



MINUTES

The Minutes of the Council meeting held at the
Council Chambers, North Sydney
at 7pm on Monday 28 April 2025



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1. Opening Meeting

At the commencement of business (7.00pm) those present were: The Mayor, and Councillors Antonini, Beregi, Carr, Holding, Hoy, Santer, 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 Beregi and seconded by Councillor Carr:

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

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

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

Against: Nil

Absent: Nil

74. RESOLVED:

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

4. Confirmation of Minutes

The Motion was moved by Councillor Santer 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

75. RESOLVED:

1. THAT the Minutes of the Council Meeting held on Monday 14 April 2025 be taken as read and confirmed.

5. Disclosures of Interest

The following Disclosures of Interest were made:

Re: 10.3	Draft 2025-29 Delivery Program and 2025-26 Operational Plan
Councillor Welch	On the Board of the Crows Nest Community Centre; their grant is listed in Part 4 (4.3) (Non-pecuniary, significant)
Councillor Carr	On the Board of the Kirribilli Community Centre; referred to in the report. (Non-pecuniary, non significant)

6. Public Forum

There was no Public Forum.

7. Items Considered by Exception

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

1.THAT the Recommendations for the following Items be adopted:

9.2	Traffic Committee Minutes - 28 March 2025
10.1	Matters Outstanding to 24 March 2025
10.2	March 2025 Month-End Financial Report
10.5	Draft Fees and Charges Schedule 2025-26
10.6	Investment and Loan Borrowings Report as at 31 March 2025
10.7	Service Review Framework
10.8	Advertising on Council Infrastructure contract
10.9	New Lease on Council Property - Shop 4, 190-192 Military Road, Neutral Bay
10.10	New Licence on Council Property - Lower Ground Floor, Neutral Bay Community Centre, 190-192 Military Road, Neutral Bay
10.11	New Lease on Council Property - Suite 5.01, 1 James Place, North Sydney

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

76. RESOLVED:

1.THAT the Recommendations for the following Items be adopted:

9.2	Traffic Committee Minutes - 28 March 2025
10.1	Matters Outstanding to 24 March 2025
10.2	March 2025 Month-End Financial Report
10.5	Draft Fees and Charges Schedule 2025-26
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10.11	New Lease on Council Property - Suite 5.01, 1 James Place, North Sydney

8. Mayoral Minutes

8.1. MM01: Keep Royal North Shore Hospital land in public hands

On 5 April 2025 the State Government announced an Expressions of Interest (EOI) process seeking parties interested in buying, or entering into a long-term lease, to develop the 3,301 square metre parcel of land at Lot 4B, Herbert Street, St Leonards – part of the Royal North Shore Hospital Precinct.

The subject land is coloured in blue on the image below. The land falls within the Willoughby Local Government Area and is part of the Crows Nest Accelerated Transport Oriented Development (TOD) precinct.



The Press Release announcing the EOI process entitled “Another block unlocked, St Leonards land to deliver new homes” stated

The Minns Labor Government has launched an Expressions of Interest (EOI) campaign to deliver up to 448 new homes, including 67 affordable homes targeting key workers at the nearby Royal North Shore Hospital precinct.

Activation of the dormant site will create much needed housing on the doorstep of the Royal North Shore Hospital precinct, conveniently located close to transport, services and amenities.

The land was assessed as surplus to the Government’s needs and suitable for housing as part of the NSW Government’s statewide Land Audit. The Audit is identifying unused government land that can be repurposed for the delivery of housing to help ease the State’s housing crisis, so far identifying sites capable of delivering over 8,500 new homes.

The land was included in the St Leonards and Crows Nest Transport Oriented Development Accelerated Precinct (TOD) rezoning which came into effect last November. The rezoning requires 15 per cent of any housing built on the site to be affordable housing.

100% of the affordable housing developed at the site will be allocated as key worker housing, available for all health care workers at Royal North Shore Hospital, ensuring they can live close to work.

*The EOI process will open this week and will close on **15 May 2025**. The EOI is seeking a response from parties interested in delivering housing at the site. It will be the first*

step in a selection process to identify suitable candidates before formal proposals for purchase are invited for consideration.

