

## **8.1. Matters Outstanding September 2021**

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

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

**ATTACHMENTS:**

1. Matters Outstanding September 2021 [**8.1.1** - 15 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 23 August 2021 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 23 August 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 27 SEPTEMBER 2021 ON MATTERS OUTSTANDING FROM NOTICES OF MOTION OR COUNCILLOR REQUESTS FOR ACTION, UP TO THE 23 AUGUST 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	CiS	Ongoing	This outstanding matter has been superseded by a similar item being item 9.2. Notice of Motion No. 15/21 tabled at Council meeting 23 August 2021. An update was provided in the meeting papers at this meeting. <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	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.

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
		Neutral Bay Heritage Conservation Area				Funding and resourcing has not been able to be prioritised for this 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	OSE	Oct 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

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
			that hall are made available for public use.			building has some structural and contamination issues that have previously been reported to Council
4.	24/08/20 (Min. No. 99)	6.2 MM02: A Parking Policy to Meet Community Expectations	1. THAT 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 is being prepared for the purposes of public exhibition.
5.	30/11/20 (Min No. 179)	6.1 MM01: Embracing Our Jacarandas	1. THAT 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 submitted to September 2021 Council meeting. <b>COMPLETED</b>
6.	22/02/21 (Min. No.3)	6.2 MM02 – Toilet at Hayes Beach	1.THAT Council writes to the Member for North Shore, Ms Felicity Wilson, thanking her for advocating strongly on our behalf with TfNSW. 2.THAT the Director of Open Space and Environmental Services	OSE	Oct 2021	Council has prepared a concept plan for the shared facility and sent it to TfNSW.  The proposal has been forwarded to the Asset

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
			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. 3.THAT Council writes to Loretta Moy, President of the Kayak Share Club, thanking her for her sustained lobbying for this facility.			Management Division of TfNSW and we are awaiting their response for next steps.  Council has engaged an architect to undertake plans and estimate construction costs for the project to proceed.  A report was submitted to Council in August 2021 <b>COMPLETED</b>
7.	22/02/21 (Min. No.27)	9.1 Notice of Motion No. 1/21 by Cr Mutton - Berrys Bay	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 101and 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 (together with the Coal Loader and Carradah Park lands already within the Reserve as part of the Waverton Peninsula Reserve	OSE	Dec 2021	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.  Sydney Heritage Fleet addressed the Waverton Peninsula Working Group meeting on 30 March 2021.

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
			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.			
8.	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.
9.	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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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
			<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>			<p>The outcome of the consultation is reported to Council at this meeting.</p> <p><b>COMPLETED</b></p>
10.	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</p>	OSE	Sept 2021	<p>Letter sent to DPIE 31 August</p> <p><b>COMPLETED</b></p>



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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
			foodwaste pick-up service across our LGA.			
11.	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	Refunds issued <b>COMPLETED</b>
12.	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	Yes <b>COMPLETED</b>  New signage created, and installed at relevant locations by 24 <sup>th</sup> September 2021 <b>COMPLETED</b>
13.	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	GMO	Aug 2021	Submissions have been lodged by Council and NSROC. The Upper House recommended that the Bill not proceed until the associated Regulations are exhibited, various reviews are

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			<p>infrastructure will cost Council \$7.3M per annum or \$124M over 20 years</p> <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</p>			<p>completed and consultation occurs</p> <p>The Minister committed to exhibit the Regulations in advance of the adoption of the Bill but remains committed to implementation on 1 July 2022. NSC is participating in both the LGNSW response and the City of Sydney led metropolitan Council response. The Mayor and GM are active participants in the sub-committee of the latter and an NSC Communications Officer is allocated to the CoC team running the campaign. An open letter to the Premier was published in the press on Thurs 16 September and the Mayor participated in the delegation to the Minister on Fri 17 September.</p>

