



**MINUTES: 3721<sup>st</sup> MEETING OF THE NORTH SYDNEY COUNCIL  
HELD ON MONDAY, 22 JULY 2019 AT 7.30 PM.**

**PRESENT**

The Mayor, Jilly Gibson, in the Chair, and Councillors Baker, Beregi, Brodie, Carr, Drummond, Keen and Mutton.

At the commencement of business (7.32pm) those present were:

The Mayor, and Councillors Baker, Beregi, Brodie, Carr, Drummond, Keen and Mutton.

The meeting was opened by the Mayor.

The Acknowledgement of Country was read by Councillor Mutton.

**184. Minutes**

The Minutes of the previous 3720<sup>th</sup> Council Meeting held on Monday, 24 June 2019, copies of which had been previously circulated, were taken as read and confirmed.

A Motion was moved by Councillor Drummond and seconded by Councillor Brodie,

**THAT** the Minutes of the previous 3720<sup>th</sup> Council Meeting held on Monday, 24 June 2019, copies of which had been previously circulated, were taken as read and confirmed.

The Motion was put and carried unanimously.

**RESOLVED:**

**THAT** the Minutes of the previous 3720<sup>th</sup> Council Meeting held on Monday, 24 June 2019, copies of which had been previously circulated, were taken as read and confirmed.

**185. Leave of Absence**

Councillors Barbour and Gunning have indicated their inability to attend the Council meeting on 22 July 2019.

It is therefore recommended that Council grant leave of absence to Councillors Barbour and Gunning for the meeting of 22 July 2019.

The Motion was moved by Councillor Baker and seconded by Councillor Beregi.

**RESOLVED:**

**THAT** leave of absence be granted to Councillors Barbour and Gunning.

**186. Declarations of Interest**

Nil.

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

**1. THAT** Council suspend Standing Orders and bring forward Items MM01 Inter-War Buildings - Kurraba Point, CiS02 Proposal to Make the North Sydney CBD Smoke-Free - Post Exhibition and NoM01 Notice of Motion No. 7/19 - Cr Baker– 17/07/19 Re: Climate Emergency for consideration.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

| Councillor | Yes | No | Councillor | Yes           | No |
|------------|-----|----|------------|---------------|----|
| Gibson     | Y   |    | Barbour    | <b>Absent</b> |    |
| Beregi     | Y   |    | Drummond   | Y             |    |
| Keen       | Y   |    | Gunning    | <b>Absent</b> |    |
| Brodie     | Y   |    | Mutton     | Y             |    |
| Carr       | Y   |    | Baker      | Y             |    |

**RESOLVED:**

**1. THAT** Council suspend Standing Orders and bring forward Items MM01 Inter-War Buildings - Kurraba Point, CiS02 Proposal to Make the North Sydney CBD Smoke-Free - Post Exhibition and NoM01 Notice of Motion No. 7/19 - Cr Baker– 17/07/19 Re: Climate Emergency for consideration.

## MINUTES OF THE MAYOR

**187. MM01: Inter-War Buildings - Kurraba Point**

Councillors would be aware that during recent public consultation on a development proposal for 147, 151 & 153 Kurraba Road there was a large amount of community concern regarding the heritage value of the buildings to be demolished. The development was non-compliant in numerous areas including bulk and scale.

At the request of Kurraba Point residents, I attended and spoke at the North Sydney Local Planning Panel (NSLPP) requesting that the development application be refused and the applicant prepare a new DA which addressed community concerns. NSLPP did not approve the application. I understand the developer Thirdi has taken on community feedback in the preparation of a revised DA, which will be lodged with Council shortly.

On 11 June 2019 along with Cr Keen I attended the Neutral Precinct meeting which was attended by Thirdi and residents for and against the redevelopment of the buildings. At that meeting, based on the heritage information that had been provided to me, I raised the possibility of an Interim Heritage Order and/or an independent heritage report for the site.

Since then I have been provided with additional heritage information which will no

doubt be considered in the new DA. I have also had almost daily conversations with residents and property owners about the project and I can say that the community is divided and passions are running high.

I have received a petition containing 135 signatures in support of North Sydney Council applying for an Interim Heritage Order on 151 & 153 Kurraba Road, Kurraba Point. At the same time, I have been contacted by residents and property owners supporting the DA. I am aware that there are two petitions on the website change.org – one calling on Council to follow the legislated process for Development Applications and the other urging Council to apply for an Interim Heritage Order for 151 and 153 Kurraba Road.

I know both groups are now looking to Council to support their view. While I like to proactively support the community, I recognise this is one of those times when we, as a Council, cannot please everyone. Given the community does not hold a cohesive position, it would be inappropriate for Council to intervene in the matter.

The North Sydney Local Planning Panel was established as the independent body to assess Development Applications on the basis of their merit. It is NSLPP's role to assess the DA for compliance with Council's planning controls and to consider all the submissions, including any submissions and expert advice provided in relation to the heritage of the existing buildings and site.

**I therefore recommend:**

1. **THAT** Council not seek an Interim Heritage Order for 151 & 153 Kurraba Road, but leave individual Councillors and community members who are concerned about heritage to make a submission to NSLPP.
2. **THAT** Council acknowledge the concerns of residents and property owners in Kurraba Point and recognise the hard work of Libby O'Neill and Kath Wilson in coordinating petitions on the development.
3. **THAT** Council acknowledge the community engagement undertaken by Thirdi in relation to the proposed development.

By consent, the Motion was amended to read,

1. **THAT** Council not seek an Interim Heritage Order for 151 & 153 Kurraba Road, but leave individual Councillors and community members who are concerned about heritage to make a submission to NSLPP.
2. **THAT** staff seek a peer review of the heritage reports submitted with the Development Application if the Director of City Strategy deems it appropriate.
3. **THAT** Council acknowledge the concerns of residents and property owners in Kurraba Point and recognise the hard work of Libby O'Neill and Kath Wilson in coordinating petitions on the development.
4. **THAT** Council acknowledge the community engagement undertaken by Thirdi in relation to the proposed development.

The Motion was put and **carried**.

Voting was as follows:

For/Against 5/3

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

**RESOLVED:**

1. **THAT** Council not seek an Interim Heritage Order for 151 & 153 Kurraba Road, but leave individual Councillors and community members who are concerned about heritage to make a submission to NSLPP.
2. **THAT** staff seek a peer review of the heritage reports submitted with the Development Application if the Director of City Strategy deems it appropriate.
3. **THAT** Council acknowledge the concerns of residents and property owners in Kurraba Point and recognise the hard work of Libby O'Neill and Kath Wilson in coordinating petitions on the development.
4. **THAT** Council acknowledge the community engagement undertaken by Thirdi in relation to the proposed development.

**MATTERS BROUGHT FORWARD****188. CiS02: Proposal to Make the North Sydney CBD Smoke-Free - Post Exhibition**

Report of Gemma North, Community Engagement Coordinator and Mark Richardson, Manager Ranger and Parking Services

At its meeting on 24 September 2018 the Council considered Mayoral Minute MM01 - Smoke Free CBD and resolved (Min. No. 328):

1. *THAT public consultation be undertaken to determine community support for making the whole of the North Sydney CBD smoke free.*
2. *THAT following the consultation period, a further report be submitted to Council.*

Community engagement was undertaken between 22 October 2018 and 28 February 2019 (130 days). The area used for the consultation was the North Sydney CBD boundary, as defined by the *North Sydney Local Environmental Plan (LEP) 2013* (Attachment 1).

577 submissions, comprising 19 written submissions (Attachment 2) and 558 feedback forms were received:

- 80% of submissions supported the proposal with “second hand smoke is bad for health” being the prominent reason;
- 18% did not support the proposal with key reasons stated as “smokers need somewhere to go” and “government shouldn’t be regulating behaviour”; and
- The remaining 2% were neutral.

Given the consultation outcomes, this report discusses how the proposed smoking ban (prohibition) could be implemented, the costs involved, and policy and compliance implications.

