1. WELCOME TO VISITORS INCLUDING ACKNOWLEDGEMENT OF COUNTRY

There were eleven members of the public present in the Gallery.

2. NOTICE OF MEETING WEBCAST

The Mayor advised the gallery that proceedings of the meeting in open session are webcast live, recorded and archived on Council’s website.

3. APOLOGIES AND LEAVE OF ABSENCE

An apology was received from Councillor Sherlock

Motion Moline/Menzies
That the apology be received and leave of absence be granted to Councillor Sherlock.
CARRIED UNANIMOUSLY

4. DISCLOSURES OF PECUNIARY INTERESTS

There were no disclosures of Non-Pecuniary / Pecuniary Interest from Councillors or Senior Staff.

5. DISCLOSURES OF NON-PECUNIARY INTERESTS

There were no disclosures of Non-Pecuniary / Pecuniary Interest from Councillors or Senior Staff.

6. CONFIRMATION OF MINUTES

Motion Menzies/Moline
That the Minutes of the Ordinary Meeting of Council held on 5 March 2019, as typed and circulated, be confirmed.
CARRIED UNANIMOUSLY

7. MAYORAL MINUTES

The Mayor submitted and read one Mayoral Minute to the Meeting which was dealt with as follows:

8. MM/4 Mayoral Minute: Bridge-ing The Gap Campaign

RECOMMENDATION

That Council resolve to place the Bridge-ing The Gap petition to the Honourable the Speaker and Members of the Legislative Assembly of New South Wales from citizens of Australia in the front foyer of Council and in the foyer of the Barry O’Keefe Library for a three month period from May to end of July 2019.

COUNCIL RESOLUTION

Motion Corrigan/Cook
That Council resolve to place the Bridge-ing The Gap petition to the Honourable the Speaker and Members of the Legislative Assembly of New South Wales from citizens of Australia in the front foyer of Council and in the foyer of the Barry O’Keefe Library for a three month period from May to end of July 2019.
CARRIED

For: Cook, Corrigan, Menzies, Moline, Willoughby
Against: Bendall

9. ITEMS NOT CALLED FOR INDIVIDUAL CONSIDERATION

Councillor Willoughby had the call.

Motion Menzies/Moline
That the Officer’s Recommendation be adopted in relation to the following items:

- CD/6 Shorelink Library Network Committee - Record of 179th Meeting 6 March 2019
- CS/9 Financial Statement to 31 March 2019
- CS/10 Investments April 2019
- EP/13 Bushland Restoration Contracts - Seventh Year Review
- EP/14 Parks and Sporting Fields Contract

CARRIED UNANIMOUSLY

CD/6 Shorelink Library Network Committee - Record of 179th Meeting 6 March 2019

Officer’s Recommendation

The Manager Library Services recommends that the Minutes be received and noted.

COUNCIL RESOLUTION

Motion Menzies/Willoughby
That the Officer’s Recommendation be adopted.

CARRIED UNANIMOUSLY

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

CS/9 Financial Statement to 31 March 2019

Officer’s Recommendation

The Chief Financial Officer recommends that the Quarterly Budget Review Financial Statement for the period ended 31 March 2019 including the revised estimates contained within the Statement be adopted.

COUNCIL RESOLUTION

Motion Menzies/Willoughby
That the Officer’s Recommendation be adopted.

CARRIED UNANIMOUSLY

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil
CS/10 Investments April 2019

Officer's Recommendation

The Chief Financial Officer recommends that the Schedule of Investments for the month of April 2019 be adopted.

COUNCIL RESOLUTION

Motion Menzies/Willoughby
That the Officer's Recommendation be adopted.
CARRIED UNANIMOUSLY

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

EP/13 Bushland Restoration Contracts - Seventh Year Review

Officer's Recommendation

The Manager Environment and Open Space recommends that Council:

1. Extend the contract period for a further and final three years for Waratah Eco Works for the bushland restoration contracts for Port Jackson and Middle Harbour West catchments until 30 May 2022 for an annual fee of $106,997 and $100,498 ex GST respectively, subject to further annual CPI increase on 1 June 2020 and 2021.
2. Extend the contract period for a further and final three years for Australian Bushland Restoration for the Middle Harbour East catchment until 30 May 2022 for an annual fee of $117,818 ex GST and subject to further annual CPI increase 1 June 2020 and 2021.
3. Extend Waratah Eco Works, Australian Bushland Restoration and Australian Areas Management and Repair as panel service providers to undertake additional works at scheduled or quoted rates subject to annual CPI increases included in their tenders until 30 May 2022.