The Crows Nest TOD Precinct amendments were gazetted on 27 November 2024 and, according to the Department of Planning, Housing and Infrastructure will provide capacity for 5,900 new homes and up to 2,500 new jobs within the precinct – most to be delivered within the North Sydney Local Government Area boundary.

The TOD provided a massive upzoning and consequential uplift in value to sites across the precinct whilst only providing affordable housing contributions of between 3% to 18% for new residential development in the precinct.

Following gazettal of the Crows Nest TOD precinct amendments, the Lot 4B Herbert Street site was rezoned from SP2 Infrastructure (Hospital) to MU1 Mixed Use to permit:

- a maximum height of RL 283 AHD to facilitate a 62 storey building;
- a floor space ratio of 14.3:1, with approximately 620m² of non-residential land use and 46,300m² residential land use; and
- an affordable housing contribution rate of 15% on the site.

This is not the first time that a State Government has sought to sell off this important public asset. In late 2014, then Health Minister, Jillian Skinner, announced plans to sell off part of the Royal North Shore campus to a private developer. There was a long campaign against this proposal – indeed, an orthopaedic surgeon, Dr Stephen Ruff ran as an independent candidate in the Federal election in 2015 on this very issue.

Then, again, in 2021 the former State Government intended to develop a 45 storey mixed use development including 500 units, commercial and retail units with short term accommodation and a new school.

At the time, the Sydney Morning Herald reported that:

...doctors were concerned about the development, given the significant loss of prime public land being essentially used for private development.

“We support the concept of more schools and key worker accommodation, although we do not think that this should be done to the detriment of our future health care needs,” he said. (SMH, 5 September 2021)

It is incredibly disappointing and short-sighted that the State Government is pursuing the sale of this vital public land. Addressing the housing crisis is important work. Yet, whilst the recently gazetted Crows Nest TOD amendments provide for an additional 5,900 new dwellings on the doorstep of this hospital precinct and delivered huge windfall increases in property values to a handful of private property owners, it failed to mandate more than 3% affordable housing provision for most of the sites within the precinct.

The EOI itself merely calls for the provision of just 67 affordable units within an up to 62 storey tower. 15% is risible.

It is essential that valuable public land within a health precinct continue to be held by the government in order to provide vital public health services to the significantly increasing population in the TOD precinct and beyond. This is especially important in the context that Royal North Shore is a major teaching hospital serving a rapidly expanding population and occupies the smallest land area of any of the major tertiary referral hospitals in NSW.

Once sold, no future government will ever be able to afford to acquire land within this hospital precinct again.

The State Government must retain the land in public hands and deliver housing for health care workers on the site without flogging it off to private developers for a quick profit.

I therefore recommend:

- 1. THAT** Council call on the State Government not to sell off vital public land within an essential hospital precinct to developers.
- 2. THAT** Council write to Willoughby City Council, Lane Cove Council, and NSROC, seeking that they join North Sydney Council in lobbying the State Government to retain public ownership of the Royal North Shore Hospital precinct land.

The Motion was moved by The Mayor.

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

77. RESOLVED:

- 1. THAT** Council call on the State Government not to sell off vital public land within an essential hospital precinct to developers.
- 2. THAT** Council write to Willoughby City Council, Lane Cove Council, and NSROC, seeking that they join North Sydney Council in lobbying the State Government to retain public ownership of the Royal North Shore Hospital precinct land.

9. Reports of Committees

9.1. Audit, Risk and Improvement Committee Minutes - 21 March 2025

AUTHOR: Ian Curry, Manager Governance

PURPOSE

The purpose of this report is to enable Council to consider the Minutes of this Committee as required under the Audit, Risk, and Improvement Committee Terms of Reference.

EXECUTIVE SUMMARY

- This report presents the decisions of the last meeting of the Audit, Risk, and Improvement Committee held on 21 March 2025 for Council adoption. The minutes are attached for information.

RECOMMENDATION:

1.THAT the Minutes of the Audit, Risk, and Improvement Committee meeting held on 21 March 2025 be endorsed.

The Motion was moved by Councillor Beregi and seconded by Councillor 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

78. RESOLVED:

1.THAT the Minutes of the Audit, Risk, and Improvement Committee meeting held on 21 March 2025 be endorsed.