For Council to prohibit smoking in the North Sydney CBD, the following steps are required:

- a) the geographical boundary where smoking is prohibited needs to be defined, enabling signage to be erected under Section 632 of the *Local Government Act 1993* (the Act) for the purposes of enforcement action; and
- b) the *Smoking in Public Places Policy*, adopted by Council in 2011 and amended in 2017, needs to be rescinded and replaced with the *Smoke Free Environment - Declared Public Areas Policy* (Attachment 3). As this policy does not constitute a Local Approvals Policy (under Section 160 of the Act) it does not require public exhibition, albeit that it is available for Council to do so.

From there it is a matter of implementation. Given the significance of the issue in the CBD it is not recommended to introduce the smoking prohibition without a considerable and well publicised lead time. A two-stage program to introduce the smoking prohibition should be considered.

Stage 1 would be a six month focus on promotion to spread awareness of the intention to create the prohibition. Essentially this reflects the type of self-regulation referenced in the Mayoral Minute. This awareness phase should culminate in a report to Council, by July 2020, on the outcomes. Direct costs are \$3,750 plus GST for footpath decals with the remaining indirect costs being staff time.

Stage 2 would be the consideration of whether to implement and enforce the prohibition, as the introduction of any new regulation comes with a reasonable expectation that it will be enforced. In terms of direct costs, the installation of signage to transition from promotion and awareness to the ability to enforce the prohibition would cost approximately \$17,250 plus GST for the 43 signs required. More significantly, for Council staff this is likely to be a considerable undertaking, impacting on the current service levels and responsibilities of the Ranger Section.

Stage 1 costs in this 2019/20 financial year for the footpath decals are \$3,750 plus GST. This can be sourced from the Ranger and Parking Services Sundries budget line.

Stage 2 costs in the 2020/21 financial year for the enforcement signage is \$17,200 plus GST are unfunded and are not proposed to be pursued at this time. If Council were to bring this expenditure forward it would require consideration in an upcoming quarterly budget review.

**Recommending:**

1. **THAT** Council note the outcomes of the consultation.
2. **THAT** Council determine whether to proceed with banning smoking in the North Sydney CBD.
3. **THAT** if Council resolves to ban smoking in the North Sydney CBD, it:
  - a. defines the geographical boundary where smoking is prohibited as being the North Sydney CBD boundary defined in the *North Sydney Local Environmental Plan (LEP) 2013* (Attachment 1).
  - b. rescinds the *Smoking in Public Places Policy* adopted by Council in 2011 and amended in 2017;
  - c. adopts the *Smoke Free Environment - Declared Public Areas Policy* (Attachment 3); and
  - d. Undertakes a two-stage program to introduce the smoking prohibition as outlined in this report, with a Council report on Stage 1 by July 2020.

A Motion was moved by Councillor Gibson and seconded by Councillor Drummond,

1. **THAT** Council note the outcomes of the consultation.
2. **THAT** Council resolves to proceed with banning smoking in the North Sydney CBD.
3. **THAT** Council:
  - a. defines the geographical boundary where smoking is prohibited as being the North Sydney CBD boundary defined in the *North Sydney Local Environmental Plan (LEP) 2013* (Attachment 1).
  - b. rescinds the *Smoking in Public Places Policy* adopted by Council in 2011 and amended in 2017;
  - c. adopts the *Smoke Free Environment - Declared Public Areas Policy* (Attachment 3); and
  - d. Undertakes a two-stage program to introduce the smoking prohibition as outlined in this report, with a Council report on Stage 1 by March 2020.
4. **THAT** the area where smoking is prohibited be extended to include the Council Chambers and the Civic Centre.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

**RESOLVED:**

1. **THAT** Council note the outcomes of the consultation.
2. **THAT** Council resolves to proceed with banning smoking in the North Sydney CBD.
3. **THAT** Council:
  - a. defines the geographical boundary where smoking is prohibited as being the North Sydney CBD boundary defined in the *North Sydney Local Environmental Plan (LEP) 2013* (Attachment 1).
  - b. rescinds the *Smoking in Public Places Policy* adopted by Council in 2011 and amended in 2017;
  - c. adopts the *Smoke Free Environment - Declared Public Areas Policy* (Attachment 3); and
  - d. Undertakes a two-stage program to introduce the smoking prohibition as outlined in this report, with a Council report on Stage 1 by March 2020.
4. **THAT** the area where smoking is prohibited be extended to include the Council Chambers and the Civic Centre.

**189. NoM01: Notice of Motion No. 7/19 - Cr Baker– 17/07/19**

**Re: Climate Emergency**

1. **THAT** Council:
  - a. join nearly 600 jurisdictions worldwide, including 22 Australian councils, and recognise that we are in a state of climate emergency that requires immediate action by all levels of government;
  - b. acknowledge that climate change poses a threat to the future of our cities, including the North Sydney Local Government Area;
  - c. note the latest report of the Intergovernmental Panel on Climate Change (IPCC) ‘Global Warming of 1.5 degrees Celsius’;
  - d. note the Federal Government’s latest emissions data showing we are increasing, not reducing, our carbon emissions;
  - e. join with and support the City of Sydney’s resolution of 24 June 2019 calling upon the State and Federal Governments to declare a climate emergency and to respond to this emergency by taking urgent action to meet the emissions reduction targets contained in the Paris Agreement;
  - f. encourage neighbouring Local Government Areas to join us by declaring a climate emergency and advocate to State and Federal Governments in their own right;
  - g. write to the Prime Minister, Premier of NSW and relevant State and Federal Ministers providing a copy of this resolution and calling upon them to act urgently to address climate change and its impacts; and
  - h. submit this motion to LGNSW for debate at the next LGNSW conference.

The Motion was moved by Councillor Baker and seconded by Councillor Beregi.

An Amendment was moved by Councillor Drummond, seconded by Councillor Baker,

**1. THAT Council:**

- a. prepare a report on initiatives that Council is currently undertaking, or could be improved, which have the effect of reducing carbon emissions. The report should particularly address:
  - adoption of a guiding principle in all Council operations to reduce carbon emissions towards the reduction targets contained in the Paris Agreement.
  - Introduction or strengthening of existing policies that make a positive contribution to reducing carbon emissions.
  - A specific budget provision for climate change initiatives linked to the Delivery Program.
  - Facilitating the roll out of car charging battery stations in the local government area.
- b. join nearly 600 jurisdictions worldwide, including 22 Australian councils, and recognise that we are in a state of climate emergency that requires immediate action by all levels of government;
- c. acknowledge that climate change poses a threat to the future of our cities, including the North Sydney Local Government Area;
- d. note the latest report of the Intergovernmental Panel on Climate Change (IPCC) 'Global Warming of 1.5 degrees Celsius';
- e. note the Federal Government's latest emissions data showing we are increasing, not reducing, our carbon emissions;
- f. join with and support the City of Sydney's resolution of 24 June 2019 calling upon the State and Federal Governments to declare a climate emergency and to respond to this emergency by taking urgent action to meet the emissions reduction targets contained in the Paris Agreement;
- g. encourage neighbouring Local Government Areas to join us by declaring a climate emergency and advocate to State and Federal Governments in their own right;
- h. write to the Prime Minister, Premier of NSW and relevant State and Federal Ministers providing a copy of this resolution and calling upon them to act urgently to address climate change and its impacts; and
- i. submit this motion to LGNSW for debate at the next LGNSW conference.

The Amendment was put and **carried**.

Voting was as follows:

For/Against 8/0

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

The Amendment became the Motion and was put and **carried**.

