

## **8.2. Matters Outstanding - August 2021**

**AUTHOR:** Ian Curry, Manager Governance & Committee Services

**ENDORSED BY:** Ken Gouldthorp, General Manager

**ATTACHMENTS:**

1. Matters Outstanding - August 2021 [8.2.1 - 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 up to the 5 July 2021 Extraordinary 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 28 June 2021.

## **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 23 AUGUST 2021 ON MATTERS OUTSTANDING FROM NOTICES OF MOTION OR COUNCILLOR REQUESTS FOR ACTION, UP TO THE 26 JULY 2021 MEETING**

	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
1.	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	Sept 2021	A further report on this matter will be submitted to Council on 26/09/21.  <b>COMPLETED</b>  The requirements of Condition 51 to provide a public jetty as part of the consent remains under review at this time.
2.	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	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.	CiS	Start June 2021, completion March 2022	A report was submitted to the 9 March 2020 Legal and Planning Committee meeting. Council on 6 April resolved that the matter be deferred until the 2020/21 financial year.  Funding and resourcing has not been able to be prioritised for this

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						project given more urgent competing demands in 2020/21. The project can however commence at the beginning of the 2021/22 financial year by working within existing policy development budget lines. Staff will continue to seek alternative funding sources including from the Office of Environment and Heritage through their grant programmes and also the Department of Planning, Infrastructure and Environment.
3.	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: 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. 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.	OSE	Sept 2021	i. 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. <b>COMPLETED</b>  ii. Contact will be made with Scout Club. It is noted that the building has some structural and contamination issues that have previously been reported to Council

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
4.	22/06/20 (Min. No. 39)	7.2.MM02: Cammeray 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.” <b>COMPLETED</b>
5.	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 information about the impacts of parking controls within new developments.	CiS	Discussion paper Oct 2021.  Project completion date Jun 2022	A Councillor Briefing was held on 29 March 2021.  A project plan and engagement strategy are currently being devised.  A discussion paper will now be prepared for public exhibition and comment in October.
6.	30/11/20 (Min No. 179)	6.1 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	Sept 2021	Report to be submitted to September 2021 Council meeting.

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7.	22/02/21 (Min. No.3)	6.2 MM02 – Toilet at Hayes Beach	<p>1. THAT Council writes to the Member for North Shore, Ms Felicity Wilson, thanking her for advocating strongly on our behalf with TfNSW.</p> <p>2. THAT the Director of Open Space and Environmental Services prepares a report for the March meeting of Council outlining the approximate cost of the project, the timeline and process for progressing the work, and the possibility of funding and completing the project in the first quarter of the 2021/2022 financial year so that the new toilet is available for the busy Summer swimming and kayaking season.</p> <p>3. THAT Council writes to Loretta Moy, President of the Kayak Share Club, thanking her for her sustained lobbying for this facility.</p>	OSE	Sept 2021	<p>Council has prepared a concept plan for the shared facility and sent it to TfNSW.</p> <p>The proposal has been forwarded to the Asset Management Division of TfNSW and we are awaiting their response for next steps.</p> <p>Council has engaged an architect to undertake plans and estimate construction costs for the project to proceed.</p> <p>A report has been prepared 23/8/21.</p>
8.	22/02/21 (Min. No.27)	9.1 Notice of Motion No. 1/21 by Cr Mutton - Berrys Bay	<p>1. THAT Council resolves to seek to have the NSW Government as soon as possible and prior to the commencement of the proposed tunnel project, to cause land on the Western side of Berrys Bay (being lot 21 in DP 1048933 (inclusive of consolidating the adjacent reclaimed portion [617m2 approx.], lots 101 and 102 in DP 1162896, lot 104 in DP 1162898 and lots 1, 2 and 3 in DP 181235) to be brought within the Waverton Peninsula Reserve</p>	OSE	Dec 2021	<p>Council staff are actively pursuing the State Government to assign these parcels to Council's care and control, to form part of the Waverton Peninsula Reserve.</p> <p>Sydney Heritage Fleet addressed the Waverton Peninsula Working Group meeting on 30 March 2021.</p>

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			(together with the Coal Loader and Carradah Park lands already within the Reserve as part of the Waverton Peninsula Reserve Trust, under the care and control of Council. 2. THAT Council, recognising broad community support for the concept plans provided by the Sydney Heritage Fleet for the Museum of Sydney Harbour as the base for its fleet in Berrys Bay, resolves to work with the Sydney Heritage Fleet and the North Sydney community with a view to making the concept plan a reality.			
9.	22/03/21 (Min. No. 34)	6.2. MM02 Parking Review	1. THAT the Traffic Department prepare a report outlining how greater equity in parking permit allocation can be achieved. 2. THAT the report includes a methodology to trial increased permit allocation for apartment dwellers to match permit allocation for detached dwellings in a small area so that the impact can be assessed. 3. THAT consideration also be given to small business.	EPS	Feb 2022	Report to be prepared for February 2022 Council meeting.
10.	26/4/21 (Min. No.)	9.1 Notice of Motion No. 7/21 by Cr Brodie – Re-naming Ben Boyd Road	1. THAT Council resolves to survey community opinion regarding a re-naming of Ben Boyd Road.	CLS/GOV	Nov 2021	The survey per the resolution was conducted 16 June to 18 July 2021. Written submissions were also sought during this period.