9.2. Traffic Committee Minutes - 28 March 2025

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 28 March 2025 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 meeting dated 28 March 2025 be received.

This item was dealt with by exception (see page 5).

79. RESOLVED:

- 1. THAT** the Minutes of the Traffic Committee meeting dated 28 March 2025 be received.

10. Reports to Council

10.1. Matters Outstanding to 24 March 2025

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 24 March 2025 Ordinary Meeting of Council.

RECOMMENDATION:

- 1. THAT** the report be received.

This item was dealt with by exception (see page 5).

80. RESOLVED:

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

10.2. March 2025 Month-End Financial Report

AUTHOR: Seema Kinger, Management Accountant

PURPOSE

This report provides an overview of North Sydney Council's financial performance for the period ended 31 March 2025. It compares budgeted versus actual financial results and year-to-date (YTD) trends to support decision-making and financial planning.

EXECUTIVE SUMMARY

- A new monthly report has been developed to improve monitoring and reporting in relation to Council's financial position and performance. This report does not replace the Quarterly Budget Review for the purposes of voting on budget variations.
- This report provides financial information as of 31 March 2025. Timing of creditor invoices received, and operational projects should be acknowledged in reviewing this report.
- The financial performance for March 2025 for North Sydney Council remained within budget parameters.
- Efforts have and will continue to be made towards cost control and reduction to support improved liquidity forecasts, with further savings expected in employee costs and contractor costs as we move through the year.
- It should be noted that as of 31 March 2025, 87.79% of budgeted revenue has been accounted for, while 71.37% of expenditure has been accounted for. This is due to the levying of rating revenue early in the fiscal year. The year-to-date operating results are reflective of this and do not represent the forecast year end results.
- This report provides a detailed analysis of budget vs. actual figures, YTD performance:
 - Total Income from Continuing Operations: \$130.9m (Total Budget: \$148.26m)
 - Total Expenses from Continuing Operations: \$103.6m (Total Budget: \$144.05m)
 - Operating Result from Continuing Operations: \$27.3m (Budget: \$4.2m)
 - Net Operating results before capital grants and contributions: \$22.5m (Budget: \$-5.47m)

RECOMMENDATION:

1. **THAT** Council note the March 2025 End of Month financial results.

This item was dealt with by exception (see page 5).

81. RESOLVED:

1. THAT Council note the March 2025 End of Month financial results.

Councillor Welch declared an interest in following matter and left the meeting at 7.21pm.

10.3. Draft 2025-29 Delivery Program and 2025-26 Operational Plan


AUTHOR: Emma FitzRoy, Executive Manager Organisational Performance

PURPOSE

The purpose of this report is to seek approval from Council to exhibit the draft Delivery Program 2025-2029 and the Operational Plan and Budget 2025-2026.

EXECUTIVE SUMMARY

- Council's commitment to supporting delivery of the Community Strategic Plan 2025-2035 is articulated through the Delivery Program (DP), a four-year plan that outlines the strategic initiatives Council will undertake during its term.
- The Operational Plan (OP) provides a detailed one-year schedule of activities, services, projects, and budgets, to implement the DP.
- To reduce duplication, the draft Delivery program 2025-2029 and Operational Plan and Budget 2025-2026 are presented in one integrated document.
- Projects from Council's adopted Informing Strategies are included within the DP, however, given that the Informing Strategies span a 10-year period, not all projects listed in the Strategies are scheduled to commence within the first four years. Consequently, only some of the identified projects are included in this DP.
- In line with Council's Long Term Financial Plan, a special rate variation (SRV) application was submitted to IPART in February 2025 to increase rating revenue. This increase is required to address the current financial deficit, reduce the asset backlog, and support future planning. IPART's determination is expected in May 2025.
- The budget has been prepared on the assumption that the SRV is successful and forecasts a net operating result before capital grants and contributions of \$13M to fund capital expenditure and loan repayments. 2025-26 budget estimates are detailed on pages 89 – 96 of the Draft Delivery Program and Operational Plan.
- The proposed capital expenditure budget totals \$36M. Page 7 and 8 of the Draft Delivery Program and Operational Plan provides a capital works map outlining locations within the LGA for works, while pages 92-96 outline proposed project budgets.