Voting was as follows:

For/Against 8/0

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

**RESOLVED:****1. THAT** Council:

- a. prepare a report on initiatives that Council is currently undertaking, or could be improved, which have the effect of reducing carbon emissions. The report should particularly address:
  - adoption of a guiding principle in all Council operations to reduce carbon emissions towards the reduction targets contained in the Paris Agreement.
  - Introduction or strengthening of existing policies that make a positive contribution to reducing carbon emissions.
  - A specific budget provision for climate change initiatives linked to the Delivery Program.
  - Facilitating the roll out of car charging battery stations in the local government area.
- b. join nearly 600 jurisdictions worldwide, including 22 Australian councils, and recognise that we are in a state of climate emergency that requires immediate action by all levels of government;
- c. acknowledge that climate change poses a threat to the future of our cities, including the North Sydney Local Government Area;
- d. note the latest report of the Intergovernmental Panel on Climate Change (IPCC) ‘Global Warming of 1.5 degrees Celsius’;
- e. note the Federal Government’s latest emissions data showing we are increasing, not reducing, our carbon emissions;
- g. join with and support the City of Sydney’s resolution of 24 June 2019 calling upon the State and Federal Governments to declare a climate emergency and to respond to this emergency by taking urgent action to meet the emissions reduction targets contained in the Paris Agreement;
- g. encourage neighbouring Local Government Areas to join us by declaring a climate emergency and advocate to State and Federal Governments in their own right;
- h. write to the Prime Minister, Premier of NSW and relevant State and Federal Ministers providing a copy of this resolution and calling upon them to act urgently to address climate change and its impacts; and
- i. submit this motion to LGNSW for debate at the next LGNSW conference.

### General Manager’s Office

**190. GMO01: Matters Outstanding – July 2019**

Report of Ken Gouldthorp, General Manager

A report on the current status of matters arising from Council resolutions up to the meeting of 24 June 2019 is presented.

**Recommending:**

- 1. THAT** the report be received.

The Recommendation was moved by Councillor Brodie and seconded by Councillor Drummond.

The Motion was put and **carried**.



Voting was as follows:

For/Against 7/1

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

**RESOLVED:**

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

**191. GMO02: Local Government Reform - Release of IPART's Final Reports**

Report of Jenny Gleeson, Manager Integrated Planning and Special Projects

The purpose of this report is to advise Councillors of the release of three long awaited reports for stakeholder feedback. The purpose of these reviews was to identify ways to strengthen NSW councils by improving their ability to service the needs of their communities into the future. Councils are encouraged to provide feedback on the recommendations in each report to further inform the State Government's response.

The NSW Minister for Local Government released the following reports on 21 June 2019, prepared by the Independent Pricing and Regulatory Tribunal (IPART), as part of the local government reform process that commenced back in 2011:

- a) Review of the Local Government Rating System;
- b) Review of Reporting and Compliance Burdens on Local Government; and
- c) Review of Local Government Compliance and Enforcement.

North Sydney Council prepared submissions for the prior phase of each review. It is recommended that the Council make a submission responding to the recommendations of each review. Councillor Briefings will be scheduled to discuss preparation of the submissions. It is further recommended that Council, as a matter of urgency, write to the NSW Minister for Local Government to request that feedback be allowed on all of IPART recommendations per review, not just those that the Office of Local Government has allowed for comment.

The financial implications of each review, i.e. what they mean for Council, are currently being determined by staff. These will be reported to the Council in due course, as part of the draft submission per review.

**Recommending:**

1. **THAT** the draft submissions be prepared per review and reported to Council ahead of each respective deadline.

2. **THAT** the Council write to the NSW Minister for Local Government to request that feedback be allowed on all IPART recommendations, not just the ones that the Office of Local Government has allowed for comment, in particular for the Review of Local Government Rating System.

The Recommendation was moved by Councillor Drummond and seconded by Councillor Brodie.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

**RESOLVED:**

**1. THAT** the draft submissions be prepared per review and reported to Council ahead of each respective deadline.

**2. THAT** the Council write to the NSW Minister for Local Government to request that feedback be allowed on all IPART recommendations, not just the ones that the Office of Local Government has allowed for comment, in particular for the Review of Local Government Rating System.

### City Strategy Division

It was moved by Councillor Beregi, seconded by Councillor Baker and resolved that Items CiS01, CiS03, CiS04, CiS05, CiS06 and CiS07 be considered en globo and the recommendations adopted.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

## 192. CiS01: Draft North Sydney Smart City Strategy

*(This Item was considered en globo. See page 178)*

Report of James Marshall, Economic Development Coordinator

The smart city concept has been growing across the world for the past fifteen years. Governments worldwide are harnessing digital technology, utilising data and promoting innovation to identify and solve complex challenges facing their communities.

North Sydney Council's smart city vision is one of a dynamic and lively place where residents, workers, students and visitors thrive. People will be at the centre of all decisions, and innovation and technology will be used to improve North Sydney as a place to live, work, study and visit. Council will seek to use data to improve decision-making and will develop new partnerships to provide a healthy and sustainable environment.

Council has prepared the *Draft North Sydney Smart City Strategy and Action Plan* in response to priorities in the *North Sydney Community Strategic Plan 2018-2028* (adopted June 2018), and from consultation with stakeholders.

The [Community Strategic Plan](#) includes a designated 'Outcome' specifically relating to innovation/smart cities under Direction 3. Our Future Planning - Outcome 3.3 North

Sydney is smart and innovative. The [North Sydney Delivery Program 2018/19-2020/21](#) (adopted June 2018) includes the project 3.3.1.1 Develop a Smart City Strategy.

The Draft Strategy and Action Plan are being developed in two stages:

- Stage 1 - preliminary feedback; and
  - Stage 2 - preparation of the Draft Strategy and Action Plan and public exhibition.
- Council undertook consultation for Stage 1 from December 2018 to February 2019. The engagement methods and level of participation are detailed in the report.

The *Draft North Sydney Smart City Strategy and Action Plan* are presented in the following context:

- recognition that North Sydney is in the infancy of its journey to becoming a smart city, and that initiatives are intended to increase the North Sydney's smart city maturity; and
- acknowledgement that Council's budget and staff resources are limited as the budget for the remaining two years of the current Delivery Program is set; in turn, the initiatives proposed in the Action Plan fit into existing work plans/budget.

The Draft Strategy identifies the strategic context for Council's smart city work, and lists other relevant Council plans and strategies, such as the *North Sydney Transport Strategy* (2017). It brings together the work Council has already achieved to date, such as introducing parking sensors, remote-controlled lights and online forms; and sets out the vision, principles and priorities which will guide the local government area's (LGA) digital transformation.

The Draft Strategy is supported by a three-year Action Plan, which includes various actions and performance measures, along with the responsible Council Departments. Council's progress towards digital maturity will be measured through a self-assessment tool called the Smart City Maturity Framework and a staff benchmarking survey. Periodic progress reports will be provided to Council throughout the duration of the three-year Action Plan.

It is recommended that the *Draft North Sydney Smart City Strategy and Action Plan* be endorsed for public exhibition for a minimum of 28 days; and that following exhibition, a report be prepared summarising submissions received and any recommended amendments.

The initiatives proposed in the Draft Action Plan align to existing work plans/budget i.e. the remaining two years of the current Delivery Program. It is intended that the Action Plan be reviewed/updated annually in conjunction with preparation of each Operational Plan and Budget; and that the Strategy be reviewed in conjunction with preparation of the next Delivery Program and Financial Estimates.

Current funding for the project is appropriate. As the current adopted Delivery Program expires in 2020/21, funding for Year 3 of the Action Plan must be considered as part of preparation of the new Delivery Program.

**Recommending:**

1. **THAT** the Draft North Sydney Smart City Strategy and Action Plan be endorsed for public exhibition,
2. **THAT** the Draft North Sydney Smart City Strategy and Action Plan be placed on public exhibition for a minimum of 28 days in accordance with the Engagement Strategy.
3. **THAT** following exhibition, a report be prepared detailing the outcomes of the exhibition and any recommended amendments.

**RESOLVED:**

1. **THAT** the Draft North Sydney Smart City Strategy and Action Plan be endorsed for public exhibition,
2. **THAT** the Draft North Sydney Smart City Strategy and Action Plan be placed on public exhibition for a minimum of 28 days in accordance with the Engagement Strategy.

3. **THAT** following exhibition, a report be prepared detailing the outcomes of the exhibition and any recommended amendments.

