ORDINARY MEETING

AGENDA

MEETING DATE: 5 February 2019
INFORMATION ABOUT PROCEDURES FOR THE
ORDINARY MEETING OF COUNCIL

Open Question Time
Open Question Time will be held for a period of 15 minutes commencing at 6.40pm prior to the
commencement of a Council meeting scheduled to commence at 7.00pm. Open Question Time is available
to Mosman residents and ratepayers. Questions may be in writing. Residents or ratepayers wishing to ask a
question will be invited by the Mayor to read out the question. Questions may be on any relevant matter
unless it is on the Agenda for this meeting. Council will ensure that questions are responded to.

Ordinary Meeting
The Ordinary Meeting of Council commences in accordance with the Agenda prepared for the Meeting.

Addressing the Council
Prior to the commencement of the Council meeting, residents will be asked if they wish to register to address
Council on a General Manager’s and Departmental Report listed on the Agenda. Residents addressing a
Council meeting are required to provide their name and address when registering and these details will be
recorded in the Minutes of the meeting. Residential addresses will only be withheld from the Minutes if the
resident objects at the commencement of their address.

Reports that residents do not wish to discuss or that Councillors and staff have not called will generally be
dealt with by Council *in loco* at the commencement of the meeting.

The Mayor shall invite residents who have registered to address Council to come forward as each remaining
report listed on the Agenda is dealt with by Council. Residents are to take a seat at the Council table as
directed by the Mayor to address the Council, for Councillor discussion and questioning in relation to the
report in which they have an interest. The Mayor reserves the right to limit the number of speakers on a
particular item to avoid repetition of issues by different speakers.

Reports on which residents wish to address Council will be dealt with expeditiously as possible from 7.00pm.
All reports that residents have registered an interest in will be dealt with first, generally in the order as they
appear on the Agenda. All remaining items will be dealt with following resolution of reports which residents
have an interest in.

Webcasting
The proceedings of all Council meetings in open session, including all debate and addresses by the public,
are recorded and webcast live on Council’s website for the purpose of facilitating community access to
meetings by way of reducing physical and geographical barriers that may prevent the public from attending
meetings. Webcast archives are stored and available to the public on Council’s website for the term of the
Council.

Members of the public attending a Council meeting may have their image, voice and personal and health
information (including name and address) recorded, publicly broadcast and archived for up to four years. By
attending a Council meeting, whether as a proponent or objector addressing the Council or as an observer or
other interested party, members of the public consent to this use of their image, voice and personal and
health information.

Refreshments Adjournment
At approximately 9.00pm there is usually a recess break for 15 minutes at which time the Mayor will invite
those people in the gallery to join the Councillors for refreshments.

Resume Ordinary Meeting
The Ordinary Meeting resumes at the conclusion of the refreshments break.

Audio/Video Recording of Meeting of Council or Committee
Audio/Video Recording of meeting of Council or Committee is prohibited without permission (Clause 273
Local Government (General) Regulation 2005) and Council's Code of Meeting Practice (Part 8 s90).

Emergency Evacuation
In the event of an emergency, please remain seated and await the direction of staff in attendance at the
meeting. If the building needs to be evacuated you will be directed to the nearest exit.
AGENDA - ORDINARY MEETING

1. WELCOME TO VISITORS INCLUDING ACKNOWLEDGEMENT OF COUNTRY

2. APOLOGIES AND LEAVE OF ABSENCE

3. DISCLOSURES OF INTERESTS:
   A. PECUNIARY INTEREST
   B. NON-PECUNIARY INTEREST

4. NOTICE OF MEETING WEBCAST

5. CONFIRMATION OF MINUTES
   Confirmation of the Minutes of the Council Meeting held on 4 December 2018

6. MAYORAL MINUTES
   MM/1 Mayoral Minute - Zara Florence Colman Grayspence ................................................... 1
   MM/2 Mayoral Minute - 2019 Citizen of the Year and Young Citizen of the Year ..................... 3
   MM/3 Mayoral Minute - Mosman Village Heritage Conservation Zone Upgrade ...................... 4

7. ADJOURNED ITEMS FROM 4 DECEMBER 2018
   NM/13 Notice of Motion: Beaches Link Tunnel ........................................................................ 8
   NM/14 Notice of Motion: DA Planning Oversight .................................................................... 9
   NM/15 Notice of Motion: Reducing the Quantum on Parking Fines and Introduction of Grace Periods ............................................................................................................. 10
   NM/16 Notice of Motion: Strategic Technology and Innovation for Mosman Council .......... 11
   NM/17 Notice of Motion: Street Lighting Energy Reduction ..................................................... 12

8. COMMUNITY DEVELOPMENT DEPARTMENT REPORTS
   CD/1 Festival of Mosman 2019 ............................................................................................ 13
   CD/2 Minutes of Community Consultative Committee Meetings ........................................... 18
   CD/3 MOSPLAN Quarterly Report - Q2 - October-December 2018 ..................................... 20
   CD/4 Shorelink Library Network Committee - Record of 178th Meeting .............................. 21

9. CORPORATE SERVICES DEPARTMENT REPORTS
   CS/1 Financial Statement to 31 December 2018 .................................................................. 22
   CS/2 Investments December 2018 and January 2019 ......................................................... 24
   CS/3 Model Code of Conduct and Procedures ................................................................... 27

10. ENVIRONMENT AND PLANNING DEPARTMENT REPORTS
    EP/1 TR/27 Military Road M30 Layover ............................................................................... 31
    EP/2 Report from Mosman Council Traffic Committee Meeting 12 December 2018 .......... 33

11. QUESTIONS WITHOUT NOTICE

12. CALL FOR RESCISSION MOTIONS

ATTACHMENTS
   CD/2 Minutes of Community Consultative Committee Meetings .......................................... A9
   CD/3 MOSPLAN Quarterly Report - Q2 - October-December 2018 ................................ A34
   CD/4 Shorelink Library Network Committee - Record of 178th Meeting ........................ A60
   CS/1 Financial Statement to 31 December 2018 ................................................................. A66
   CS/2 Investments December 2018 and January 2019 ......................................................... A79
   CS/3 Model Code of Conduct and Procedures ................................................................ A82
EP/1  TR/27 Military Road M30 Layover ............................................................A83
EP/2  Report from Mosman Council Traffic Committee Meeting 12 December 2018.........A85
6. MAYORAL MINUTES

MM/1  Mayoral Minute - Zara Florence Colman Grayspence

MAYOR:  Cr Carolyn Corrigan

MOSPLAN REF:  Strategic Direction 1 – A Caring and Inclusive Community

RECOMMENDATION

That the Mayoral Minute be noted.

MAYORAL MINUTE

It is my sad duty to record that Zara Florence Colman Grayspence died in Melbourne on 6 January 2019, at the age of 97. But more importantly, it is my absolute privilege to acknowledge and pay tribute to the exceptional service that Zara provided to our community.

Zara Grayspence made Mosman her home in 1953. She was first elected to Mosman Council in September 1977 and served continuously as a Councillor representing Mosman's West Ward for 26 years. This made her the longest continuously serving female Councillor or Alderman in Mosman's history.

During her term as both Alderman and Councillor, Zara served at various times on every Council Committee. Zara also represented Council on the Northern Suburbs Municipal and Shire Assembly, Mosman Community Services, and was also for a time a warden of the Scotland Australia Cairn.