- In addition to funding Council operations, the budget also outlines \$1.3M in support for community organisations, not-for-profits, individuals and businesses through a range of grants, donations and subsidies.
- If the SRV application is not approved in full, some projects detailed in the attached draft Delivery Program 2025-2029 and Operational Plan and Budget 2025-2026 will need to be removed, reduced, or delayed until funding becomes available (shown with  in the attached plan).
- Depending on the final SRV determination, some planned backlog and renewal projects may also need to be deleted from the capital works program, and existing services reduced.

RECOMMENDATION:

- 1. THAT** the draft Delivery Program 2025-2029 and Operational Plan containing the Budget and Statement of Revenue Policy for 2025-2026 be endorsed for a period of public exhibition of not less than 28 days, from 30 April to 29 May 2025, inviting submissions from the public; and
- 2. THAT** Council receives a report at the conclusion of the period of public exhibition, providing the outcomes of public exhibition and SRV determination for consideration.

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

The Motion was put and **Carried**.

Voting was as follows:

For/Against 6 / 3

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

82. RESOLVED:

- 1. THAT** the draft Delivery Program 2025-2029 and Operational Plan containing the Budget and Statement of Revenue Policy for 2025-2026 be endorsed for a period of public exhibition of not less than 28 days, from 30 April to 29 May 2025, inviting submissions from the public; and
- 2. THAT** Council receives a report at the conclusion of the period of public exhibition, providing the outcomes of public exhibition and SRV determination for consideration.

Councillor Welch returned to the meeting at 7.28pm.

10.4. Community Strategic Plan 2025-2035

AUTHOR: Emma FitzRoy, Executive Manager Organisational Performance

PURPOSE

The purpose of this report is present to 2025-2035 Community Strategic plan to Council for endorsement.

EXECUTIVE SUMMARY

- Over the past year, Council has conducted extensive research and broad community consultation to identify the key priorities and aspirations of the people who live and work in North Sydney.
- This research informed the development of eight informing strategies that articulate the community's aspirations and provide a roadmap for achieving them.
- The informing strategies were publicly exhibited from 27 November 2024 to 10 January 2025, updated to reflect community feedback, and formally adopted by Council on 10 February 2025.
- These eight strategies were combined to create the 2025–35 Community Strategic Plan (CSP). While the CSP was assembled by Council, it belongs to the community, with its content directly reflecting what the community have told us over the past year.
- The draft 2025–35 Community Strategic Plan (CSP) was presented to Council on 10 March 2025 and subsequently exhibited from 12 March to 9 April 2025.
- A total of 33 submissions were received in response to the exhibition of the draft CSP. This report provides a summary of key concerns raised and responses. The full list of submissions and responses is provided as an attachment.
- A number of small amendments have been made to the CSP to address feedback and make minor administrative changes. The updated CSP is now presented to Council for endorsement.
- The CSP is a high-level plan that sets the direction for how Council allocates its resources. Council's Delivery Program 2025–29 and Operational Plan 2025-26 (presented to Council in a separate report) details the specific actions Council will take over the next four years to support delivery of the outcomes detailed in the CSP.

RECOMMENDATION:

- 1. THAT** the Community Strategic plan 2025-2035 be endorsed and come into effect on 1 July 2025.
- 2. THAT** the Chief Executive Officer be authorised to make minor corrections and administrative amendments to the Community Strategic Plan, if required.

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

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

83. RESOLVED:

- 1. THAT** the Community Strategic plan 2025-2035 be endorsed and come into effect on 1 July 2025.
- 2. THAT** the Chief Executive Officer be authorised to make minor corrections and administrative amendments to the Community Strategic Plan, if required.

10.5. Draft Fees and Charges Schedule 2025-26

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

PURPOSE

The purpose of this report is to provide details of the proposed fees and charges for the financial year commencing 1 July 2025, and to seek endorsement from Council for the Schedule to be placed on public exhibition prior to final adoption.