**193. CiS02: Proposal to Make the North Sydney CBD Smoke-Free - Post Exhibition**

*(Previously considered – see Minute No. 188)*

**194. CiS03: Military Road Corridor Planning Study, Stage 1 - Discussion Papers**

*(This Item was considered en globo. See page 178)*

Report of Tomas van der Meer, Strategic Planner Urban Design

On 28 May 2018, Council resolved to prepare a planning study for the Military Road Corridor. The purpose of the planning study is to guide this development pressure, ensure development meets the needs and expectations of the community and deliver public benefits that support any density increases.

Neutral Bay Town Centre is the first stage of the draft planning study. Following the significant community input into the survey conducted in mid-2018, two discussion papers have now been prepared for exhibition:

1. Objectives & Ideas Paper, examining a range of built form and public benefit options;
2. Analysis Paper, providing an evidence base and impact assessment.

The purpose of these papers is to further engage the community in a discussion on the future of the Neutral Bay Town Centre. It presents a range of built form options that support new jobs and homes close to public transport and discusses the types of public benefits that may be needed in the future to protect the highly valued village character of Neutral Bay. There are no preferred outcomes on built form or public benefits being recommended at this stage.

Feedback on the discussion papers will help inform the preparation of the third and final document of the draft planning study. This next stage will outline the findings of the Discussion Papers and provide a preferred built form and public benefits outcome in a “Future Direction Paper”.

The discussion papers identify Neutral Bay Town Centre as a vibrant local centre with a highly valued village atmosphere but one that is currently losing local jobs. The centre currently supports 2,850 jobs and 11,000 residents. Under current planning controls, commercial uses are being replaced with residential development, resulting in an 11.5% decline in employment related uses between 2006-2011. If nothing is done, the number of local jobs in Neutral Bay is estimated to drop further from 2,850 to 1,500 jobs, rather than meeting the forecast demand of 4,000 jobs by 2036. This may affect the vibrancy and diversity of the town centre.

Additional pressures are also being placed on the public domain and community facilities. There are some significant opportunities to improve the open space network and build on the existing café culture and night time economy through further streetscape improvements. There is an immediate need for a recreational facility and modernised community centre.

In addition, Military Road suffers from declining pedestrian amenity which affects businesses along the corridor. With State Government’s proposed Beaches Link tunnel, there’s a unique opportunity to take advantage of the forecast regional traffic reduction along Military Road to improve liveability, productivity and sustainability in the Neutral Bay Town Centre. Depending on the timing of the Beaches Link project, these matters may run ahead of the draft planning study. Accordingly, this report also

recommends Council endorse the commencement of discussions with State Government on this matter.

Council allocated \$125K in the 2018/19 budget to conduct the Military Road Corridor Planning Study, spending \$104,000. The remainder, approximately \$21,000, has been carried over to the 2019/20 financial year to continue this project. Expenditure to date has funded external economics and transport studies that have informed the project. The project is forecast to remain within budget.

**Recommending:**

1. **THAT** the Neutral Bay Town Centre Objectives & Ideas Paper (Attachment 1) and Analysis Paper (Attachment 2) are noted;
2. **THAT** the Neutral Bay Town Centre discussion papers be placed on public exhibition for 28 days;
3. **THAT** feedback from the discussion papers inform the preparation of the recommendations of the draft Military Road Corridor Stage 1 Planning Study, and this be reported back to Council; and
4. **THAT** regional access objectives identified in the discussion papers be used to guide related plans and discussions with State Government concerning the Beaches Link with the aim of improving the Military Road environment for pedestrians.

**RESOLVED:**

1. **THAT** the Neutral Bay Town Centre Objectives & Ideas Paper (Attachment 1) and Analysis Paper (Attachment 2) are noted;
2. **THAT** the Neutral Bay Town Centre discussion papers be placed on public exhibition for 28 days;
3. **THAT** feedback from the discussion papers inform the preparation of the recommendations of the draft Military Road Corridor Stage 1 Planning Study, and this be reported back to Council; and
4. **THAT** regional access objectives identified in the discussion papers be used to guide related plans and discussions with State Government concerning the Beaches Link with the aim of improving the Military Road environment for pedestrians.

**195. CiS04: Draft Placemaking Policy**

*(This Item was considered en globo. See page 178)*

Report of James Marshall, Economic Development Coordinator

Placemaking is inherent in the planning and engagement activities of the various Council departments who are responsible for the design and management of public places. A Placemaking Policy has been drafted to outline Council's commitment and approach to placemaking, which is to:

- a) acknowledge the role of placemaking to reinforce local identity and character and enhance amenity;
- b) acknowledge placemaking as an essential vehicle for the achievement of multiple Council and community goals;
- c) encourage the application of placemaking principles to the design and management of physical improvements within the public domain where appropriate and practicable, and enabled by resourcing; and
- d) encourage collaboration to develop placemaking initiatives in public places that improve the quality of life for the North Sydney community.

This project formed part of the 2018/19 Operational Plan (Year 1 of the Delivery Program): 3.4.5.3 *Prepare placemaking policy.*

The Draft Placemaking Policy is recommended to be placed on public exhibition for a minimum of 28 days.

The promotion of the draft and final policy can be funded by existing budget allocation.

The various Council departments, responsible for the design and management of public places, separately report the related financial implications to Council.

**Recommending:**

1. **THAT** the draft Placemaking Policy be placed on public exhibition for 28 days.
2. **THAT** should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the Placemaking Policy as adopted at the end of the closing period for submissions.

**RESOLVED:**

1. **THAT** the draft Placemaking Policy be placed on public exhibition for 28 days.
2. **THAT** should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the Placemaking Policy as adopted at the end of the closing period for submissions.

**196. CiS05: Planning Proposal 5/19 - 6 Hayes Street, Neutral Bay & Draft NSDCP Amendment - 8 Hayes Street**

*(This Item was considered en globo. See page 178)*

Report of Ben Boyd, Executive Strategic Planner

On 29 October 2018, Council considered a Mayoral Minute and a Notice of Motion which sought to respond to community concerns arising from the assessment of DA 299/18 to demolish two dwellings at 6 & 8 Hayes Street, Neutral Bay and construct a residential flat building containing nine apartments. Council subsequently resolved in part to urgently apply for Interim Heritage Orders (IHOs) on 6 & 8 Hayes Street.

In response to the resolution, Council engaged heritage consultants GML Heritage to undertake a preliminary heritage assessment to determine if Council should pursue issuing IHOs over the two properties. Council considered the outcomes of this preliminary heritage assessment on 29 January 2019, wherein it resolved to:

1. *THAT Council request the Minister for Heritage to urgently impose an Interim Heritage Order over 6 Hayes Street, Neutral Bay, to enable Council to undertake the appropriate comprehensive research to determine whether the property should be identified as a heritage item under North Sydney Local Environmental Plan 2013.*
2. *THAT the dwelling at 8 Hayes Street be identified as a "contributory item" under NSDCP 2013 to reflect its contribution to the Kurraba Point Conservation Area. Should it be determined that the dwelling at 6 Hayes Street not be identified as a heritage item under NSLEP 2013, it should be identified as a "contributory item" under NSDCP 2013 to reflect its contribution to the Kurraba Point Conservation Area.*

Following the imposition of the IHO by the Minister for Heritage on 27 February 2019, a detailed heritage assessment was prepared by GML Heritage, which recommended that 6 Hayes Street, Neutral Bay be listed as a heritage item under NSLEP 2013.

In accordance with the recommendations of the detailed heritage assessment, Council resolved on 27 May 2019 to progress a Planning Proposal to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) to identify 6 Hayes Street as a local heritage item.

The North Sydney Local Planning Panel (NSLPP) considered an Assessment Report prepared by Council Officers on 5 June 2019, which recommended that the NSLPP support the Planning Proposal proceeding to a Gateway Determination. The NSLPP supported the recommendations of the Council Officer's Assessment Report to progress the Planning Proposal to a Gateway Determination.

In accordance with the resolution of Council on 29 January 2019, a draft amendment to NSDCP 2013 to identify 8 Hayes Street as a "contributory item" has been prepared

and is to be considered concurrently with the Planning Proposal.

The preparation of the independent heritage assessments has been previously budgeted for and cost approximately \$15,500. The preparation and processing of the subsequent planning proposal can be funded through existing budget lines.

