



MINUTES

The Minutes of the Council held at the
Council Chambers, North Sydney
at 7:00 PM on Monday 28 October 2024.



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1. Opening Meeting

Statement of ethical obligations

Councillors are reminded of the oath or affirmation taken upon commencement of office that they will undertake the duties of the office of councillor in the best interests of the people of North Sydney and the North Sydney Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the [Local Government Act 1993](#) or any other Act to the best of their ability and judgment.

Councillors are also reminded of their obligations under the Code of Conduct to disclose and appropriately manage conflicts of interest.

At the commencement of business (7.00pm) those present were: The Mayor, and Councillors Antonini, Beregi, Carr, Keen, Holding, Hoy, Santer, Spenceley, and Welch.

The meeting was opened by the Mayor.

2. Acknowledgement of Country

RECOGNITION OF THE CAMMERAYGAL PEOPLE

We respectfully acknowledge the Traditional Custodians of the land and waters of North Sydney local government area, the Cammeraygal people.

The Acknowledgement of Country was read by Councillor Beregi.

3. Apologies and applications for leaves of absence or attendance by audio-visual link by councillors

It was moved by Councillor Santer and seconded by Councillor Holding:

1. THAT Council grant permission for Councillor Keen to attend remotely for the following reason: travel.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 9 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

201. RESOLVED:

1. THAT Council grant permission for Councillor Keen to attend remotely for the following reason: travel.

4. Confirmation of Minutes

It was moved by Councillor Santer and seconded by Councillor Carr:

1. THAT the Minutes of the Ordinary Council Meeting held on Monday 28 August 2024, and the Extraordinary Council meeting held on Tuesday 8 October 2024, be taken as read and confirmed.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

202. RESOLVED:

1. THAT the Minutes of the Ordinary Council Meeting held on Monday 28 August 2024, and the Extraordinary Council meeting held on Tuesday 8 October 2024, be taken as read and confirmed.

5. Disclosures of Interest

The following Disclosure of Interest was made:

Re: 11.3	Notice of Motion 18/24: Establishment and promotion of a Visitor Economy in North Sydney - Cr Santer
Councillor Keen	Works for a tourism consultancy (non-pecuniary, less than significant)

6. Public Forum

A Motion was moved by Councillor Beregi and seconded by Councillor Antonini:

1. THAT the Public Forum be opened, and that the following items be considered as part of the Public Forum:

10.3	Financial Statements for the Year Ended 30 June 2024
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10.14	Review of On-street Parking Infrastructure
10.19	Addendum to Item 10.14 - Review of On-street Parking Infrastructure
11.1	Notice of Motion 16/24: Review of the NSW Electoral Commission - Cr Santer
11.2	Notice of Motion 17/24: Parking Meters in the North Sydney Local Government Area - Cr Keen & Cr Carr

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

203. RESOLVED:

1.THAT the Public Forum be opened, and that the following items be considered as part of the Public Forum:

10.3	Financial Statements for the Year Ended 30 June 2024
10.14	Review of On-street Parking Infrastructure
10.19	Addendum to Item 10.14 - Review of On-street Parking Infrastructure
11.1	Notice of Motion 16/24: Review of the NSW Electoral Commission - Cr Santer
11.2	Notice of Motion 17/24: Parking Meters in the North Sydney Local Government Area - Cr Keen & Cr Carr

Public Forum

10.3. Financial Statements for the Year Ended 30 June 2024

This item was brought forward as part of the Public Forum (see above.)

AUTHORS: Christian Menday, Financial Controller, Daniel Peacock, Assets and Taxation Accountant, and Aigul Utegenova, Chief Financial Officer

PURPOSE:

The purpose of this report is to present the draft Financial Statements for the year ended 30 June 2024 and seek Council's approval.

Once approved, the financial statements will be submitted to the Audit Office of NSW for the issuance of the final Independent Auditor's Report on the General Purpose Financial Statements and the Report on the Conduct of the Audit for the year ended 30 June 2024.

EXECUTIVE SUMMARY

- Net operating surplus: \$13.1 million (Original budget: \$1.6 million)
- Net operating result before Capital Grants and Contributions: -\$3.6 million deficit (Original budget: -\$2 million deficit)
- Operating Performance Ratio: -0.02 (below OLG benchmark of >0)
- Short-term financial position: Adequate, but strategic attention needed to address ongoing cost increases and budget deficits
- The Audit Office of NSW has largely completed the audit of the General Purpose Financial Statements and Special Schedule of Permissible Income for general rates, with the final reports pending Council's approval.
- The General Purpose Financial Statements were presented to the Audit, Risk, and Improvement Committee on 11 October 2024.

RECOMMENDATION:

- 1. THAT** Council resolves that, in its opinion, the General Purpose Financial Statements and Special Schedules for the year ended 30 June 2024:
 - have been properly drawn up in accordance with the provisions of the Act and the associated Regulations thereunder, the Australian Accounting Standards and professional pronouncements and the Local Government Code of Accounting Practice and Financial Reporting;
 - to the best of Council's knowledge and belief, the statements present fairly Council's operating result and financial position for the year and accord with Council's accounting and other records; and
 - Council is unaware of any matter that would render the Financial Statements false or misleading in any way.
- 2. THAT** Council declares there are no business activities requiring the preparation of Special Purpose Financial Statements.
- 3. THAT** the Statement by Councillors and Management for the General Purpose Financial Statements be signed by the Mayor, Deputy Mayor, Chief Executive Officer, and Responsible Accounting Officer.
- 4. THAT** the Financial Statements be referred to the Audit Office of NSW for audit.
- 5. THAT** arrangements be made to place copies of the audited Financial Statements on public exhibition and the necessary advertisements be published.
- 6. THAT** a copy of the audited Financial Statements be forwarded to the NSW Office of Local Government.
- 7. THAT** in accordance with Section 418 of the Act, the audited Financial Statements be presented to the ordinary meeting of 25 November 2024.

The following person spoke to this item as part of the Public Forum:

- Karen Taylor, Director - Financial Audit, Audit Office of NSW

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

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

204. RESOLVED:

1. THAT Council resolves that, in its opinion, the General Purpose Financial Statements and Special Schedules for the year ended 30 June 2024:

- have been properly drawn up in accordance with the provisions of the Act and the associated Regulations thereunder, the Australian Accounting Standards and professional pronouncements and the Local Government Code of Accounting Practice and Financial Reporting;
- to the best of Council's knowledge and belief, the statements present fairly Council's operating result and financial position for the year and accord with Council's accounting and other records; and
- Council is unaware of any matter that would render the Financial Statements false or misleading in any way.

2. THAT Council declares there are no business activities requiring the preparation of Special Purpose Financial Statements.

3. THAT the Statement by Councillors and Management for the General Purpose Financial Statements be signed by the Mayor, Deputy Mayor, Chief Executive Officer, and Responsible Accounting Officer.

4. THAT the Financial Statements be referred to the Audit Office of NSW for audit.

5. THAT arrangements be made to place copies of the audited Financial Statements on public exhibition and the necessary advertisements be published.

6. THAT a copy of the audited Financial Statements be forwarded to the NSW Office of Local Government.

7. THAT in accordance with Section 418 of the Act, the audited Financial Statements be presented to the ordinary meeting of 25 November 2024.

10.14. Review of On-street Parking Infrastructure

This item was brought forward as part of the Public Forum (see page 6).

AUTHOR: Eoin Cunningham, Manager Traffic & Transport Operations

PURPOSE:

The purpose of this report is to provide a review of the recent replacement of on-street parking meters across the North Sydney LGA.