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			is worse off under the proposed reforms.			
14.	23/8/21 (Min. No 192)	6.3. MM01 Support for our homeless during COVID	<p>1. THAT Community Development staff prepare a report on the impact of Covid-19 on homelessness on the Lower North Shore, especially within the North Sydney LGA.</p> <p>2. THAT the report explore the possibility of providing lockers at, or near major transport hubs for rough sleepers and include possible ways to work with the State Government and other agencies to provide the service.</p> <p>3. THAT Council writes to Bec Boyden thanking her for raising awareness of the difficulties faced by homeless people and acknowledge her long-term contribution to Sydney Street Kitchen and Blanket Patrol.</p> <p>4. THAT the homelessness strategy that is currently in place be expedited.</p> <p>5. THAT Council engages with Specialist Homelessness Services in the preparation of the report.</p>	CLS	Oct 2021	<p>Community Development are preparing a report that will discuss recommendations 1 &amp; 2</p> <p>Letter to Bec Boyden to be sent from the Mayor's Office.</p> <p>The Homeless Strategy is being updated and will go up to the October Council meeting.</p> <p>Community Development will be engaging with specialist homelessness services as part of the research and preparation to write the report.</p>
15.	23/8/21 (Min. No 193)	6.5. MM03 Cremorne Land	1. THAT Council writes to the appropriate State Government authorities, the Premier Gladys	OSE	Oct 2021	Letters being prepared

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
			Berejiklian and our local State MP Felicity Wilson requesting an urgent zoom meeting to discuss all options available for the ownership of the land at 60 Kareela Road, Cremorne Point to be transferred to North Sydney Council as public open space.			
16.	23/8/21 (Min. No 190)	6.1. MM04: COVID Pandemic Response	1.THAT the General Manager be asked to provide a verbal update to the meeting outlining Council's operational response to the emerging pandemic environment.	GM		Verbal report provided by General Manager at 23 August Council meeting <b>COMPLETED</b>
17.	23/8/21 (Min. No 191)	6.2. MM05: Over 500 trees lost in Cammeray	1.THAT Council writes to the Program Director (WHT), Mr Doug Parris requesting that a pause be put on the felling of further trees until the TfNSW scheduled community information meetings on 23 and 26 August are held. 2.THAT when re-planting of the affected sites commences that TfNSW work with the Council and the Community to achieve the best possible community outcomes. This should include the species and the container size of the replacing and planting. 3.THAT Council requests a meeting with Doug Parris and Cammeray's	OSE		Communication has occurred with Mr Parris and his team. They are cognisant of Council's concerns and have expressed a willingness to attempt to minimise tree loss. However they are not willing to defer the project and significant tree removal is inevitable. TfNSW are willing to consider replacement with more mature plantings.

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			local member the Premier, Gladys Berejiklian to ensure that environmental damage including further tree loss – is minimized in future stages of the state significant project construction.			
18.	23/8/21 (Min. No 208 & 209)	9.1. Notice of Motion 14/21 by Councillors Mutton and Keen - Berrys Bay	1. THAT Council resolves to constitute a delegation of three Councillors, headed by the Mayor, to meet with the Premier to seek to have the NSW Government as soon as possible and prior to the commencement of the proposed tunnel project to transfer the land on the Western side of Berrys Bay (being Lot 21 in DP 1048933 (inclusive of consolidating the adjacent reclaimed portion [6171112 approx.], Lots 101 and 102 in DP 1162896, Lot 104 in DP 1162898 and Lots 1, 2 and 3 in DP 181235) to Council. 1. THAT the delegation established by item 9.1 comprise the Mayor, Councillor Keen and Councillor Mutton.	OSE	Dec 2021	Letter sent requesting meeting with meeting the Premier
19.	23/8/21 (Min. No 210)	9.2. Notice of Motion No. 15/21 Councillors Baker,	1. THAT Council seek compliance with the terms of the s34 agreement and subsequent Court Orders made	CiS	Ongoing	This outstanding matter supersedes item number 1. Ongoing commentary will be