EXECUTIVE SUMMARY

- In the 2023/2024 financial year, Fees and Charges comprised 21% of Council's total annual income.
- The Draft Fees and Charges Schedule 2025/26 have been developed in accordance with the principles contained within Councils revenue policies.
- 50 new fees and charges are proposed, and 112 existing fees and charges are proposed to be restructured into existing fees or discontinued. This is largely due to the streamlining of Compliance certificates.
- The proposed changes will not have a material impact on Council's financial position.

RECOMMENDATION:

- 1. THAT** the Draft Fees and Charges Schedule 2025/26 be endorsed and placed on public exhibition for 28 days.

2. THAT a further report be prepared for Council's consideration at the submissions closing period to facilitate adoption of the Fees and Charges Schedule 2025/26 by 30 June 2025.

This item was dealt with by exception (see page 5).

84. RESOLVED:

1. THAT the Draft Fees and Charges Schedule 2025/26 be endorsed and placed on public exhibition for 28 days.

2. THAT a further report be prepared for Council's consideration at the submissions closing period to facilitate adoption of the Fees and Charges Schedule 2025/26 by 30 June 2025.

10.6. Investment and Loan Borrowings Report as at 31 March 2025

AUTHORS: Christian Menday, 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 31 March 2025.

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 March, the total investment portfolio (which includes Term Deposits, Floating Rate Notes and Bonds) provided a return of +0.35% (actual), or +4.16% p.a. (annualised), in line the benchmark AusBond Bank Bill Index return of +0.35% (actual), or +4.16% p.a. (annualised).
- Returns on investments exceed the March YTD budget by \$897,349. This result includes fees paid to Council's investment adviser which total \$9,000 year to date. The annual fee is \$12,000.

RECOMMENDATION:

1. THAT the report on Investments held at 31 March 2025, prepared in accordance with clause 212 of the Local Government (General) Regulation 2021, and the information on Loan Borrowings be received.

This item was dealt with by exception (see page 5).

85. RESOLVED:

1. THAT the report on Investments held at 31 March 2025, prepared in accordance with clause 212 of the Local Government (General) Regulation 2021, and the information on Loan Borrowings be received.

10.7. Service Review Framework

AUTHOR: Gina Pianta, Organisational Performance Specialist

PURPOSE:

The purpose of this report is to present Council with the Service Review Framework.

EXECUTIVE SUMMARY

- All Councils in NSW are required to undertake systematic reviews of their services under the Office of Local Government Integrated Planning and Reporting (IP&R) Guidelines.
- In response to this requirement and Council's ongoing commitment to continuous improvement, a draft Service Review Framework was developed and presented to Council's Executive Leadership Team (ELT) in July 2024.
- A pilot service review was then undertaken to apply and refine the draft framework. The updated framework (attached) was subsequently adopted by the ELT in February 2025.
- The framework is based on the UTS Service Review Guide and incorporates Kaizen and Design Thinking methodologies to build a Council-wide culture of continuous improvement through collaborative problem-solving, quick wins, and a service excellence mindset.
- Continuous improvement through the framework is viewed through the four dimensions of the Balanced Scorecard (learning and growth, internal processes, customer experience, and financial perspective) along with sustainability.
- The ELT has nominated three service areas for review for 2025-2026. These are Governance, Tree Management, and Environmental Health and Building Compliance.
- The proposed four-year Service Review Program is included in the draft Delivery Program 2025-2029 which is presented to Council in a separate report.
- A service review evaluation report will be provided to Council's Audit, Risk, and Improvement Committee (ARIC) and Council in November/December each year to summarise the benefits realised through implementation of service review recommendations.

RECOMMENDATION:

1. THAT Council receive and note the Service Review Framework report.

This item was dealt with by exception (see page 5).

86. RESOLVED:

1. THAT Council receive and note the Service Review Framework report.

10.8. Advertising on Council Infrastructure contract

AUTHOR: Luke Harvey, Director Corporate Services

PURPOSE:

The purpose of this report is to provide an update on the advertising on Council infrastructure contract with JCDecaux and to seek Council endorsement to exercise the two-year extension option in the existing agreement.