COUNCIL RESOLUTION

Motion Menzies/Willoughby
That the Officer's Recommendation be adopted.
CARRIED UNANIMOUSLY

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

EP/14 Parks and Sporting Fields Contract

Officer's Recommendation

The Manager Environment and Open Space recommends that:

1. Council approve the specifications and tenders be called for the Parks and Sporting Fields Contract 2019-2024 with review periods at the end of year 1 and 3.
2. A further report be tabled for Council outlining the outcome of the tender process.

COUNCIL RESOLUTION

Motion Menzies/Willoughby
That the Officer’s Recommendation be adopted.
CARRIED UNANIMOUSLY

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

10. REPORTS

CD/8 Request for Sponsorship - ‘My Community Project’ Sponsorship Program - Accessible Amenities, Raglan Street West

Pip Friedrich (2 Windward Avenue) addressed the meeting.

Officer’s Recommendation

It is recommended that:

1. Council agree to sponsor the project proposal submitted by Ms Phillipa Friedrich to the 2019 ‘My Community Project’ grants program for a new, accessible amenities block in Raglan Street Mosman at a cost of $200,000 to be fully funded under the grants program.

2. In the event that detailed project costings indicate a capital cost for the project higher than $200,000, project contingency of up to $50,000 be provided for in the next quarterly review of Council’s adopted budget.

3. Should any further cost overruns be identified the matter be referred to Council for further consideration.

COUNCIL RESOLUTION

Motion Willoughby/Bendall
It is recommended that:

1. Council agree to sponsor the project proposal submitted by Ms Phillipa Friedrich to the 2019 ‘My Community Project’ grants program for a new, accessible amenities block in Raglan Street Mosman at a cost of $200,000 to be fully funded under the grants program.

2. In the event that detailed project costings indicate a capital cost for the project higher than $200,000, project contingency of up to $50,000 be provided for in the next quarterly review of Council’s adopted budget.

3. Should any further cost overruns be identified the matter be referred to Council for further consideration.
CARRIED UNANIMOUSLY

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

CS/11 Mosman Rowing Club, Harnett Park - Lease

Ms Kathrina Doran (President Mosman Rowers Club) addressed the meeting.

Officer’s Recommendation

The Manager Governance recommends that:


1. Council as Manager of the Mosman Foreshore Reserves Lands Trust endorse the process for renewing the Lease of that part of Harnett Park above the high water mark occupied by part of the Mosman Rowing Club Limited premises for a term of 21 years commencing 1 January 2020.

2. The General Manager be authorised to place the proposal to renew a Lease on public exhibition for a minimum of 28 days inviting submissions in accordance with Section 47 of the Local Government Act 1993.

3. Following the closure of the public exhibition period and in the event of receipt of a submission by way of objection to the proposal, the matter be reported back to Council for determination.

4. Following the closure of the public exhibition period and in the event of receipt of no submission by way of objection to the proposal and no native title findings by Council’s Native Title Manager, Council (as authorised by Section 47 of the Local Government Act 1993 and Division 3.4 of the Crown Lands Management Act 2016) grants a renewal Lease to Mosman Rowing Club Limited for a term of 21 years commencing 1 January 2020 and authorises the General Manager to determine and finalise the Lease including the rent to apply as assessed by Council’s valuer.

COUNCIL RESOLUTION

Motion Menzies/Moline

1. Council as Manager of the Mosman Foreshore Reserves Lands Trust endorse the process for renewing the Lease of that part of Harnett Park above the high water mark occupied by part of the Mosman Rowing Club Limited premises for a term of 21 years commencing 1 January 2020.

2. The General Manager be authorised to place the proposal to renew a Lease on public exhibition for a minimum of 28 days inviting submissions in accordance with Section 47 of the Local Government Act 1993.

