



**MINUTES: 3730th MEETING OF THE NORTH SYDNEY COUNCIL
HELD ON MONDAY, 27 APRIL 2020 AT 6.30 PM.**

PRESENT

At the commencement of business (6.34pm) 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.

(NB. Councillor Beregi joined the meeting at 6.38pm prior to voting on By Exception Items, see page 86. Councillor Gunning joined the meeting at 7.37pm during consideration of Item 11, Response to Mayoral Minute - Proposed 12-month Trial of 15-Minute Free Parking at all North Sydney Council Parking Meters, see page 105.)

The meeting was opened by the Mayor.

The Acknowledgement of Country was read by Councillor Baker.

76. Minutes

The Minutes of the previous 3729th Council Meeting held on Monday, 6 April 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 3729th Council Meeting held on Monday, 6 April 2020, copies of which had been previously circulated, were taken as read and confirmed.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

RESOLVED:

THAT the Minutes of the previous 3729th Council Meeting held on Monday, 6 April 2020, copies of which had been previously circulated, were taken as read and confirmed.

77. Declarations of Interest

Re Item 1 Traffic Committee - Minutes 20 March 2020
Councillor Brodie Recommendation No. 28 relates to Area 1 and Margaret Street parking survey to be conducted in the street I reside in (Non-Pecuniary/Less than Significant)

Re Item 9 Luna Park - Development Application for Temporary
Councillor Mutton Uses and Facilities at 'Lavender Green' Site
An advocate and member of the High Line
(Non-Pecuniary/Less than Significant)

Re Item 9 Luna Park - Development Application for Temporary
Councillor Keen Uses and Facilities at 'Lavender Green' Site
Professional association (Pecuniary)

78. By Exception

It was moved by Councillor Gibson and seconded by Councillor Drummond that the recommendations for Items 2, 10, 13 and 14 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	Y		Drummond	Y	
Keen	Y		Gunning	Absent	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

MINUTES OF THE MAYOR**79. MM01: COVID-19 Financial Support**

Local Government NSW (LGNSW) has asked for Council's support with their campaign for assistance in dealing with the health and economic crisis caused by the COVID-19 pandemic.

Council is working to support its community, businesses and Council staff during this world-wide pandemic. We have taken action in response to the various restrictions put in place by the Federal and State Governments. Council is already suffering the consequences of the COVID-19 pandemic. We expect an estimated shortfall in income for the June Quarter of \$6.3 million and a shortfall in the 2020/21 financial year of \$9.4 million.

Council is in the process of preparing a paper on the financial impacts of COVID-19.

In addition, the closure of a number of our key sites including the North Sydney Olympic Pool, Library and Coal Loader and the reduction or cancellation of many community-oriented services has impacted our community and staff.

I am recommending that we support the campaign which is being coordinated on behalf of the NSW sector by LGNSW and at a national level by the Australian Local Government Association (ALGA).

Council is struggling with the financial impacts of COVID-19. We have faced increased costs and at the same time are experiencing declining revenue as more and more ratepayers are forced into financial hardship. The impacts are rapidly escalating.

Council is doing everything possible to provide support and deliver the services needed to protect community health and keep our communities running during these difficult times. The wellbeing, safety and livelihoods of our communities, customers and staff is our top priority. However, if additional assistance is not provided, Council may be forced to cut services, infrastructure maintenance and staff.

It is critical that the local government sector receives adequate funding and resources to coordinate and deliver the goods and services needed as we navigate through, and recover from, the new challenges presented by COVID-19 and its massive impacts on people and our local economies.

Council needs urgent financial assistance from the Federal Government and NSW State Government to maintain infrastructure, services and employment as well as funding to give councils the capacity to provide hardship assistance to the community.

The measures listed below would be effective and simple to implement:

- Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 as well as giving councils the capacity to provide hardship assistance to businesses and residents.
- Immediate financial assistance to support council employees, especially in early education and care.
- Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs. Existing Federal funding programs include the Roads to Recovery, Bridges Renewal and Road Safety Blackspots programs. State programs include Fixing Local Roads, Fixing Country Bridges and the Stronger Country Communities programs.
- Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.

I therefore recommend:

1. THAT Council calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.

2. THAT Council calls for the packages to include the following measures:

- Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 as well as giving councils capacity to provide hardship assistance to businesses and residents.
 - Immediate financial assistance to support council employees, especially in early education and care.
 - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
 - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.
- 3. THAT** Council commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
- 4. THAT** Council write to the local Federal Member for North Sydney, Mr Trent Zimmerman MP; the local State Member for North Shore, Ms Felicity Wilson MP; Prime Minister, the Hon Scott Morrison MP; NSW Premier, the Hon Gladys Berejiklian MP; Federal Treasurer, the Hon Josh Frydenberg MP; NSW Treasurer, the Hon Dominic Perrottet MP; NSW Local Government Minister, the Hon Shelley Hancock MP; Federal Minister for Local Government, the Hon Mark Coulton MP; Federal Opposition Leader, the Hon Anthony Albanese MP; NSW Opposition Leader, Ms Jodi McKay MP; Federal Shadow Minister for Local Government, Mr Jason Clare MP; and NSW Shadow Minister for Local Government, Mr Greg Warren MP, to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.
- 5. THAT** Council endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.
- 6. THAT** Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.

By consent, the Motion was amended to read,

- 1. THAT** Council calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.
- 2. THAT** Council calls for the packages to include the following measures:
- Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 as well as giving councils capacity to provide hardship assistance to businesses and residents.
 - Immediate financial assistance to support council employees, especially in early education and care.
 - Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
 - Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.

3. THAT Council commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.

4. THAT Council write to the local Federal Member for North Sydney, Mr Trent Zimmerman MP; the local State Member for North Shore, Ms Felicity Wilson MP; Prime Minister, the Hon Scott Morrison MP; NSW Premier, the Hon Gladys Berejiklian MP; Federal Treasurer, the Hon Josh Frydenberg MP; NSW Treasurer, the Hon Dominic Perrottet MP; NSW Local Government Minister, the Hon Shelley Hancock MP; Federal Minister for Local Government, the Hon Mark Coulton MP; Federal Opposition Leader, the Hon Anthony Albanese MP; NSW Opposition Leader, Ms Jodi McKay MP; Federal Shadow Minister for Local Government, Mr Jason Clare MP; and NSW Shadow Minister for Local Government, Mr Greg Warren MP, to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.

5. THAT Council endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.

6. THAT Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.

7. THAT Council commend Councillor Linda Scott, President of LGNSW, for her successful action on this matter.

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	Y		Drummond	Y	
Keen	Y		Gunning		Absent
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT Council calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.

2. THAT Council calls for the packages to include the following measures:

- Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 as well as giving councils capacity to provide hardship assistance to businesses and residents.
- Immediate financial assistance to support council employees, especially in early education and care.
- Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.
- Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.

