

## **8.1. Matters Outstanding - February 2021**

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**ENDORSED BY:** Carrie Chan, Executive Governance Manager

**ATTACHMENTS:**

1. Matters Outstanding - February 2021 [8.1.1 - 10 pages]

**PURPOSE:**

To report to Council on the status of Councillor resolutions.

**EXECUTIVE SUMMARY:**

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

The attached table has been updated to include resolutions from the 30 November 2020 Ordinary Meeting of Council.

**FINANCIAL IMPLICATIONS:**

Nil.

**RECOMMENDATION:**

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

## **LINK TO COMMUNITY STRATEGIC PLAN**

The relationship with the Community Strategic Plan is as follows:

5. Our Civic Leadership

5.2 Council is well governed, and customer focused

## **BACKGROUND**

The previous report to Council on this matter was on 30 November 2020.

## **CONSULTATION REQUIREMENTS**

Community engagement is not required.

## **DETAIL**

Attached is the updated table of outstanding resolutions for the information of Council.

## ATTACHMENT 1



**REPORT TO THE COUNCIL MEETING OF 22 FEBRUARY 2021 ON MATTERS OUTSTANDING FROM NOTICES OF MOTION OR COUNCILLOR REQUESTS FOR ACTION, UP TO THE 30 NOVEMBER 2020 MEETING**

	<b>Meeting Date and Min. No.</b>	<b>Item Reference</b>	<b>Agreed Action</b>	<b>Responsible Director</b>	<b>Target Date</b>	<b>Current Status</b>
1.	19/11/18 (Min. No.426)	NoM03: Notice of Motion No. 30/18 by Cr Mutton - 14/11/18, Re: Wendy's Secret Garden	1. THAT Council resolve to call for a report on the options that are available to bridge or enclose the water course and estimate the costs of delivering each of the options.	OSE  EPS Assessment Complete	Feb 2021	<p>Engineers are investigating a diversion of the watercourse.</p> <p>Council staff met with Cr Mutton on site 4 March to discuss what is required to address the issue in the NoM. EPS &amp; OSE staff will prepare a concept plan to address the issues raised at the site meeting.</p> <p>Consultant has prepared costings and they have been distributed to all stakeholders</p> <p>Site meeting held on 1 May to discuss design options with stakeholders. A new design is being prepared based on stakeholder feedback.</p> <p>Site meeting held with Garden's volunteer coordinator 29 October 2019. Option for embankment stabilisation selected, budget bid will be prepared for the 2021/22 Capital</p>

## Report on Matters Outstanding - Meeting of 22/02/21

	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
						Works program and reported to Council.
2.	27/05/19 (Min. No. 131)	NoM01:Notice of Motion No. 5/19 - Crs Baker, Carr and Beregi – 22/05/19, Re: Compliance with DA 1164/90 – Noakes: 6 John Street, McMahons Point	1. THAT Council take all necessary action to ensure compliance with the conditions of consent of DA 1164/90 for redevelopment of the existing boat maintenance facility at 6 John Street, McMahons Point. 2. THAT, in particular, such action include all steps necessary to ensure the enforcement of the public benefit condition D51 which required the developer to “provide a public jetty extending from land below John Street, approximately in the location of the former sea baths, subject to the design and position being acceptable to Council”.	CiS	Ongoing	<p>July 2020; Discussions with RMS has established clarity regarding appropriate approval pathway. Further discussion with Stannard’s occurred in late July/August. Briefing and report to 12 October Legal and Planning Committee meeting.</p> <p>A further report on this matter was submitted to Council on 30/11/20.</p> <p>Compliance issues arising from the general conditions of consent, unauthorised works and pollution control concerns have generally been dealt with by way of the Deed on Settlement executed on 23 December 2020. The requirements of the deed will be enforced by Council in the event of any failure of the Boatyard to comply with its obligations.</p> <p>The requirements of Condition 51 to provide a public jetty as part of the consent remains under review at this time.</p>

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
3.	23/09/19 (Min. No. 254)	MM01: Trees at the Coal Loader	<p>1. THAT a report be prepared on ways to provide additional shade at the Coal Loader Platform in time for the 2020/21 summer. The report should:</p> <p>a) provide a range of options for Council to consider, including planting additional trees along the periphery of the Platform as well as options for shade using the existing colonnade;</p> <p>b) include a review of essential facilities on the Platform and recommendations for providing additional facilities, such as toilets and a drinking fountain, if required;</p> <p>c) include the cost of installing and maintaining each option; and</p> <p>d) be provided to Council in time to incorporate a project in the 2020/21 Operational Plan if required.</p>	OSE	Nov 2020	<p>A report on this matter was submitted to the 30/11/20 Council meeting.</p> <p><b>COMPLETED</b></p>
4.	25/11/19 (Min. No. 363)	NoM01: Notice of Motion No. 11/19 – Crs Baker, Beregi and Carr – 13/11/19, Re: Review of the Neutral Bay Heritage Conservation Area	<p>1. THAT the matter be deferred to the Legal and Planning Committee to clarify potential conflicts of interest and discuss the concerns raised by the Director City Strategy.</p>	CiS	March 2021	<p>A report was submitted to the 9 March Legal and Planning Committee meeting. Council on 6 April resolved that the matter be deferred until the 2020/21 financial year.</p> <p>The matter will be represented to the March 2021 Legal and Planning Committee meeting.</p>