3. Following the closure of the public exhibition period and in the event of receipt of a submission by way of objection to the proposal, the matter be reported back to Council for determination.

4. Following the closure of the public exhibition period and in the event of receipt of no submission by way of objection to the proposal and no native title findings by Council’s Native Title Manager, Council (as authorised by Section 47 of the Local Government Act 1993 and Division 3.4 of the Crown Lands Management Act 2016) grants a renewal Lease to Mosman Rowing Club Limited for a term of 21 years commencing 1 January 2020 and authorises the General Manager to finalise the Lease on the current terms including an annual increase of 3%p.a.

CARRIED UNANIMOUSLY

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

CD/7 Minutes of Community Consultative Committee Meetings

Officer’s Recommendation

The Director Community Development recommends that: the Minutes of the Meetings of the Active Transport Working Group held on 27 February 2019; the Access and Mobility Community Consultative Committee held on 19 March 2019; and the Arts and Culture Community Consultative Committee held on 21 March 2019 be received and noted.
COUNCIL RESOLUTION

Motion Menzies/Cook
That the Officer's Recommendation be adopted.
CARRIED UNANIMOUSLY
For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

CD/9 MOSPLAN Quarterly Report - Q3 - January-March 2019

Officer’s Recommendation

The Director Community Development recommends that the report be noted.

COUNCIL RESOLUTION

Motion Corrigan/Menzies
That the Officer's Recommendation be adopted.
CARRIED UNANIMOUSLY
For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

EP/12 Waste Disposal - Contract Extension

Officer’s Recommendation

The Manager Environment and Open Space recommends that Council approves the extension of the contract term of Suez Australia with Mosman Council for the Contract 2013/116 - Receive and Process and/or Dispose of Municipal Solid Waste from the SHOROC Councils for one year until 30 June 2020.

COUNCIL RESOLUTION

Motion Moline/Willoughby
Council grant delegated authority to the General Manager to enter into discussions with SUEZ Australia for a possible contract extension of up to 12 months.
CARRIED UNANIMOUSLY
For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

EP/15 Balmoral Promenade Lighting and Other Improvement Works

Officer’s Recommendation

The Manager Engineering recommends that the following works be undertaken at Balmoral utilising the remaining budget for the Balmoral Promenade Project.

1. Landscaping around the Rotunda and surrounds.
2. Minor repairs to the stairs and other structures.
3. Upgrade of an additional four showers.

COUNCIL RESOLUTION

Motion Moline/Willoughby
That the Officer's Recommendation be adopted.
CARRIED UNANIMOUSLY

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

EP/16 Draft Recreational Strategy 2019 Sydney Harbour Federation Trust

Officer’s Recommendation

A submission be prepared in support of the Sydney Harbor Federation Trust Draft Recreation Strategy 2019 noting that Council:

1. Supports increased access to Trust land and its facilities.
2. Supports the increased access to facilities at Georges Heights Oval, Middle Head Oval and Drill Hall Common.
3. Supports the installation of lights at the Netball Courts at Drill Hall Common and the consideration of lights at Georges Heights Oval.
4. Supports the further investigation of options for the redevelopment of Middle Head Oval Pavilion.
5. Supports the available currently permissible under lease for the Drill Hall Common site and the ability for the Trust to consider alternative activities as they arise.
6. Supports the continued use of the Camouflage Fuel tanks for Gallery/Performing Arts Space.
7. Supports the consideration of other uses of the Tennis Courts in addition to Tennis

COUNCIL RESOLUTION

Motion Willoughby/Bendall

A submission be prepared in support of the Sydney Harbor Federation Trust Draft Recreation Strategy 2019 noting that Council:

1. Supports increased access to Trust land and its facilities.
2. Supports the increased access to facilities at Georges Heights Oval, Middle Head Oval and Drill Hall Common.
3. Supports the installation of lights at the Netball Courts at Drill Hall Common and noting that its current use is under review.
4. Consideration of lights at Georges Heights Oval.
5. Supports the further investigation of options for the redevelopment of Middle Head Oval Pavilion.
6. Supports the available activities currently permissible under lease for the Drill Hall Common site and the ability for the Trust to consider alternative activities as they arise.
7. Supports the continued use of the Camouflage Fuel tanks for Gallery/Performing Arts Space.
8. Supports the consideration of other uses of the Tennis Courts in addition to Tennis.
9. Amend the table relating to Marie Bashir usage (page 167 of 198) to include hockey.

