by exception. See page 54)*

Report of Nathan Wu, Traffic and Transport Engineer

At its meeting on 26 August 2019 (Minute No. 240) Council resolved to place the draft North Sydney Council 40km/h and 10km/h Shared Zone Masterplan and Action Plan on public exhibition for a period of 60 days.

Following a review of submissions, it is proposed that the draft North Sydney Council 40km/h and 10km/h Shared Zone Masterplan and Action Plan be adopted.

The financial implications for the delivery of this Master Plan include the cost of implementing each of the individual projects identified in the accompanying Action Plan. These Projects are identified across twelve (12) Zones and are ranked in a

hierarchy of priority order referred to as Short (High Priority), Medium (Medium Priority) or Long term (Low Priority). Refer to Attachment 1 – Master Plan and Action plan for each zone.

To deliver the identified Short Term (High Priority) Projects it is estimated that the cost will be \$1,637,500 over the next 5 years.

The Master Plan and Action Plan will be used to inform forward planning for Council's Traffic and Parking Operations Capital Works budgets as well as grant funding applications.

It is anticipated that the majority of funding to deliver this program of works will come from funding Grants that are made available through the Local Government Road Safety Program (LGRSP)- NSW Road Safety Plan 2021 and supplementary programs such as the RMS 40km/h High Pedestrian Activity Area (HPAA)' and 'Walking Communities' programs.

**Recommending:**

**1. THAT** the North Sydney Council 40km/h and 10km/h Shared Zone Masterplan and Action Plan be adopted.

**RESOLVED:**

**1. THAT** the North Sydney Council 40km/h and 10km/h Shared Zone Masterplan and Action Plan be adopted.

**72. Item 16: Kirribilli and Milsons Point 40km/h High Pedestrian Activity Area – Post Engagement**

Report of Michaela Kemp, Manager Traffic and Transport Operations

Council, at its meeting on 28 October 2019, endorsed the acceptance of the funding offer from Roads and Maritime Services (RMS) for the Kirribilli and Milsons Point 40km/h High Pedestrian Activity Area. By accepting the offer Council committed to undertake design, construction, project management and community engagement for the project.

As per the project's Community engagement strategy a survey was sent out to 4700 residents, property owners, businesses and key stakeholders who may be impacted by the proposed traffic and parking changes as a result of introducing 40km/h High Pedestrian Activity Areas and associated treatments in Kirribilli and Milsons Point.

Council received a total of 184 submissions which represents a 3.91% response rate, comprising 41 written submissions and 143 online submission forms (Refer to Attachment 1). The majority of submissions received by Council support the proposal. This report outlines the outcomes of the community consultation and subsequent recommendations.

Council has received 100% grant funding from the RMS for undertaking this project to introduce 40km/h High Pedestrian Activity Areas in Kirribilli and Milsons Point in 2019/20. Council is not required to contribute or match funding as part of the grant offer.

**Recommending:**

**1. THAT** Council note the submissions received.

**2. THAT** Council proceeds with detailed design and construction of the proposed traffic calming initiatives for the implementation of Kirribilli and Milsons Point 40km/h High Pedestrian Activity Area as shown in the concept plans, and with the following amendments, and subject to the scheme being approved by the Traffic Committee under delegation to the Manager Traffic & Transport Operations:

- a. Site 1 – Clark Road – delete raised threshold and insert flush threshold and install a raised pedestrian crossing at the existing refuge island, subject to special approval by TfNSW. Otherwise replace raised threshold with a flush threshold.
- b. Site 3 – Broughton Street north of Willoughby Street – delete raised threshold

- c. Site 4 – Broughton Street – delete raised threshold and install a raised pedestrian crossing at the existing refuge island south of Willoughby Street, subject to special approval by TfNSW. Otherwise proceed with proposed raised threshold.
- d. Site 6 – Willoughby Street – delete continuous footpath treatment
- e. Site 12 & 15 – Alfred Street South between Lavender Street and Fitzroy Street – delete raised thresholds (x2) (retain threshold at Site 14)
- f. Site 13 – Cliff Street – delete continuous footpath treatment
- g. Site 18 – Alfred Street South at Fitzroy Street – install additional raised pedestrian crossings on the southern and eastern legs of the intersection, subject to the location selected to minimise loss of parking spaces, consultation with surrounding residents and businesses, and special approval by TfNSW.
- h. Site 19 – Glen Street – delete continuous footpath treatment
- i. Install bollards at all continuous footpath treatment sites to delineate the edge of the footway/road.
- j. Broughton Street between Kirribilli Avenue and Pitt Street - install a raised pedestrian crossing, subject to the location meeting the school crossing warrant, location selected to minimise loss of parking spaces, consultation with surrounding residents and businesses, and approval by TfNSW.
- k. Apply to TfNSW to incorporate the length of Cliff Street in the 40km/h HPAA Scheme, subject to no additional treatments being required in Cliff Street.