Zara was very active in the formation of the Mosman Keep Australia Beautiful Committee and had a special interest in parks and gardens matters, the Library, Art Gallery and heritage issues.

In 1981, Zara was elected President of the Australian Local Government Women’s Association. In 1998, the Association awarded her life membership in recognition of the contribution she made over many years, particularly in assisting newly elected female councillors in NSW. When accepting her life membership of the Association, Zara said the key requirements for an effective Councillor were to be ‘available, approachable and lovable’.

In a Mayoral Minute delivered by then Mayor Shirley Jenkins after the 2004 Council election, Mayor Jenkins described Zara as “generous with her time… [she] combined open-mindedness, sensitivity and an adherence to her principles as she undertook her role… Whether a matter be large or small, it was a characteristic of Zara's devotion to civic activities that she always found the time to assist residents… The Council and people of Mosman owe Zara Florence Coleman Grayspence a great debt of gratitude for her service to the community, a service of which Zara Grayspence can be justifiably proud…” I fully concur with these comments.

In April 2003, Zara received the Centenary Medal, cast to commemorate the Centenary of Federation, for her service to local government.

Zara was interviewed a number of times as part of local oral history projects. Her interviewer in 2007 summed up Zara as ‘a great storyteller’ who had experienced ‘a rich life, fully lived’. Zara loved Mosman and only moved to Melbourne in 2018 to be closer to family. At the time, she
generously donated papers from her time as an elected member, as well as artworks for the Mosman Art Collection.

On behalf of the residents of Mosman, I formally acknowledge Zara Grayspence’s service to our community - service of which her family can be justifiably proud.

I would ask all present in the Chambers to join with me in observing one minute's silence in memory of the Late Zara Florence Colman Grayspence.
Mayoral Minute - 2019 Citizen of the Year and Young Citizen of the Year

MAYOR: Cr Carolyn Corrigan
MOSPLAN REF: Strategic Direction 1 – A Caring and Inclusive Community

RECOMMENDATION

That the Mayoral Minute be noted.

MAYORAL MINUTE

On Saturday 26 January 2019, it gave me great pleasure to be escorted into the Mosman Drill Hall by the Mayor’s own Scout Troop, 1ST Balmoral Sea Scouts and to preside over Council’s Australia Day Ceremony. 250 people attended the ceremony to give citizenship to 45 new Australians born in 18 countries which was followed by a community barbecue operated by dedicated volunteers from the Lions Club of Mosman. Attendees included applicants for citizenship, their families and friends, Mosman’s Australia Day 2019 Ambassador, Dr Cindy Pan, former Citizen of the Year William Tuck, and members of the community. I was also pleased to welcome The Hon. Tony Abbott MP, Federal Member for Warringah, the State Member for North Shore, Felicity Wilson MP and my fellow Councillors Cook, Moline, Willoughby, and Deputy Mayor Sherlock. Two former Mayors, Peter Abelson and Virginia Howard were also present in the audience for the ceremony.

The Citizen of the Year Award is made in conjunction with the Australia Day Council and is for local citizens who have made a special effort during the previous year for the benefit of Mosman or who have been involved in activities which have brought credit to the Mosman area. The selection panel comprising the Mayor, Cr Carolyn Corrigan, former Mayor, Virginia Howard, and our General Manager, Dominic Johnson met in December 2018 and considered all nominations received. The panel made unanimous decisions to present the 2019 Mosman Citizen of the Year Award to Mr Gordon Alexander and the Young Citizen of the Year Award to Ms Ella Spencer.

Gordon Alexander is the founding member of the Harnett Quarry Group, a community group that worked to gain historical and cultural recognition for the former quarry site at Harnett Park. The story was officially recognized at the launch ceremony last year by former Deputy Prime Minister, the Hon Tim Fischer.

Gordon and his wife Suzanne have resided in Mosman for over 40 years. Gordon is an active member of the Mosman Historical Society, a decorated Vietnam veteran and a regular motivational speaker at the Royal Military College, Duntroon.

Ella Spencer is in her final year at Northern Beaches Selective High School after completing primary school at Marist, Sacred Heart. In 2017, Ella received a Diamond Award in recognition of her student volunteering efforts. In 2018, Ella was selected to participate in the UN Youth Australia State Conference and the NSW Evatt debating and diplomacy competition. Ella has been the runner up in the North Sydney Youth Literature Award. Ella is a member of Mosman Girl Guides, Mosman Community Garden and is currently the Hon Member for the North Shore in the YMCA Youth Parliament NSW.

Since 1981, Mosman has recognised the significant contribution of citizens of Mosman. Both Gordon and Ella are exceptionally worthy recipients and I ask you to join with me in acknowledging their achievements and congratulating them for their service to the Mosman community.
RECOMMENDATION

That the Mayoral Minute be noted.

MAYORAL MINUTE

Last November, Councillors attended an LEP/DCP Strategic Planning Review workshop.

One outcome from the workshop was that Council Planning Staff were asked to review the DCP to ensure our existing controls adequately protect and preserve the heritage conservation of the shopping strip on Military Road between Spit Junction and Mosman Junction.

This area of Mosman, universally referred to as ‘the village’ has, in places, a unique and aesthetically significant Federation streetscape and historically significant Inter War buildings.

In order to preserve and protect this streetscape, it is my intention to seek an increase in the funding allocated to the Heritage Assistance Fund, with the focus of that increased funding to be specifically allocated to the Military Road streetscape.

This fund is currently $30,000 a year and I propose, with Council’s support, to increase funding to $60,000 in 2019 with a further review of the funding allocation in 2020.

The General Manager and Director Environment & Planning were both consulted on this proposal. The General Manager states that funding can be sourced from the current operating budget without adversely affecting our year-end financial result compared to projected budget.

The additional funding will further incentivise current shop and property owners to refurbish or renew existing heritage properties in a manner, including using a pre-determined colour palate, that is totally sympathetic to the heritage controls.

The on-going capital works program to improve the Military Road streetscape will continue with a particular focus on bringing colour and flowers to the area, so that the combined effect, over time, will result in a visually more pleasing, aesthetically significant premier shopping precinct with enhanced resident and pedestrian amenity.
7. ADJOURNED ITEMS FROM 4 DECEMBER 2018


RESPONSIBLE OFFICER: Manager Environment and Open Space

EXECUTIVE SUMMARY

Car share is a long term strategy to offer alternatives of transport other than cars and potentially free up parking. In 2016 Council adopted a car share policy that does not exclude or favour any car share operator and which only relates to designated car share spaces.

In 2018 Council resolved to update the Policy and undertake an Expression of Interest for car share spaces in Mosman.

The Policy has been updated and in accordance with the resolution, Council staff have contacted all known car share operators in Sydney. Several operators have contacted Council with interest and subject to it being approved, these will be assessed in accordance with the updated Policy.

OFFICER'S RECOMMENDATION

The Manager Environment and Open Space recommends that:

1. The updated Car Share Policy as attached to Councillors' Business Papers be adopted.
2. That the changes to fees and charges be placed on public exhibition during the 2019/2020 Budget process.

Background

On 5 June 2018 Council considered a report regarding car share and resolved the following:

1. Council’s Car Share Policy be updated to include the following objectives:
   a) To support the use of car share within Mosman
   b) To achieve an appropriate balance of public car spaces and designated car share spaces within Mosman
   c) To allow for multiple operators access to appropriately designated car share spaces within Mosman
   d) To ensure that Council balance the desire for designated car share spaces with the use of Council property for commercial operation.