3. **THAT** Council commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.
4. **THAT** Council write to the local Federal Member for North Sydney, Mr Trent Zimmerman MP; the local State Member for North Shore, Ms Felicity Wilson MP; Prime Minister, the Hon Scott Morrison MP; NSW Premier, the Hon Gladys Berejiklian MP; Federal Treasurer, the Hon Josh Frydenberg MP; NSW Treasurer, the Hon Dominic Perrottet MP; NSW Local Government Minister, the Hon Shelley Hancock MP; Federal Minister for Local Government, the Hon Mark Coulton MP; Federal Opposition Leader, the Hon Anthony Albanese MP; NSW Opposition Leader, Ms Jodi McKay MP; Federal Shadow Minister for Local Government, Mr Jason Clare MP; and NSW Shadow Minister for Local Government, Mr Greg Warren MP, to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.
5. **THAT** Council endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector.
6. **THAT** Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.
7. **THAT** Council commend Councillor Linda Scott, President of LGNSW, for her successful action on this matter.

Reports of Committees

80. **Item 1: Traffic Committee - Minutes 20 March 2020**

Report of Peita Rose, Governance Officer

This report presents the recommendations of the last meeting of the Traffic Committee held on 20 March 2020 for Council adoption. For brevity, resolutions of the Committee merely to note or receive information are not included in the recommendations for adoption by Council.

The Minutes are attached for information.

The full reports to Traffic Committee can be accessed at:

https://www.northsydney.nsw.gov.au/Council_Meetings/Meetings/Committees/Traffic_Committee/2020/20_March_2020

Nil.

Recommending:

1. **THAT** Council undertake community consultation regarding the installation of No Stopping signs on the south-western side of Gerard Lane between the driveway of H/No.81 Gerard Lane and the 90-degree bend. (4.2.2)
2. **THAT** should no objection be received, Council proceeds with installation of No Stopping signs on the south-western side of Gerard Lane between the driveway of H/No.81 Gerard Lane and the 90-degree bend under delegation to the Traffic Engineer. (4.2.2)
3. **THAT** the matter be referred back to the next available Traffic Committee meeting following community consultation. (4.2.2)
4. **THAT** Council survey affected residents regarding converting Ben Boyd Lane between Grosvenor Street and Belgrave Street to one-way, including which direction of traffic flow is preferred. (4.3.2)
5. **THAT** concurrent to the community consultation, Council obtain traffic count data in Ben Boyd Lane, Belgrave Lane and Young Lane (between Grosvenor Street and Belgrave Street). (4.3.2)
6. **THAT** subject to majority support from the community consultation to convert Ben

Boyd Lane between Grosvenor Street and Belgrave Street to one-way, a Traffic Management Plan is prepared and submitted to TfNSW for approval. (4.3.2)

7. THAT the existing “4P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking spaces in front of H.No.84 Milray Ave be converted to “Unrestricted” Parking Spaces. (4.4)

8. THAT the existing “2P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking spaces in front of H.No.41-43 Milray Ave be converted to “Unrestricted” Parking Spaces. (4.4)

9. THAT the existing “4P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking spaces in front of H.No.50-52 Milray Ave be converted to “Unrestricted” Parking Spaces. (4.4)

10. THAT the existing “2P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking spaces between H.No.34 and H.No.40 Milray Ave be converted to “Unrestricted” Parking Spaces. (4.4)

11. THAT the existing “2P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking space in front of H.No.32 Milray Ave be converted to “Unrestricted” Parking Space. (4.4)

12. THAT the existing “unrestricted” parking spaces in front of HNo.14 Milray Ave be converted to “2P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15”. (4.4)

13. THAT the existing “2P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking spaces in front of HNo.19 Milray Ave be converted to “4P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15”. (4.4)

14. THAT the existing “2P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking spaces between H.No.21 and H.No.29 Milray Ave be converted to “Unrestricted” Parking Spaces. (4.4)

15. THAT on the northern side of Shirley Rd, the existing “2P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking spaces from Milray Ave to H.No.16 Shirley Rd be converted to “Unrestricted” Parking Spaces. (4.4)

16. THAT on the southern side of Shirley Rd, the existing “4P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking spaces in front of H.No.1 HNo.1A Shirley Rd be converted to “Unrestricted” Parking Spaces. (4.4)

17. THAT on the east side of Shirley Rd, north of Cable St, the incorrectly positioned “4P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” sign and stem be relocated to front of HNo.5 Shirley Rd as per the original approved plan. (4.4)

18. THAT on the northern side of Shirley Rd, the existing “4P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15” parking spaces in front of H.No.24 HNo.28 Shirley Rd be converted to “Unrestricted” Parking Spaces. (4.4)

19. THAT the existing “unrestricted” parking spaces in front of HNo.10 Tryon Ave be converted to “4P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15”. (4.4)

20. THAT the existing “unrestricted” parking spaces in front of HNo.16 Tryon Ave be converted to “4P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15”. (4.4)

21. THAT the existing “unrestricted” parking spaces in front of HNo.7 Shirley Rd be converted to “4P 8:30am-6pm Mon-Fri, Permit Holders Excepted Area 15”. (4.4)

22. THAT the remaining parking restrictions installed in Resident Parking Area 15 – Wollstonecraft on 25 February 2018 be retained. (4.4)

23. THAT Council review the feedback as well as occupancy rates on the odd side of Shirley Road between Cable Street and Telopea Street from the Resident Parking Area 15, Wollstonecraft - Parking Restrictions - 3 Month Review survey. (4.4)

24. THAT Council seek advice from TfNSW on the scope to vary warrant requirements for proposed Traffic Control Signals at the intersection between Gerard Street and Macpherson Street. (5.2)

25. THAT the Mayor write to the Local Member as well as the RMS to get their advice on puffin crossings, and that Council lobby to trial puffin crossings at the two crossings on Military Road, Cremorne. (5.3)

26. THAT the use of truck and dog trailers be approved, subject to TfNSW

concurrence, and subject to the conditions outlined in the report to the Traffic Committee and the following additional conditions: (6.1)

i. That there is no loss of parking resulting from the use of truck and dog trailers. (6.1)

ii. That the egress route is changed from Ben Boyd Road/Military Road to Ernest Street. (6.1)

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

28. THAT a resident survey for Resident Parking Area No. 1 be undertaken as soon as possible. (4.2.3)

29. THAT Council undertake community consultation to convert the parking space in Crescent Place between the garages of 74 and 76 Carabella Street to Motorbike Parking. (4.2.1)

30. THAT should no objection be received, Council proceeds to convert the existing parking space in Crescent Place, between the garages of 74 and 76 Carabella Street to Motorbike Parking under delegation to the Traffic Engineer. (4.2.1)

31. THAT should any objection be received; the matter be referred back to the next available Traffic Committee meeting following community consultation. (4.2.1)