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

1. **THAT** Council note the submissions received.
2. **THAT** Council proceeds with detailed design and construction of the proposed traffic calming initiatives for the implementation of Kirribilli and Milsons Point 40km/h High Pedestrian Activity Area as shown in the concept plans, and with the following amendments, and subject to the scheme being approved by the Traffic Committee under delegation to the Manager Traffic & Transport Operations:
  - a. Site 1 – Clark Road – delete raised threshold and insert flush threshold and install a raised pedestrian crossing at the existing refuge island, subject to special approval by TfNSW. Otherwise replace raised threshold with a flush threshold.
  - b. Site 3 – Broughton Street north of Willoughby Street – delete raised threshold
  - c. Site 4 – Broughton Street – delete raised threshold and install a raised pedestrian crossing at the existing refuge island south of Willoughby Street, subject to special approval by TfNSW. Otherwise proceed with proposed raised threshold.
  - d. Site 6 – Willoughby Street – delete continuous footpath treatment
  - e. Site 12 & 15 – Alfred Street South between Lavender Street and Fitzroy Street – delete raised thresholds (x2) (retain threshold at Site 14)
  - f. Site 13 – Cliff Street – delete continuous footpath treatment
  - g. Site 18 – Alfred Street South at Fitzroy Street – install additional raised pedestrian crossings on the southern and eastern legs of the intersection, subject to the location selected to minimise loss of parking spaces, consultation with surrounding residents and businesses, and special approval by TfNSW.
  - h. Install bollards at all continuous footpath treatment sites to delineate the edge of the footway/road.
  - i. Broughton Street between Kirribilli Avenue and Pitt Street - install a raised pedestrian crossing, subject to the location meeting the school crossing warrant, location selected to minimise loss of parking spaces, consultation with surrounding residents and businesses, and approval by TfNSW.
  - j. Apply to TfNSW to incorporate the length of Cliff Street in the 40km/h HPAA Scheme.

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

**RESOLVED:**

1. **THAT** Council note the submissions received.
2. **THAT** Council proceeds with detailed design and construction of the proposed traffic calming initiatives for the implementation of Kirribilli and Milsons Point 40km/h High Pedestrian Activity Area as shown in the concept plans, and with the following amendments, and subject to the scheme being approved by the Traffic Committee under delegation to the Manager Traffic & Transport Operations:
  - a. Site 1 – Clark Road – delete raised threshold and insert flush threshold and install a raised pedestrian crossing at the existing refuge island, subject to special approval by TfNSW. Otherwise replace raised threshold with a flush threshold.
  - b. Site 3 – Broughton Street north of Willoughby Street – delete raised threshold
  - c. Site 4 – Broughton Street – delete raised threshold and install a raised pedestrian crossing at the existing refuge island south of Willoughby Street, subject to special approval by TfNSW. Otherwise proceed with proposed raised threshold.
  - d. Site 6 – Willoughby Street – delete continuous footpath treatment
  - e. Site 12 & 15 – Alfred Street South between Lavender Street and Fitzroy Street – delete raised thresholds (x2) (retain threshold at Site 14)
  - f. Site 13 – Cliff Street – delete continuous footpath treatment
  - g. Site 18 – Alfred Street South at Fitzroy Street – install additional raised pedestrian crossings on the southern and eastern legs of the intersection, subject to the location selected to minimise loss of parking spaces, consultation with surrounding residents and businesses, and special approval by TfNSW.
  - h. Install bollards at all continuous footpath treatment sites to delineate the edge of the footway/road.
  - i. Broughton Street between Kirribilli Avenue and Pitt Street - install a raised pedestrian crossing, subject to the location meeting the school crossing warrant, location selected to minimise loss of parking spaces, consultation with surrounding residents and businesses, and approval by TfNSW.
  - j. Apply to TfNSW to incorporate the length of Cliff Street in the 40km/h HPAA Scheme.

