

8.1. Matters Outstanding October 2021

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ATTACHMENTS:

1. Matters Outstanding - October 2021 [**8.1.1** - 14 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 27 September 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 27 September 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 25 OCTOBER 2021 ON MATTERS OUTSTANDING FROM NOTICES OF MOTION OR COUNCILLOR REQUESTS FOR ACTION, UP TO THE 27 SEPTEMBER 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	CiS	Ongoing	This outstanding matter has been superseded by a similar item being item 9.2.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 for the September 2021 Council meeting. COMPLETED 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	Nov 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. COMPLETED ii. Contact will be made with Scout Club. It is noted that the

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			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.	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 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 (together with the Coal Loader and Carradah Park lands	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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			<p>already within the Reserve as part of the Waverton Peninsula Reserve Trust, under the care and control of Council.</p> <p>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.</p>			
6.	22/03/21 (Min. No. 34)	6.2. MM02 Parking Review	<p>1. THAT the Traffic Department prepare a report outlining how greater equity in parking permit allocation can be achieved.</p> <p>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.</p> <p>3. THAT consideration also be given to small business.</p>	EPS	Mar 2022	Report to be prepared for March 2022 Council meeting.
7.	26/7/21 (Min. No 162)	6.4. MM04: Infrastructure	1. THAT Council notes the significant impact on Council's revenue of the	GMO	Nov 2021	Submissions have been lodged by Council and NSROC.

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
		Contributions Reform	<p>NSW Government's proposed reforms to infrastructure contributions that under the most likely definition of essential 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"> a. Premier, The Hon Gladys Berejiklian b. Treasurer, The Hon Dominic Perrottet c. Minister for Planning and Open Space, The Hon Robert Stokes d. Minister for Local Government, The Hon Shelley Hancock e. Opposition Leader Mr Chris Minns and f. Local Members of Parliament <p>to advocate for additional modelling, consultation and a</p>			<p>The Upper House recommended that the Bill not proceed until the associated Regulations are exhibited, various reviews are completed and consultation occurs</p> <p>The Minister committed to exhibit the Regulations in advance of the adoption if 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.</p> <p>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> <p>A further update on the Government process of advancing the Bill was included in the Cr Bulletin on 14 October. Latest expectations are that the draft regulations will be</p>

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
			mechanism to ensure that contributions are paid in a timely way and that no council is worse off under the proposed reforms.			exhibited next week. Technical (officer) submissions are expected to be required within 6 weeks, i.e. within the caretaker/election period and full Council-endorsed submissions in February 2022.
8.	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>Report addressing resolutions 1 & 2 submitted to Council 25 October.</p> <p>COMPLETED</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>

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
9.	23/8/21 (Min. No 193)	6.5. MM03 Cremorne Land	1. THAT Council writes to the appropriate State Government authorities, the Premier Gladys 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.	OSE	Oct 2021	Property sold prior to a meeting being held. COMPLETED
10.	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 local member the Premier, Gladys Berejiklian to ensure that environmental damage including further tree loss – is minimized in	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. COMPLETED

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			future stages of the state significant project construction.			
11.	23/8/21 (Min. No 208 & 209)	9.1. Notice of Motion 14/21 by Councillors Mutton and Keen - Berrys Bay	<p>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.</p> <p>1. THAT the delegation established by item 9.1 comprise the Mayor, Councillor Keen and Councillor Mutton.</p>	OSE	Dec 2021	Letter sent requesting meeting with meeting the Premier
12.	23/8/21 (Min. No 210)	9.2. Notice of Motion No. 15/21 Councillors Baker, Beregi & Carr - Ongoing compliance issues at 6 John Street, McMahons	<p>1. THAT Council seek compliance with the terms of the s34 agreement and subsequent Court Orders made by the Court in respect of Land and Environment Court Proceedings No. 2020/00122833; and</p>	CIS	Ongoing	This outstanding matter supersedes item number 1. Ongoing commentary will be provided on this matter against this line item.

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
		Point (Noakes Boatyard)	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.			
13.	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	Mar 2022	Report being prepared next Sport & Recreation Reference Group meeting, provisionally scheduled for March 2022.
14.	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 waived as a result of the current health orders.	EPS	Nov 2021	Report to be prepared.