32. THAT the recommendations made for minor traffic investigations be received. (4.3.1)

33. THAT the safety concerns at Pacific Highway and Bay Road be referred to TfNSW for their attention. (4.3.1)

34. THAT each of the existing flush pedestrian crossings in the priority list attached to this report be added to the LATM Action Plans to upgrade to raised pedestrian crossings and three crossings per year be funded from the annual Traffic Facilities Program for upgrade. (4.5)

35. THAT the program prioritise existing flush pedestrian crossings near all schools, Ben Boyd Road near Neutral Bay Public School and Clark Road near Anderson Park as the top priorities. (4.5)

36. THAT should the nomination for the Kurraba Road at Thrupp Street (Ben Boyd Road to Kurraba Road) pedestrian crossing upgrade be unsuccessful in the 2020/21 Blackspot Program, that Council resubmit a nomination in the 2021/22 Blackspot Program. (4.5)

37. THAT Council nominate the upgrades of flush pedestrian crossings under eligible grant programs as appropriate. (4.5)

38. THAT an audit be undertaken at all existing raised pedestrian crossings to determine if upgrades are required and the estimated cost of those upgrades, and a report be provided to the Traffic Committee within the next 12 months. (4.5)

39. THAT a detailed design for a 10km/h Shared Zone in Bligh Street be prepared with available funding in the 2019/20 Traffic Facilities program and the design, cost estimate and potential funding opportunities be reported to Council to determine whether to proceed with an application to TfNSW for approval and community consultation. (5.4)

40. THAT Council acknowledge the correspondence from Ms Purtell, a resident of Cammeray, concerning the danger of parked boats and trailers on Vernon Street, Cammeray and note that a policy is being prepared as well as a report that be presented to a Council meeting. Council will trial the 'No Parking Motor Vehicles Excepted' signs in Vernon Street as suggested. (7.1)

41. THAT Council undertake a survey to residents of Vernon Street for a trial of 'No Parking Motor Vehicles Excepted' and that it be reported back to Council as soon as possible. (7.1)

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

1. THAT Council undertake community consultation regarding the installation of No Stopping signs on the south-western side of Gerard Lane between the driveway of H/No.81 Gerard Lane and the 90-degree bend. (4.2.2)

2. **THAT** should no objection be received, Council proceeds with installation of No Stopping signs on the south-western side of Gerard Lane between the driveway of H/No.81 Gerard Lane and the 90-degree bend under delegation to the Traffic Engineer. (4.2.2)
3. **THAT** the matter be referred back to the next available Traffic Committee meeting following community consultation. (4.2.2)
4. **THAT** Council survey affected residents regarding converting Ben Boyd Lane between Grosvenor Street and Belgrave Street to one-way, including which direction of traffic flow is preferred. (4.3.2)
5. **THAT** concurrent to the community consultation, Council obtain traffic count data in Ben Boyd Lane, Belgrave Lane and Young Lane (between Grosvenor Street and Belgrave Street). (4.3.2)
6. **THAT** subject to majority support from the community consultation to convert Ben Boyd Lane between Grosvenor Street and Belgrave Street to one-way, a Traffic Management Plan is prepared and submitted to TfNSW for approval. (4.3.2)
7. **THAT** Council seek advice from TfNSW on the scope to vary warrant requirements for proposed Traffic Control Signals at the intersection between Gerard Street and Macpherson Street. (5.2)
8. **THAT** the Mayor write to the Local Member as well as the RMS to get their advice on puffin crossings, and that Council lobby to trial puffin crossings at the two crossings on Military Road, Cremorne. (5.3)
9. **THAT** the use of truck and dog trailers be approved, subject to TfNSW concurrence, and subject to the conditions outlined in the report to the Traffic Committee and the following additional conditions: (6.1)
 - i. That there is no loss of parking resulting from the use of truck and dog trailers. (6.1)
 - ii. That the egress route is changed from Ben Boyd Road/Military Road to Ernest Street. (6.1)
10. **THAT** the information regarding Delegated Authority items be received. (4.1)
11. **THAT** a resident survey for Resident Parking Area No. 1 be undertaken as soon as possible. (4.2.3)
12. **THAT** Council undertake community consultation to convert the parking space in Crescent Place between the garages of 74 and 76 Carabella Street to Motorbike Parking. (4.2.1)
13. **THAT** should no objection be received, Council proceeds to convert the existing parking space in Crescent Place, between the garages of 74 and 76 Carabella Street to Motorbike Parking under delegation to the Traffic Engineer. (4.2.1)
14. **THAT** should any objection be received; the matter be referred back to the next available Traffic Committee meeting following community consultation. (4.2.1)
15. **THAT** the recommendations made for minor traffic investigations be received. (4.3.1)
16. **THAT** the safety concerns at Pacific Highway and Bay Road be referred to TfNSW for their attention. (4.3.1)
17. **THAT** each of the existing flush pedestrian crossings in the priority list attached to this report be added to the LATM Action Plans to upgrade to raised pedestrian crossings and three crossings per year be funded from the annual Traffic Facilities Program for upgrade. (4.5)
18. **THAT** the program prioritise existing flush pedestrian crossings near all schools, Ben Boyd Road near Neutral Bay Public School and Clark Road near Anderson Park as the top priorities. (4.5)
19. **THAT** should the nomination for the Kurraba Road at Thrupp Street (Ben Boyd Road to Kurraba Road) pedestrian crossing upgrade be unsuccessful in the 2020/21 Blackspot Program, that Council resubmit a nomination in the 2021/22 Blackspot Program. (4.5)
20. **THAT** Council nominate the upgrades of flush pedestrian crossings under eligible grant programs as appropriate. (4.5)

21. THAT an audit be undertaken at all existing raised pedestrian crossings to determine if upgrades are required and the estimated cost of those upgrades, and a report be provided to the Traffic Committee within the next 12 months. (4.5)

22. THAT a detailed design for a 10km/h Shared Zone in Bligh Street be prepared with available funding in the 2019/20 Traffic Facilities program and the design, cost estimate and potential funding opportunities be reported to Council to determine whether to proceed with an application to TfNSW for approval and community consultation. (5.4)

23. THAT Council acknowledge the correspondence from Ms Purtell, a resident of Cammeray, concerning the danger of parked boats and trailers on Vernon Street, Cammeray and note that a policy is being prepared as well as a report that be presented to a Council meeting. Council will trial the 'No Parking Motor Vehicles Excepted' signs in Vernon Street as suggested. (7.1)

24. THAT Council undertake a survey to residents of Vernon Street for a trial of 'No Parking Motor Vehicles Excepted' and that it be reported back to Council as soon as possible. (7.1)

25. THAT the parking restrictions for Area 15 as provided prior to the March 2019 survey be reinstated.

The Motion was put and **lost**.

Voting was as follows:

For/Against 3/6

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

The Recommendation was moved by Councillor Gibson and seconded by Councillor Keen.