2. Council contact car share operators seeking expressions of interest for car share spaces in Mosman. The outcome and assessment of the expression be reported back to Council.

Current Position

In regard to Resolution (1) Council implemented the Car Share Policy in July 2016. The Policy was developed using best practice and other councils’ car share policies. An updated Policy has now been prepared in accordance with the above resolution.

The following key changes have been made:
a) A 200m minimum walking distance be applied between designated car share spaces.

To effectively control the installation of car share spaces, restrictions have been placed on locations where they can be installed. These have worked effectively since only one operator took up spaces. Given the increase in operators a new restriction is now proposed and seeks to limit spaces with a 200m walking distance. Additionally to ensure that car share owners do not control the more attractive locations, a three year limit is applied to spaces. The following wording has been added:

“In an attempt to ensure multiple car share providers are provided with an opportunity to expand within the Mosman LGA each designated car share space will be assigned to a provider for a three-year period. After the three-year period all eligible providers will be given the opportunity to apply for the available spaces. Allocation of these spaces will be based on membership numbers.”

b) Car share providers must have at least one floating car and a minimum of 25 members within the Mosman LGA before they are eligible for a designated car share space. This is not to exclude operators but to maximise the use of the designated car space.

c) Fees and charges are proposed to be amended for 2019/2020 as detailed below.

There is a considerable amount of work assessing applications and accordingly fees have been adjusted. When comparing neighbouring councils - North Sydney, Willoughby and Northern Beaches – the proposed amount is considered consistent.

<table>
<thead>
<tr>
<th></th>
<th>Existing</th>
<th>Proposed</th>
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</thead>
<tbody>
<tr>
<td>Application Fee</td>
<td>$728</td>
<td>$1499</td>
</tr>
<tr>
<td>Annual Fee</td>
<td>$372</td>
<td>$986</td>
</tr>
</tbody>
</table>

A model whereby designated car spaces for car share operators are shared was considered. However given there is only one operator at this time this was not pursued as it would have an impact on the fee. This will be reviewed again in the next iteration of the Policy once other operators have taken up spaces in Mosman.

In regards to Resolution (2), an expression of interest has been conducted. In September 2018 Council wrote to all car share operators in Sydney requesting an expression of interest regarding designated car share spaces within the Mosman LGA. There are five known car share operators in Sydney – GoGet, Green Share Car, Hertz 24/7, Flexicar and PopCar.

Three companies responded including GoGet, PopCar and Flexicar. Following the expression of interest both PopCar and Flexicar were contacted to explain Council’s current process with both providers encouraged to establish floating cars within Mosman and complete the relevant application form for designated car share spaces in Mosman.

PopCar have responded and recently applied for ten designated car share spaces. GoGet have also recently applied for a further six designated spaces. Council staff are currently reviewing these applications and they will be assessed in accordance with the Policy.

**Relationship with MOSPLAN**

Car share falls under *Strategic Direction 6 – Well Designed, Liveable and Accessible Places.*
Comment

It is considered the changes to the Policy will further enhance the ability of other car share operators to take up spaces in Mosman. Further, the changes to fees are more reflective of the market and the cost to administer these spaces.

Recommended Action

It is proposed that the updated Car Share Policy be adopted and that the changes to fees and charges as shown in this report be placed on public exhibition during Council’s 2019/2020 annual fee and charges update process.

Recommendation endorsed by Director Environment and Planning.

ATTACHMENTS

Circulations

- Car Share Policy
NOTICE OF MOTION

Council writes to NSW Premier congratulating her government on Beaches Link plans and encouraging of construction work to commencing early 2019.
NOTICE OF MOTION

That Council:

A. Reintroduces monthly DA planning compliance reports, effective 1 December 2018.

B. Brings back a report on the most effective measures and reports for monitoring of DA planning outcomes, considering leading practices in other councils.

C. Ensures that all Council documentation accurately reflects MDAP ending and MLPP being imposed.

Commentary

1. Council used to get a monthly report on DAs that were non-compliant with numerical controls. When Council-controlled MDAP was replaced by state-controlled MLPP, Council opted to cease these monthly DA reports at the meeting of 6 March 2018.

2. The removal of elected Council control over local DA decisions, coming on top of other planning changes imposed by the state government, has led to a weakening of the local planning system, based on resident feedback and experience. MLPP is state-controlled, but the state has no local presence in Mosman. The elected Mosman Council has local presence and accountability but now has no control over local DA decisions – even for proposed developments on public land.

3. Effective planning is important for Mosman and our community. Planning is a core function of Council. Achieving DA planning outcomes that are in the long-term interests of the community is, and will continue to be, a challenge.

4. This motion seeks to increase the oversight of DA planning by the elected Council. Investigation of options to strengthen Mosman’s planning instruments (the Local Environmental Plan and Development Control Plans) is also in progress.
NOTICE OF MOTION

That Council:

A. Notify the State Government by the 1st of January 2019 that Mosman Council are electing to opt into the State’s new system allowing Councils to reduce the quantum of level 2 parking fines, and 10 minute grace periods for those who have paid for an hour or more in the zones subject to this policy.

B. On acceptance into the scheme notify residents and rangers of the new 10 minute grace period before issuing infringements at metered parking spots.

C. Administration notify Councillors of proposals involving changes to the parking infringement and enforcement issued by the State Government.

Background

A more holistic approach is needed so residents are given a fair go should they be a few minutes late. Council’s strategy on infringements should not just be using the blunt instrument of monetary penalties rather the policy should be concentrating on regulating and managing parking.

See the attached circular from the State on the proposed changes:

Notice of Motion: Strategic Technology and Innovation for Mosman Council

SUBMITTED BY: Councillor Sherlock

MOSPLAN REF: Strategic Direction 5 – A Business-Friendly Community with Sound, Independent Civic Leadership

NOTICE OF MOTION

That Mosman Council prepare a report to Councillors on:

1. The state of technology and innovation in Mosman Council, referencing example technologies that have been deployed.

2. A high-level summary of opportunities and direction for the future.

3. Alignment of these efforts with state plans and collaboration with other councils.

Background:

1. Mosman, as a right-sized community-focused council, is able to be nimble and innovate much faster than some much larger and more bureaucratic councils and the state government.

2. Examples of this include the Park Mosman app, the award-winning MyMosman app, the parking sensors, on-line parking permits and the provision of public WiFi in our commercial centres.

3. This report aims to provide Councillors and the community with insight into how technology-enabled innovation is being used to re-shape Mosman Council and improve service delivery.

4. Technology planning and application is generally in the area of operations, managed by the General Manager. However, the use of technology-enabled innovation is intrinsic to effective delivery of MosPlan and community services.
Notice of Motion: Street Lighting Energy Reduction

SUBMITTED BY: Councillor Sherlock

MOSPLAN REF: Strategic Direction 3 – An Attractive and Sustainable Environment

NOTICE OF MOTION

That Council:

A. Investigates options to reduce the costs and greenhouse emissions associated with running inefficient fluorescent or sodium or similar technology lights on non-renewable energy.

B. Reports on the options and a recommended option, considering both costs and emissions, and leading practices in other councils and similar organisations.

Commentary

1. Council has looked at both renewable energy for street lighting and options for LED street lighting before; but the technology and the commercial energy markets and the position of Ausgrid have all changed significantly.