EXECUTIVE SUMMARY

- Revenue generated through on-street car parking is used to fund local services and infrastructure for the community.
- On 12 September 2023, Council called open tenders for the supply, installation, commissioning, and management of the North Sydney on-street paid parking meter (contract 12/2023).
- Following the assessment of tenders, Council engaged the highest-ranked and preferred tenderer Orikan, whose submission ranked highest in capacity, experience, methodology, product & Customer Outcomes, and sustainability.
- Orikan's system includes Touch N Go (TNG) meters and mobile app functionality, bridging traditional parking meters with pay-by-phone technology.
- Orikan commenced installation of parking meters on 20 May 2024, and the new parking infrastructure was fully operational on 24 July 2024.
- Despite a reduction in revenue, an increase in transactions has seen 25,000 transactions occur across Council's on-street parking network each week.
- This early transaction data indicating an increase in transactions across the network and a drop in revenue, would indicate users are utilising the PayStay App which enables payment for the period used and the termination of parking session rather than minimum stay.
- Community feedback on the new parking meters has been mixed, with concerns primarily about needing to access digital technology to pay for parking. Council has recognised these concerns and has moved to alleviate issues raised, including the installation of additional meters. Despite the negative feedback, there has been some general positive feedback about the functionality of the parking app.

RECOMMENDATION:

- 1. THAT** Council notes the contents of the report and ongoing initiatives to assist with the transition to the new on-street parking infrastructure.
- 2. THAT** Council notes an additional 20 parking meters will be installed in high demand areas to increase availability and operational by the end of October 2024.
- 3. THAT** Council proceeds with a full review of its metered parking framework including the development of local guidelines for the use and placement of parking meters.

A Motion was moved by Councillor Welch and seconded by Councillor Beregi:

- 1. THAT** Council notes the contents of the report and ongoing initiatives to assist with the transition to the new on-street parking infrastructure.
- 2. THAT** Council notes an additional 20 parking meters will be installed in high demand areas to increase availability and operational by the end of October 2024.
- 3. THAT** Council proceeds with a full review of its metered parking framework including the development of local guidelines for the use and placement of parking meters.
- 4. THAT**, to ensure that all future tenders specify transparency and disclosure of user fees and charges in any form, including digital apps, Council include a provision in the Procurement Policy that requires successful tenders to commit to on-going, clear, transparent disclosure of any user fees and charges.
- 5. THAT** Council changes the signage from “Pay Here” to “Information Here”.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

- For:** Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley and Councillor Welch
- Against:** Councillor Carr and Councillor Keen
- Absent:** Nil

205. RESOLVED:

- 1. THAT** Council notes the contents of the report and ongoing initiatives to assist with the transition to the new on-street parking infrastructure.
- 2. THAT** Council notes an additional 20 parking meters will be installed in high demand areas to increase availability and operational by the end of October 2024.
- 3. THAT** Council proceeds with a full review of its metered parking framework including the development of local guidelines for the use and placement of parking meters.
- 4. THAT**, to ensure that all future tenders specify transparency and disclosure of user fees and charges in any form, including digital apps, Council include a provision in the Procurement Policy that requires successful tenders to commit to on-going, clear, transparent disclosure of any user fees and charges.
- 5. THAT** Council changes the signage from “Pay Here” to “Information Here”.

10.19. Addendum to Item 10.14 - Review of On-street Parking Infrastructure

This item was brought forward as part of the Public Forum (see page 6).

AUTHOR: Eoin Cunningham, Manager Traffic & Transport Operations

PURPOSE:

This report is an addendum to Item 10.14 – Review of On-Street Parking Infrastructure and provides additional information in relation to fees and charges.

RECOMMENDATION:

1. THAT the addendum to the Review of On-Street Parking Infrastructure report to the Council meeting on the 28 October 2024 (item 10.14) be received.

This item was brought forward as part of the Public Forum.

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

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Councillor Carr and Councillor Keen

Absent: Nil

206. RESOLVED:

1. THAT the addendum to the Review of On-Street Parking Infrastructure report to the Council meeting on the 28 October 2024 (item 10.14) be received.

11.1. Notice of Motion 16/24: Review of the NSW Electoral Commission - Cr Santer

This item was brought forward as part of the Public Forum (see page 6).

1. THAT, in the light of a number of irregularities in the procedures of the NSW Electoral Commission (EC) during the recent local government election:

- i. Council approach Local Government for NSW (LGNSW) and the NSW State Government seeking a review of the Commission's electoral procedures;
- ii. the review include the streamlining of the forms the EC requires candidates to complete, including the possible merger of the Registration and Nomination forms, and the timing of the deadlines for these forms;

- iii. the EC recognises the importance of How to Vote forms for the correct functioning our voting system;
- iv. the EC reduces the number of polling booths it requires, while maintaining the service the booths deliver for voters; and
- v. the EC is more appropriately and adequately funded from general government revenue, rather than from 'fee for service' local government sources.

The following person spoke to this item as part of the Public Forum:

- Davie Macdonald (local resident)

A Motion was moved by Councillor Santer and seconded by Councillor Welch:

1. THAT, in the light of a number of irregularities in the procedures of the NSW Electoral Commission (EC) during the recent local government election:

- i. Council approach Local Government for NSW (LGNSW) and the NSW State Government seeking a review of the Commission's electoral procedures;
- ii. the review include the streamlining of the forms the EC requires candidates to complete, including the possible merger of the Registration and Nomination forms, and the timing of the deadlines for these forms;
- iii. the EC recognises the importance of How to Vote forms for the correct functioning our voting system;
- iv. the EC reduces the number of polling booths it requires, while maintaining the service the booths deliver for voters; and
- v. the EC is more appropriately and adequately funded from general government revenue, rather than from 'fee for service' local government sources.

2. THAT a list of entrances to polling places be provided to all candidates at least one week prior to the election.

3. THAT Council advocate that the witness provisions in the Commonwealth document be adopted for NSW elections.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Councillor Carr and Councillor Keen

Absent: Nil

207. RESOLVED:

1. THAT, in the light of a number of irregularities in the procedures of the NSW Electoral Commission (EC) during the recent local government election:

- i. Council approach Local Government for NSW (LGNSW) and the NSW State Government seeking a review of the Commission's electoral procedures;
- ii. the review include the streamlining of the forms the EC requires candidates to complete, including the possible merger of the Registration and Nomination forms, and the timing of the deadlines for these forms;

- iii. the EC recognises the importance of How to Vote forms for the correct functioning our voting system;
 - iv. the EC reduces the number of polling booths it requires, while maintaining the service the booths deliver for voters; and
 - v. the EC is more appropriately and adequately funded from general government revenue, rather than from 'fee for service' local government sources.
- 2. THAT** a list of entrances to polling places be provided to all candidates at least one week prior to the election.
- 3. THAT** Council advocate that the witness provisions in the Commonwealth document be adopted for NSW elections.

11.2. Notice of Motion 17/24: Parking Meters in the North Sydney Local Government Area - Cr Keen & Cr Carr

This item was brought forward as part of the Public Forum (see page 6).

