



Council Chambers
13 June 2025

An Ordinary Meeting of Council will be held on Cammeraygal lands at the Council Chambers, North Sydney at 7.00pm on Monday 23 June 2025. The agenda is as follows.

THERESE COLE
CHIEF EXECUTIVE OFFICER

North Sydney Council is an Open Government Council. The records of Council are available for public viewing in accordance with this policy, with the only exception being made for certain confidential documents such as legal advice, matters required by legislation not to be divulged, and staff matters.

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- 1. Opening of Meeting**
 - 2. Acknowledgement of Country**
 - 3. Apologies and applications for leaves of absence or attendance by audio-visual link by councillors**
 - 4. Confirmation of Minutes**
 - 5. Disclosures of Interests**
 - 6. Public Forum**
 - 7. Items by Exception**
 - 8. Mayoral Minutes**
Nil
 - 9. Reports of Committees**
 - 9.1 Access and Inclusion Committee Minutes - 27 May 2025
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10. Reports to Council

- 10.1 Matters Outstanding to 26 May 2025
- 10.2 May 2025 Month-End Financial Report
- 10.3 Investment and Loan Borrowings Report as at 31 May 2025
- 10.4 2025/26 Determination of the Local Government Remuneration Tribunal
- 10.5 Naming of Lane between 39 and 41 McLaren Street, North Sydney
- post-exhibition report
- 10.6 Community Engagement Strategy 2025-2029 - post-exhibition report
- 10.7 Pesticide Use Notification Plan
- 10.8 Compliance and Enforcement Policy - post-exhibition report
- 10.9 Review of Asset Accounting and Capitalisation Policy
- 10.10 New Lease on Council Property - Shop 2, 190-192 Military Road, Neutral Bay
- 10.11 3rd Quarterly Commercial Property Portfolio Report FY2024/25
- 10.12 Tender 26/2024 - Property Management Services
- 10.13 North Sydney Olympic Pool Redevelopment Project Update

11. Notices of Motion/Questions with Notice

- 11.1 Notice of Motion 14/25: Beachwatch - Cr Welch

12. Matters of Urgency

Raised by Councillors

13 Closure of Meeting

In the spirit of open, accessible, and transparent government, the Council meetings of North Sydney Council will be streamed live via Council's website. By speaking at a Council meeting, members of the public agree to being recorded and must ensure their speech to the Council is respectful and use appropriate language. A person who uses defamatory, discriminatory, or offensive language may be exposed to liability for which Council takes no responsibility. Any part of the meeting that is held in Closed Session will not be recorded.

TO: The Mayor Zoë Baker, and Councillors Antonini, Beregi, Carr, Holding, Hoy, Keen, Santer, Spenceley, and Welch

MEETING OF COUNCIL TO BE HELD ON MONDAY 23 JUNE 2025

1. OPENING MEETING

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES AND APPLICATIONS FOR LEAVES OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

4. CONFIRMATION OF MINUTES

THAT THE MINUTES of the Ordinary Council meeting held on Monday 26 May 2025 be taken as read and confirmed.

5. DISCLOSURES OF INTEREST

6. PUBLIC FORUM

7. ITEMS BY EXCEPTION

8. MINUTES OF THE MAYOR

Nil

9. REPORTS OF COMMITTEES

9.1 Access and Inclusion Committee Minutes - 27 May 2025

Report of Peita Rose, Governance Officer

The purpose of this report is to outline the proceedings of the Access and Inclusion Committee meeting of 27 May 2025 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.

This report presents the recommendations of the last meeting of the Access and Inclusion Committee held 27 May 2025.

The Minutes are attached for the information of Council.

Recommending:

1. THAT the Minutes of the Access and Inclusion Committee meeting dated 27 May 2025 be received and noted by Council.

10. REPORTS TO COUNCIL

10.1 Matters Outstanding to 26 May 2025

Report of Ian Curry, Manager Council and Committee Services

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.

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 26 May 2025 Ordinary Meeting of Council.

Recommending:

1. THAT the report be received.

10.2 May 2025 Month-End Financial Report

Report of Seema Kinger, Management Accountant

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

This 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 May 2025. Timing of creditor invoices received, and operational projects should be acknowledged in reviewing this report.

The financial performance for May 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.

As we move towards the end of the financial year, we expect additional income to be realised, and further reductions in materials and contracts expenditure are expected. We estimate that this could see our operating deficit before capital grants and contributions (including domestic waste) move into surplus position within the

2024/25 financial statements. However, reconciliations are required at year-end to confirm this.