2. Council could potentially reduce both costs and emissions by moving to LED street lighting, as other councils have done – such as the City of Sydney in this August 2018 article in the SMH: “New LED Street lights to cut Sydney rates by more than $1m a year”. https://www.smh.com.au/national/nsw/led-street-lights-sydney-council-clover-20180815-p4zx4.html

3. At the Mosman Council meeting of 7 July 2015, street lighting reform was considered.

   From the Council website:

   “A report was presented that considered the possible exposure of Council to a monopoly service provider as a result of the proposed privatisation of Ausgrid. It was resolved that the Mayor write to the Premier, highlighting the need for street lighting reform prior to the privatisation of Ausgrid and identifying opportunities to improve efficiency and service levels in relation to street lighting.”

   50.4% of Ausgrid monopoly was sold by the state government in 2016.

4. A quick check of the street lighting in Warringah Road and Spit Road where I live seems to indicate that not one of 21 street lights checked is LED.
8. COMMUNITY DEVELOPMENT DEPARTMENT REPORTS

CD/1 Festival of Mosman 2019

RESPONSIBLE OFFICER: Manager Communications

EXECUTIVE SUMMARY

Proposed draft program for the 2019 Festival of Mosman to be held in October.

OFFICER'S RECOMMENDATION

The Manager Communications recommends that:

1. The 2019 Festival of Mosman be held from Friday 18 to Sunday 27 October 2019.
2. The 2019 Festival of Mosman draft program outlined in this report be endorsed, including:
   - Council run events: Pet's Day Out, Children’s Fair, Spring Dance Party for seniors, October night market, Dinner on the Green, Mosman Art Prize, concerts, exhibitions and community activities.
   - Events organised by Mosman-based community groups and organisations.
3. The next ‘Out & About’ event series be held in October 2020.
4. Appropriate funding for the 2019 Festival of Mosman be referred for consideration in Council's draft 2019/20 Budget.

Background

Mosman has celebrated its community and place for many years through the vibrant and engaging Festival of Mosman, which aims to unite residents and visitors while showcasing the best of the area.

The Festival has been held in its current form every second year since 2011. The Out & About series of events is held in alternate years during Spring, and the popular Pet's Day Out and Children's Fair events are held annually.

Each Festival of Mosman is centred around a unique theme. Council resolved at the 6 February 2018 meeting that the theme of the 2019 Festival will be Celebrating Mosman, our community and culture.

2017 Festival of Mosman

The 2017 Festival of Mosman was held from Friday 13 to Sunday 22 October 2017 with the theme Living Mosman, celebrating and promoting Mosman’s unique community and identity.

The Festival was a great success. It promoted community spirit through a variety of 50 community and Council events that covered a wide range of interests, including movie screenings, art exhibitions, performances, talks, and activities involving history and heritage, shopping, sports, sustainability, pets and the environment.
Key events at the 2017 Festival of Mosman included:

- 70th Mosman Art Prize
- Ancient Whale Dreaming Ceremony
- A Plastic Ocean
- Creative Drawing on Sydney Ferries
- Festival Cinema under the Stars
- Festival Opening Concert
- HMAS Penguin Freedom of Entry
- Market for your Mind
- Pet’s Day Out
- Public Art Program
- Shark in a Bus

Strong attendances were recorded across the Festival events, with an estimated 20,000 people attending altogether. This was despite inclement weather affecting several events.

2018 Out & About

The most recent Out & About series of Spring outdoor events was held from Friday 19 to Sunday 27 October 2018. It featured two outdoor concert performances at Balmoral beach, ‘Classical Sounds by the Beach’ and ‘Concert by the Beach’, and an outdoor cinema screening at Mosman Village Green. A second movie screening was cancelled due to inclement weather.

The 2018 Out & About events attracted record crowds, with more than 7,000 attendees altogether.

Current Position

It is proposed that the 2019 Festival of Mosman be run from Friday 18 to Sunday 27 October 2019, and key events follow the theme endorsed by Council: *Celebrating Mosman, our community and culture*.

It is also proposed that the 2019 Festival build on the success of the 2017 Festival while meeting key outcomes such as delivery on time, within budget and at a variety of venues across Mosman.

The goals for the 2019 Festival of Mosman are as follows:

5. Deliver a Festival with the theme *Celebrating Mosman, our community and culture*.
6. Celebrate Mosman and the Mosman community.
7. Enhance opportunities for Mosman based businesses and enterprises.
8. Profile and link key community assets within Mosman.
10. Conduct all activities in a sustainable way.
11. Reflect the lifestyle in Mosman with a focus on recreation, food and the natural environment.

Proposed Program of Events

It is proposed that the 2019 Festival of Mosman include the following:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Location</th>
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<tbody>
<tr>
<td>Wednesday 11 September – Sunday 27 October</td>
<td>Mosman Art Prize</td>
<td>Mosman Art Gallery</td>
</tr>
<tr>
<td>Friday 18 - Sunday 27 October</td>
<td>Public Art Program - Friendship City Exchange Project</td>
<td>Mosman Art Gallery</td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
<td>Location</td>
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</tr>
<tr>
<td>Friday 18 - Sunday 27 October</td>
<td>Public Art Program – In Profile (local artist) and The Cube (new technologies) exhibitions.</td>
<td>Mosman Art Gallery</td>
</tr>
<tr>
<td>Friday 18 October 6-8.30pm</td>
<td>Festival Opening Concert</td>
<td>Balmoral Rotunda and Reserve</td>
</tr>
<tr>
<td>Saturday 19 October 7.30–11pm</td>
<td>Festival Cinema Under the Stars (movie marathon)</td>
<td>Mosman Village Green</td>
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<tr>
<td>Sunday 20 October 6.30–9.30pm</td>
<td>Dinner on the Green</td>
<td>Mosman Village Green</td>
</tr>
<tr>
<td>Tuesday 22 October 4-6pm</td>
<td>Spring Dance</td>
<td>Seniors Centre</td>
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<tr>
<td>Wednesday 23 October 6-8.30pm</td>
<td>Indigenous Sunset Ceremony</td>
<td>Balmoral Beach</td>
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<tr>
<td>Thursday 24 October 10.30-11am</td>
<td>Storytime with local author Anne Helen Donnelly</td>
<td>Barry O'Keefe Library</td>
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<tr>
<td>Thursday 24 October 4.30-9pm</td>
<td>October Night Market</td>
<td>Mosman Square</td>
</tr>
<tr>
<td>Friday 25 October 10am-12pm</td>
<td>Children’s Fair</td>
<td>Allan Border Oval Reserve</td>
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<tr>
<td>Friday 25 October 5-8.30pm</td>
<td>Concert by the Beach</td>
<td>Balmoral Rotunda and Reserve</td>
</tr>
<tr>
<td>Saturday 26 October 9am-12pm</td>
<td>Drawn to Nature with Patrick Shirvington</td>
<td>Parriwi Park</td>
</tr>
<tr>
<td>Saturday 26 October 7.30–9pm</td>
<td>Festival Cinema Under the Stars</td>
<td>Mosman Village Green</td>
</tr>
<tr>
<td>Sunday, 27 October 10am–2pm</td>
<td>Pet’s Day Out</td>
<td>Mosman Square and Village Green</td>
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</table>

Other programs and activities that complement the theme *Celebrating Mosman, our community and culture*, will be included in the program including the Combined Schools Art Exhibition at Barry O’Keefe Library, open to the public from Monday 21 October.

It is also noted that the date proposed by the organisers for Hunter Valley Uncorked is Sunday 20 October, and subject to formal approval of the relevant event application, it can be added to the Festival program.