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5.	24/02/20 (Min. No. 7)	MM03: Diverting Food Waste from Landfill	1. THAT staff prepare a report on the options for conducting a food waste diversion trial that: <ol style="list-style-type: none"> <li>a. includes information on costs and likely community interest to participate in a trial; and</li> <li>b. includes details on any smart phone applications that could be used to allow residents to express an interest in food waste collection in their street.</li> </ol>	OSE	Dec 2020	A report on this matter was submitted to the 30/11/20 Council meeting. <b>COMPLETED</b>
6.	24/02/20 (Min. No. 42)	Notice of Motion No. 1/20 – Cr Mutton– 24/11/19  Re: Extension of Land into Sawmillers Reserve	THAT Council resolve to: <ol style="list-style-type: none"> <li>i. Seek to lease on terms to be approved by Council from the Government of NSW the “unused land” and incorporate that land in to Sawmillers Reserve.</li> <li>ii. Seek to reach an agreement on terms to be approved by Council with the Government of NSW and the Scout Association of Australia, North Sydney Region pursuant to which the toilets in that hall are made available for public use.</li> </ol>	OSE	May 2021	A meeting was held with appropriate TfNSW staff on 29 October 2020. At this meeting, it was made bluntly apparent that beautification leases are a low priority of Sydney trains due to staff restrictions and issues such as this may need to be addressed at the political level to achieve active process.
7.	23/03/20 (Min. No 56)	MM05: Free 15 Minute Parking at all Meters	1. THAT Council receive a report from the General Manager (Director Engineering and Property Services) outlining the practicality of running a	EPS	Mar 2021	At the 27/4/20 Council Meeting, this matter was deferred to January 2021.

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			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.			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.
8.	22/06/20 (Min. No. 39)	7.2.MM02: Camberay Connection Over Warringah Freeway	1. THAT Council seeks a meeting with the Hon Andrew Constance, Minister for Transport and Roads and the Hon Rob Stokes, Minister for Planning and Public Spaces, with the Mayor, Deputy Mayor and General Manager, to discuss how additional open space in North Sydney can be incorporated into the Western Harbour Tunnel Project.	GM		Requests for meetings sent 16 July 2020.  The WHT&BL EIS submissions report has subsequently been published by TfNSW. Council Officers continue to liaise with the WHT&BL Project Team in respect to the project land requirements and negotiation of an "Interface Agreement."
9.	24/08/20 (Min. No. 99)	6.2 MM02: A Parking Policy to Meet Community Expectations	<b>1. THAT</b> Council reviews the residential and non-residential parking rates in the Car Parking and Transport section of the North Sydney Council Development Control Plan, and that the review include extensive community consultation, with balanced	CiS	May/June 2021	A project plan and engagement strategy are currently being devised.

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			information about the impacts of parking controls within new developments.			
10.	28/9/20 (Min. No 126)	6.3 MM03: Primrose Park Tennis Courts	<p>1. THAT a report on the settlement issues and cost of renewing the Primrose Park Tennis Courts be provided to Council.</p> <p>2. THAT the report explores options for providing tennis facilities at Primrose Park as well as other sports that can use a multipurpose facility.</p> <p>3. THAT Council staff apply for external grant funding from both State and Federal funding programs.</p>	EPS	Nov 2020	A report was submitted to the 30/11/20 Council meeting. <b>COMPLETED</b>
11.	28/9/20 (Min. No 127)	6.4 MM04: Road Safety Near Middle Harbour School	<p>1. THAT Council staff prepare a report investigating the options and efficacy of various traffic calming measures to increase safety at the pedestrian crossing at Gerard and Macpherson Street in Cremorne.</p> <p>2. THAT the Mayor and a member of Council staff meet with the Member for North Shore, Ms Felicity Wilson MP, for a site visit at this intersection.</p>	EPS	Nov 2020	Report to be submitted to 30/11/20 Council meeting. <b>COMPLETED</b>
12.	26/10/20 (Min. No. 155)	6.1 MM01: Sculpture at Sawmillers 2021	1. THAT Council staff provide a report to the November Council Meeting in respect to the proposed Sculpture Exhibition and capacity to incorporate it within Council's overall event program.	CoS	Feb 2021	The proposal to provide financial assistance for this project is being advertised in accordance with s.356 of the Local Govt Act.