EXECUTIVE SUMMARY

- Council entered a contract with JCDecaux on 26 April 2022 for advertising on selected Council infrastructure (bus stops and communication panels), with the contract commencing on 1 April 2023.
- The contract runs until 31 March 2031, with an optional two-year extension to 31 March 2033.
- It was anticipated that converting existing advertising panels to digital and installing new digital infrastructure would significantly boost advertising revenue. However, due to delays and challenges associated with Transport for NSW (TfNSW) concurrence and heritage in the development application process, no digital infrastructure has been installed.
- It should be noted that development assessments for this infrastructure are undertaken by independent planners due to them being located on Council land.
- JCDecaux have now advised that they have reviewed their proposals to address previous concerns and are interested in undertaking new development proposals.
- JCDecaux have requested Council provide the two-year extension in the contract now. Providing the extension now gives JCDecaux the investment certainty of a longer payback period to install the approved digital advertising infrastructure. This will result in higher returns for Council over the remainder of the contract term.
- Council resolution is required to grant the two-year extension now.

RECOMMENDATION:

1. THAT Council approve the Chief Executive Officer being delegated the authority to negotiate the variation and any other necessary changes to the existing contract and to enter into any variation or contract to give effect to the negotiated position.

This item was dealt with by exception (see page 5).

87. RESOLVED:

1. THAT Council approve the Chief Executive Officer being delegated the authority to negotiate the variation and any other necessary changes to the existing contract and to enter into any variation or contract to give effect to the negotiated position.

10.9. New Lease on Council Property - Shop 4, 190-192 Military Road, Neutral Bay

AUTHOR: Alistair White, Commercial Property Specialist

PURPOSE

The purpose of this report is to seek Council's endorsement to enter a proposed new lease for Shop 4, 190-192 Military Road, Neutral Bay on the terms and conditions contained in this report.

EXECUTIVE SUMMARY

- Council has received a lease proposal for Shop 4, 190-192 Military Road, Neutral Bay which requires a rental incentive to be considered.
- 190-192 Military Road comprises four ground floor retail units, public WCs and the Neutral Bay Community Centre on Level 1, community hall and meeting room for hire on Level 2, and a vacant lower ground floor premises previously occupied by a not-for-profit, Mary's House. The four retail units are leased to provide income as part of Council's commercial property portfolio, and to diversify and spread the risk of Council's revenue streams.
- The confidential attachments include monetary information relating to property income, as well as leasing transactions. Should Council wish to discuss this report it is noted that the attached confidential document includes information that would, if disclosed, confer a commercial advantage on a competitor of the Council. Further, release of the information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.
- If Council wishes to discuss the report, the meeting should be closed to the public to do in accordance with Section 10A(2)(a) of the Local Government Act (LGA).

RECOMMENDATION:

- 1. THAT** Council resolves to enter the proposed lease over Shop 4, 190-192 Military Road, Neutral Bay on the terms and conditions detailed in the confidential report.
- 2. THAT** Council authorise the Chief Executive Officer (or their delegate) to sign all necessary legal documents in relation to this matter.
- 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) commercial information of a confidential nature that would, if disclosed
(ii) confer a commercial advantage on a competitor of the Council. It is further noted that the release of this information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.

This item was dealt with by exception (see page 5).

88. RESOLVED:

1. THAT Council resolves to enter the proposed lease over Shop 4, 190-192 Military Road, Neutral Bay on the terms and conditions detailed in the confidential report.

2. THAT Council authorise the Chief Executive Officer (or their delegate) to sign all necessary legal documents in relation to this matter.

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) commercial information of a confidential nature that would, if disclosed
(ii) confer a commercial advantage on a competitor of the Council. It is further noted that the release of this information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.

10.10. New Licence on Council Property - Lower Ground Floor, Neutral Bay Community Centre, 190-192 Military Road, Neutral Bay

AUTHOR: Alistair White, Commercial Property Specialist

PURPOSE

The purpose of this report is to seek Council's endorsement to enter a proposed new licence over Lower Ground Floor, Neutral Bay Community Centre, 190-192 Military Road, Neutral Bay on the terms and conditions contained in this report.