Additional events with dates and details yet to be finalised, such as snorkelling at Chowder Bay hosted by Council’s Environment and Open Space team, will also promote sustainability and celebrate Mosman’s natural environment.

It is also proposed that the 2019 Festival also incorporate events organised by local community groups. Staff will work with schools, community and business groups as well as cultural stakeholders in Mosman including Sydney Harbour Federation Trust, NSW National Parks and Wildlife Service, HMAS Penguin, Sydney Institute of Marine Science and Taronga Zoo, to celebrate Mosman’s heritage, environment and community lifestyle. Collaboration with the Mosman Chamber of Commerce will also be important, to provide avenues and opportunities for local businesses and retailers to be involved.

**Festival Promotion**

It is proposed that the 2019 Festival of Mosman be promoted through a variety of channels including production of a printed program, the Mosman Now newsletter, banners and posters at key locations, a dedicated microsite, the MyMosman app, social media channels and a media partnership with the *Mosman Daily*. 
Information and programs can also be distributed on the Mosman Bay and Taronga Zoo Ferries, continuing the established relationship with Sydney Ferries.

In keeping with the 2017 Festival of Mosman, the 2019 Festival will be promoted primarily within the Mosman local government area.

Consultation

Staff from across Council have been involved in developing the proposed 2019 Festival of Mosman program.

Community feedback on activation of nightlife in Mosman, received in the lead up to the adoption of MOSPLAN 2018-2028, has also been taken into consideration and as a result more Festival events are proposed to be staged in the evenings.

Financial Implications

The allocation of funding for the 2019 Festival will be referred for consideration in Council's draft 2019/20 Budget. In 2017, $108,000 was allocated by Council to deliver the full Festival program. Funding for the 2019 Festival will be required to cover the following costs:

- Event expenditure for Council-run events
- Marketing and promotion
- Insurance, licenses, staffing and contingency

Sponsorship and Partnerships

As part of ongoing planning, staff will be looking to further develop key partnerships and relationships with local organisations and stakeholders for the 2019 Festival, including the long-standing relationship with the Mosman Daily as Festival Media Partner.

Relationship with MOSPLAN

The Festival of Mosman supports the following Strategic Directions of MOSPLAN:

- Strategic Direction 1 – A Caring and Inclusive Community
- Strategic Direction 2 – A Culturally Rich and Vibrant Community, and
- Strategic Direction 3 – A Healthy and Active Village Lifestyle

Comment

Planning is well underway to deliver an exciting and engaging 2019 Festival of Mosman program. Council's endorsement of the proposed activities is sought to enable detailed planning and preparation.

In accordance with previous practice a report outlining the 2019 Festival of Mosman achievements and outcomes will be prepared for consideration at the February 2020 Council meeting.

Recommended Action

It is proposed that the 2019 Festival of Mosman draft program of events as outlined in this report be endorsed. The allocation of funding for the 2019 Festival of Mosman will be referred for consideration in Council's draft 2019/20 Budget.
It is also proposed to continue with the Out & About series of Spring events in alternate years to the Festival, with the next Out & About to be held in October 2020.

Recommendation endorsed by Director Community Development.
CD/2 Minutes of Community Consultative Committee Meetings

RESPONSIBLE OFFICER: Director Community Development

EXECUTIVE SUMMARY

Minutes of the meetings of Community Consultative Committees are submitted to Council in accordance with Committee Charters.

OFFICER’S RECOMMENDATION

The Director Community Development recommends that:

1. The Minutes of the Meetings of the Art and Culture Community Consultative Committee held on 15 November 2018, the Access and Mobility Community Consultative Committee held on 20 November 2018, and the Active Transport Working Group held on 5 December 2018 be received and noted.

2. The issue of future funding for air conditioning works at Mosman Art Gallery and Community Centre be considered as part of Council’s 2019/20 budget development process.

Background

Each Community Consultative Committee’s Charter outlines its respective purpose and function. Minutes of Committee meetings are provided to Council for information and, where appropriate, advice and recommendations.

Current Position

The Minutes of the Art and Culture Community Consultative Committee held on 15 November 2018, the Access and Mobility Community Consultative Committee held on 20 November 2018, and the Active Transport Working Group held on 5 December 2018 are circulated with this report for Council’s information.

Comment

It is noted that the Minutes of the Arts and Culture Committee meeting contain a recommendation that Council commission a report on the feasibility and costs of providing air conditioning in the Grand Hall of Mosman Art Gallery and Community Centre in the 2019/20 financial year, with a view to considering capital funding in 2020/21. In this regard the Manager Engineering has advised that a preliminary feasibility review can be undertaken at minimal cost in the current financial year, however funds would be required to proceed to more detailed planning and design, if appropriate, in 2019/20. The relevant funding allocation, likely to be in the vicinity of $25,000, will therefore require consideration by Council alongside other funding priorities as part of the 2019/20 Budget development process.

Relationship with MOSPLAN

Strategic Direction 6 acknowledges the value of providing public infrastructure to enhance daily life, and this is affirmed in Strategic Direction 7 that sets out Council's desire to support active, healthy lifestyles. Strategic Direction 4 in MOSPLAN identifies the importance of actively involving the community in planning and delivering Mosman’s future and Strategic Direction 1 sets strategies aimed at support, inclusion, connection and embracing diversity.
Recommendation endorsed by General Manager.

ATTACHMENTS

Minute Book Attachments

- Minutes – Arts & Culture Community Consultative Committee Meeting 15 November 2018
- Minutes – Access & Mobility Community Consultative Committee Meeting 20 November 2018 & Mosman DIAP Outcomes Workshop Summary OCT2018
- Minutes – Active Transport Working Group 5 December 2018
EXECUTIVE SUMMARY


OFFICER’S RECOMMENDATION

The Director Community Development recommends that the report be noted.

Background

At the end of each quarter a report is provided on progress against the Delivery Program and Operational Plan adopted as part of Council's current Community Strategic Plan, MOSPLAN 2013-2023.

Current Position

The attached report is for the period October - December 2018. A report on the July - September 2018 period was previously provided to Council in November 2018.

Second quarter progress against all Projects in the Operational Plan for 2018/2019 has been reported on with traffic-light indicators, percentage completion and half-yearly commentary.

Results are also included for each of the performance indicators that can be effectively reported on quarterly; these will complemented by further indicators and yearly results in the Annual Report produced at the end of the current financial year. Draft targets for each indicator are currently being developed as part of the revised MOSPLAN Program to be considered by Council in early 2019.

Also included are the quarterly financial results, organised according to Council's seven Strategic Directions. This information can be cross-referenced against the Financial Statement to 30 December 2018, included as a separate report on this evening's Council Agenda.

Recommendation endorsed by General Manager.

ATTACHMENTS

Minute Book Attachments

- MOSPLAN Q2 Quarterly Report Table – October-December 2018
EXECUTIVE SUMMARY

Minutes of the 178th meeting of the Shorelink Library Network Committee

OFFICER'S RECOMMENDATION

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

Background

The 178th meeting of the Shorelink Library Network Committee was held at Lane Cove Library on Wednesday 14 November 2018 and the Minutes of the meeting are attached.

Current Position

The annual election of Shorelink office bearers was held, with Councillor Stephen Barbour being elected as Chairperson and Cr Libby Moline elected as Deputy Chairperson.