- 1. THAT** North Sydney Council:
- I. conduct a comprehensive review of the recently installed parking meters focusing on:
 - a. user accessibility and the ease and methods of payment available; and
 - b. feedback from residents and local businesses regarding functionality, including reported difficulties in using the meters.
 - II. gather community feedback through:
 - a. a public consultation process, including online surveys and community forums, to identify specific issues, particularly concerning the cost of parking and user experience, ensuring that the voices of residents and local businesses are heard.
 - III. assess the financial impact of the new parking meters, including:
 - a. monitoring how current pricing structures affect parking usage and local businesses; and
 - b. evaluating whether the cost is prohibitive for residents and visitors, potentially discouraging patronage of local shops.
 - IV. consider adjustments to the parking meter settings such as:
 - a. implementing simpler payment options to address difficulties experienced by users;
 - b. real time availability updates to assist drivers in finding available parking; and
 - c. ensuring users' privacy protection and secure credit card facilities.
 - V. prepare a report to be presented to Council within three months outlining findings and recommendations based on the review, community feedback, and recommendations for necessary adjustments to improve the parking meter system.
 - VI. seek alternative providers such as 'Park'nPay' as a part of the recommendation.
 - VII. support the State Government Legislation to issue drivers with immediate notifications of parking fines.
 - VIII. consider an expansion of the existing resident parking permit system.

The following person spoke to this item as part of the Public Forum:

- Davie Macdonald (local resident)

A Motion was foreshadowed by Councillor Spenceley:

1. THAT Council write to Orikan seeking a guest check-out option.

The Motion was moved by Councillor Keen and seconded by Councillor Carr.

The Motion was put and **Lost**.

Voting was as follows:

For/Against 2 / 8

For: Councillor Carr and Councillor Keen

Against: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley and Councillor Welch

Absent: Nil

The Foreshadowed Motion was moved by Councillor Spenceley and seconded by Councillor Santer:

1. THAT Council write to Orikan seeking a guest check-out option.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Councillor Carr and Councillor Keen

Absent: Nil

208. RESOLVED:

1. THAT Council write to Orikan seeking that they offer a guest check-in.

7. Items Considered by Exception

It was moved by Councillor Beregi and seconded by Councillor Holding:

1.THAT the Recommendations for the following Items be considered by exception:

9.2	Waverton Peninsula Working Group Minutes - 20 August 2024
9.3	Traffic Committee Minutes - 30 August 2024
10.2	Matters Outstanding to 8 October 2024
10.4	Investment and Loan Borrowings Report as at 30 September 2024
10.5	Review of Delegations
10.6	Disclosure of Pecuniary Interests by Councillors and Designated Persons
10.9	Council Christmas Closure 2024-2025
10.10	Contact Centre system replacement

10.15	Update on Acquisition of Lease by Transport for NSW for construction of Sydney Harbour Cycleway
10.16	Tender 18/24 Seawall Restoration Works
10.17	North Sydney Olympic Pool Redevelopment - Project Update
10.18	North Sydney Olympic Pool - Aqua Dining Tenancy Fitout

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

209. RESOLVED:

1.THAT the Recommendations for the following Items be considered by exception:

9.2	Waverton Peninsula Working Group Minutes - 20 August 2024
9.3	Traffic Committee Minutes - 30 August 2024
10.2	Matters Outstanding to 8 October 2024
10.4	Investment and Loan Borrowings Report as at 30 September 2024
10.5	Review of Delegations
10.6	Disclosure of Pecuniary Interests by Councillors and Designated Persons
10.9	Council Christmas Closure 2024-2025
10.10	Contact Centre system replacement
10.15	Update on Acquisition of Lease by Transport for NSW for construction of Sydney Harbour Cycleway
10.16	Tender 18/24 Seawall Restoration Works
10.17	North Sydney Olympic Pool Redevelopment - Project Update
10.18	North Sydney Olympic Pool - Aqua Dining Tenancy Fitout

8. Mayoral Minutes

Nil

9. Reports of Committees

9.1. Access and Inclusion Committee Minutes - 6 August 2024

AUTHOR: Miranda Shoppee, Meeting Administration Coordinator

PURPOSE

The purpose of this report is to convey the proceedings of the Access and Inclusion Committee meeting to Council, and for Council to consider any recommendations from the Committee.

The Terms of Reference of the Access and Inclusion Committee state:

8.1 The Access and Inclusion Committee is not a decision-making body. The Committee is an advisory body to Council. Council may adopt or reject the Committee's advice.

8.2 The Committee has no delegated powers from Council.

EXECUTIVE SUMMARY

- This report presents the recommendations of the last meeting of the Access and Inclusion Committee held 6 August 2024.
- The Minutes are attached for the information of Council.

RECOMMENDATION:

1. THAT the Minutes of the Access and Inclusion Committee meeting dated 6 August 2024 be noted and received by Council.

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

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

210. RESOLVED:

1. THAT the Minutes of the Access and Inclusion Committee meeting dated 6 August 2024 be noted and received by Council.

9.2. Waverton Peninsula Working Group Minutes - 20 August 2024

AUTHOR: Peita Rose, Governance Officer

PURPOSE

The purpose of this report is to advise Council of the proceedings of the Waverton Peninsula Working Group meeting held on 20 August 2024.

EXECUTIVE SUMMARY

- This report presents the Minutes of the Waverton Peninsula Working Group meeting held on 20 August 2024 for Council adoption.
- The following matters were discussed at the Waverton Peninsula Working Group meeting:
 - Woodleys Shed and Brick Administration building; and
 - a new boating program to support safer and more accessible waterways.
- The minutes of the meeting are attached for information.

RECOMMENDATION:

1.THAT the Minutes of the Waverton Peninsula Working Group meeting of 20 August 2024 be noted.

This item was considered by exception (see page 7).

211. RESOLVED:

1.THAT the Minutes of the Waverton Peninsula Working Group meeting of 20 August 2024 be noted.

9.3. Traffic Committee Minutes - 30 August 2024

AUTHOR: Peita Rose, Governance Officer

PURPOSE:

Council is required to consider the Minutes of this Committee. Section 5.3.2 of the RMS Delegation to Council for the Regulation of Traffic states that: *All proposals recommended by the LTC must still be formally endorsed by the elected Council (or their sub-delegate), subject to certain limitations.*

EXECUTIVE SUMMARY

- This report presents the Minutes of the last meeting of the Traffic Committee held 30 August 2024 for Council adoption. The Minutes are attached for information.

- The full reports to the Traffic Committee can be viewed at <https://www.northsydney.nsw.gov.au/homepage/82/traffic-committee>.

RECOMMENDATION:

1. **THAT** the Minutes of the Traffic Committee dated 30 August 2024 be received.

This item was considered by exception (see page 7).

212. RESOLVED:

1. **THAT** the Minutes of the Traffic Committee dated 30 August 2024 be received.

10. Reports to Council

10.1. State of North Sydney Report

AUTHOR: Jenny Gracey, Corporate Planning Coordinator

PURPOSE

The purpose of this report is to present the *State of North Sydney Report* to Council. This report provides an overview of Council's progress in achieving the objectives outlined in the *Community Strategic Plan (CSP) – North Sydney's Vision 2040*. The report reflects on key achievements, areas needing improvement, and priorities for the future.

EXECUTIVE SUMMARY

- The *State of North Sydney Report* serves as a strategic tool to assess Council's performance against the *Community Strategic Plan (CSP) – North Sydney's Vision 2040*, which identified 70 community indicators.
- The outcomes are as follows:
 - o 60% (42) targets were met;
 - o 36% (25) targets were not met; and
 - o three indicators could not be measured due to insufficient data.
- This report summarises the successes and challenges faced during the previous term of Council. It is designed to give the newly elected Council a clear understanding of where the community stands in relation to the CSP's long-term goals.