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		N	Drummond	Y	
Keen	Y		Gunning	Absent	
Brodie	Y		Mutton	Y	
Carr		N	Baker		N

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81. **Item 2: Sport and Recreation Reference Group – Minutes 16 March 2020**

(This Item was dealt with by exception. See page 86)

Report of Melissa Dunlop, Governance Co-ordinator

This report presents the recommendations of the last meeting of the Sport and Recreation Reference Group held on 16 March 2020. The Minutes are attached for consideration should Council wish to adopt any of the recommendations made at the

meeting.

Recommending:

1. **THAT** the Minutes of the Sport and Recreation Reference Group meeting of 16 March 2020 be noted.

RESOLVED:

1. **THAT** the Minutes of the Sport and Recreation Reference Group meeting of 16 March 2020 be noted.

82. Item 3: Audit, Risk and Improvement Committee - Minutes 27 March 2020

Report of Ian Curry, Manager Governance and Committee Services

This report presents the recommendations of the meeting of the Audit, Risk and Improvement Committee (ARIC) held on 27 March 2020 for Council adoption. The Minutes are attached for information.

Council has allocated \$87,125.00 in the 2019/20 budget for external audit functions - \$38,970.00 has been expended to date. Council has allocated \$98,270.00 in the 2019/20 budget for the internal audit program - \$72,085.00 has been expended to date.

Recommending:

1. **THAT** the Annual Engagement Plan for the Audit for the Year Ending 30 June 2020 be noted by the Committee. (AR01)

2. **THAT** report AR02 and the status of the 2020 Internal Audit Plan be received and noted. (AR02)

3. **THAT** the survey of the internal audit function's annual performance be developed and circulated to all stakeholders with a report to be provided to the next Committee meeting on 26 June 2020. (AR02)

4. **THAT** the ARIC effectiveness survey be completed for reporting to the next Committee meeting on 26 June 2020, noting the template used by other Councils of the shared service would be useful for collective reporting of the governance of the shared service. (AR02)

5. **THAT** the Committee endorse reclassification of the part time shared Internal Audit service position to a full-time position. (AR02)

6. **THAT** the status of past internal audit recommendations (including the observations made regarding the Business Continuity Management scenario) be received and noted. (AR03)

7. **THAT** the Facility Management – Internal Audit Report be received and noted. (AR04)

8. **THAT** the Committee notes the recommendations within the Payroll, Attendance and Leave Management reports. (AR05)

9. **THAT** a further report on the implementation, progress and planning of the recommendations in this Review and an estimate of costings be submitted to the next Committee meeting. (AR05)

10. **THAT** the Manager Workforce Planning be invited to attend the next Committee meeting to address this matter. (AR05)

11. **THAT** the Committee note the changes and Council's preparedness to meet the adoption of the new Accounting Standards. (AR06)

12. **THAT** the Enterprise Risk Management Update report be received. (AR07)

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

1. **THAT** the Annual Engagement Plan for the Audit for the Year Ending 30 June 2020 be noted by the Committee. (AR01)

2. **THAT** report AR02 and the status of the 2020 Internal Audit Plan be received and

noted. (AR02)

3. THAT the survey of the internal audit function's annual performance be developed and circulated to all stakeholders with a report to be provided to the next Committee meeting on 26 June 2020. (AR02)

4. THAT the ARIC effectiveness survey be completed for reporting to the next Committee meeting on 26 June 2020, noting the template used by other Councils of the shared service would be useful for collective reporting of the governance of the shared service. (AR02)

5. THAT the Committee endorse reclassification of the part time shared Internal Audit service position to a full-time position. (AR02)

6. THAT the status of past internal audit recommendations (including the observations made regarding the Business Continuity Management scenario) be received and noted. (AR03)

7. THAT the Facility Management – Internal Audit Report be received and noted. (AR04)

8. THAT the Committee notes the recommendations within the Payroll, Attendance and Leave Management reports. (AR05)

9. THAT a further report on the implementation, progress and planning of the recommendations in this Review and an estimate of costings be submitted to the next Committee meeting. (AR05)

10. THAT the Manager Workforce Planning be invited to attend the next Committee meeting to address this matter. (AR05)

11. THAT the Committee note the changes and Council's preparedness to meet the adoption of the new Accounting Standards. (AR06)

12. THAT the Enterprise Risk Management Update report be received. (AR07)

13. THAT the report requested at Item 8 be provided to the full Council with the General Manager's comments.

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		N	Drummond	Y	
Keen	Y		Gunning	Absent	
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Y	

RESOLVED:

1. THAT the Annual Engagement Plan for the Audit for the Year Ending 30 June 2020 be noted by the Committee. (AR01)

2. THAT report AR02 and the status of the 2020 Internal Audit Plan be received and noted. (AR02)

3. THAT the survey of the internal audit function's annual performance be developed and circulated to all stakeholders with a report to be provided to the next Committee meeting on 26 June 2020. (AR02)

4. THAT the ARIC effectiveness survey be completed for reporting to the next Committee meeting on 26 June 2020, noting the template used by other Councils of the shared service would be useful for collective reporting of the governance of the shared service. (AR02)

5. THAT the Committee endorse reclassification of the part time shared Internal Audit service position to a full-time position. (AR02)

6. THAT the status of past internal audit recommendations (including the observations made regarding the Business Continuity Management scenario) be received and noted.

(AR03)

7. **THAT** the Facility Management – Internal Audit Report be received and noted.

(AR04)

8. **THAT** the Committee notes the recommendations within the Payroll, Attendance and Leave Management reports. (AR05)

9. **THAT** a further report on the implementation, progress and planning of the recommendations in this Review and an estimate of costings be submitted to the next Committee meeting. (AR05)

10. **THAT** the Manager Workforce Planning be invited to attend the next Committee meeting to address this matter. (AR05)

11. **THAT** the Committee note the changes and Council's preparedness to meet the adoption of the new Accounting Standards. (AR06)

12. **THAT** the Enterprise Risk Management Update report be received. (AR07)

13. **THAT** the report requested at Item 8 be provided to the full Council with the General Manager's comments.

Reports to Council

83. **Item 4: Matters Outstanding - April 2020**

Report of Ken Gouldthorp, General Manager

A report on the current status of matters arising from Council resolutions up to the meeting of 23 March 2020 is presented.

Recommending:

1. **THAT** the report 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 8/1

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

RESOLVED:

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

84. **Item 5: Investments and Loan Borrowings Held as at 31 March 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 31 March 2020.

Investment Portfolio:

The Investment portfolio provided an annualised return of 2.35% for the year to date as at 31 March 2020, 1.12% above the reportable BBSW Bank Bill Index.

In the current environment of high regulation and scrutiny, all domestic ADIs continue

to carry high levels of capital, particularly amongst the lower (“BBB”) and unrated ADIs. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC. APRA’s mandate is to “protect depositors” and provide “financial stability”.

Council’s current exposure to unrated ADI’s is limited to a single \$1,000,000.00 term deposit which will mature in December 2020.

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 31 March 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 31 March 2020 be received.