The Committee received and adopted the Shorelink Strategic Plan 2018-2021 which details five strategic objectives (Collaboration, Customer Experience, Innovation, Resourcing and Growth) with key performance indicators and time frames. Progress against targets and performance indicators is to be reported to the Committee.

The Committee resolved to enter into an extension of the contract with Aurora Information Technology for a further three years to continue the provision of the Library Management System under the current terms and conditions and including a reduction in prices under Local Government Contract 1906/0836-11.

The draft Shorelink Annual Report 2017-18 and the Network’s audited Financial Statements for the year ended 30 June 2018 were tabled and approved.

Relationship with MOSPLAN

Council’s ongoing involvement in and contribution to, the Shorelink Library Network relates to Strategic Direction 2 – A Culturally Rich and Vibrant Community, Strategic Direction 4 - An Informed and Engaged Community and Strategic Direction 5 – A Business Friendly Community with Sound, Independent Civic Leadership.

Recommended Action

That the minutes be received and noted.

Recommendation endorsed by Director Community Development.

ATTACHMENTS

Minute Book Attachments
- Minutes - Shorelink Library Network 178th Meeting 14 November 2019
9. CORPORATE SERVICES DEPARTMENT REPORTS

CS/1 Financial Statement to 31 December 2018

RESPONSIBLE OFFICER: Chief Financial Officer

EXECUTIVE SUMMARY

The Quarterly Budget Review Statement to 31 December 2018 indicates that Council is progressing satisfactorily in achieving its 2018/19 budget outcome.

OFFICER'S RECOMMENDATION

The Chief Financial Officer recommends that the Quarterly Budget Review Financial Statement for the period ended 31 December 2018 including the revised estimates contained within the Statement be adopted together with a transfer of $500,000 to the Capital Works Reserve.

Background

Clause 203 of the Local Government (General) Regulation 2005 requires that a quarterly budget review be considered by Council, which shows revised estimates for income and expenditure for the year, indicates whether Council's financial position is satisfactory and makes recommendations for remedial action where needed.

Current Position

A review of Council's financial position has been undertaken as at 31 December 2018. The review, as detailed in separate attachments to this report, discloses that Council will achieve a surplus before capital grants and contributions of $1,397,000 an improvement of $477,000.

Financial Implications

A number of significant changes have occurred since the September Quarter Financial Review improving the operating result before capital. These include:

| Legal Cost Recoupment – Amalgamation | $262,000 |
| Workers Compensation Performance incentives | $143,000 |
| BLine Reserve rental | $25,000 |

Additionally, there is a small number of other changes included in the attachments. In view of the favourable result is recommended that Council consider transferring $500,000 to the Capital Expenditure Reserve to provide a funding source for future works.

In regard to the 2018/19 Capital Works Program, adjustments are recommended for the Balmoral Childcare Centre and Alan Border Oval Pavilion works to align with the expected payment schedules and incorporate those changes into the 2019/20 Capital Works Program. Adjustments as detailed in the attachments have also been recommended for Balmoral Turning Boards, Lawrie Plunket Reserve and the Bathers Pavilion.
Relationship with MOSPLAN

The appropriate management of Council financial position supports Strategic Direction 5 - A Business-Friendly Community with Sound, Independent Civic Leadership.

Comment

The Chief Financial Officer confirms that the financial position of Council is satisfactory.

Recommended Action

The Chief Financial Officer recommends that the Quarterly Budget Review Financial Statement for the period ended 31 December 2018 including the revised estimates contained within the Statement be adopted together with a transfer of $500,000 to the Capital Works Reserve.

Recommendation endorsed by Director Corporate Services.

ATTACHMENTS

Minute Book Attachments

- Responsible Accounting Officer’s Statement
- Income and Expenses Budget Review Statement with recommended variations
- Capital Budget Review Statement with recommended variations
- Cash and Investments Budget Review Statement with variations and associated commentary
- Key Performance Indicator (KPI) Budget Review Statement
- Summary of Contracts entered into during the quarter and commentary
- Consultancy and Legal Expenses Statement
EXECUTIVE SUMMARY

The Schedule of Investments held by Council for the months of December 2018 and January 2019 are provided for adoption by Council.

OFFICER’S RECOMMENDATION

The Chief Financial Officer recommends that the Schedule of Investments for the months of December 2018 and January 2019 be adopted.

Background

In accordance with Clause 212 of the Local Government (General) Regulation 2005, a listing of all investments made in the preceding month pursuant to Section 625 of the Local Government Act 1993 (the Act) is provided for the information of Council.

Council’s surplus funds are invested in accordance with the Act and the Minister for Local Government’s Orders. Further, funds are placed to meet the requirements of Council’s adopted Financial Investments Policy. The Policy can be viewed on Council’s website at:


The Policy limits Council's investment practices as follows:

Credit Quality Limits

Credit guidelines reference Standard and Poors’ ratings systems. Moodys’ ratings or Fitch ratings are also used where available. The primary control of credit quality is the prudential supervision and government support and explicit guarantees of the Authorised Deposit Taking (ADI) sector, not credit ratings.

The amount invested in any Standard and Poors or equivalent rating category should not exceed the following:

<table>
<thead>
<tr>
<th>Long Term Rating (Standard &amp; Poors or equivalent)</th>
<th>Maximum Holding</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA Category</td>
<td>100%</td>
</tr>
<tr>
<td>AA Category</td>
<td>100%</td>
</tr>
<tr>
<td>A Category</td>
<td>60%</td>
</tr>
<tr>
<td>&lt;A but ≤ BBB</td>
<td>20%</td>
</tr>
<tr>
<td>Unrated - Subject to ADI Guarantee</td>
<td>10%</td>
</tr>
</tbody>
</table>

Any portion of an investment that is guaranteed by the Government of the Commonwealth of Australia is to be considered AAA rated.

Individual Institution Limits

The amount invested with any one institution should not exceed the following:
Individual Institution Limits

<table>
<thead>
<tr>
<th>Long Term Rating Range (Standard &amp; Poors or equivalent)</th>
<th>Short Term Rating</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA Category</td>
<td>A-1+</td>
<td>60%</td>
</tr>
<tr>
<td>Australian Majors (CBA, Westpac, ANZ, NAB)</td>
<td>A-1+</td>
<td>60%</td>
</tr>
<tr>
<td>AA Category</td>
<td>A-1+</td>
<td>30%</td>
</tr>
<tr>
<td>A Category</td>
<td>A-1</td>
<td>15%</td>
</tr>
<tr>
<td>≤ BBB Category</td>
<td>A-2</td>
<td>10%</td>
</tr>
<tr>
<td>Unrated Subject to ADI Guarantee</td>
<td>$250,000 Limit</td>
<td></td>
</tr>
</tbody>
</table>

The Schedule provides Council with details of each investment made, including:

- Date the investment was made
- Institution with whom the investment was placed
- Amount of the investment
- Yield expressed as an interest rate
- Comparative benchmark Bank Bill Reference Rate (BBSW)
- Number of days funds are invested
- Maturity date

Financial Implications

Investments are made in accordance with the Act and Regulations, having regard to Council's Policy. The interest rates achieved represent the best available in meeting the imposed limitations and the rates available on the open market on the day of the investment. If there are significant movements in rates offered any impact will be incorporated in the next quarterly financial budget review.

Relationship with MOSPLAN

The appropriate management of Council investments supports Strategic Direction 5 - A Business-Friendly Community with Sound, Independent Civic Leadership.