CARRIED UNANIMOUSLY

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

EP/17 Mosman Heritage Fund Promotion

Officer’s Recommendation

The Manager Urban Planning recommends that:
1. Council notes the strategy to encourage properties within the Military Road Heritage Conservation Area to apply articulated in this report for funding and improve the area’s streetscape.

2. Council increases the maximum grant amount for the heritage fund from $1000 to $1500 for properties within a Heritage Conservation Area from $3,000 to $5,000 for heritage items.

**COUNCIL RESOLUTION**

**Motion** Menzies/Cook
That the Officer’s Recommendation be adopted.

**CARRIED UNANIMOUSLY**

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby

Against: nil

11. MEETING CLOSED TO THE PUBLIC

The General Manager recommended that Item GM/2 Balmoral Childcare and Item CS/8 Balmoral Bathers’ Pavilion – Tender Evaluation and Lease Proposal be determined in Closed Session.

Prior to any part of the Meeting being closed to the public, it will be necessary for members of the public to be allowed to make representations as to whether that part of the meeting should be closed. No members of the public were present.

**COUNCIL RESOLUTION**

**Motion** Moline/Menzies
That the Meeting be closed to the press and public for that part necessary to consider commercial information of a confidential nature relating to a proposal for the redevelopment of the Balmoral Childcare Centre at Balmoral Park and to the evaluation of Tenders for the lease and management of the Balmoral bathers’ Pavilion 2020-2039 as authorised by Clause 81(2)(d) of Council’s Code of Meeting Practice and Section 10A(2)(d) of the Local Government Act 1993.

**CARRIED UNANIMOUSLY**

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby

Against: nil

12. CLOSED COUNCIL

Closed Council commenced at 8:30 pm

The Council was in closed session between 8.30 pm and 9.19 pm with no press and public present to consider Item GM/2 Balmoral Childcare and Item CS/8 Balmoral Bathers’ Pavilion – Tender Evaluation and Lease Proposal.

13. OPEN COUNCIL

Open Council resumed at 9:19 pm

**GM/2 Balmoral Childcare (Confidential)**

The General Manager advised that the matter before Council was determined however a moratorium would be placed on releasing details of the outcome of the Closed Session in accordance with Clause 40(5) of Council’s Code of Meeting practice, due to sensitive issues to be dealt with over the next 48 hours.
Item GM/2 Balmoral Childcare was determined in Closed Session and Council resolved to cease the project to build a new childcare centre at Balmoral Park due to the impact of bush fire mitigation measures on the bushland and oval; undertake actions associated with demolition of the building, together with turf, decontamination and creek restoration works; not include childcare in the Allan Border Oval Design; and subject to approval for the Allan Border Oval development, cease the service of Mosman Occasional Childcare as at December 2019.

**CS/8 Balmoral Bathers’ Pavilion - Tender Evaluation and Lease Proposal (Confidential)**

The General Manager advised the outcome of the Closed Session in accordance with Clause 40(5) of Council’s Code of Meeting practice, vis:

The General Manager reported that Item CS/8 Balmoral Bathers’ Pavilion – Tender Evaluation and Lease Proposal was determined in Closed Session and Council resolved to accept the tender submitted by The Bathers’ Pavilion Pty Limited (Mr Serge Dansereau) and to consent to the granting of the 20 year lease of Community classified land to the successful tenderer for the period 2020 to 2039.

14. **NOTICES OF MOTION**

**NM/5 Mosman Retail Planning Update**

*Mr Peter Twiney (3 Cabramatta Road) addressed the meeting.*

**NOTICE OF MOTION**

That Council updates planning controls in the B1 and B2 Traditional Shopfront Terrace Business Centre zones of Mosman Junction, Avenue Road, Balmoral, and Spofforth Street to set a maximum retail premises limit of 500 square metres.