**Recommending:**

1. **THAT** Council resolves to endorse the attached Planning Proposal and forward it to the Minister for Planning in order to receive a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act, 1979.
2. **THAT** Council resolves to endorse the attached amendment to North Sydney Development Control Plan 2013 and place it on public exhibition in accordance with clause 18 of the Environmental Planning and Assessment Regulations 2000.
3. **THAT** the Planning Proposal be exhibited concurrently with the draft amendment to North Sydney Development Control Plan 2013.

**RESOLVED:**

1. **THAT** Council resolves to endorse the attached Planning Proposal and forward it to the Minister for Planning in order to receive a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act, 1979.
2. **THAT** Council resolves to endorse the attached amendment to North Sydney Development Control Plan 2013 and place it on public exhibition in accordance with clause 18 of the Environmental Planning and Assessment Regulations 2000.
3. **THAT** the Planning Proposal be exhibited concurrently with the draft amendment to North Sydney Development Control Plan 2013.

**197. CiS06: NSLEP 2013 Amendment No. 24 (617-621 Pacific Hwy, St Leonards) – Post Gazettal Report**

*(This Item was considered en globo. See page 178)*

Report of Ben Boyd, Executive Strategic Planner

On 24 July 2017, Council resolved to adopt Planning Proposal 1/17 which sought to amend the planning controls relating to 617-621 Pacific Highway, St Leonards under North Sydney Local Environmental Plan 2013 (NSLEP 2013) and forward the Planning Proposal to the Department of Planning and Environment (DPE) in order to receive a Gateway Determination. In particular, the proposed amendments include:

- increasing the maximum building height from 49m to 180m;
- imposing a maximum floor space ratio (FSR) of 25.4:1;
- imposing a minimum non-residential FSR of 4.7:1; and
- incorporating an additional clause within Schedule 1 – Additional Permitted Uses such that “shop top housing” is permissible with consent on the subject site.

Council also resolved to support an accompanying draft Voluntary Planning Agreement (VPA), with an offer to dedicate to Council two entire fitted out floor levels within the podium of a future development on the site for the purposes of an Arts Centre.

The Minister for Planning issued a Gateway Determination on 25 October 2017, permitting the Planning Proposal to proceed to public exhibition. The Minister also granted Council delegation to finalise the making of a plan under s.3.36 of the Environmental Planning and Assessment Act, 1979 (EP&A Act).

Following public exhibition, Council considered a post exhibition report on 26 March 2018 in relation to the Planning Proposal, wherein it resolved to adopt an amended version of the Planning Proposal and proceed to finalise the making of the plan in accordance with its delegation. Council’s delegation was revoked on 20 August 2018, due to the adopted amended Planning Proposal being inconsistent with one of the

conditions to the Gateway Determination, leaving the DPE to take over the role of finalising the plan.

NSLEP 2013 (Amendment No. 24) gives effect to the Planning Proposal and is now in force following its publication on the NSW legislation website on 28 June 2019.

This report is for the information of Councillors.

The associated VPA was executed on 25 June 2018. The VPA requires the developer to design (in conjunction with Council), construct and dedicate to Council a 2-level arts centre to the approximate value of \$16,500,000, which is consistent with the desired future outcomes of the St Leonards / Crows Nest Planning Study for Precincts 2&3. Should the developer of the site not incorporate or deliver an arts centre as detailed in the VPA, the VPA contains a requirement requiring the developer to compensate Council (by monetary payment) for not providing that facility in full or in part.

**Recommending:**

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

**RESOLVED:**

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

**198. CiS07: Potential Heritage Protection - 3 Parker Street, McMahons Point**

*(This Item was considered en globo. See page 178)*

Report of Surb Bhatti, Conservation Planner/Heritage Officer

On 30 October 2017, Council resolved to request the Minister for Heritage to impose an Interim Heritage Order (IHO) on 3 Parker Street, McMahons Point in response to advice from independent heritage consultant Robert Moore, who was assisting Council in the assessment of DA 257/17 in relation to this property.

The written response to the Minister was dated 8 November 2017, to which a formal response was received from the Office of Environment and Heritage (OEH) on behalf of the Minister on 11 October 2018. By this time DA 257/17 had been formally withdrawn. The withdrawal of DA 257/17 technically removed the imminent “threat of harm” to the potential heritage item. Consequently, the request for the IHO no longer satisfied a key criterion for the imposition of an IHO. The resulting response from the Ministers stated that:

*The State Heritage Register Committee considered that in this case the local values of the place have already been quite firmly indicated in the letter of report on the heritage significance of the item made to council.*

*As the likely local significance of this item has been established an IHO is not appropriate in this case. The SHRC resolved to encourage North Sydney Council to list the item on its LEP as an item of environmental heritage.*

At the Legal & Planning Committee meeting on 11 March 2019, the Committee considered the OEH’s response to the request for the IHO, wherein it resolved:

*1. THAT Council pursue the heritage listing of 3 Parker Street, McMahons Point under North Sydney Local Environmental Plan as part of its Accelerated LEP Review.*

On 24 April 2019, Council received DA103/19 for extensive alterations and additions to the existing two storey residential flat building at 3 Parker Street, McMahons Point. The work involves demolition of the existing garage structures and partial demolition of the existing residential flat building to construct an additional storey above including a new three storey addition to the west of it. Associated car parking is to be provided within a new basement level.

The lodgement of the current development application has reactivated the “threat of harm” to 3 Parker Street, McMahons Point which is identified as having local



significance to the McMahons Point South Heritage Conservation Area. Although Council has already resolved to list the property as a heritage item as part of the Accelerated LEP Review program at the Legal & Planning Committee meeting of 11 March 2019, there is still chance that this potential heritage item could be demolished or altered to such an extent that its heritage significance would be eroded. This is due to the length of time that it will take to prepare a planning proposal to address the Accelerated LEP Review.

North Sydney Council does not have delegation to impose an IHO in this instance because the property is located within a heritage conservation area in which case, delegation lies with the Minister of Heritage. It is recommended that Council again write to the Minister for Heritage to seek the imposition of an IHO over the subject property in order to ensure there are temporary measures in place to protect the potential heritage item until such time as the planning proposal being prepared in response to the Accelerated LEP Review program has been endorsed by Council.

Should an IHO be imposed by the Minister, there will be costs associated with finalising the heritage assessment undertaken by the independent consultant, Robert Moore and the administration costs of including the property in Schedule 5 of NSLEP 2013 as part of the Accelerated NSLEP Review program. The finalisation of this review can be funded from the existing consultant's budget and is estimated to be in the order of \$8,000 - \$9,000.

**Recommending:**

**1. THAT** Council request the Minister for Heritage impose an IHO over 3 Parker Street, McMahons Point, to enable Council to finalise heritage assessment undertaken by the independent consultant Robert Moore and to have an appropriate timeframe within which the property can be identified as a heritage item under NSLEP 2013, as part of Council's Accelerated LEP Review program.

**RESOLVED:**

**1. THAT** Council request the Minister for Heritage impose an IHO over 3 Parker Street, McMahons Point, to enable Council to finalise heritage assessment undertaken by the independent consultant Robert Moore and to have an appropriate timeframe within which the property can be identified as a heritage item under NSLEP 2013, as part of Council's Accelerated LEP Review program.

**199. CiS08: Warringah Freeway Development Concept**

Report of Joseph Hill, Director City Strategy

In December 2017 Council was approached in relation to a proposed development over the Warringah Freeway, between High Street and Berry Street in North Sydney.

At its meeting on 27 August 2018, a Mayoral Minute (MM01) was presented in relation to a proposed development above the Warringah Freeway where Council resolved:

- 1. THAT Council invites representatives from the High Mount Consortium to brief Councillors on its proposal being assessed by the NSW Government.*

A Councillor Briefing was subsequently held on 3 September 2018. Council staff have had continuing dialogue with the High Mount Consortium with respect to the deliberations of the NSW Government.