Comment

Council’s Chief Financial Officer certifies that the investments have been made in accordance with Section 625 of the Local Government Act 1993, Local Government (General) Regulation 2005 - Section 212 and Council's Financial Investment Policy. The Investment Schedule for the month of November 2018 is attached.

Recommended Action

That the Schedules of Investments be adopted.

Recommendation endorsed by Director Corporate Services.

ATTACHMENTS

Minute Book Attachments

- Schedule of Investments for the month of December 2018
- Schedule of Investments for the month of January 2019 (To be distributed as Late Correspondence)
EXECUTIVE SUMMARY


OFFICER’S RECOMMENDATION

The Manager Governance recommends that the new 2018 Model Code of Conduct for Local Councils in NSW and incorporating Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW as prescribed under the Local Government (General) Regulation 2005, and amended by referencing the Protocol for interaction between Councillors and Staff under Parts 7, 8 and 9 of the Code and insertion of supplementary clause 6.16 to the Code (prohibiting staff acceptance of token gifts and benefits), be adopted pursuant to Section 440 of the Local Government Act 1993.

Background

Councillors were advised by memorandum of the Acting Director Corporate Services dated 4 September 2018 that the Minister for Local Government had announced that a new 2018 Model Code of Conduct for Local Councils in NSW and associated procedures would shortly be prescribed and that a report would be submitted to Council upon prescription to adopt a Model Code of Conduct and associated Procedures.

The Office of Local Government by way of Circular No 18-44 dated 18 December 2018 advised that the new 2018 Model Code of Conduct for Local Councils in NSW (“Model Code”) and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (“Procedures”) were prescribed under the Local Government (General) Regulation 2005 (“Regulation”) on 14 December 2018.

This follows a review of the Model Code commenced in 2016 which gives effect to a key reform made by amendments passed by the NSW Parliament to consolidate the prescription of all ethical standards for local government into a single statutory instrument. Previously, ethical standards were prescribed from three sources, the pecuniary Interest provisions of the Local Government Act 1993 (“LGA”) and the Regulation and the Model Code.

The rationale for consolidating all ethical standards into a single instrument was to:

- achieve a better understanding of, and compliance, with ethical standards - council officials will no longer need to be familiar with their obligations prescribed from three separate statutory sources, the LGA, the Regulation and the Model Code

- allow pecuniary interest breaches by councillors to be treated as “misconduct”, meaning that minor breaches can be dealt with by the Chief Executive of OLG as an alternative to referral to the NSW Civil and Administrative Tribunal (NCAT) and suspensions for pecuniary interest breaches will be counted towards disqualification for the purposes of the “three strikes” automatic disqualification
allow greater flexibility and efficiency in updating the standards to address emerging issues – amendments will now be able to be made by way of a Regulation amendment

Moving the pecuniary interest provisions to the Model Code necessitated a rewrite of the Model Code. It was also decided to undertake a comprehensive review of the existing provisions of the Model Code (as part of the regular four-year review cycle) and the Procedures.

Current Position

Under the transitional provisions, Council has until 14 June 2019 to adopt a code of conduct and procedures based on the prescribed Model Code and Procedures and inform its conduct reviewers.

In adopting a new code of conduct and procedures, Council may include provisions that are supplementary to those contained in the Model Code of and Procedures. Council may also impose more onerous requirements under its adopted code of conduct than those prescribed under the Model Code. However, Council must not dilute the standards prescribed under the Model Code in its adopted code of conduct.

Council may extend the application of the Model Code and Procedures to persons other than councillors, council staff and delegates of Council. Council may extend their application to contractors, community members of wholly advisory committees and/or volunteers. In doing so, to be effective, councils will also need to make it a condition of a contractor’s engagement or volunteer’s or advisory committee member’s appointment that they comply with the Council’s adopted code of conduct.

Key Changes to the Model Code and Procedures

The main changes to the Model Code focus on the pecuniary interest provisions previously contained in the LGA and Regulation that have now been included in the Model Code. The Model Code has moved away from a “principles-based” approach to prescribing ethical and behavioural standards which engendered vagueness and meant that almost anything could potentially constitute a breach of the Model Code. The new Model Code is more prescriptive and more clearly identifies the behaviours that it seeks to deter.

Other key changes include:

- new standards relating to discrimination and harassment, bullying, work health and safety, behaviour at meetings, access to information and maintenance of council records
- new rules governing the acceptance of gifts including mandatory reporting
- a new ongoing disclosure requirement for councillors and designated persons
- requiring disclosure of new interests in returns of interests within three months of becoming aware of them
- councillors will be required to disclose in their returns of interests whether they are a property developer or a close associate of a property developer

Changes have been made to the Procedures to address the following issues:

- the role of the general manager in the receipt and initial management of code of conduct complaints about councillors by giving general managers (and mayors in the case of
complaints about the general manager) the flexibility to delegate their functions under the Procedures to another member of staff or a person external to the council.

- the ability of complainants, who are unhappy with decisions of the council, to misuse councils' codes of conduct by repackaging routine complaints as “code of conduct complaints”. The definition of a “code of conduct complaint” has been tightened up to address the potential for misuse of councils’ codes of conduct to re-litigate council decisions a person may disagree with or to re-prosecute complaints that have previously been addressed under councils' routine complaints management processes.

- the lack of recourse against members of the public who inappropriately disclose information about complaints they have made under a council’s code of conduct. Where members of the public publicly disclose information about a code of conduct complaint they have made, general managers can determine, with OLG’s consent, that the complainant is to receive no further information about their complaint and any future code of conduct complaints they make (subject to the requirements of the Government Information (Public Access) Act 2009).

- allowing councils to centralise the management of code of conduct complaints through a joint organisation, a regional organisation of councils or another shared arrangement should they choose to do so. (On 3 April 2018 Council resolved to appoint the Northern Sydney Regional Organisation of Council’s (NSROC) Regional Panel of Conduct Reviewers as Mosman Council’s Conduct Review Panel for the remaining term of Council).

Relationship with MOSPLAN

Strategic Direction 5 - A Business-Friendly Community with Sound, Independent Civic Leadership supports good governance, customer service and communication with contemporary policies, systems and processes. Review and adoption of the new Model Code and Procedures is related.

Comment

Council’s current adopted Code and Procedures include the following supplementary provisions to those contained in the previous Model Code and Procedures:

- Protocol for interaction between Councillors and Staff (Annexure 1)
- Conduct Review Committee Charter (Annexure 2)
- Notwithstanding the provisions of Part 5 (Personal Benefit) of the Code which allows acceptance of token gifts and benefits, Council staff and volunteers may not accept any gift or benefit outside of Council’s Gift and Benefits Policy for Staff and Volunteers which applies the higher standard of prohibiting acceptance of token gifts and benefits (Clause 5.8 of the Code)
- Reference to human resources policies (principally the Dismissal Policy) to adequately document the consequences of a breach of the Code of Conduct (Clauses 5.4 and 5.5 of Procedures)

It is proposed to no longer retain the Protocol for interaction between Councillors and Staff as a supplementary provision to the new Model Code by way of annexure. Rather, to continue to provide clarity on interactions, it is proposed to simply reference the Protocol under those parts of the Code which relate to the Protocol – Part 7 (Relationships between Council Officials); Part 8 (Access to Information and Council Resources); and Part 9 (Maintaining the Integrity of this Code) to acknowledge the higher standards provided for in the Protocol. A copy of the Protocol is attached.