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

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		N	Drummond	Y	
Keen	Y		Gunning	Absent	
Brodie	Y		Mutton	Y	
Carr		N	Baker		N

RESOLVED:

1. THAT the report on Investments and Loan Borrowings held as at 31 March 2020 be received.

85. Item 6: Customer Feedback and Complaints Report: 1 July to 31 December 2019

Report of Ian Curry, Manager Governance & Committee Services

The purpose of this report is to provide a summary of the complaints, both justified and partially justified, and compliments received during the period 1 July to 31 December 2019. A comparison is made to the total number of customer contacts that Council received during the same period.

Nil.

Recommending:

1. THAT the Customer Feedback and Complaints Report: 1 July to 31 December 2019 be received.

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

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

RESOLVED:

1. **THAT** the Customer Feedback and Complaints Report: 1 July to 31 December 2019 be received.

86. Item 7: Councillor Superannuation - Draft Submission

Report of Jenny Gleeson, Manager Integrated Planning and Special Projects

The Office of Local Government (OLG) issued a Discussion Paper on 3 March 2020 seeking the views of councils and their communities, on whether councillors should receive superannuation payments.

The Discussion Paper was prompted by concerns raised by the local government sector that the ineligibility of councillors to receive superannuation payments is inequitable and is a deterrent to more women and younger people standing as candidates at council elections. Under the *Commonwealth Superannuation Guarantee (Administration) Act 1993*, councils across Australia are not required to make superannuation contributions in relation to the fees they pay to Mayor and Councillors. This is because Mayor and Councillors are elected to a civic office in a council and are not employees of the council. This has been addressed with varying approaches through the relevant Local Government legislation or Councillor remuneration arrangements in different states.

The Discussion Paper seeks views on four options:

1. *maintain the status quo* - mayors and councillors can continue to voluntarily contribute a portion of their fees to a complying superannuation fund of their choice.
2. *mandate the current voluntary situation* - amend the *Local Government Act 1993* (the Act) to make it compulsory for councils to pay a portion of the mayors' and councillors' fees equivalent to the superannuation guarantee amount into a complying superannuation fund nominated by the mayor and councillor.
3. *mandate compulsory payment of superannuation guarantee in addition to fees* - amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees. This option is based on the Victorian model.
4. *mandate compulsory payment of superannuation guarantee in addition to fees* - amend the Act to allow councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees. This means that the payment of councillor superannuation in addition to their fee would be at each council's discretion, allowing the council to consider its resources and the local community's views. This option is based on the Queensland model.

A draft submission has been prepared for Council's consideration (Attachment 1). Submissions close 8 May 2020. Attachment 1 recommends support for Option 3, requiring councils by legislative amendment to pay superannuation in addition to the mayor and councillor fees, as it removes inequity and gives increased recognition to the contributions of elected officials, as well as makes running for elected office more appealing to women and younger people.

The Mayor and Councillor fees are determined annually by the Local Government Remuneration Tribunal. Sections 248 and 249 of the NSW *Local Government Act 1993* require councils to fix and pay an annual fee based on the Tribunal's determination. North Sydney Council is currently classified as "Metropolitan Small". The maximum fees for 2019/20 are: Mayor \$44,230 (Section 249(2) of the *Local Government Act 1993* requires this fee to be paid in addition to the fee paid to the Mayor as a Councillor); and Councillors \$20,280 each (x 10, inclusive of the Mayor). This is a significant reduction on pre-2017 Councillor remuneration when North Sydney was classified as "Metropolitan Centre".

The estimated annual cost (based on 2020/21 remuneration) of paying the 9.5% superannuation guarantee, in addition to current councillor fees, is \$24,057.

It should be noted that any changes to Councillor superannuation arrangements will take in the order of 12 months to implement and are therefore unlikely to occur until post COVID-19.

Recommending:

1. THAT the submission to the Councillor Superannuation Discussion Paper, based on Attachment 1, be endorsed by Council for forwarding to the NSW Office for Local Government.

2. THAT the General Manager be authorised to finalise the submission, including support for Option 3.

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

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		N	Drummond	Y	
Keen	Y		Gunning	Absent	
Brodie	Y		Mutton	Y	
Carr		N	Baker		N

RESOLVED:

1. THAT the submission to the Councillor Superannuation Discussion Paper, based on Attachment 1, be endorsed by Council for forwarding to the NSW Office for Local Government.

2. THAT the General Manager be authorised to finalise the submission, including support for Option 3.

87. Item 8: Western Harbour Tunnel Community Campaign

Report of Jenny Gleeson, Manager Integrated Planning and Special Projects
Council at its meeting of 6 April 2020 resolved (Min. No. 52):

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.

This report responds to the request for a report outlining the proposed cost and commencement date of the campaign. Attachment 1 details the engagement strategy prepared to guide implementation of the campaign.

This report identifies that a maximum of \$23,300 will be required to undertake the campaign as resolved by Council. This can be funded from the 2019/20 budget under various existing community engagement budget sources.

Recommending:

1. **THAT** \$23,000 be allocated to the Community Campaign.
2. **THAT** the Engagement Strategy, inclusive of campaign start date, be endorsed.

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

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/0

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

RESOLVED:

1. **THAT** \$23,000 be allocated to the Community Campaign.
2. **THAT** the Engagement Strategy, inclusive of campaign start date, be endorsed.

Councillor Keen declared an interest in Item 9 and left the meeting at 7.17pm.

88. Item 9: Luna Park - Development Application for Temporary Uses and Facilities at 'Lavender Green' Site

Report of Gavin McConnell, Executive Planning Advisor

Luna Park Sydney Pty Ltd has lodged a Development Application for the use of the northern portion (Lavender Green) of the Luna Park site for temporary rides, amusements and facilities. The consent authority is the NSW Department of Planning Industry and Environment (the Department).

This report describes the background of the approvals for this area, describes the proposed uses and identifies issues of concern which should be addressed in the assessment and determination of the application by the Department. It identifies that the application lacks detail in the description of the proposal thereby undermining certainty that may be gained with regard to its potential impacts or intensity of uses. The proposal is broad and open ended thereby undermining confidence or predictability of impacts.

The Department is inviting submissions from interested parties until 7 May 2020.

There are no direct costs to North Sydney Council resulting from the proposed development.

Recommending:

1. **THAT** Council make a submission in response to Development Application 10196 (Luna Park) identifying the matters addressed in this report.

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

1. **THAT** Council make a submission in response to Development Application 10196 (Luna Park) identifying the matters addressed in this report.
2. **THAT** in the submission Council advocates the significance of the land in question to both the bank of open green space in North Sydney and the proposed High Line project.
3. **THAT** Council ascertain from the NSW Government the terms upon which Council could acquire the freehold for Lavender Green.
4. **THAT** Council ascertain from Multiplex Luna Park Sydney Limited the terms upon which it could acquire the remainder of the lease it holds on the land.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

RESOLVED:

1. **THAT** Council make a submission in response to Development Application 10196 (Luna Park) identifying the matters addressed in this report.
2. **THAT** in the submission Council advocates the significance of the land in question to both the bank of open green space in North Sydney and the proposed High Line project.
3. **THAT** Council ascertain from the NSW Government the terms upon which Council could acquire the freehold for Lavender Green.
4. **THAT** Council ascertain from Multiplex Luna Park Sydney Limited the terms upon which it could acquire the remainder of the lease it holds on the land.