*In order for Councillors to discuss the content of this Confidential report it will be necessary to close the Council meeting to the public.*

**Recommending:**

**1. THAT** Council write to the Department of Premier and Cabinet advising that reconnecting North Sydney by building over the Warringah Freeway is a long term aspiration evident in a range of corporate policy documents and that such a proposition has a strong focus on the creation of public open space, recreational opportunities improving the public amenity for the eastern edge of the CBD.

A Motion was moved by Councillor Gibson and seconded by Councillor Brodie,

**1. THAT** Council write to the Department of Premier and Cabinet advising that reconnecting North Sydney by building over the Warringah Freeway is a long term aspiration evident in a range of corporate policy documents and that such a proposition has a strong focus on the creation of public open space, recreational opportunities improving the public amenity for the eastern edge of the CBD.

**2. THAT** North Sydney Council strongly supports the concept of covering the Warringah Freeway to provide the North Sydney community with much needed extra open space.

The Motion was put and **carried**.

Voting was as follows:

For/Against 5/3

| Councillor | Yes | No | Councillor | Yes           | No |
|------------|-----|----|------------|---------------|----|
| Gibson     | Y   |    | Barbour    | <b>Absent</b> |    |
| Beregi     |     | N  | Drummond   | Y             |    |
| Keen       | Y   |    | Gunning    | <b>Absent</b> |    |
| Brodie     | Y   |    | Mutton     | Y             |    |
| Carr       |     | N  | Baker      |               | N  |

**RESOLVED:**

**1. THAT** Council write to the Department of Premier and Cabinet advising that reconnecting North Sydney by building over the Warringah Freeway is a long term aspiration evident in a range of corporate policy documents and that such a proposition has a strong focus on the creation of public open space, recreational opportunities improving the public amenity for the eastern edge of the CBD.

**2. THAT** North Sydney Council strongly supports the concept of covering the Warringah Freeway to provide the North Sydney community with much needed extra open space.

## Community & Library Services Division

It was moved by Councillor Beregi, seconded by Councillor Baker and resolved that Items CLS01, CLS02, CLS03 and CLS04 be considered en globo and the recommendations adopted.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

| Councillor | Yes | No | Councillor | Yes           | No |
|------------|-----|----|------------|---------------|----|
| Gibson     | Y   |    | Barbour    | <b>Absent</b> |    |
| Beregi     | Y   |    | Drummond   | Y             |    |
| Keen       | Y   |    | Gunning    | <b>Absent</b> |    |
| Brodie     | Y   |    | Mutton     | Y             |    |
| Carr       | Y   |    | Baker      | Y             |    |

### 200. CLS01: Nutcote Directors – Appointments to Fill Two Casual Vacancies

*(This Item was considered en globo. See page 186)*

Report of Martin Ellis, Director, Community and Library Services

The Constitution of Nutcote Trust Pty Ltd (ACN 003 963 148) was approved by the shareholders at the Annual General Meeting on 24 October 2017.

It allows existing directors to appoint new directors to fill a casual vacancy but requires them to be approved by the Members by simple resolution.

Nutcote has one Member and has issued two shares. North Sydney Council is the Member and holds both shares. The General Manager has delegation to vote on Council's behalf at the Annual General Meeting and in his absence the Director, Community and Library Services. The Member also determines the maximum number of directors at any one time.

Council contributes annually to Nutcote's operating costs (for 2019/20: \$39,600) and an additional estimated \$18,500 towards rates and maintenance. In return the museum and grounds are open to the public Wednesday to Sunday, managed by a volunteer Board and supported by a small army of volunteers offering guided tours, gardening and gift shop and café service.

**Recommending:**

**1. THAT** Council determines its position on the appointment of two Directors to the Board of the Nutcote Trust to fill two casual vacancies.

**2. THAT** Council approves the Trust's request to recruit additional Directors up to a total of 7.

**RESOLVED:**

**1. THAT** Council approves the appointment of Johanna Bagot and Hülya Yilmaz to the Board of the Nutcote Trust to fill two casual vacancies.

**2. THAT** Council approves the Trust's request to recruit additional Directors up to a total of 7.

**201. CLS02: Draft North Sydney Arts & Cultural Strategic Plan 2019-2022**

*(This Item was considered en globo. See page 186)*

Report of Alison Clark, Team Leader Arts and Culture

The Plan takes as its starting point the North Sydney Community Strategic Plan 2018-2028 and responds to:

- the Arts and Cultural Forum held in October 2016;
- North Sydney CBD Public Domain Strategy: stakeholder and community engagement July 2018;
- The 2019 survey specifically for this Plan, addressing cultural needs across the LGA; and
- Professional staff input from related areas, youth services, communications and events and strategic planning.

The Plan is structured around three Directions to:

- Provide Creative Spaces & Opportunities;
- Enable Creative Expression & Cultural Experiences; and
- Support Diversity and Inclusiveness.

The Plan endorses existing Arts and Cultural programs, the most prominent being the North Sydney Art Prize, The Public Art Trail, the Low-Cost Artist Studios program, the annual Gai-mariagal Festival (formerly Guringai), the Shoreshocked Rock Festival and Primrose Park Art and Craft Centre.

The Plan also identifies future opportunities connecting creatives and creative spaces to the development sector. One of these is funded within the current Delivery Plan (the Public Art Masterplan).

Others are the potential for two new creative/cultural spaces (one at St Leonards and

one at Ward Street); the operational frameworks for these are yet to be developed. Other initiatives to be considered for the next delivery plan include:

- A recommendation to consider a separate small funding stream for individual creatives, something not permissible under Council's current grants and subsidies policy.
- Additional public art biennially.
- A review of planning constraints covering small scale cultural uses and compliance.

Council's Arts and Culture Program, staff and program annual operating costs amount to \$302,200, with an additional \$48,000 net every second year for the Art Prize. The Art Prize expenditure is \$84,000 less \$36,000 from income (entry fees and sponsorship).

In capital works, Council's completed Public Art Trail (2016-19), for three new large sculptures and a Walking Trail App, cost \$356,000. The Primrose Park Art and Craft Centre was refurbished and made fully accessible in 2018 at a cost of \$1.012 million. Council's acquisition of the St Leonards creative spaces is proposed to be at no cost to Council.

The financial model for construction of the proposed Ward Street Cultural Hub is yet to be developed; as are the operating costs for both spaces.

Initiatives proposed to be considered in the next Delivery Plan are approximately:

1. Individual Creative grants: \$10,000 annually.
2. Biennial Public Art Commission: \$100,000.
3. The small-scale cultural uses and compliance project can be done in-house, involving the arts, events and strategic planning staff.

**Recommending:**

**1. THAT** the Draft North Sydney Arts & Cultural Strategic Plan 2019-2022 be placed on public exhibition for 28 days.

**2. THAT** should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the North Sydney Arts & Cultural Strategic Plan 2019-2022 as adopted at the end of the closing period for submissions.

**RESOLVED:**

**1. THAT** the Draft North Sydney Arts & Cultural Strategic Plan 2019-2022 be placed on public exhibition for 28 days.

**2. THAT** should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the North Sydney Arts & Cultural Strategic Plan 2019-2022 as adopted at the end of the closing period for submissions.

**202. CLS03: Meet the Experts Workshops - Upskilling Community Groups**

*(This Item was considered en globo. See page 186)*

Report of Eric Poulos, Community Worker, Social Planner

This report describes Council's involvement in the "Meet the Experts" Workshop series aimed at building the capacity of not for profit (NFP) community organisations. 'Meet the Experts' is a partnership between North Sydney, Lane Cove and Mosman Councils where free and practical quarterly workshops are presented by recognised experts in their fields.

The two workshops in 2019 have been on:

- 'Aboriginal Cultural Appreciation'; and

- ‘Storytelling - A New Way to Market Your Organisation’.

The workshops are held in the evening, introducing Board and committee members, volunteers and staff to current and emerging challenges in the NFP sector. Satisfaction rates among participants is high, mainly about the practical and targeted information presented and the calibre of presenters. Local organisations are appreciative of Council’s involvement.