As Council now utilises the NSROC Regional Panel of Conduct Reviewers as Mosman Council’s Conduct Review Panel, the Conduct Review Committee Charter is now redundant.
It is also proposed to retain the higher standard in relation to the prohibition on the acceptance of token gifts and benefits by staff, however the reference to “volunteers” under the gifts and benefits provisions in the adopted Code as “Council officials” should be discontinued and Council’s Gift and Benefits Policy for Staff and Volunteers be reviewed for the reasons below.

The Model Code and Procedures applies to “Council officials” being councillors, staff, Council Committee members, delegates of Council (and Council advisers in relation to disclosing pecuniary interests at Council or Committee meetings). It is not proposed to extend the application of the Model Code recommended for adoption to persons that are not “Council officials”. Rather it is proposed to assess the need and merit for a separate Code of Conduct for Council’s contractors, advisory group community members and volunteers. Should this assessment find Council’s governance framework would benefit from the application of a Code to such persons without impacting their engagement and operation, a draft Code and Procedures will be developed for further report to Council. Council’s Gift and Benefits Policy for Staff and Volunteers will be reviewed in the light of that assessment.

As human resource issues are adequately dealt with by industrial agreements and contracts, the referenced human resources policies have been discontinued. Accordingly, the cross-reference to human resources policies to document the consequences of a breach of the Model Code under Clauses 5.4 and 5.5 of the current Procedures is now redundant.

Recommended Action

The new 2018 Model Code and Procedures prescribed under the Regulation as attached be amended as follows and adopted:

- Reference Council’s Protocol for interaction between Councillors and Staff under Parts 7, 8 and 9 of the Code

- Inserting supplementary clause 6.16 under Part 6 (Personal Benefit) of the Code, as follows:

  **Mosman Council’s Gift and Benefit Standard**

  6.16 Notwithstanding clauses 6.1 to 6.15 Council staff must not accept any gift or benefit other than that provided in Council’s Gift and Benefit Policy for Staff and Volunteers.

Part 3 of the Procedures provides for the appointment of members of staff other than the General Manager to act as a complaints coordinator and alternate complaints coordinator. The General Manager has previously appointed the Director Corporate Services/Public Officer as complaints coordinator and the Manager Governance as alternate complaints coordinator. It is confirmed that these appointment will remain under the proposed new adopted Code and Procedures.

Following adoption of the Model Code and Procedures as recommended, the NSROC Regional Panel of Conduct Reviewers will be informed.

Recommendation endorsed by Director Corporate Services.

ATTACHMENTS

Circulations

- 2018 Model Code of Conduct and Procedures
- Protocol for interaction between Councillors and Staff
10. ENVIRONMENT AND PLANNING DEPARTMENT REPORTS

EP/1 TR/27 Military Road M30 Layover

RESPONSIBLE OFFICER: Director Environment and Planning

EXECUTIVE SUMMARY

In accordance with the operation and delegation of the Traffic Committee, item TR/27 Military Road - M30 Layover has been deferred until the impacts on the Military Road shops are assessed. This report recommends that the existing M30 layover on Military Road be removed and 1 hour parking be installed. The report is attached to Councillors' business papers.

OFFICER'S RECOMMENDATION

The Director Environment and Planning recommends that the Officer's Recommendation as detailed in the report for item TR/27 Military Road - M30 Layover be adopted.

Background

Pursuant to Section 377 and 379 of the Local Government Act 1993, as amended and in accordance with that Section, the power to resolve upon any matter submitted for consideration by the Traffic Committee is delegated to the Chair, the General Manager, the representatives of the Mosman Police, the Roads and Maritime Services (RMS) and the Local State Member or nominee provided that:

1. The Recommendation is unanimous.

2. There is at least a representative from Council (the Chair), and the Mosman Police present.

3. The recommendation of the Committee is generally in accordance with the recommendation of the staff making the recommendation.

4. No written objection has been received from the RMS prior to the commencement of the meeting.

5. The item on the agenda has not been called to the next Council meeting by Councillor prior to the commencement of the meeting (Councillors must notify the General Manager and Director Environment and Planning in writing or by email of their intention to call an item prior to the meeting).

6. Business papers have been distributed to all members and Councillors prior to the meeting.

In the event that the above provisions are not satisfied in respect to any matter, the decision taken at the Committee shall be a recommendation to the Council and not a resolution by delegation.

In regard to TR/27 Military Road - M30 Layover, this matter was deferred and accordingly is referred to Council for determination.
TR/27 Military Road - M30 Layover was considered at the Traffic Committee meeting of 12 December 2018. At that meeting, the Officer's recommendation was:

"The Manager Engineering recommends that the existing M30 layover on Military Road be removed and 1 hour parking be installed."

And the Traffic Committee recommendation was:

"TRAFFIC COMMITTEE RECOMMENDATION

Motion Cook/Mackenzie
That the Committee notes the STA request to maintain this bus stop but this matter be deferred until the impacts on the Military Road shops are assessed. The matter be reported to the next available Traffic Committee.
CARRIED UNANIMOUSLY"

Recommendation endorsed by General Manager.

A copy of the report is attached to Councillors' business papers.

ATTACHMENTS

Circulations

EXECUTIVE SUMMARY

The Minutes from the Local Traffic Committee Meeting of 12 December 2018. Where items have been unanimously adopted by the members, the Committee has delegation to action. Where there is not unanimous support or the matter has been called by a Councillor, the matter is reported to the next available Council meeting for determination.

The following items have been resolved:

TR/25 – No Right Turn from Avenue Road into Military Road
TR/26 – Special Event Traffic Management – Harbour Street Party
TR/28 – Thompson Street – Part Time Bus Stop Restriction
TR/29 – King Max Street – Parking Modifications

OFFICER’S RECOMMENDATION

The Director Environment and Planning recommends that the Minutes of the Local Traffic Committee Meeting held on 12 December 2018 be noted.

Report

The Minutes of the Traffic Committee meeting held on 12 December 2018 have been circulated with this report for the information of Council and contain all the matters that were resolved by delegated authority.

Pursuant to Section 377 and 379 of the Local Government Act 1993, as amended and in accordance with that Section, the power to resolve upon any matter submitted for consideration by the Traffic Committee is delegated to the Chair, the General Manager, the representatives of the Mosman Police, the Roads and Maritime Services (RMS) and the Local State Member or nominee provided that:

1. The Recommendation is unanimous.
2. There is at least a representative from Council (the Chair), and the Mosman Police present.
3. The recommendation of the Committee is generally in accordance with the recommendation of the staff making the recommendation.
4. No written objection has been received from the RMS prior to the commencement of the meeting.
5. The item on the agenda has not been called to the next Council meeting by Councillor prior to the commencement of the meeting (Councillors must notify the General Manager and Director Environment and Planning in writing or by email of their intention to call an item prior to the meeting).
6. Business papers have been distributed to all members and Councillors prior to the meeting.
In the event that the above provisions are not satisfied in respect to any matter, the decision taken at the Committee shall be a recommendation to the Council and not a resolution by delegation.

Recommendation endorsed by General Manager.

ATTACHMENTS

Circulations

- Minutes of the Traffic Committee Meeting 12 December 2018. (Please note that the attachments to the Traffic Committee Meeting Minutes are available via the website at https://www.mosman.nsw.gov.au/council/meetings/traffic-committee-agendas-and-minutes-2019/)
11. QUESTIONS WITHOUT NOTICE

Questions Without Notice to be submitted by Councillors for consideration.
12. CALL FOR RESCISSION MOTIONS