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
			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.			
15.	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	Nov 2021	Refer to Item 7 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.
16.	27/9/21 (Min No. xx)	6.1. MM01: Vale Paul Oglesby	1. THAT Council write to Paul's wife, Diana Moore, to convey our sincere our condolences on her loss. 2. THAT Council acknowledge the significant contribution Paul Oglesby made to the North Sydney community, especially in the area of community wellbeing, access and disability. 3. THAT in consultation with Paul's wife, Diana Moore, a tree be planted in his memory.	OSE	Nov 2021	1. Letter sent 5/10/21
17.	27/9/21 (Min No. xx)	6.2 MM02: Extension of Outdoor Dining	1. THAT the current waiver of outdoor license fees continues until	CiS		EPS completed draft Guidelines and Agreement.

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
		License Waivers and Use of Open Spaces	30 January 2022 (the end of the school holidays). 2.THAT small businesses be invited to submit expressions of interest proposing use of adjacent public spaces while ensuring pedestrian thoroughfares and public safety are maintained. 3.THAT a mechanism be put in place to expedite assessment and response to the expressions of interest on a case-by-case basis. 4.THAT a further report be presented to Council prior to 30 January 2022 including consideration of any further extension.			Manager of Ranger Services to implement 6.2 MMO2.
18.	27/9/21 (Min No. xx)	6.3 MM03: No Smoking Policy for Young St and Burton St Plaza	1.THAT Council create a no smoking policy for Young St, Miller St Plaza and Burton St Plaza. 2.THAT signage is erected to reflect this approach and it becomes enforceable.	CIS	Ongoing	Public consultation will occur Q3 2022
19.	27/9/21 (Min No. xx)	6.4. MM04: Vale Jim Saad– Sixty Years a Shoemaker	1. THAT Council install a small, appropriate memorial near the Milsons Point station, possibly a small tree with a plaque.	OSE	Nov 2021	

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
20.	27/9/21 (Min No. xx)	9.1. Notice of Motion No. 23/21 by Councillors Keen and Mutton - Addison Road Food Pantry Food Bins	1. THAT Council urgently supports the project. 2. THAT Council work with major supermarket chains in the LGA to allow food bins to be set up at the entry /exit of the supermarket to facilitate food donations. 3. THAT Council acknowledge the volunteers in our community by supporting the delivery of donations to Marrickville.	CLS		Council supports the project and will work with major supermarkets in the LGA to allow food bins to be set up to facilitate food donations. By supporting the delivery of donations to Marrickville, Council acknowledges the volunteers in our community. COMPLETED
21.	27/9/21 (Min No. xx)	9.2 Notice of Motion No. 24/21 by Councillors Keen and Mutton - Extension of Construction Hours 30/7/21 to 24/12/21	1. THAT Council write to the Minister to request a repeal on the Order (No 3) 2021 especially in the lockdown situation.	CIS	Nov 2022	Letter to Minister drafted
22.	27/9/21 (Min No. xx)	9.3 Notice of Motion No. 25/21 by Councillors Keen and Mutton - North Sydney Farmers Market	1. THAT Council facilitates investigation into ways of opening up North Sydney & Kirribilli Markets in a COVID safe way in accordance with the Public Health Order. 2. THAT Council considers the practices of other markets in the local area such as Mosman and Eveleigh Markets.	CLS		The North Sydney Community Centre Northside Produce Market reopened on Saturday 16 October. The Kirribilli Markets are reopening on 23 October. COMPLETED
23.	27/9/21 (Min No. xx)	9.4 Notice of Motion No. 26/21 by	1. THAT Council resolves that Precinct Committees may	GOV		COMPLETED

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	Meeting Date and Min. No.	Item Reference	Agreed Action	Responsible Director	Target Date	Current Status
		Councillors Mutton and Keen - Precincts	<p>determine, without reference to Council:</p> <ul style="list-style-type: none"> • the matters that are to be discussed at their meetings; and • who is to be invited to address their meetings. <p>2. THAT Council resolves that during the Regulated Election Period defined in s4 of the Electoral Act 2017 (NSW) for an election of Councillors to North Sydney Council a member of a Precinct Committee who nominates in an election of Councillors:</p> <ul style="list-style-type: none"> • will stand down from the office held until the poll is declared and may during the period of stand down attend meetings of the Precinct Committee and participate in discussions that are held 			

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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