Councillor Keen returned to the meeting at 7.34pm.

89. Item 10: Closed Circuit Television Policy - Post Exhibition

(This Item was dealt with by exception. See page 86)

Report of Michael Macfarlane, Manager Information Technology

At its meeting on 25 November 2019 Council resolved (Min. No. 360):

1. *THAT the draft Closed Circuit Television Policy be placed on public exhibition for 28 days.*
2. *THAT the current Standard Operating Procedures be included as an attachment to the Policy to provide context.*
3. *THAT should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the CCTV Policy as adopted at the end of the closing period for submissions.*

The draft policy, including the standard operating procedures as attachment, was publicly exhibited from 16 January to 12 February 2020. One submission was received. The submission supports the exhibited policy and procedures. In accordance with Item 3 of the above-mentioned resolution, this matter is referred to Council recommending adoption.

Nil.

Recommending:

1. **THAT** Council note the submission received.
2. **THAT** Council proceed to adopt the CCTV Policy as attached to this report.

RESOLVED:

1. **THAT** Council note the submission received.
2. **THAT** Council proceed to adopt the CCTV Policy as attached to this report.

Councillor Gunning joined the meeting at 7.37pm. Prior to participating in the meeting, Councillor Gunning advised that he had no interests to declare in the Items on the Agenda.

90. Item 11: Response to Mayoral Minute - Proposed 12-month Trial of 15-Minute Free Parking at all North Sydney Council Parking Meters

Report of Leonie Wishart, Manager Parking Meters

Council at its meeting on 23 March 2020 (rescheduled to Monday 6 April 2020) considered a Mayoral Minute regarding this matter and resolved (Min. No. 56):

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.*

This report outlines the implications, both financial and operational of undertaking such a trial.

This proposed 12-month trial to permit 15-minute free parking across all of Council's parking meter network will have an impact on Council's revenue estimates for parking meters. It is estimated that across Council's entire network of 435 parking meters (2713 parking metered bays) that the cost impact will be approximately \$4,064 in revenue forgone per week or \$211,305 revenue forgone over the 12-month trial period. These forecasts in revenue foregone are based on the current income data that Council has on each parking meter bay in each parking meter zone for stays that are less than 15 minutes over the last 12 months.

This data is available through Council's parking meter management system.

There are also estimated operational costs of \$290,000 in staff time and administration to manage the re-configuration of Council's 435 parking meters.

The total estimated costs in revenue foregone and operational costs to undertake this 12-month trial is \$501,305.

It is also important to note that Council's current parking meter income across the entire parking meter network since March 2020 is down by over 80% per week as a result of the impacts that the COVID-19 Pandemic Crisis is having on business activity in the North Sydney Area. The total forecast for Parking Meter income for the 2019/20 Financial Year is being amended down from \$9,635,000 to \$7,879,955 as at 30 June 2020, a forecast reduction in Council's revenue of \$1,755,045 in just over 3 months.

Recommending:

1. **THAT** the report be received.
2. **THAT** Council continue with the 15-minute free parking trial at Cremorne.
3. **THAT** should Council wish to pursue an extension of 15-minute free parking after the Cremorne trial, the matter be considered in conjunction with the Parking Meter Solution Contract Tender which is due to expire on 31 December 2021.

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

1. THAT in light of the current financial challenges being encountered by Council, the matter be deferred until January 2021.

2. THAT in the interim Council officers investigate the implications of altering Council's parking system to incorporate either paper parking tickets or recording registration numbers as per other Councils who provide 15 minutes free parking.

The Motion was put and **carried**.

Voting was as follows:

For/Against 10/0

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

RESOLVED:

1. THAT in light of the current financial challenges being encountered by Council, the matter be deferred until January 2021.

2. THAT in the interim Council officers investigate the implications of altering Council's parking system to incorporate either paper parking tickets or recording registration numbers as per other Councils who provide 15 minutes free parking.

91. Item 12: COVID-19 Financial Impacts

Report of Margaret Palmer, Director Corporate Services and Jenny Gleeson, Manager Integrated Planning & Special Projects

The purpose of the report is to provide the Council with a preliminary review of the financial impacts of COVID-19. The report supplements the information provided to Council at the Briefing held 20 April 2020, as part of the *2020/21 Operational Plan & Budget* preparation.

Further detailed information will be reported to the Council via the third quarter budget review and consideration of Council's *Draft 2020/21 Operational Plan & Budget*.

Council is not isolated from the considerable economic impacts of COVID-19. A number of Council facilities have been closed as result of Public Health Orders and revenues associated with a range of Council services are being impacted from the change in behaviour and work patterns associated with the response.

Council has also had to address charges applied to businesses forced to close due to Public Health Orders. On 25 March 2020, the Mayor and General Manager authorised the *Waiving Charges During Novel Coronavirus (Covid-19) Policy*. This Policy is largely consistent with principles promoted by the Joint Cabinet in respect to Tenancies.

The forecast revenue shortfall for 2019/20 is estimated to be \$6.311 million. This is further detailed in the body of the report.

The current estimated financial implications are detailed throughout the body of this report and will be further reported upon in the third quarter budget review and draft 2020/21 forward estimates.

Recommending:

1. THAT the COVID-19 Financial Impacts report be received.

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

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** the COVID-19 Financial Impacts report be received.

92. **Item 13: Forsyth Park Community Centre - Feasibility Study for After School Care**

(This Item was dealt with by exception. See page 86)

Report of Eric Poulos, Community Worker/Social Planner

Council's *Family and Children's Services Strategy 2018-24* made improving Before and After School Care opportunities for local parents a priority action area. The specific recommendation was to undertake an architectural review and estimate of costs (Feasibility Study) of Forsyth Park Community Centre (and amenities block) as a potential After School Care (ASC) site. The review has been completed and is provided with this report. In summary:

- While sufficient funds are available for construction of the proposed After School Care facility (\$1.089m) in the Section 94 Child Care Reserve (\$1.2m), applying them would exhaust the reserve at this stage.
- The maximum number of places (33) created by the proposed design, while comparable to some other Council sponsored centres, would not make sufficient inroads into the Before and After School Care waiting lists to justify the expense.
- The costs per sq. m. for the proposed amenities block is substantially higher at \$2.021m than Council's similar projects.
- Advice from the Division of Open Space and Environmental Services (including through the Forsyth Park Plan of Management) is that there is no immediate need for a new amenities block at Forsyth Park. Four or five other sites would have a greater claim on funds, for example Tunks Park.
- The proposed amenities block design is expensive and if Council adopted the project it is most likely it would be revisited in order to achieve a more economic outcome.
- Despite the above reservations the Feasibility Study provides an attractive and practical solution to the Centre's existing shortcomings and should be taken into account in any future work on the centre, such as the playground/storage upgrade scheduled for 2020/21, so as to ensure such work does not impede future implementation of the recommended improvements. The Centre's use as Council's only weekend hire venue with a substantial playground, will benefit from any improvements.
- Should alternative sources of funding become available, then the Forsyth Park Feasibility Study will deserve further consideration.