It should be noted that as of 31 May 2025, 95.88% of budgeted revenue has been accounted for, and 87.85% 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: \$147.3m (Total Budget: \$153.6m)
- Total Expenses from Continuing Operations: \$126.3m (Total Budget: \$143.8m)
- Operating Result from Continuing Operations: \$21m (Budget: \$9.9m)
- Net Operating results before capital grants and contributions: \$9.8m (Budget: \$-2m)

Recommending:

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

10.3 Investment and Loan Borrowings Report as at 31 May 2025

Report of Daniel Peacock, Acting Financial Controller

The purpose of this report is to provide details of the performance of Council's investments and loans for the month ending 31 May 2025.

All investments have been made in accordance with the Local Government Act and Regulations and Council's Financial Investments Policy.

For the month of May, the total investment portfolio (which includes Term Deposits, Floating Rate Notes and Bonds) provided a return of +0.33% (actual), or +3.97% p.a. (annualised), slightly under performing the benchmark AusBond Bank Bill Index return of +0.34% (actual), or +4.12% p.a. (annualised).

Returns on investments exceed the May YTD budget by \$82,720. This result includes fees paid to Council's investment adviser which total \$13,500 year to date. The annual fee is \$18,000.

Investment income budget was increased by \$1.2 million in the March Quarter Budget Review.

Recommending:

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

10.4 2025/26 Determination of the Local Government Remuneration Tribunal

Report of Ian Curry, Manager Governance

The purpose of this report is to advise Council of the Local Government Remuneration Tribunal determination for 2025/26, and for Council to determine to fix and pay an annual fee to Councillors and the Mayor from 1 July 2025, in accordance with the Tribunal's determination.

The Local Government Remuneration Tribunal has determined an increase of 3% to mayoral and councillor fees for the 2025/26 financial year, with effect from 1 July 2025.

The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every three years, under section 239 of the Local Government Act 1993 (the Act). The Tribunal last undertook a significant review of the categories as part of its 2023 determination and will next review these categories in 2026.

The Local Government Act 1993 requires councils to fix and pay an annual fee to councillors and mayors from 1 July 2025 based on the Tribunal's determination for the 2025/26 financial year.

Recommending:

1. THAT Council fix the annual councillors' fee to \$29,950 in accordance with the Metropolitan Medium Councils allowable fee determined by the Local Government Remuneration Tribunal for the 2025/26 year.

2. THAT Council fix the annual fee Mayoral fee to \$78,480 in accordance with the Metropolitan Medium Councils allowable fee determined by the Local Government Remuneration Tribunal for the 2025/26 year.

10.5 Naming of Lane between 39 and 41 McLaren Street, North Sydney - post-exhibition report

Report of Risha Joseph, Senior Property Officer

The purpose of this report is to outline the outcome of the public consultation held from 11 April 2025 to 13 May 2025 in relation to the proposed naming of Gamarada Lane which lies between 39 and 41 McLaren Street North Sydney, and to seek Council's endorsement to adopt the name.

At the meeting of Council on 24 March 2025, Council considered a report on a proposal to name the laneway off McLaren Street North Sydney (between numbers 39 and 41), Gamarada Lane.

Council approved the proposed name "Gamarada Place," subject to a 28-day public exhibition period.

Council received three submissions, two in favour of, and one opposing the proposed name. The submissions are outlined in the attachment to this report.

Recommending:

1. THAT Council adopt the name "Gamarada Place".

2. THAT an application be lodged with the Geographical Names Board of NSW to formally gazette the adopted name.

3. THAT, once gazetted, Council proceed with the production and installation of signage for the lane.

10.6 Community Engagement Strategy 2025-2029 - post-exhibition report

Report of Catrin Hobart, Executive Manager Corporate Affairs

The purpose of this report is to present the Community Engagement Strategy 2025 - 2029 to Council for endorsement.

In accordance with legislative requirements, the North Sydney Community Engagement Protocol was reviewed prior to 14 December 2024 (i.e., within three months of the local government elections) with findings used to inform the new Community Engagement Strategy 2025 - 2029 (CES).

The CES replaces the previous North Sydney Community Engagement Protocol, in line with the Office of Local Government's Integrated Planning and Reporting Guidelines.