RECOMMENDATION:

1. **THAT** Council endorse the *State of North Sydney Report*.

The Motion was moved by Councillor Welch and seconded by Councillor Holding.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

RESOLVED:

1. THAT Council endorse the State of North Sydney Report.

10.2. Matters Outstanding to 8 October 2024

AUTHOR: Ian Curry, Manager Governance

PURPOSE:

The purpose of this report is to update Council regarding the status of resolutions arising from Mayoral Minutes, Notices of Motion, and Questions Without Notice.

EXECUTIVE SUMMARY

- Each month, a report is presented to Council on the status of resolutions arising from Mayoral Minutes, Notices of Motion, and Questions Without Notice.
- The attached table has been updated to include resolutions up to the 8 October 2024 Extraordinary Meeting of Council.

RECOMMENDATION:

1. THAT the report be received.

This item was considered by exception (see page 7).

213. RESOLVED:

1. THAT the report be received.

10.3. Financial Statements for the Year Ended 30 June 2024

This item was brought forward as part of the Public Forum (see page 6).

10.4. Investment and Loan Borrowings Report as at 30 September 2024

AUTHORS: Christian Munday, Financial Controller, and Aigul Utegenova, Chief Financial Officer

PURPOSE:

The purpose of this report is to provide details of the performance of Council's investments and loans for the month ending 30 September 2024.

EXECUTIVE SUMMARY

- All investments have been made in accordance with the Local Government Act and Regulations and Council's Financial Investments Policy.
- For the month of September, the total investment portfolio (Term Deposits, Floating Rate Notes and Bonds) provided a return of +0.30% (actual), or +3.76% p.a. (annualised), under-performing the benchmark AusBond Bank Bill Index return of +0.36% (actual), or +4.45% p.a. (annualised). This is due to Council holding term deposits made in a low inflation environment, and a higher than usual percentage held as cash to pay for expected project costs.
- Returns on investments exceed the YTD budget by \$282,000.

RECOMMENDATION:

1. THAT the report on Investments held at 30 September 2024, prepared in accordance with clause 212 of the Local Government (General) Regulation 2021, and the information on Loan Borrowings be received.

This item was considered by exception (see page 7).

214. RESOLVED:

1. THAT the report on Investments held at 30 September 2024, prepared in accordance with clause 212 of the Local Government (General) Regulation 2021, and the information on Loan Borrowings be received.

10.5. Review of Delegations

AUTHOR: Ian Robertson, Service Unit Manager Corporate Governance

PURPOSE:

The purpose of this report is to address the requirement for Council to review delegations within 12 months of an election.

EXECUTIVE SUMMARY

- The Local Government Act 1993 and other relevant legislation authorise Council to undertake a range of functions.
- Delegations enable the efficient and effective administration of Council by allowing decisions to be made at the appropriate level across the organisation.
- Section 377 of the Local Government Act allows the elected Council to delegate authority to the Chief Executive Officer, by Council resolution, to make decisions and perform functions required for Council to operate business as usual activities. The Chief Executive Officer sub-delegates these functions to Council staff in order to provide for the day-to-day operation of the Council.
- It is recommended that the Mayor and Chief Executive Officer's current delegations be re-affirmed.

RECOMMENDATION:

1. THAT the Chief Executive Officer's delegations be re-affirmed by Council, delegating to the Chief Executive Officer, or to the person acting in the position of Chief Executive Officer, all the powers and functions of the Council that it may under any Act of Parliament lawfully delegate, subject to the limitations set out below:

- a. those functions designated in Section 377(1) of the *Local Government Act 1993* as functions which may not be delegated.
- b. any function designated in any other Act of Parliament as a function which may not be delegated.
- c. the writing off of debts over the amount of \$10,000 in accordance with clause 213(2) of the *Local Government (General) Regulation 2005*, in that the amount above which debts may be written off only by resolution of the Council is set at \$10,000.
- d. the writing off of an individual rate or charge over the amount of \$1,000 in accordance with clause 131(1) of the *Local Government (General) Regulation 2005*, in that the amount above which any individual rate or charge may be written off only by resolution of the council is set at \$1,000.
- e. any adopted policy, decisions or directions of the Council.

2. THAT in accordance with section 381 of the *Local Government Act 1993*, the Council re-affirms and delegates to the Chief Executive Officer of the Council, or to the person acting in the position of Chief Executive Officer, the plan making functions under Section 3.36 of the *Environmental Planning & Assessment Act 1979*.

3. THAT the Council re-affirms and delegates to the Mayor and Mayor and Chief Executive Officer jointly as outlined in the attached instrument of delegation.

This item was considered by exception (see page 7).

215. RESOLVED:

1. THAT the Chief Executive Officer's delegations be re-affirmed by Council, delegating to the Chief Executive Officer, or to the person acting in the position of Chief Executive Officer, all the powers and functions of the Council that it may under any Act of Parliament lawfully delegate, subject to the limitations set out below:

- f. those functions designated in Section 377(1) of the *Local Government Act 1993* as functions which may not be delegated.
 - g. any function designated in any other Act of Parliament as a function which may not be delegated.
 - h. the writing off of debts over the amount of \$10,000 in accordance with clause 213(2) of the *Local Government (General) Regulation 2005*, in that the amount above which debts may be written off only by resolution of the Council is set at \$10,000.
 - i. the writing off of an individual rate or charge over the amount of \$1,000 in accordance with clause 131(1) of the *Local Government (General) Regulation 2005*, in that the amount above which any individual rate or charge may be written off only by resolution of the council is set at \$1,000.
 - j. any adopted policy, decisions or directions of the Council.
- 2. THAT** in accordance with section 381 of the *Local Government Act 1993*, the Council re-affirms and delegates to the Chief Executive Officer of the Council, or to the person acting in the position of Chief Executive Officer, the plan making functions under Section 3.36 of the *Environmental Planning & Assessment Act 1979*.
- 3. THAT** the Council re-affirms and delegates to the Mayor and Mayor and Chief Executive Officer jointly as outlined in the attached instrument of delegation.

10.6. Disclosure of Pecuniary Interests by Councillors and Designated Persons

AUTHOR: Ian Curry, Manager Governance

PURPOSE:

The purpose of this report is to report on compliance as required under the *Local Government Act 1993* (LGA) and *Local Government (General) Regulation 2021*. Councillors and persons holding designated positions must complete and lodge a Disclosure of Pecuniary Interests Return.

EXECUTIVE SUMMARY

- Section 4.21 of the Model Code of Conduct (made under section 440 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*) requires Councillors and persons holding designated positions, as at 30 June, complete and lodge a Disclosure of Pecuniary Interests Return within three months of that date (i.e., 30 September).
- Section 4.25 of the Model Code of Conduct requires that Returns are lodged under Section 4.21 and tabled at the first meeting of the council after 30 September 2023.
- All 2022/23 Returns have been duly completed and lodged within the prescribed period by Councillors. Two designated officers currently on secondment and extended leave did not complete their Returns by the statutory date, however they will be asked to do so upon their return to work.

- Pecuniary Interest Returns are available for inspection on Council's website.

RECOMMENDATION:

1. THAT the report be received, and Council note the tabling of Returns as required under Clause 4.25 of the Model Code of Conduct.

This item was considered by exception (see page 7).

216. RESOLVED:

1. THAT the report be received, and Council note the tabling of Returns as required under Clause 4.25 of the Model Code of Conduct.