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
		Beregi & Carr - Ongoing compliance issues at 6 John Street, McMahons Point (Noakes Boatyard)	by the Court in respect of Land and Environment Court Proceedings No. 2020/00122833; and 2. THAT Council investigate fire safety compliance concerns raised by residents and take any compliance action arising from the investigation as a matter of urgency. 3. THAT Council reiterates its commitment to pursuing compliance with condition D51 for the provision of the public jetty.			provided on this matter against this line item.
20.	23/8/21 (Min. No 212)	9.3. Notice of Motion No. 16/21 by Councillors Baker, Beregi & Carr - Council assistance to the community during COVID lockdown - vaccinations and help for other Local Government Areas	1. THAT Council include a link on its website cross promoting foodbank.org.au to those that may wish to make a donation and that Council continue to monitor the situation in relation to food donations and revisit the issue as public health orders evolve. 2. THAT other support agencies be included at the discretion of the communications department. 3. THAT the Mayor and General Manager continue to participate in regular forums hosted by the Office of Local Government (OLG) with NSW Health and NSW Police. 4. THAT North Sydney Council continue to support and augment the COVID-19 response efforts of	CoS		Foodbank promoted on the website, and have prompted NSW Health messaging about COVID-19 in our social media such as the 80% first dose vaccination milestone  <b>COMPLETED</b>

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			key state agencies through promoting their messages and supporting the principles of Covid-safe practices in the local government area as requested by the health minister.			
21.	23/8/21 (Min. No 213)	9.5. Notice of Motion No. 18/21 by Councillors Keen and Mutton - Lawn Bowls	1. THAT Council write to the State Government and request that the same provisions are in place as per last lockdown for lawn bowls.	OSE	Sept 2021	Letter sent <b>COMPLETED</b>
22.	23/8/21 (Min. No 214)	9.6. Notice of Motion No. 19/21 by Councillors Keen and Mutton - Bike Jumps	1. THAT Council look for suitable bike jumps within the North Sydney Area, noting that these are separate to official cycleways. 2. THAT Council report back through the Sport and Recreation Reference Group to determine the best locations including consideration of the southern end of Forsyth Park and discuss how to progress this for the North Sydney residents.	OSE	Oct 2021	Report being prepared for October Council meeting.
23.	23/8/21 (Min. No 215)	9.7. Notice of Motion No. 20/21 by Councillors Keen and Mutton - Outdoor Dining Waiver	1. THAT Council acknowledges the current stress that the North Sydney small business community specifically cafes and restaurants is under with the current lockdown. 2. THAT Council notes that outdoor dining fees have already been	EPS	Nov 2021	Report to be prepared.

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			<p>waived as a result of the current health orders.</p> <p>3. THAT a report be brought to Council that considers the financial implications of the possibility of further waiving outdoor dining fees to June 2022 to enable the businesses to recover.</p>			
24.	23/8/21 (Min. No 216)	9.8. Notice of Motion No. 21/21 Councillors Keen and Mutton - Infrastructure Changes	1. THAT Council write to all residents regarding the changes to infrastructure charges and the implications for rate payers.	GMO	Sep 2021	Refer to Item 13 above. Timing and contents of the letter is being informed by the broader combined Council campaign and the NSW State Govt's response to it.
25.	23/8/21 (Min. No 217)	9.9. Notice of Motion No. 22/21 by Councillors Keen and Mutton - Light Up for Mito	<p>1. THAT Council light up the Council Chambers green for 'Light Up for Mito' on 25 September and encourage other businesses in North Sydney LGA to do the same.</p> <p>2. THAT Council considers of the current health orders.</p> <p>3. THAT the Council website communicate the event to residents and businesses to encourage them to participate.</p>	EPS	Sept 2021	<p>Arrangements made to light the Council Chambers building on 25 September and reported in 24 September Council Bulletin. Event being promoted on Council website.</p> <p><b>COMPLETED</b></p>

KEN GOULDTHORP, General Manager



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**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