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						A report will be submitted to the 22 February 2021 Council meeting.
13.	26/10/20 (Min. No. 156)	6.2 MM02: Loss of Open Space in Kesterton Park	<p>1. THAT Council write to the Minister for Transport and Roads, the Hon Andrew Constance, requesting an urgent review of the design.</p> <p>2. THAT the revised design ensures there is no loss of parkland, no net increase of hard surfaces within the park and no mature trees removed.</p> <p>3. THAT Council staff be authorised to negotiate an improved design on behalf of Council.</p>	OSE	Mar 2021	<p>Letter written. Submission made to TfNSW advising Council resolution and identifying issues with design.</p> <p>TfNSW preparing an amended design to reduce impact on the park. It is anticipated the design will be available in March for further review.</p>
14.	26/10/20 (Min. No. 157)	6.3 MM03: GIPA Requests - Impacts on Council Resources	<p>1. THAT a report be prepared for the Governance and Finance Committee outlining the number of Informal and Formal GIPA requests received since 1 October 2017.</p> <p>2. THAT the report identify the source of all GIPA applications, including the number submitted by Councillors.</p> <p>3. THAT the report identify topics of the GIPA applications, the level of complexity/resource intensity of each request and the average processing time.</p> <p>4. THAT the report identify whether there is information that could be provided on the Council website or</p>	CoS	Feb 2021	<p>A report was submitted to the February 2021 Governance and Finance Committee meeting (see separate report on the Minutes of this meeting). <b>COMPLETED</b></p>

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			disseminated via Information Sessions to the community or Councillors to reduce the number of requests.			
15.	30/11/20 (Min No. 179)	MM01: Embracing Our Jacarandas	<b>1. THAT</b> a report be presented to Council early in 2021 with options for increasing the Jacaranda footprint in the North Sydney local government area, low cost ways to improve crowd management and recommendations for encouraging local businesses to support the Jacaranda season.	OSE/EPS	May 2021	
16.	30/11/20 (Min No. 211)	Notice of Motion No. 15/20 - Crs Beregi, Baker and Carr - Vale Bruce Burns	<p>1. THAT Council acknowledge the enormous contribution of the late Mr Bruce Burns to our community.</p> <p>2. THAT Council consult with Ms Carole Burns and the Burns family in respect of the location of a tree to be planted in his memory in the Balls Head locality of Waverton and that following such consultation the tree be planted with a plaque identifying the reason for the planting and acknowledging Mr Burns' contribution to the Waverton Peninsula.</p> <p>3. THAT Council write to Ms Carole Burns and the Burns family expressing deep sympathy and condolences on the passing of Mr</p>	OSE		<p>1....</p> <p>2. Plaque has been installed.</p> <p>3. Letter of condolence sent from Mayor 9/2/21</p> <p><b>COMPLETED</b></p>

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			Burns and include a copy of this resolution.			
17.	30/11/20 (Min No. 212)	Notice of Motion No. 17/20 - Crs Beregi, Baker and Carr - Final 2036 Plan – Maximum Heights on Pacific Highway	<p>1. THAT Council write urgently to the Minister for Planning (copied to the relevant State and Federal local MPs) seeking immediate amendments to the final adopted 2036 Plan to return the maximum heights which were increased following community consultation and exhibition of the Draft 2036 Plan to the exhibited heights.</p> <p>2. THAT the letter to the Minister include a submission prepared by Council’s strategic planning staff, particularly with reference to the significant adverse amenity impacts of the proposed massive increase in heights along the western side of the Pacific Highway on eastern Wollstonecraft residents and properties.</p> <p>3. THAT Council provide a copy of this resolution and the letter to the Minister to Wollstonecraft, Holtermann, Hayberry and Waverton Precincts.</p>	CiS		Letters and submission sent to Minister for Planning, with copies provided to relevant State and Federal Local Members and Wollstonecraft, Holtermann, Hayberry and Waverton Precincts 17/12/2020 and 15/02/2021. <b>COMPLETED</b>

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**KEN GOULDTHORP, General Manager**

**Legend:**

GMO - General Manager's Office

CIS - City Strategy Division

CLS - Community and Library Services Division

COS - Corporate Services Division

EPS - Engineering and Property Services Division

OSE - Open Space and Environmental Services Division

MM - Mayoral Minute

MoU - Matter of Urgency

NoM - Notice of Motion

NoRM - Notice of Rescission Motion

Q - Question with/without Notice