EXECUTIVE SUMMARY

- Council has received a licence proposal for the Lower Ground Floor, Neutral Bay Community Centre, 190-192 Military Road, Neutral Bay.
- 190-192 Military Road comprises four ground floor retail units, public WCs and the Neutral Bay Community Centre on Level 1, community hall and meeting room for hire on Level 2, and a vacant lower ground floor premises previously occupied by a not for profit, Mary's House. The four retail units are leased to provide income as part of Council's commercial property portfolio, and to diversify and spread the risk of Council's revenue streams. The other areas of the building are used for community purposes to support community groups, classes and activities and to accommodate not-for-profit/charitable organisations providing community services.

- The confidential attachments include monetary information relating to property income, as well as leasing transactions. Should Council wish to discuss this report it is noted that the attached confidential document includes information that would, if disclosed, confer a commercial advantage on a competitor of the Council. Further, release of the information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.
- If Council wishes to discuss the report, the meeting should be closed to the public to do in accordance with Section 10A(2)(a) of the Local Government Act (LGA).

RECOMMENDATION:

1. THAT Council resolves to enter the proposed lease over Lower Ground Floor, Neutral Bay Community Centre, 190-192 Military Road, Neutral Bay on the terms and conditions detailed in the confidential report.

2. THAT Council authorise the Chief Executive Officer (or their delegate) to sign all necessary legal documents in relation to this matter.

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) commercial information of a confidential nature that would, if disclosed

(ii) confer a commercial advantage on a competitor of the Council. It is further noted that the release of this information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.

This item was dealt with by exception (see page 5).

89. RESOLVED:

1. THAT Council resolves to enter the proposed lease over Lower Ground Floor, Neutral Bay Community Centre, 190-192 Military Road, Neutral Bay on the terms and conditions detailed in the confidential report.

2. THAT Council authorise the Chief Executive Officer (or their delegate) to sign all necessary legal documents in relation to this matter.

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) commercial information of a confidential nature that would, if disclosed

(ii) confer a commercial advantage on a competitor of the Council. It is further noted that the release of this information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.

10.11.New Lease on Council Property - Suite 5.01, 1 James Place, North Sydney

AUTHOR: Alistair White, Commercial Property Specialist

PURPOSE

The purpose of this report is to seek Council's endorsement to enter the proposed new lease over Suite 5.01, Level 5, 1 James Place, North Sydney on the terms and conditions contained in this report.

EXECUTIVE SUMMARY

- Council has received a lease proposal for Suite 5.01, Level 5, 1 James Place, North Sydney which requires a rental abatement to be considered.
- 1 James Place is an office building forming part of Council's property portfolio which is held as investments for income purposes, and to diversify and spread the risk of Council's revenue streams.
- The confidential attachments include monetary information relating to property income, as well as leasing transactions. Should Council wish to discuss this report it is noted that the attached confidential document includes information that would, if disclosed, confer a commercial advantage on a competitor of the Council. Further, release of the information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.
- If Council wishes to discuss the report, the meeting should be closed to the public to do in accordance with Section 10A(2)(a) of the Local Government Act (LGA).

RECOMMENDATION:

- 1. THAT** Council resolves to enter the proposed lease over Suite 5.01, Level 5, 1 James Place, North Sydney on the terms and conditions detailed in the confidential report.
- 2. THAT** Council authorise the Chief Executive Officer (or their delegate) to sign all necessary legal documents in relation to this matter.
- 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) commercial information of a confidential nature that would, if disclosed*
 - (ii) confer a commercial advantage on a competitor of the Council. It is further noted that the release of this information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.*

This item was dealt with by exception (see page 5).

90. RESOLVED:

- 1. THAT** Council resolves to enter the proposed lease over Suite 5.01, Level 5, 1 James Place, North Sydney on the terms and conditions detailed in the confidential report.
- 2. THAT** Council authorise the Chief Executive Officer (or their delegate) to sign all necessary legal documents in relation to this matter.
- 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) commercial information of a confidential nature that would, if disclosed

(ii) confer a commercial advantage on a competitor of the Council. It is further noted that the release of this information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.

10.12.North Sydney Olympic Pool Redevelopment Project Update

AUTHOR: Gary Parsons, Director Open Space & Infrastructure

PURPOSE

This report provides Council with an update on the North Sydney Olympic Pool redevelopment project.