10.7. Appointments to Committees and External Bodies

AUTHOR: Ian Curry, Manager Governance

PURPOSE:

The purpose of this report is to appoint Councillors as representatives to the Northern Suburbs Regional Organisation of Councils (NSROC) and Council's CEO Performance Review Panel.

EXECUTIVE SUMMARY

- Council considered a report on this matter at its meeting on 8 October 2024.
- An additional 'alternate' representative is required for NSROC.
- Representatives are also required to be appointed to Council's CEO Performance Review Panel.

RECOMMENDATION:

1. THAT in addition to the Mayor, Deputy Mayor, and Councillor Welch (alternate), Council appoint Councillor _____ as a second alternate representative to the Northern Sydney Regional Organisation of Councils (NSROC) for the term until September 2026.

2. THAT Council appoint the Mayor, the Deputy Mayor, and Councillor _____ to Council's Performance Review Panel, for the term of this Council.

A Motion was moved by Councillor Beregi and seconded by Councillor Welch:

1. THAT in addition to the Mayor, Deputy Mayor, and Councillor Welch (alternate), Council appoint Councillor Holding as a second alternate representative to the Northern Sydney Regional Organisation of Councils (NSROC) for the term until September 2026.

2. THAT Council appoint the Mayor, the Deputy Mayor, and Councillor Welch to Council's Performance Review Panel, for the term of this Council.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Councillor Carr and Councillor Keen

Absent: Nil

217. RESOLVED:

1. THAT in addition to the Mayor, Deputy Mayor, and Councillor Welch (alternate), Council appoint Councillor Holding as a second alternate representative to the Northern Sydney Regional Organisation of Councils (NSROC) for the term until September 2026.

2. THAT Council appoint the Mayor, the Deputy Mayor, and Councillor Welch to Council's Performance Review Panel, for the term of this Council.

10.8. 2024 Local Government NSW Annual Conference - Delegates and Motions

AUTHOR: Ian Curry, Manager Governance

PURPOSE:

The purpose of this report is to seek a replacement voting delegate for the LGNSW Conference an endorsement of four proposed Motions.

EXECUTIVE SUMMARY

- The Local Government NSW (LGNSW) Annual Conference is taking place from 17 to 19 November 2024, at Tamworth Regional Entertainment and Conference Centre, and will feature a range of keynote speakers, workshops, training sessions, and more.
- As the main policy-making event for the NSW local government sector, the Annual Conference is an opportunity to help set the advocacy agenda for the year ahead. Motions passed at the Conference become Resolutions, which LGNSW actions on behalf of its members, as part of its advocacy program.
- Council appointed four voting delegates at the meeting on 8 October 2024. Due to Councillor Hoy's inability to attend, a replacement delegate is required.
- A series of proposed Motions are submitted for Council's endorsement

RECOMMENDATION:

1.THAT Council nominate a fifth voting delegates for the 2024 LGNSW Conference at Tamworth Regional Entertainment and Conference Centre, to replace Councillor Hoy.

2. THAT the four proposed Motions to the LGNSW Annual Conference contained in this report entitled:

- I. Housing reforms – funding for community infrastructure
- II. Remote attendance at meetings
- III. Accessible and liveable housing – universal design principles for new housing in NSW
- IV. Review of NSW Electoral Commission

be endorsed by Council

A Motion was moved by Councillor Beregi and seconded by Councillor Santer:

1.THAT Council nominate a fifth voting delegate, Councillor Holding, for the 2024 LGNSW Conference at Tamworth Regional Entertainment and Conference Centre, to replace Councillor Hoy.

2. THAT the four proposed Motions to the LGNSW Annual Conference contained in this report entitled:

- I. Housing reforms – funding for community infrastructure
- II. Remote attendance at meetings
- III. Accessible and liveable housing – universal design principles for new housing in NSW
- IV. Review of NSW Electoral Commission

be endorsed by Council.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Councillor Carr and Councillor Keen

Absent: Nil

218. RESOLVED:

1.THAT Council nominate a fifth voting delegate, Councillor Holding, for the 2024 LGNSW Conference at Tamworth Regional Entertainment and Conference Centre, to replace Councillor Hoy.

2. THAT the four proposed Motions to the LGNSW Annual Conference contained in this report entitled:

- I. Housing reforms – funding for community infrastructure
- II. Remote attendance at meetings
- III. Accessible and liveable housing – universal design principles for new housing in NSW
- IV. Review of NSW Electoral Commission

be endorsed by Council.

10.9. Council Christmas Closure 2024-2025

AUTHOR: Jennie Walker, Service Unit Manager Customer and Communications

PURPOSE:

The purpose of this report is to seek Council's approval for the closure of Council offices and facilities (excluding Stanton Library and essential services) from 12pm Tuesday 24 December 2024 until 9am Thursday 2 January 2025.

This closure aims to support employee wellbeing and manage employee leave by providing staff with time to rest and recharge during the holiday season – improving overall workplace performance and service delivery.

EXECUTIVE SUMMARY

- Council proposes a closure of Council facilities from 12pm Tuesday 24 December 2024 until Thursday 2 January 2025. Stanton Library and essential services will remain operational.
- Customer Service will be closed, however calls will be directed to our out-of-hours service, and online self-service will remain available.
- This closure is consistent with many other councils (including NSROC members Willoughby City Council, Lane Cove Council, Hornsby Shire Council, and Ryde City Council), who have implemented similar initiatives in recent years to support staff wellbeing without compromising essential service delivery.
- This closure is expected to enhance employee job satisfaction and performance, positively impacting service delivery in the new year.

RECOMMENDATION:

- 1. THAT** Council endorse the closure of Council offices and facilities (excluding Stanton Library and essential services) from 12pm Tuesday 24 December 2024 until 9am Thursday 2 January 2025.
- 2. THAT** the community be actively informed of the closure through all available communication channels.

This item was considered by exception (see page 7).

219. RESOLVED:

- 1. THAT** Council endorse the closure of Council offices and facilities (excluding Stanton Library and essential services) from 12pm Tuesday 24 December 2024 until 9am Thursday 2 January 2025.
- 2. THAT** the community be actively informed of the closure through all available communication channels.

10.10. Contact Centre system replacement

AUTHOR: Ian Robertson, Service Unit Manager Corporate Governance

PURPOSE:

The purpose of this report is to inform Council of the planned migration of Council's contact centre system and to seek approval for the funding required.

EXECUTIVE SUMMARY

- A contact centre system manages customer interactions across multiple channels such as phone, email, and chat. It is primarily used within Council by our customer service team in our call centre.
- Council's current contact centre system is an on-premise solution that faces functionality challenges and limitations.
- A review of available contact centre systems has been undertaken, with a recommended solution identified. This will enable Council to service customers more effectively and allow us to access additional functionality including webchat.
- The cost of implementing the recommended solution is \$68,486 (GST exclusive).

RECOMMENDATION:

1. **THAT** Council note the planned implementation of a new contact centre system.
2. **THAT** Council approve the spend of \$68,486 (excluding GST) from the IT Projects reserve for the system implementation.

This item was considered by exception (see page 7).

220. RESOLVED:

1. **THAT** Council note the planned implementation of a new contact centre system.
2. **THAT** Council approve the spend of \$68,486 (excluding GST) from the IT Projects reserve for the system implementation.

10.11. NSW Government EV charging grants

AUTHOR: Jordan Moy, Sustainability Education Officer

PURPOSE:

The purpose of this report is to seek Council's endorsement of an approach regarding the electric vehicle (EV) charge point operators who were recipients of the NSW Government EV charging grants for locations in North Sydney.