Meet the experts is a partnership funded between North Sydney, Lane Cove and Mosman Councils within existing budgets. North Sydney’s contribution was \$3,400 for 2018/19.

**Recommending:**

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

**RESOLVED:**

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

**203. CLS04: Shoreshocked Youth Festival in North Sydney 2019**

*(This Item was considered en globo. See page 186)*

Report of Greg Nikoletos, Youth Services and Partnerships Coordinator

This report is to brief Council on its flagship annual youth event, the Shoreshocked Youth Festival, held this year in St Leonards Park on Saturday 13 April 2019.

The concert, the peak event in Youth Week showcased 8 bands, community services stalls and activities, food and refreshments and a chill out space. The event was organised in collaboration with 7 Northern Sydney area Councils, Youth Health Promotion (RNSH) and Headspace Chatswood. It is estimated that between 1,500 and 1,700 people attended between 11am and 5pm.

While the total Shoreshocked budget is \$53,400, Council’s contribution for 2019 was \$16,890, with the balance coming from other participating Councils. The State Government contributed \$1,960 towards North Sydney’s costs in recognition of Youth Week.

**Recommending:**

1. **THAT** the information be received.

**RESOLVED:**

1. **THAT** the information be received.

### **Corporate Services Division**

**204. CoS01: Investments and Loan Borrowings Held as at 30 June 2019**

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 30 June 2019.

Investment Portfolio:

The portfolio provided an annualised return of 3.10% for the year to date as at 30 June 2019, 1.13% above the reportable benchmark (BBSW Bank Bill Index). Interest returns remain consistently above the benchmark. This was attributed to additional funds being made available for investment and prudent selection and allocation of these funds to the financial institutions which make up the investment portfolio.

Borrowings:

Council has entered into a principal and fixed loan of \$9.5 million. The adopted

Delivery Program proposes further borrowing in the 2020/21 financial year.

The 2018/19 budgeted returns on investments is estimated to be \$1,730,000. 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 30 June 2019 be received.

The Recommendation was moved by Councillor Drummond and seconded by Councillor Brodie.

The Motion was put and **carried**.

Voting was as follows:

For/Against 6/2

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

**RESOLVED:**

**1. THAT** the report on Investments and Loan Borrowings held as at 30 June 2019 be received.

It was moved by Councillor Beregi, seconded by Councillor Baker and resolved that Items CoS02, CoS03 and CoS05 be considered en globo and the recommendations adopted.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

**205. CoS02: Draft Events Strategy 2019-2021**

*(This Item was considered en globo. See page 190)*

Report of Sandra Moore, Manager Communications & Events

Council offers a varied event program ranging from workshops for 10 people through to major cultural festivals attracting up to 20,000 people. The Council events program is complemented by events organised by external organisations, including regular markets and annual street fairs.

Council has a decentralised approach to event delivery with teams from across Council

organising events relating to a specific activity or location. The draft Events Strategy 2019-2021 draws together all the event-related strategies in the Community Strategic Plan 2018-2028 and the Delivery Program 2018/19-2020/21.

The draft Strategy builds on the existing priority areas and incorporates a number of new elements. These include a new focus on tourism, the development of an events program for the Coal Loader Centre for Sustainability and an increased emphasis on partnerships to deliver events effectively. This report seeks endorsement of the draft Strategy to be placed on public exhibition for 30 days.

Event funding is currently included in the Delivery Program and Operational Plan and is incorporated in the approved 2019-2020 budget.

**Recommending:**

**1. THAT** the draft Events Strategy 2019-2021 be placed on public exhibition for 30 days.

**2. THAT** should Council receive submissions a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the draft Events Strategy 2019-2021 as adopted at the end of the closing period for submissions.

**RESOLVED:**

**1. THAT** the draft Events Strategy 2019-2021 be placed on public exhibition for 30 days.

**2. THAT** should Council receive submissions a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the draft Events Strategy 2019-2021 as adopted at the end of the closing period for submissions.

**206. CoS03: Draft External Communications Strategy 2019-2021**

*(This Item was considered en globo. See page 190)*

Report of Sandra Moore, Manager Communications & Events

All Council divisions and departments play a role in communicating with Council's stakeholders. This draft External Communications Strategy 2019-2021 draws together all the communications related strategies in Council's Community Strategic Plan 2018-2028 and the Delivery Program 2018/19-2020/21.

The draft Strategy builds on the four existing priority areas and confirms the need to pursue multiple channels for effective communication. It supports the expansion of Council's digital channels and capabilities in this area, in particular in video and social media.

The draft Strategy places increased emphasis on partnering with local businesses to promote North Sydney as a visitor destination, in line with the tourism initiatives identified in the Community Strategic Plan. It also re-affirms the need to build Council's identity, with work on branding and corporate standards to be completed as part of the current Delivery Program.

This report seeks endorsement of the draft External Communications Strategy 2019-2021 to be placed on public exhibition for 30 days.

Funding for communications activities is included in the Delivery Program and Operational Plan and is incorporated in the approved 2019-2020 budget.

**Recommending:**

**1. THAT** the draft Communications Strategy 2019-2021 be placed on public exhibition for 30 days.

**2. THAT** should Council receive submissions a further report be prepared for Council's consideration. If Council receive no submissions, Council consider the draft

Communications Strategy 2019-2021 as adopted at the end of the closing period for submissions.

**RESOLVED:**

**1. THAT** the draft Communications Strategy 2019-2021 be placed on public exhibition for 30 days.

**2. THAT** should Council receive submissions a further report be prepared for Council's consideration. If Council receive no submissions, Council consider the draft Communications Strategy 2019-2021 as adopted at the end of the closing period for submissions.

**207. CoS04: 2019 LGNSW Conference - Proposed Motions**

Report of Ian Curry, Manager Governance and Committee Services

The 2019 Local Government NSW Annual Conference will take place from Monday 14 to Wednesday 15 October 2019 at the William Inglis Hotel, Warwick Farm.

Council considered a report on this matter at its meeting on 24 June 2019 and resolved:

*1. THAT Council nominates four voting delegates to attend the 2019 LGNSW Conference in Sydney, in addition to the Mayor (voting delegate) and General Manager.*

*2. THAT the Precinct Committees and local business community be invited to submit suggested issues for Council's consideration.*

*3. THAT a further report be submitted to Council in July 2019 regarding any proposed Motions for the LGNSW Conference.*

The purpose of this report is to seek endorsement by Council of the motions received. Costs will include delegate registration and travel costs. An amount of \$18,500.00 has been allocated in the 2019/20 budget for Mayor and Councillor attendance at conferences, seminars and training.

**Recommending:**

**1. THAT** the proposed 2019 Conference motions received from Councillors and Precinct Committees be endorsed and submitted to LGNSW.

The Recommendation was moved by Councillor Beregi and seconded by Councillor Baker.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

| Councillor | Yes | No | Councillor | Yes           | No |
|------------|-----|----|------------|---------------|----|
| Gibson     | Y   |    | Barbour    | <b>Absent</b> |    |
| Beregi     | Y   |    | Drummond   | Y             |    |
| Keen       | Y   |    | Gunning    | <b>Absent</b> |    |
| Brodie     | Y   |    | Mutton     | Y             |    |
| Carr       | Y   |    | Baker      | Y             |    |

**RESOLVED:**

**1. THAT** the proposed 2019 Conference motions received from Councillors and Precinct Committees be endorsed and submitted to LGNSW.



**208. CoS05: Audit, Risk and Improvement Committee Minutes - 28 June 2019**

*(This Item was considered en globo. See page 190)*

Report of Melissa Dunlop, Governance Coordinator

This report presents the recommendations of the meeting of the Audit, Risk and Improvement Committee (ARIC) held on 28 June 2019 for Council adoption. The Minutes are attached for information.

Council has allocated \$87,125 in the 2018/19 budget for external audit functions. Council has allocated \$95,270 in the 2019/20 budget for the internal audit program. To date nil has been expended on either account.