73. **Item 17: Taxi and Ride Sourcing Strategy and Action Plan – Post Exhibition**

*(This Item was dealt with by exception. See page 54)*

Report of Iman Mohammadi, Traffic & Transport Engineer

At its meeting on 28 October 2019 (Minute No. 306) Council resolved to place the draft Taxi and Ride sourcing Strategy and Action Plan on public exhibition for a period of 28 days.

Following a review of submissions, it is proposed that the draft Taxi and Ride sourcing Strategy and Action Plan be adopted.

The initial related financial implications include cost of investigation and implementation of the taxi and ride sourcing action plans. The estimated cost over 3 years is \$6000 per year for data collection and \$6000 per year for implementation of

the Action Plan (total cost \$36,000).

The financial implication as a result of additional actions, post the Public Exhibition will be increased. The estimated cost over 3 years is \$8000 per year for data collection and \$8000 per year for implementation of the Action Plan (total cost \$48,000).

The cost of implementing the action plans can be funded from Council's Traffic Studies and Signs and Line Marking budgets.

**Recommending:**

1. **THAT** the Taxi and Ride Sourcing Strategy and Action Plan be adopted.

**RESOLVED:**

1. **THAT** the Taxi and Ride Sourcing Strategy and Action Plan be adopted.

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

**74. Item 18: Notice of Motion No. 3/20 – Crs Beregi, Baker and Carr – 15/03/20**

**Re: Street Play - Pilot Program for North Sydney LGA**

*(This Item was dealt with by exception. See page 54)*

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.

**RESOLVED:**

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.

Councillor Beregi joined the meeting remotely at 7.47pm.

### Reports to Council – Late Item

**75. Item 19: North Sydney Olympic Pool Development Application Amendments Requested by the Independent Planner - Heritage Planners and Public Consultation Feedback**

Report of Duncan Mitchell, Director Engineering and Property Services

The North Sydney Olympic Pool Development Application for the redevelopment of the Pool facility was lodged on 30 October 2019 and publicly exhibited (notified) from 15 November to 13 December 2019 – reference DA 347/19. Council received 115 submissions on the Development Application.

On Thursday 19 March 2020, the applicant who lodged the Development Application on behalf of Council, Brewster Hjorth Architects Pty Ltd, received a letter that outlined the initial assessment of the application by the Independent Planner (Assessment Officer) Geoff Goodyer from Goodyer Symons Pty Ltd who is undertaking the assessment of the application.

The initial assessment of the application requested further information be provided by the applicant within 14 days and requested a number of design changes to the application which were predominantly based on heritage issues raised by the independent heritage consultants GML (Godden Mackay Logan) Heritage – David Logan and Lisa Truman.

This report outlines to Council the proposed changes that the applicant, Brewster Hjorth Architects Pty Ltd, is proposing to make to address the heritage issues raised with the design as well as minor changes to address other feedback received as a result of the notification of the application.

The proposed amendments to the Development Application if adopted by Council will result in cost savings to the Project in both the design and construction stage as the amendments result in a reduction in the overall project scope. Council will put the shade canopy over the Children's Pool as its currently designed into the public tender for the project as a separable portion so that it can be competitively priced as part of the public tender process.

**Recommending:**

**1. THAT** Council resolves to adopt the recommended design changes outlined in the Detail section of this report – refer to Table 1, in particular the deletion of the shade canopy over the children's outdoor interactive play area due to heritage concerns with the impact of the structure.

The Recommendation was moved by Councillor Gibson, seconded by Councillor Drummond.

The Motion was put and **carried**.

Voting was as follows:

For/Against 7/3

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

**RESOLVED:**

**1. THAT** Council resolves to adopt the recommended design changes outlined in the Detail section of this report – refer to Table 1, in particular the deletion of the shade canopy over the children’s outdoor interactive play area due to heritage concerns with the impact of the structure.

**Questions on Notice**

Councillor Mutton asked the following questions in relation to this matter:

1. What is the date of the Ripples lease?
2. Did the original lease have a demolition clause?
3. What are the dates of the 2 extensions to the lease:
  - i. due to the construction time;
  - ii. an extension to the first lease?

The General Manager advised that he would take these questions on notice and provide a full response to all councillors.

**Acknowledgement**

The Mayor thanked the Councillors for their participation in the new style of Council meeting.

The Meeting concluded at 8.04pm.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
GENERAL MANAGER