The new CES follows best practice recommendations from the Integrated Planning and Reporting Handbook for Local Councils in NSW (2021) and aligns with the community engagement principles in the Environmental Planning and Assessment Act 1979.

The Community Engagement Strategy (CES) provides a framework for how North Sydney Council will engage with the community to support the development of its plans, policies, programs, and key activities. It provides clear guidelines detailing how, when, and with whom Council will engage, ensuring that every step of the process is transparent and accountable.

The CES also includes the Community Participation Plan (CPP) that sets out when and how Council will undertake community engagement across its specific planning functions. This is required under the Environment Planning and Assessment Act 1979 (EP&A Act).

As part of the new CES, eight new Strategic Advisory Reference (STAR) committees will be established to provide strategic advice and expert input towards the implementation of the Community Strategic Plan and Delivery Program. These Committees will assist the Council to leverage the social capital within North Sydney to enhance strategic outcomes.

The draft 2025-2029 Community Engagement Strategy was presented to Council on 12 May 2025 and subsequently exhibited from 14 May to 11 June 2025.

Seven submissions were received in response to the exhibition of the draft CES. This report provides a summary of key concerns raised and responses.

A number of small amendments have been made to the CES to address feedback.

The updated CES is now presented to Council for endorsement.

A separate Council paper will be presented to Council providing Draft Terms of Reference and the Expression of Interest process for the Strategic Advisory Reference (STAR) committees in August 2025. This has been delayed pending adoption of the Revised Delivery Program and Operational Plan. Implementation timelines will be adjusted accordingly.

Recommending:

1. THAT the Community Engagement Strategy 2025-2029 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 Engagement Strategy 2025-2029, if required.

10.7 Pesticide Use Notification Plan

Report of David Manson, Manager Parks & Reserves

The purpose of this report is to present Council with the proposed amendments to the Pesticide Use Notification Plan that was adopted by Council in 2015, and to seek Council's endorsement to publicly exhibit the amended Plan.

The NSW Pesticides Regulation requires public authorities to prepare a Pesticide Use Notification Plan (PUNP).

A PUNP explains how Council will notify members of the community about pesticide use in the public places that Council owns or controls.

Pesticide notifications are based on the principle that the community has a basic “right to know” about pesticide use in public places. Providing advanced notice allows individuals to limit their potential exposure to pesticides.

The NSW Environment Protection Authority (EPA) defines pesticides as any substance or mixture of substances used to destroy, suppress, or alter the life cycle of any pest. Pesticides include bactericides, baits, fungicides, herbicides, insecticides, lures, rodenticides, and repellents.

Recommending:

1. THAT Council endorse the public exhibition of the amended Pesticide Use Notification Plan for a period of 28 days; and

2. THAT Council note a further report will be provided following the public exhibition period of the amended Pesticide Use Notification Plan.

10.8 Compliance and Enforcement Policy - post-exhibition report

Report of Jad Davis, Executive Compliance Officer

The purpose of this report is to advise Council of the results of the public exhibition process regarding the draft Compliance and Enforcement Policy, and to recommend its adoption as amended.

The *Compliance and Enforcement Policy* was adopted by Council in August 2004 and last amended in September 2022.

On 10 March 2025, Council considered the review of the draft amended Compliance and Enforcement Policy and resolved to endorse it for the purpose of placing it on public exhibition and consultation for 28 days.

The public exhibition and consultation period was open for 28 days from 25 March 2025 until 22 April 2025. Four submissions were received.

Following the public exhibition process, the draft Policy includes minor housekeeping amendments to reference the current legislation and align with the NSW Ombudsman’s Compliance and Enforcement Guidelines.

Recommending:

1. THAT Council adopt the amended *Compliance and Enforcement Policy*, as attached to this report.

10.9 Review of Asset Accounting and Capitalisation Policy

Report of Ian Robertson, Service Unit Manager Corporate Governance

The purpose of this report is to seek readoption of the Asset Accounting and Capitalisation Policy after it has been considered during Council’s review program of Council policies.

Council Policies on the policy register that are due for review will be reviewed and presented to Council for readoption after endorsement from Council’s Executive Leadership Team (ELT).

The review will aim to improve the consistency, focus, and ease of use of Council’s policy framework, including the use of a new Council Policy template.

The Asset Accounting and Capitalisation Policy aims to ensure accurate asset recognition and accounting, support compliance with relevant standards, and promote transparency, accountability, and sustainable financial management to enable effective service delivery.

This report offers a revised version of the Asset Accounting and Capitalisation Policy for readoption.