EXECUTIVE SUMMARY

- In November 2023, North Sydney Council provided letters of in-principle support to charge point operators who successfully applied for the NSW Government EV Fast Charging and Kerbside Grant programs. One of the conditions for this support was that, at this stage, this infrastructure be accommodated on Council carparks only.
- The successful charge point operators who obtained grant funding for EV charging in North Sydney are NRMA, EVIE, and ChargePost.
- There are 24 dual DC fast charging bays and 40 AC charging bays that have been proposed to be installed across 10 North Sydney Council carparks.
- The funding provided to the charge point operators for DC charging, which is significantly more expensive than AC charging, will facilitate a balanced mix of charging options in North Sydney that would otherwise not be commercially viable.
- As part of the key milestones for the EV charging grants, charge point operators are required to install 50% of the funded chargers by November 2024. All remaining EV charger installs are required to be installed by March 2025.
- Charge point operators have indicated that they will not be able to meet their grant milestones, will withdraw, or significantly reduce the number of EV chargers they will install, if they do not receive a commitment from Council to proceed or are required to be part of a Council expression of interest (EOI) process.
- There is a 40% reduction in funding available for the Round 2 NSW EV Kerbside grant program for charging locations in North Sydney compared to Round 1.
- Sydney-based Councils (Waverley, Hornsby, Randwick, Willoughby and others) have successfully facilitated the installation of EV charging infrastructure in their carparks without undue negative community feedback or financial / safety risks.

RECOMMENDATION:

- 1. THAT** Council support the use of Council land for the purposes of implementing the NSW Government grant funding to install EV chargers in North Sydney Council carparks.
- 2. THAT** in the context of the challenging timelines associated with the EV Charging Grant Funding and the de-risking which has already occurred at State level to assess the successful grant applicants, that Council proceed to negotiating terms with NRMA, EVIE, and ChargePost regarding the installation of EV Charging in Council's carparks as outlined in this report.
- 3. THAT** the CEO be granted delegated authority to negotiate the terms of the installations, lease and other necessary arrangements for the EV charges in North Sydney Council carparks.

The Motion was moved by Councillor Welch and seconded by Councillor Spenceley.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr, Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

221. RESOLVED:

1. THAT Council support the use of Council land for the purposes of implementing the NSW Government grant funding to install EV chargers in North Sydney Council carparks.

2. THAT in the context of the challenging timelines associated with the EV Charging Grant Funding and the de-risking which has already occurred at State level to assess the successful grant applicants, that Council proceed to negotiating terms with NRMA, EVIE, and ChargePost regarding the installation of EV Charging in Council's carparks as outlined in this report.

3. THAT the CEO be granted delegated authority to negotiate the terms of the installations, lease and other necessary arrangements for the EV charges in North Sydney Council carparks.

10.12. Grosvenor Lane, Neutral Bay - Shared Zone

AUTHORS: Bec Thomas, Road Safety Coordinator, an Eoin Cunningham, Service Unit Manager Traffic & Transport Operations

PURPOSE:

The purpose of this report is to seek Council approval for a 'Left Only' restriction for drivers travelling from Grosvenor Lane Shared Zone to Young Street.

EXECUTIVE SUMMARY

- Council has reviewed safety on Grosvenor Lane, Neutral Bay in accordance. The review identified high vehicle volumes and speeds as contributing concerns in the Shared Zone
- A number of options were considered as part of the assessment, and It is recommended that a 'Left Only' restriction be implemented for drivers travelling from Grosvenor Lane into Young Street. This option will reduce the number of cars, and the speed of drivers, travelling along the Lane to access the Grosvenor Lane car park
- Approval from Transport for NSW (TfNSW) is required to implement restrictions to traffic flow on local roads. This includes 'Left Only' restrictions. The TfNSW Delegation to Councils for the Regulation of Traffic outlines that a resolution of Council approving the change is required prior to TfNSW granting consent to Councils to implement the change.
- The proposed change was consulted as part of the wider proposal for the reopening of Young Street, however the proposed 'Left Only' restriction is a stand-alone safety improvement to resolve concerns on Grosvenor Lane.

RECOMMENDATION:

- 1. THAT** Council note the contents of this report and the options assessment and community consultation undertaken in relation to Grosvenor Lane.
- 2. THAT** Council approve the 'Left Only' restriction from Grosvenor Lane into Young Street, Neutral Bay subject to traffic committee endorsement.

A Motion was moved by Councillor Beregi and seconded by Councillor Spenceley:

- 1. THAT** Council note the contents of this report and the options assessment and community consultation undertaken in relation to Grosvenor Lane.
- 2. THAT** Council approve the 'Left Only' restriction from Grosvenor Lane into Young Street, Neutral Bay subject to traffic committee endorsement.
- 3. THAT** a further report come back to Council after six months to assess the success of the changes and any impact on traffic safety.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 2

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Councillor Carr and Councillor Keen

Absent: Nil

222. RESOLVED:

- 1. THAT** Council note the contents of this report and the options assessment and community consultation undertaken in relation to Grosvenor Lane.
- 2. THAT** Council approve the 'Left Only' restriction from Grosvenor Lane into Young Street, Neutral Bay subject to traffic committee endorsement.
- 3. THAT** a further report come back to Council after six months to assess the success of the changes and any impact on traffic safety.

10.13. Young Street Plaza upgrade: consultation outcomes and preferred concept

AUTHOR: Diana Mejia, Project Manager

PURPOSE:

The purpose of this report is to present the outcomes of the community consultation on the proposed designs for the Young Street Plaza Upgrade and outline the next steps for finalising the designs for tender and construction.

EXECUTIVE SUMMARY

- At its meeting of 11 December 2023, Council resolved to seek community feedback on the concept designs developed for Young St Plaza.
- Concept designs were placed on public exhibition from 1 May to 12 June 2024.
- Community consultation revealed broad support for the concept design
- General feedback suggestions included greenery, gardens, walkways, shade and seating, along with a desire for the inclusion of native plants, non-slip surfaces, and adequate lighting. All these elements can be incorporated into the further development of the design.
- Based on the consultation results, this report recommends proceeding to the detailed design phase, incorporating key feedback to enhance pedestrian safety while maintaining the overall concept.

RECOMMENDATION:

- 1. THAT** Council notes the submissions report for the public exhibition and consultation of the concept designs for the upgrade of the Young Street Plaza in Neutral Bay
- 2. THAT** Council endorses the concept design for upgrade of the Young Street Plaza in Neutral Bay to proceed to detailed design, tender and construction.
- 3. THAT** Council notes that the concept designs for upgrade of the Young Street Plaza will be referred to Council's Access and Inclusion Committee to inform the development of these designs.
- 4. THAT** Council allocate the \$2,749,042 Transport for NSW B-Line grant funding, currently held in external restrictions, to the detailed design, further consultation, tender, and construction of the Young Street Plaza.