**COUNCIL RESOLUTION**

**Motion** Corrigan/Moline
That Council staff review planning objectives and controls in the B1, ‘Neighbourhood Centre’ Zone (Avenue Road, Balmoral and spofforth Street) and B2 ‘Local Centre’ Zone (shopfront terrace Business Centre Zone of Mosman Junction) - and brings back a report to Council for the July Council Meeting.

The evaluation can supplement the current Council LEP review by our planning staff with the view to reflect more appropriate maximum retail size limits that will enhance Mosman’s heritage and better manage traffic and congestion challenges in and around Mosman.

That comparison is made with similar heritage suburbs (for example Paddington and Newtown).

**CARRIED UNANIMOUSLY**

For: Bendall, Cook, Corrigan, Menzies, Moline, Willoughby
Against: nil

15. **QUESTIONS WITHOUT NOTICE**

No Questions Without Notice were submitted.

16. **CALL FOR RESCISSION MOTIONS**

Prior to the close of the meeting the Mayor sought advice as to whether Rescission Motion/s were to be submitted by Councillors in respect of any matter determined at the meeting.
17. CLOSE OF MEETING

The Meeting terminated and Council rose at 9.21pm.

CONFIRMED:

MAYOR
4 June 2019
MM/4 Mayoral Minute: Bridge-ing The Gap Campaign

Mayor: Councillor Corrigan
MOSPLAN: Strategic Direction 1 - A Caring and Inclusive Community

RECOMMENDATION

That Council resolve to place the Bridge-ing The Gap petition to the Honourable the Speaker and Members of the Legislative Assembly of New South Wales from citizens of Australia in the front foyer of Council and in the foyer of the Barry O'Keefe Library for a three month period from May to end of July 2019.

MAYORAL MINUTE

Currently the Australian and NSW flags fly proudly from the top of the world famous, iconic Sydney Harbour Bridge and are wonderful symbols of our heritage, our culture and our identity.

On 27 March 2019 I received correspondence from Cheree Toka, a Kamilaroi woman and Sydney resident. Ms Toka initiated a Change.org campaign to fly the Indigenous flag, alongside the Australian and NSW flags, on Sydney Harbour Bridge every day of the year, rather than the current practice of the Indigenous flag flying sporadically in recognition of nationally significant annual events, for example, Australia Day and the anniversary of the National Apology.

The Change campaign with over 90,000 digital signatures cannot be formally presented to the NSW Parliament, therefore, Ms Toka has commenced a formal handwritten petition and is seeking assistance from NSW Councils. The petition requires a minimum of 10,000 signatures.

To date, over 6,000 signatures have been collected and City of Sydney, Bogan Shire, Shellharbour, Blue Mountains, Randwick and Inner West Councils have accepted the invitation to display the Bridge-ing The Gap petition at their Council Chambers.

Councillors will remember Mosman Council took a motion to the 2018 Local Government Conference in Albury "That LGNSW call on the NSW Government to support the implementation of a protocol for the permanent flying of the Indigenous Flag alongside the Australian and the NSW State flag, from the Sydney Harbour Bridge"

The resolution was strongly supported and adopted by Conference and has been delivered to the Premier by LGNSW.

This community led campaign supports and augments the LGNSW resolution already before the Premier.

This Mayoral Minute asks Council to endorse displaying the Bridge-ing The Gap petition which will provide our residents the opportunity to support this symbolic campaign.

Encls: Copy of Petition
PETITION

To the Honourable the Speaker and Members of the Legislative Assembly of New South Wales.

The Petition of Citizens of Australia.

Brings to the attention of the House that as Australians, we are proud of our Aboriginal heritage and we want to recognise and celebrate this heritage every day.

The flags flying from the top of the Sydney Harbour Bridge are wonderful symbols of our heritage and identity. However, the Aboriginal flag does not fly permanently atop of the Sydney Harbour Bridge

The undersigned petitioners therefore ask the Legislative Assembly for a third flag to fly alongside the Australian and the NSW flags - one that acknowledges and celebrates our ancient and authentic Aboriginal culture; the red, black and yellow Aboriginal flag.

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Please address: To the attention of Cheree Toka.

PO BOX 156
Petersham NSW 2049

**Cannot be emailed, posted only.

Contact: reconcilewithourflag@gmail.com