Competitive quotes for the Feasibility Study were received and costs incurred were \$33,550. Foreshadowed work on the Centre's playground for 2020/21 are estimated at \$200,000.

Recommending:

1. **THAT** the Forsyth Park Community Centre - Feasibility Study for After School Care report be received.

RESOLVED:

1. **THAT** the Forsyth Park Community Centre - Feasibility Study for After School Care report be received.

93. **Item 14: Community Support Initiatives During COVID-19 Crisis**

(This Item was dealt with by exception. See page 86)

Report of Helen Campbell, Manager Community Services

Feedback on the impacts the COVID-19 crisis is having on Community Centres and childcare services in Council buildings is being received. This report summarises the current situation and outlines areas where Council support to services might be considered.

The impact on community centres has been the widespread with closure of the centres themselves as well as their markets. The Crows Nest Centre itself remains partially open as its home support services are considered at all levels to be essential services. North Sydney Community Centre operates during school holidays for Vacation Care under the management of Gowrie NSW.

All centres are developing online services and have written to Council with suggestions of where Council can assist. The Crows Nest Centre has been more specific, as Council would expect, given its role in support of the frail aged and disabled.

The Centres do not pay rent and the only additional support offered so far has been Council meeting the cost of the emergency fencing for the March 2020 Northside Produce Market.

The impacts on children's services include a dramatic fall in attendances followed by a partial reversal of this trend, arising from the Federal Government's decision to keep centres open, ban childcare fees and arrange for payment of staff through other mechanisms.

Consideration has already been given during March 2020 to the services' levels of unrestricted reserves held at January 2020 and some small additional grants have been made to those in immediate need. In addition, Council's *D5-49 Waiving Charges COVID-19 Pandemic Policy* has been applied and rent relief given to the centres who pay rent.

Small grants from current budgets amounting to \$17,000 released from cancelled events such as International Volunteers Day and underspent consultancies in Children's Services have been applied to childcare services in immediate need. Rent relief amounts to 50% reduction in the rents shown in this report and will continue two months into the recovery period.

Recommending:

1. **THAT** Council notes the existing financial support and small grants funded from the adopted budget 2019/20 to local services.

RESOLVED:

1. **THAT** Council notes the existing financial support and small grants funded from the adopted budget 2019/20 to local services.

94. **Item 15: Response to Notice of Motion No. 4/18 - Identification of Crown Land for Playing Fields**

Report of Rob Emerson, Director Open Space and Environmental Services
Council at its meeting on 28 May 2018 adopted a Notice of Motion regarding
Identification of Crown Land for Playing Fields and resolved (Min. No. 169):

1. THAT, noting the North Sydney Council area has one of the lowest ratios of sporting fields to residents of all NSROC Councils, Council resolves that a report be prepared by Council's staff identifying all parcels of land in the North Sydney Council area that are either directly or indirectly owned or controlled by the Commonwealth and State Governments that are or could be made suitable for use for playing sport and that our Mayor and General Manager then seek to reach agreements with those Governments that permit such use.

This report addresses the Council resolution.

Recommending:

1. THAT the report in relation to Identification of Crown Land for Playing Fields be received.

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

The Motion was put and **carried**.

Voting was as follows:

For/Against 9/1

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

RESOLVED:

1. THAT the report in relation to Identification of Crown Land for Playing Fields be received.

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

95. Item 16: Notice of Motion No. 4/20 – Crs Beregi, Baker and Carr – 19/04/20

Re: North Sydney Olympic Pool

1. THAT when the Federal and State Governments advise NSW residents that they are free to normalise and resume leisure activities including swimming in public baths that North Sydney Olympic Pool (NSOP) re-open in the earliest timeframe.

2. THAT during this forced closure period, NSOP be kept in operable swimming condition.

3. THAT any decisions regarding NSOP (opening/closing for renovations) requires full Council sign-off prior to implementation (no delegation).

4. THAT Council advise all interest groups of the re-opening of NSOP post Covid-19 Isolation, including Lane 9 Gym, Badger Swim School and those who have voiced their concerns at the closure of NSOP.

The Motion was moved by Councillor Carr, seconded by Councillor Baker.

The Motion was put and **lost**.

Voting was as follows:

For/Against 3/7

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

96. Item 17: Questions With Notice No. 1/20 – Cr Carr – 19/04/20

Question 1 – Delegations of Authority

(i) when will a report be provided to Council detailing any exercise of delegation by the Mayor and General Manager between meetings of Council since the meeting held on 24 February 2020?

Response:

The only specific requirement to report to Council detailing exercise of delegation relates to matters dealt with under delegation to the Mayor and in particular those matters dealt with in the case of emergency. The relevant extracts from the delegations of authority to the Mayor are:

1. General.

To deal in cases of emergency with any matter not precluded by section 377 of the Local Government Act 1993 and not being otherwise delegated or building development applications...

7. Delegation dealt with by the Mayor to be reported to council.

All matters dealt with under delegation to the Mayor shall be reported to the next available meeting of the council.

A full copy of Council's delegations is publicly available on Council's website and can be accessed by the following link:

https://www.northsydney.nsw.gov.au/Council_Meetings/Policies_Plans/Plans_of_Management/Delegations_of_Authority?BestBetMatch=delegations%20of%20authority|863552b6-4be4-4f53-b581-248e125e80fa|b0f2021b-05f6-4b41-aed2-a0a60125844d|en-AU

For completeness, Councillors should also note that the Mayor has specific powers under the Local Government Act that are in addition to any discretionary delegation provided by Council and operate without the constraints imposed by Council on their delegations. This includes under section 226(d) *to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council.*

Question 2 – Mosman Daily

(ii) what arrangements have been made with News Ltd following the suspension of the Mosman Daily including financial arrangements under the existing contract/commitment with the Mosman Daily?

Response:

Council has not entered any arrangement with News Limited following the suspension of the Mosman Daily.

Councillors are also referred to Item 5 of the Councillor Bulletin issued on Thursday 16 April 2020, titled *Cessation of Mosman Daily Hard Copy Circulation*.

Confidential Matters

97. Item 18: North Sydney Council's Alfred Street Artist Studios Program - Selection of Artists

Report of Alison Clark, Team Leader Arts & Culture

The Bradfield Park Community Centre building located in Alfred Street, Bradfield Park South (formerly the Gallipoli Legion Bowling Club in the early 1950s and later the Kirribilli Ex-Servicemen's Bowling Club) is currently not tenanted in its community (northern) half (a commercial restaurant occupies the southern section) and presents an opportunity to accommodate local artists on a temporary basis in this unique Council-owned facility.