A Motion was moved by Councillor Beregi and seconded by Councillor Welch:

- 1. THAT** Council notes the submissions report for the public exhibition and consultation of the concept designs for the upgrade of the Young Street Plaza in Neutral Bay
- 2. THAT** Council endorses the concept design for upgrade of the Young Street Plaza in Neutral Bay to proceed to detailed design, tender and construction.
- 3. THAT** Council notes that the concept designs for upgrade of the Young Street Plaza will be referred to Council's Access and Inclusion Committee to inform the development of these designs.
- 4. THAT** Council allocate the \$2,749,042 Transport for NSW B-Line grant funding, currently held in external restrictions, to the detailed design, further consultation, tender, and construction of the Young Street Plaza.
- 5. THAT** the design incorporates an automated external defibrillator.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 7 / 3

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Holding, Councillor Hoy, Councillor Santer and Councillor Welch
Against: Councillor Carr, Councillor Keen and Councillor Spenceley
Absent: Nil

223. RESOLVED:

- 1. THAT** Council notes the submissions report for the public exhibition and consultation of the concept designs for the upgrade of the Young Street Plaza in Neutral Bay
- 2. THAT** Council endorses the concept design for upgrade of the Young Street Plaza in Neutral Bay to proceed to detailed design, tender and construction.
- 3. THAT** Council notes that the concept designs for upgrade of the Young Street Plaza will be referred to Council's Access and Inclusion Committee to inform the development of these designs.
- 4. THAT** Council allocate the \$2,749,042 Transport for NSW B-Line grant funding, currently held in external restrictions, to the detailed design, further consultation, tender, and construction of the Young Street Plaza.
- 5. THAT** the design incorporates an automated external defibrillator.

10.14. Review of On-street Parking Infrastructure

This item was brought forward as part of the Public Forum (see page 6).

10.15. Update on Acquisition of Lease by Transport for NSW for construction of Sydney Harbour Cycleway

AUTHOR: Gary Parsons, Director Open Space & Infrastructure

PURPOSE:

This report provides Council with advice in relation to the Valuer General's determination regarding land within Bradfield Park recently compulsorily acquired by Transport for NSW (TfNSW), and recent correspondence received from TfNSW regarding the acquisition of additional land for the construction of the Sydney Harbour Bridge Cycleway.

EXECUTIVE SUMMARY

- On 14 May 2024, Council's Chief Executive Officer (CEO) submitted a claim for compensation in accordance with the Land Acquisition (Just Terms Compensation) Act for land within Bradfield Park to be compulsorily acquired by TfNSW for the construction of the Sydney Harbour Bridge Cycleway.
- The NSW Government formally acquired the subject land on the 21 June 2024.

- The Valuer General issued its final determination on the 20 September 2024 advising compensation of \$773,655.42 for the subject land within Bradfield Park compulsorily acquired by TfNSW.
- TfNSW has recently approached Council advising of further land to be compulsorily acquired within Bradfield Park for the construction of the Sydney Harbour Bridge Cycleway, and requesting a reduction in the proposed ninety (90) day notification period required to be provided under a Proposed Acquisition Notice.

RECOMMENDATION:

- 1. THAT** Council note the Valuer General's determination regarding land within Bradfield Park recently acquired under leasehold by Transport for NSW (TfNSW) through the Land Acquisition (Just Terms Compensation) Act for the construction of the Sydney Harbour Bridge Cycleway.
- 2. THAT** Council authorises the Chief Executive Officer (CEO) to complete the claim form together with a Deed of Release and Indemnity to acquire the compensation proposed for the leasehold of the subject land within Bradfield Park for the construction of the Sydney Harbour Bridge Cycleway by TfNSW.
- 3. THAT** Council notes correspondence received from TfNSW dated 4 October 2024, regarding their intention to issue a Proposed Acquisition Notice regarding the further acquisition of land within Bradfield Park for the construction of the Sydney Harbour Bridge Cycleway.
- 4. THAT** Council authorises the CEO to write to TfNSW advising that Council will require the maximum time available to consider the Proposed Acquisition Notice, which TfNSW intends to issue to Council regarding the further acquisition of land within Bradfield Park for the construction of the Sydney Harbour Bridge Cycleway.
- 5. THAT** Council authorises the CEO to submit a claim for compensation in accordance with the Land Acquisition (Just Terms Compensation) Act, in response to the Proposed Acquisition Notice, which TfNSW proposes to issue to Council for the further acquisition of additional land within Bradfield Park for the construction of the Sydney Harbour Bridge Cycleway.
- 6. THAT** Council notes that a further report will be brought back to Council in relation to the Valuers General determined compensation for the additional land to be acquired by TfNSW within Bradfield Park for the purposes of the construction of the Sydney Harbour Bridge Cycleway.

This item was considered by exception (see page 7).

224. RESOLVED:

- 1. THAT** Council note the Valuer General's determination regarding land within Bradfield Park recently acquired under leasehold by Transport for NSW (TfNSW) through the Land Acquisition (Just Terms Compensation) Act for the construction of the Sydney Harbour Bridge Cycleway.
- 2. THAT** Council authorises the Chief Executive Officer (CEO) to complete the claim form together with a Deed of Release and Indemnity to acquire the compensation proposed for the leasehold of the subject land within Bradfield Park for the construction of the Sydney Harbour Bridge Cycleway by TfNSW.

3. THAT Council notes correspondence received from TfNSW dated 4 October 2024, regarding their intention to issue a Proposed Acquisition Notice regarding the further acquisition of land within Bradfield Park for the construction of the Sydney Harbour Bridge Cycleway.

4. THAT Council authorises the CEO to write to TfNSW advising that Council will require the maximum time available to consider the Proposed Acquisition Notice, which TfNSW intends to issue to Council regarding the further acquisition of land within Bradfield Park for the construction of the Sydney Harbour Bridge Cycleway.

5. THAT Council authorises the CEO to submit a claim for compensation in accordance with the Land Acquisition (Just Terms Compensation) Act, in response to the Proposed Acquisition Notice, which TfNSW proposes to issue to Council for the further acquisition of additional land within Bradfield Park for the construction of the Sydney Harbour Bridge Cycleway.

6. THAT Council notes that a further report will be brought back to Council in relation to the Valuers General determined compensation for the additional land to be acquired by TfNSW within Bradfield Park for the purposes of the construction of the Sydney Harbour Bridge Cycleway.

10.16. Tender 18/24 Seawall Restoration Works

AUTHOR: Ashraf Doureihy, Engineering Project Manager

PURPOSE:

The purpose of this report is to provide Council with an analysis and recommendations of the tender process for Tender 18/2024 - Seawall Restoration Works.

EXECUTIVE SUMMARY

- Tenders were called and received until 3pm 12 September 2024 for the submission of tenders to undertake seawall restoration works.
- If Council wishes to discuss the report, the meeting should be closed to the public to do so, in accordance with:

(d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

(d)(ii) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to obtain value for money services.

RECOMMENDATION:

- 1. THAT** Council accept the tender of the highest ranked tenderer for Tender 18/2024.
- 2. THAT** the Chief Executive Officer be authorised to take any necessary action to implement the decision including entering into associated contracts.
- 3. THAT** Council resolves that the identified attachment to this report is to be treated as confidential in accordance with section 11(3) of the Local Government Act for the following reason under section 10A(2) of the Local Government Act:

(d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

(d)(ii) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to obtain value for money services.

It is further noted that the release of this information would, on balance, be contrary to the public interest as publication of all tendered documents would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

This item was considered by exception (see page 7).

225. RESOLVED:

- 1. THAT** Council accept the tender of the highest ranked tenderer, Shamrock Developments International, for Tender 18/2024.
- 2. THAT** the Chief Executive Officer be authorised to take any necessary action to implement the decision including entering into associated contracts.
- 3. THAT** Council resolves that the identified attachment to this report is to be treated as confidential in accordance with section 11(3) of the Local Government Act for the following reason under section 10A(2) of the Local Government Act:

(d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

(d)(ii) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to obtain value for money services.