EXECUTIVE SUMMARY

- Council's contractor (Icon) is progressing works onsite, however, the date for the completion of the project is being impacted by continuing program slippages. The revised contractual date for Practical Completion remains 11 July 2024; Council's contractor Icon is now reporting a forecast target for Practical Completion of 30 August 2025.
- The revised construction contract sum is currently \$91.8m and total project costs remain within the forecast cost to completion of \$122m. Whilst Council's project team has continued to manage costs within this budget the significant number of variations to be lodged, and increased costs associated with the extension of consultants and insurances due to delays now put this budget at risk.
- Due to ongoing delays Council is required to extend the services of APP Project Management, BHA Pty for design services, CPM for programming services and Sparke Helmore Pty Ltd for legal services.

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.

2. THAT Council authorise the Chief Executive Officer to extend the agreement with the APP Group Pty Ltd for Project Management resources to 30 August 2025 at a cost of \$249,000 for the North Sydney Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993, noting that the additional costs can currently be accommodated within the existing budget at this stage.

3. THAT Council authorise the Chief Executive Officer to extend the agreement with the Brewster Hjorth Architects Pty Ltd to 30 August 2025 at a cost of \$660,000 for the North Sydney Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993, noting that the additional costs can currently be accommodated within the existing budget at this stage.

4. THAT Council authorise the Chief Executive Officer to extend the agreement with the CPM Pty Ltd to 30 August 2025 at a cost of \$115,000 for the North Sydney Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993, noting that the additional costs can currently be accommodated within the existing budget at this stage.

5. THAT Council authorise Chief Executive Officer to extend the agreement with the Sparke Helmore to 30 August 2025 at a cost of \$90,000 for the North Sydney Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993, noting that the additional costs can currently be accommodated within the existing budget at this stage.

6. THAT Council notes that Works Insurance for the redevelopment of the North Sydney Olympic Pool will now need to be extended due to ongoing delays.

7. THAT Council notes the financial impacts and risks associated with the ongoing delays associated with the redevelopment of the North Sydney Olympic Pool.

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

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

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

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

1. THAT Council resolve to move to confidential session in accordance with section 11(3) of the Local Government Act for the following reason under section 10A(2) of the Local Government Act:

(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.

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

91. RESOLVED:

1. THAT Council resolve to move to confidential session in accordance with section 11(3) of the Local Government Act for the following reason under section 10A(2) of the Local Government Act:

(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.

The meeting was closed to the public at 7.40pm.

The Motion was put and **Carried** in closed session.

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

The open session of Council resumed at 7.46pm and the Mayor read the resolutions of Council made in closed session to the meeting.

92. 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.

2. THAT Council authorise the Chief Executive Officer to extend the agreement with the APP Group Pty Ltd for Project Management resources to 30 August 2025 at a cost of \$249,000 for the North Sydney Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993, noting that the additional costs can currently be accommodated within the existing budget at this stage.

3. THAT Council authorise the Chief Executive Officer to extend the agreement with the Brewster Hjorth Architects Pty Ltd to 30 August 2025 at a cost of \$660,000 for the North Sydney Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993, noting that the additional costs can currently be accommodated within the existing budget at this stage.

4. THAT Council authorise the Chief Executive Officer to extend the agreement with the CPM Pty Ltd to 30 August 2025 at a cost of \$115,000 for the North Sydney Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993, noting that the additional costs can currently be accommodated within the existing budget at this stage.

5. THAT Council authorise Chief Executive Officer to extend the agreement with the Sparke Helmore to 30 August 2025 at a cost of \$90,000 for the North Sydney Olympic Pool redevelopment using the extenuating circumstances provisions within s55(3)(i) of the Local Government Act 1993, noting that the additional costs can currently be accommodated within the existing budget at this stage.

6. THAT Council notes that Works Insurance for the redevelopment of the North Sydney Olympic Pool will now need to be extended due to ongoing delays.

7. THAT Council notes the financial impacts and risks associated with the ongoing delays associated with the redevelopment of the North Sydney Olympic Pool.

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

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

11. Notices of Motion

Nil

12. Matters of Urgency

Nil

13. Closure

The Meeting concluded at 7.49pm.