**Recommending:**

- 1. THAT** Internal Audit Report and the status of the internal audit plan be received and noted. (AR01)
- 2. THAT** the Internal Audit Report of Expense Management be received and noted. (AR02)
- 3. THAT** the status of past internal audit recommendations be received and noted. (AR03)
- 4. THAT** the Management Letter on the Interim Phase of the Audit for the Year Ended 30 June 2019 be received and noted. (AR04)

**RESOLVED:**

- 1. THAT** Internal Audit Report and the status of the internal audit plan be received and noted. (AR01)
- 2. THAT** the Internal Audit Report of Expense Management be received and noted. (AR02)
- 3. THAT** the status of past internal audit recommendations be received and noted. (AR03)
- 4. THAT** the Management Letter on the Interim Phase of the Audit for the Year Ended 30 June 2019 be received and noted. (AR04)

### **Engineering & Property Services Division**

**209. EPS01: Council Owned/Leased Properties: Leasing Transactions**

Report of Risha Joseph, Property Officer

A report is submitted regarding the leasing transactions for Council's owned and leased properties, for the period ending 11 July 2019.

Council's actual Year-to-Date income received through the Property Portfolio is on target for the 2018/2019 financial year. The Property Revenue forecast figures are reflected in the information provided to Councillors under separate cover.

Council's actual Year-to-Date income received through the Property Portfolio is on target as per the annual forecast.

**Recommending:**

- 1. THAT** Council notes the leasing transactions, which are detailed in 'Attachment A' of this report.
- 2. THAT** Council hereby authorises its Official Seal to be affixed to the legal instruments necessary to implement the proposed leasing transactions which are noted in "Attachment A" of this report, under the signature of the Mayor and the General Manager.

The Recommendation was moved by Councillor Brodie and seconded by Councillor Carr.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

**RESOLVED:**

- 1. THAT** Council notes the leasing transactions, which are detailed in ‘Attachment A’ of this report.
- 2. THAT** Council hereby authorises its Official Seal to be affixed to the legal instruments necessary to implement the proposed leasing transactions which are noted in “Attachment A” of this report, under the signature of the Mayor and the General Manager.

**210. EPS02: Urban Branding and Style Manual for Neutral Bay and Cremorne**

Report of Diana Mejia, Project Manager and Duncan Mitchell, Director Engineering and Property Services

Over the last 18 months the Transport for NSW (TfNSW) B-Line project has had a significant impact upon the Public Domain of the Cremorne and Neutral Bay Village Centres. The B-Line works have left the streetscapes in the Military Road corridor between Neutral Bay and Cremorne looking tired and dilapidated. With the B-Line works nearing completion in October 2019, Council has worked with both the Neutral Bay Chamber of Commerce and the Cremorne Streetscape committee to look at ways beyond Public Domain upgrades to “refresh” the look and feel of these two important Village Centres.

In March 2019 Council engaged NBR Architecture to provide consultancy services to develop a new Village Centre branding package and Style Manual for the commercial areas of Neutral Bay and Cremorne – along the Military Road corridor. In May 2019, NBR Architecture and Council staff presented the attached “Draft” Urban Branding Style Manuals with 3 visual options for each Village to the Neutral Bay Chamber of Commerce and the Cremorne Streetscape committee as well as other interested stakeholders.

This report seeks the approval of Council for the public exhibition of the “Urban Branding and Style Manual” for Neutral Bay and Cremorne, so that the package and associated works can be finalised with broader community input. The intention is to then roll out the “Urban Branding Works” as part of the Public Domain upgrades that are currently underway to minimise further disruption to businesses, residents and visitors who live work and commute in the Military Road corridor. Refer to the Draft documents attached to this report.

Funding for this project is included in the Funding Deed with Transport for NSW (TfNSW) ref 6014164 – Contract No ISD-17-6510 to deliver Public Domain and Urban Landscaping Works to the Military Road corridor between Neutral Bay and Cremorne. A report on the Public Domain and Urban Landscaping Works to the Military Road corridor between Neutral Bay and Cremorne and the TfNSW funding deed was adopted

by Council on 29 October 2018 – EPS-03.  
Funding for the project is appropriate.

**Recommending:**

1. **THAT** the draft “Urban Branding and Style Manual for Neutral Bay” be placed on public exhibition for 28 days.
2. **THAT** the draft “Urban Branding and Style Manual for Cremorne” be placed on public exhibition for 28 days.
3. **THAT** a further report be prepared for Council’s consideration after the public consultation period.

A Motion was moved by Councillor Gibson and seconded by Councillor Beregi,

1. **THAT** this matter be deferred for a Councillor Briefing.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

**RESOLVED:**

1. **THAT** this matter be deferred for a Councillor Briefing.

**211. EPS03: Tenders for Construction of Additional Toilets at Alexander Street Car Park – Tender No. 4/2020**

Report of Albert Lo, Manager Property Assets

Tenders were called and were received until 4pm, 3 July 2019 for the submission of tenders to undertake the construction of additional toilets at Alexander Street Car Park. *In order for Councillors to discuss the content of this Commercial in Confidence report it will be necessary to close the Council meeting to the public.*

Funding will be provided from the current budget allocation in the Property Non-Recurrent Expenditure Program under the adopted 2019/20 delivery program.

Funding for the project is appropriate.

**Recommending:**

1. **THAT** Council accept the tender of the highest ranked Tenderer for Tender No. 4/2020 for the construction of additional toilets at Alexander Street Car Park.
2. **THAT** the General Manager be authorised to take any necessary action to implement the decision including entering associated contracts.
3. **THAT**, once Council has executed the Contract, information relating to the successful tender be published in Council’s Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.

The Recommendation was moved by Councillor Beregi and seconded by Councillor Baker.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

**RESOLVED:**

1. **THAT** Council accept the tender of Raguz Building Services for Tender No. 4/2020 for the construction of additional toilets at Alexander Street Car Park.
2. **THAT** the General Manager be authorised to take any necessary action to implement the decision including entering associated contracts.
3. **THAT**, once Council has executed the Contract, information relating to the successful tender be published in Council's Register of Contracts as required by *Government Information (Public Access) Act 2009 - Part 3 Division 5 - Government Contracts With Private Sector*.

## Open Space & Environmental Services Division

### 212. OSE01: Draft Single Use Plastics Policy

Report of Niki Carey, Senior Sustainability Programs Coordinator

This report seeks the approval of the public exhibition of the draft "Single Use Plastics Policy" attached.

Council at its meeting on 29 October 2018 resolved:

*THAT Council develops a single-use plastics ban for its operations, events and venues and in doing so, consider the adoption of any relevant provisions of the Randwick City Council policy.*

There is likely to be some financial impact to effectively implement this policy, including capital costs to purchase possible additional crockery, dishwashers, and portable water stations, as well as potential increased operational costs to hire reusable materials and purchase compostable and recyclable alternatives to single use plastics. There will also be an element of cost saving where policy prompted procurement reviews may determine that certain single use items are no longer required and do not need to be replaced.

The implications of this strategy will impact all divisions of Council. The strategy will be funded from additional revenue or expenditure savings to be identified in future quarterly budget reviews.

**Recommending:**

1. **THAT** the draft "Single Use Plastics Policy" be placed on public exhibition for 21 days.
2. **THAT** should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the "Single Use Plastics Policy" as adopted at the end of the closing period for submissions.
3. **THAT** if the "Single Use Plastics Policy" is adopted, that the "Sustainable Public Events Policy" be updated.

The Recommendation was moved by Councillor Drummond and seconded by Councillor Beregi.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/0

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

**RESOLVED:**

1. **THAT** the draft “Single Use Plastics Policy” be placed on public exhibition for 21 days.
2. **THAT** should Council receive submissions, a further report be prepared for Council’s consideration. Should Council receive no submissions, Council consider the “Single Use Plastics Policy” as adopted at the end of the closing period for submissions.
3. **THAT** if the “Single Use Plastics Policy” is adopted, that the “Sustainable Public Events Policy” be updated.

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

**213. NoM01: Notice of Motion No. 7/19 - Cr Baker– 17/07/19**

**Re: Climate Emergency**

*(Previously considered – see Minute No. 189)*

The Meeting concluded at 8.49pm.

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
GENERAL MANAGER