It is further noted that the release of this information would, on balance, be contrary to the public interest as publication of all tendered documents would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

10.17. North Sydney Olympic Pool Redevelopment - Project Update

AUTHOR: Gary Parsons, Director Open Space & Infrastructure

PURPOSE:

The purpose of this report is to provide Council with an update on the redevelopment of the North Sydney Olympic Pool.

EXECUTIVE SUMMARY

- Construction activity across the site continues. The reinstallation of the structural steel roof over the 25-metre indoor pool hall roof commenced in August 2024 and primary and secondary steel components are now in place. Removal of temporary propping has now complete, and the framing is being prepared for roof sheeting.
- Council continues to work towards confirmation of delay timeframes associated with the structural steel issues. Once resolved, the outcome will result in an adjustment to the date for Practical Completion within the contract, which is currently May 2024.
- The contract date for practical completion may not equal the forecast date if the contractor is responsible for any delay.
- The current construction contract value is \$91.47m as of 30 August 2024 inclusive of all agreed variations outlined within this report.
- Council continues to receive variations associated with latent conditions, along with design and construction-related issues.
- Council is required to extend APP Pty Ltd for Project Management services due to the delays associated with the structural steel over the 25m indoor pool.

RECOMMENDATION:

- 1. THAT** the meeting be closed to the public in accordance with Section 10A (2):
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to obtain value for money services.*
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to manage legal matters effectively and in the best interests of the community.*
- 2. THAT** the confidential report and related attachments be treated as confidential and remain confidential unless the Council determines otherwise.
- 3. THAT** Council authorise the Chief Executive Officer to extend the agreement with the APP Group for Project Management resources by an additional \$400K for the North Sydney

Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993.

4. THAT Council notes the contents of this report in relation to the redevelopment of the North Sydney Olympic Pool.

This item was considered by exception (see page 7).

226. RESOLVED:

1. THAT the meeting be closed to the public in accordance with Section 10A (2):

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to obtain value for money services.

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it would affect Council's ability to manage legal matters effectively and in the best interests of the community.

2. THAT the confidential report and related attachments be treated as confidential and remain confidential unless the Council determines otherwise.

3. THAT Council authorise the Chief Executive Officer to extend the agreement with the APP Group for Project Management resources by an additional \$400K for the North Sydney Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993.

4. THAT Council notes the contents of this report in relation to the redevelopment of the North Sydney Olympic Pool.

10.18. North Sydney Olympic Pool - Aqua Dining Tenancy Fitout

AUTHOR: Gary Parsons, Director Open Space & Infrastructure

PURPOSE:

The purpose of this report is to consider a request from Aqua Dining Pty Ltd for Council to provide landowner's consent to accompany the lodgement of a Development Application for the fitout of commercial premises within North Sydney Olympic Pool.

EXECUTIVE SUMMARY

- In March 2021 Council entered into an Agreement for Lease with Aqua Dining Pty Ltd; the lease on-foot was surrendered in April 2021 to enable Council to redevelop North Sydney Olympic Pool.
- The Agreement for Lease requires Aqua Dining to fit out the tenancy upon handover of the premises by the landlord (Council), which requires the submission of a Development Application.

- The Environmental Planning and Assessment Act (1979) requires Development Applications to be accompanied by landowner's consent. Under the Agreement for Lease, Council is required to provide landowner's consent to lodge an application for Development Consent.
- The works proposed by the tenant are primarily restricted to inside the building, with the exception of the proposed demolition of the existing line of glazing along the external terrace, which is proposed to be replaced by new bi-folding windows in alignment with the balustrade of the external terrace.

RECOMMENDATION:

- 1. THAT** Council note that there is an Agreement to Lease between Council and Aqua Dining Pty Ltd for premises within the North Sydney Olympic Pool which is currently being redeveloped by Council.
- 2. THAT** Council note Aqua Dining Pty Ltd is required to submit a Development Application for the fitout of the premises within the North Sydney Olympic Pool under the Agreement to Lease with Council.
- 3. THAT** Council note that Aqua Dining has now approached Council to provide landowner's consent to accompany the submission of a Development Application for the fitout of the premises within the North Sydney Olympic Pool.
- 4. THAT** Council authorise the Chief Executive Officer to grant landowner's consent to enable the submission of a Development Application by Aqua Dining Pty Ltd for the fitout of the premises within the North Sydney Olympic Pool.

This item was considered by exception (see page 7).

227. RESOLVED:

- 1. THAT** Council note that there is an Agreement to Lease between Council and Aqua Dining Pty Ltd for premises within the North Sydney Olympic Pool which is currently being redeveloped by Council.
- 2. THAT** Council note Aqua Dining Pty Ltd is required to submit a Development Application for the fitout of the premises within the North Sydney Olympic Pool under the Agreement to Lease with Council.
- 3. THAT** Council note that Aqua Dining has now approached Council to provide landowner's consent to accompany the submission of a Development Application for the fitout of the premises within the North Sydney Olympic Pool.
- 4. THAT** Council authorise the Chief Executive Officer to grant landowner's consent to enable the submission of a Development Application by Aqua Dining Pty Ltd for the fitout of the premises within the North Sydney Olympic Pool.

10.19. Addendum to Item 10.14 - Review of On-street Parking Infrastructure

This item was brought forward as part of the Public Forum (see page 6).

11. Notices of Motion

11.1. Notice of Motion 16/24: Review of the NSW Electoral Commission - Cr Santer

This item was brought forward as part of the Public Forum (see page 6).

11.2. Notice of Motion 17/24: Parking Meters in the North Sydney Local Government Area - Cr Keen & Cr Carr

This item was brought forward as part of the Public Forum (see page 6).

11.3. Notice of Motion 18/24: Establishment and promotion of a Visitor Economy in North Sydney - Cr Santer

- 1. THAT** Council note the following report on the outcomes for North Sydney of a recent NSW Visitor Economy Forum conducted by Destination NSW (DNSW); and
- 2. THAT** Council seek to establish with DNSW and other relevant public and private tourism industry bodies, appropriate tourism destination experiences, including tour guide and hospitality product, in the North Sydney and North Shore region.
- 3. THAT** Council staff liaise with DNSW to organise a Councillor briefing session and a program of relevant tourism site inspections.

A Motion was moved by Councillor Santer and seconded by Councillor Beregi:

- 1. THAT** Council note the following report on the outcomes for North Sydney of a recent NSW Visitor Economy Forum conducted by Destination NSW (DNSW);
- 2. THAT** Council staff liaise with DNSW to organise a Councillor briefing session.
- 3. THAT** Council seek to establish with DNSW and other relevant public and private tourism industry bodies, appropriate tourism destination experiences, including tour guide and hospitality products, in the North Sydney and North Shore region.
- 4. THAT** Council develop a visitor economic plan to inform the North Sydney Economic Development Strategy.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 10 / 0

For: Councillor Antonini, Councillor Baker, Councillor Beregi, Councillor Carr,
Councillor Holding, Councillor Hoy, Councillor Keen, Councillor Santer,
Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

228. RESOLVED:

- 1. THAT** Council note the following report on the outcomes for North Sydney of a recent NSW Visitor Economy Forum conducted by Destination NSW (DNSW);
- 2. THAT** Council staff liaise with DNSW to organise a Councillor briefing session.
- 3. THAT** Council seek to establish with DNSW and other relevant public and private tourism industry bodies, appropriate tourism destination experiences, including tour guide and hospitality products, in the North Sydney and North Shore region.
- 4. THAT** Council develop a visitor economic plan to inform the North Sydney Economic Development Strategy.

12. Matters of Urgency

Nil

13. Closure

The Meeting concluded at 8.25pm.