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			<p>2. THAT Council uses the established survey process of Council's "YourSay" programme to conduct the survey.</p> <p>3. THAT the survey questions ask: (a) if the respondent is in favour of re-naming Ben Boyd Road (yes/no/unsure), and if yes then (b) what is the respondent's preferred new name (if any), based on a suggested list of three candidate names plus the option for the respondent to write-in their own alternative suggestion.</p> <p>4. THAT the suggested list of three candidate names consist of: at least one name derived from the indigenous history of the area; at least one name derived from the non-indigenous history of the area; and a maximum of only one name being the name of a person.</p>			All feedback received is in the process of being collated and analysed and will be reported to Council.
11.	26/7/21 (Min. No 159)	6.1. MM01: Council's commitment to reducing waste to landfill	<p>1. THAT Council write to the Minister for Planning, Industry and the Environment calling on the NSW Government to provide financial and regulatory support to the waste industry so that organic waste can be diverted from landfill.</p> <p>2. THAT Council reiterates its commitment to delivering a foodwaste pick-up service across our LGA.</p>	OSE	Sept 2021	



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12.	26/7/21 (Min. No 160)	6.2. MM02: Waiving of sportsfield ground hire fees	1. THAT all not-for-profit community sporting clubs that have paid for their bookings for the use of Council facilities in advance are provided a refund of ground hire fees for the period that they have been unable to use our sports field facilities.	OSE	Sept 2021	
13.	26/7/21 (Min. No 161)	6.3. MM03: Fishing for a solution	1. THAT Council thank the Parks and Rangers staff for the work they have already done in signage, bins, monitoring our parks and educating fishers about the safe disposal of fish hooks. 2. THAT Council write to NSW Fisheries seeking additional patrols of our fishing areas. 3. THAT Council adjust the existing signage to inform the public of the relevant fines for littering to clearly indicate the penalties.	OSE	Sept 2021	
14.	26/7/21 (Min. No 162)	6.4. MM04: Infrastructure Contributions Reform	1. THAT Council notes the significant impact on Council's revenue of the NSW Government's proposed reforms to infrastructure contributions that under the most likely definition of essential infrastructure will cost Council \$7.3 M per annum or \$124M over 20 years	CiS	Aug 2021	Initial draft of the letters prepared. Submissions have been lodged by Council and NSROC.  The Mayor and General Manager participated in a Forum facilitated by the City of Sydney and continue to contribute to a coordinated industry response.

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			<p>2.THAT Council supports LGNSW and NSROC advocacy efforts including submissions to the Parliamentary Inquiry into the <i>Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021</i>.</p> <p>3.THAT Council writes to the:</p> <ul style="list-style-type: none"> <li>a. Premier, The Hon Gladys Berejiklian</li> <li>b. Treasurer, The Hon Dominic Perrottet</li> <li>c. Minister for Planning and Open Space, The Hon Robert Stokes</li> <li>d. Minister for Local Government, The Hon Shelley Hancock</li> <li>e. Opposition Leader Mr Chris Minns and</li> <li>f. Local Members of Parliament</li> </ul> <p>to advocate for additional modelling, consultation and a mechanism to ensure that contributions are paid in a timely way and that no council is worse off under the proposed reforms.</p>			
15.	26/7/21 (Min. No 163)	6.5. MM05 Amendment to	1.THAT the 9 August 2021 meeting be cancelled and a full Ordinary	GOV		Meeting dates changed, as resolved.

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
		Council Meeting Schedule	Meeting be reinstated on 23 August 2021; 2. THAT the 22 November Ordinary Meeting be brought forward to 8 November 2021; 3. THAT the agenda for the 8 November 2021 meeting, which will be in the revised Caretaker period, be limited to the End of Term Report and emergent matters of urgency.			<b>COMPLETED</b>
16.	26/7/21 (Min. No 179)	9.1. Notice of Motion No. 12/21 by Councillors Baker, Beregi and Carr - North Sydney Olympic Pool Redevelopment	1. THAT the General Manager provide a high level update/report on the progress of the redevelopment of the North Sydney Olympic Pool to each Council meeting until the redevelopment is completed. 2. THAT Council notes that this report does not alter the governance structure of the project.	GM		First update report presented to August Council meeting. The high level progress report will continue to be presented to each Council meeting monthly and detailed project management report will be presented quarterly in accordance with the Project Governance and reporting structure.  <b>COMPLETED</b>
17.	26/7/21 (Min. No 180)	9.2. Notice of Motion No. 13/21 by Councillors Baker, Beregi and Carr - COVID parking relief for residents	1. THAT Council acknowledge the lenient approach already applied to Parking enforcement since the commencement of the stay at home orders on 24 June 2021. 2. THAT Council agree to consider withdrawing penalty notices issued to residents during the current stay at home orders if the following criteria is met:	CiS	Aug 2021	A process has been implemented whereby community members can submit a request to council to have their parking infringement reviewed if they meet the criteria outlined on council's website, in accordance with this resolution.  <b>COMPLETED.</b>

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			The person requests a review of the penalty notice; <ol style="list-style-type: none"> <li>1. The person submits proof that the penalty notice was issued during a time period when the person was working from home as a result of the current public health orders</li> <li>2. The person substantiates that alternate residential parking was not available at the premise or via residential parking permit arrangements and they had made reasonable attempt to park the vehicle in compliance with parking regulations.</li> </ol>			

**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