The dwelling consists of two rooms/studio space and accessible toilets. It is proposed that the adapted studio spaces will be tenanted for a nine-month lease period with the potential to extend the lease for an additional three months. The program would operate under Council's existing affordable Artist Studio Program where artists are required to pay a weekly rent of \$40 and deliver an accessible and engaging monthly public program of Open Days.

The studios can be accessed 7 days a week from 7am to 9pm. The use of oil paints, solvents and toxic materials is strictly prohibited

under Council's WH&S requirements and in line with NSW EPA regulations.

The program will operate under Council's existing affordable Artist Studio Policy and the selected artists will pay a 'low-cost' rent of \$40 per week and \$200 bond. In line

with the Artist Studio Guidelines participating artists are required to deliver an engaging monthly Public Program of ‘Open Days’.

Recommending:

1. THAT Council supports the selection of the two proposed artists for the Alfred Street Artist Studios Program commencing 1 May 2020.

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

1. THAT Council supports the selection of the two proposed artists for the Alfred Street Artist Studios Program commencing 1 May 2020.

2. THAT Council acknowledge the work of Alison Clark, Team Leader Arts & Culture in finalising this report under difficult circumstances.

The Motion was put and **carried**.

Voting was as follows:

For/Against 10/0

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

RESOLVED:

1. THAT Council supports the selection of Natasha Walsh and Michelle Arnott for the Alfred Street Artist Studios Program commencing 1 May 2020.

2. THAT Council acknowledge the work of Alison Clark, Team Leader Arts & Culture in finalising this report under difficult circumstances.

98. Item 19: Staff Conditions and Management During COVID-19

(This Item was deferred for consideration at the end of the meeting in Closed Session – see Minute No. 100)

Report of Ken Gouldthorp, General Manager

On 14 April 2020 a variation to the NSW Local Government Award was made to help manage workplace arrangements associated with COVID-19. The variation, called The Splinter Award, applies to over 100 councils (out of 124) including North Sydney Council. The Splinter Award therefore provides a level of consistency across councils including flexibility in dealing with changes to workloads, cessation of services when necessary and facilitating staff to stay safe at home in some instances including where there is no useful work to do.

Management of staff resources during the COVID-19 needs to be undertaken in a manner that recognises Local Government revenue is not isolated from the economic impacts occurring in tandem with COVID-19 and that Local Government has deliberately been excluded from the majority of Federal and State financial relief measures. The “Splinter Award” was developed with, and agreed by, all of the Unions representing Local Government employees in NSW and LGNSW representing councils. Linda Scott, the President of LGNSW has given a simple explanation of the key features of the Award:

*“The **Local Government (COVID-19) Splinter Award 2020** is designed to help preserve jobs and gives NSW councils and county greater flexibility to provide*

suitable alternative duties for employees unable to perform their regular duties due to COVID-19 orders by the State or Commonwealth Governments. The Splinter Award also contains close-down procedures at Part 6, which commence with a “Duty to Explore Suitable Alternative Duties”. Where the employer has exhausted all reasonable attempts to find suitable alternative duties and has no useful work for affected employees, the employer may temporarily stand down (or partially stand down) employees in accordance with the staged stand down procedures under the award.

Under stage 1, employees are entitled to up to four weeks of paid COVID-19 special leave at their salary system rate of pay (of which up to 2 weeks may be absorbed by paid special leave already received by the employee from their employer in relation to COVID-19).

*At stage 2, an employee who has exhausted their entitlement to paid COVID-19 special leave is entitled to be paid a Job Retention Allowance at the Band 1 / Level 2 rate of pay under the **Local Government (State) Award** (currently \$858.20/week) for up to three (3) months. During stage 2, employees may supplement the Job Retention Allowance by accessing their accrued leave entitlements.*

At stage 3, employees who have exhausted their entitlement to paid COVID-19 special leave and the Job Retention Allowance are placed on leave without pay until the employer is able to provide the employee with useful work, unless the employee elects to utilise any available accrued leave entitlements.”

The Splinter Award operates in conjunction with the existing Local Government Award and the provisions covering other employment conditions will continue to apply. Ultimately how this new agreement will apply to individual staff will largely depend on the measures put into place by the Federal and State health authorities and the duration they are in place for. It is already being applied to many library staff who are no longer at work following the closure of the Library.

The associated Confidential Report to this item addresses staff and employment conditions in further detail including personnel matters concerning particular individuals. If the Council wishes to discuss the report, the meeting should be closed to the public to do so in accordance with s10A(2)(a) of the Local Government Act (LGA).

North Sydney Council’s employee benefits and on-cost budget for 2019/20 is \$44.83M. It is the single largest expense and comprises 49% of total expenses from continuing operations excluding depreciation and amortisation.

Recommending:

1. **THAT** the meeting be closed to the public in accordance with s10A(2)(a) to discuss personnel matters concerning particular individuals (other than Councillors).
2. **THAT** the report be treated as confidential and remain confidential until Council determines otherwise.

99. Closed Session

It was moved by Councillor Brodie and seconded by Councillor Keen and **carried unanimously**,

1. **THAT** the meeting be closed to the public to discuss the following matter for the reasons identified.
2. **THAT** the report be treated as confidential and remain confidential until Council determines otherwise.

Item 19: Staff Conditions and Management During COVID-19

Reason: Section 10A(2)(a) of the *Local Government Act 1993*:

- 10A(2)(a) – personnel matters concerning particular individuals (other than councillors).

Public Interest

These matters are classified as confidential as they contain personal information. On balance, the public interest in preserving the confidentiality of this information outweighs the public interest in openness and transparency in Council decision making by discussing these matters in Open Council.

The meeting recommenced in Closed Session at 8.35pm.

100. Open Session

The meeting was re-opened to the public at 9.01pm.

The General Manager advised that the Council made a number of decisions during the Closed Session and resolved:

Item 19: Staff Conditions and Management During COVID-19**RESOLVED:**

1. **THAT** the resolutions made in Closed Session be treated as confidential and remain confidential until the relevant parties have been notified.
2. **THAT** the report be treated as confidential and remain confidential until Council determines otherwise.

Relevant parties were notified in accordance with (1) above. The resolution made in Closed Session is now made public, specifically:

1. **THAT** a freeze be placed on all discretionary performance bonuses and discretionary performance-based salary increases until 30 December 2020.
2. **THAT** the 1982 Industrial Agreement(s) giving rise to the retirement gratuity payment be terminated.
3. **THAT** the General Manager be authorized to take all necessary action to terminate the Industrial Agreement(s) giving rise to the retirement gratuity payment in accordance with the process required by the Industrial Relations Act including the authority to negotiate and agree on transitional arrangements.

The Meeting concluded at 9.03pm.

CHAIRPERSON

GENERAL MANAGER