Recommending:

1. THAT Council readopt the revised *Asset Accounting and Capitalisation Policy* as attached.

10.10 New Lease on Council Property - Shop 2, 190-192 Military Road, Neutral Bay

Report of Alistair White, Commercial Property Specialist

The purpose of this report is to seek Council's endorsement to enter a proposed new for Shop 2, 190-192 Military Road, Neutral Bay on the terms and conditions contained in this report.

Council has received a lease proposal for Shop 2, 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.

Recommending:

1. THAT Council resolves to enter the proposed lease over Shop 2, 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 3rd Quarterly Commercial Property Portfolio Report FY2024/25

Report of Alistair White, Commercial Property Specialist

The purpose of this report is to provide an overview of the performance of Council's property portfolio and activities for the 3rd quarter of financial year 2024/2025, covering the period from 1 January 2025 to 31 March 2025.

The total budgeted income for year-to-date March in the 2024/25 financial year was \$4,733,873. The actual income year-to-date March 2024/25 was \$4,459,457 — 6% below expectations. The primary reason for the shortfall is the lease of 1 James Place. Council anticipated this property would be leased during the year; but the expected occupancy rate was not achieved.

Council's property manager's (Colliers) reports are prepared on a cash basis. The actual cash received at the end of the third quarter of the 2024/25 financial year amounted to \$4,294,714 — 24% below the budgeted income, primarily due to arrears. All subsequent figures will be presented on a cash basis, in line with the reports provided by Colliers.

Council's Property Portfolio vacancy rate at the end of March 2025 was 5.28%, a decrease from the previous 5.8% due to the leasing of Suite 3.01, 1 James Place but offset by a new vacancy of Shops 3-6, 283A Miller Street at North Sydney Oval. The majority of the vacant space is office accommodation, which remains the most challenging commercial property sector post-pandemic.

The confidential attachment includes monetary information relating to property income including Outdoor Dining, leasing transactions, arrears data, and carpark income. 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).

Recommending:

1. THAT the report be received.

2. 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 Tender 26/2024 - Property Management Services

Report of Alistair White, Commercial Property Specialist

The purpose of this report is to provide Council with an analysis and recommendations of the tender process for Tender (26/2024) for property management services.

Tenders were called and received until 3pm 25 March 2025 for the submission of tenders to undertake property management services of Council's property portfolio.

If Council wishes to discuss the report, the meeting should be closed to the public to do so, in accordance with s10A(2) (d)(i) of the Local Government Act 1993:

(d) 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. of the Local Government Act (LGA).

Recommending:

1. THAT Council accept the tender of the highest ranked Tenderer for Tender 26/2024 for Property Management Services.

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) (d)(i) of the Local Government Act:

(d) 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. of the Local Government Act (LGA).

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.

10.13 North Sydney Olympic Pool Redevelopment Project Update

Report of Gary Parsons, Director Open Space & Infrastructure

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

The contractual date for Practical Completion for the project is 11 July 2024. Icon has recently provided an updated program indicating a forecast date for Practical Completion of 31 October 2025.

There has been a significant increase in onsite activity and resources over the last six weeks, which has resulted in substantial progress across many areas of the project.

The revised construction contract sum is currently \$92.21m. The total project costs remain within the forecast costs to completion of \$122m, however Council is aware of further variations worth approximately \$5.1m that have not yet been submitted by Icon.

Recommending:

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

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

11. NOTICES OF MOTION

11.1 Notice of Motion 14/25: Beachwatch - Cr Welch

1. THAT Council:

- 1) thank the Hon. Penny Sharpe MLC, the Minister for Climate Change, the Minister for Energy, the Minister for the Environment, the Minister for Heritage, and the Minns Government for their commitment to maintaining current funding levels for the Beachwatch program.
- 2) Recognise the important advocacy role played by the Sydney Coastal Councils Group (SCCG) through formal submissions and resolutions, collaborative advocacy through member Councils, direct engagement with Ministers, and public awareness campaigns.
- 3) acknowledge that North Sydney Council, on 27 May 2024 resolved to:
 - a. object to the cost-shifting of the Beachwatch program to local government; and
 - b. affirm that Beachwatch is a core responsibility of the NSW Government.
- 4) acknowledge that Council advocated strongly during the public consultation period for the continuation of Beachwatch as a State Government-funded program, consistent with its responsibilities under the Protection of the Environment Administration Act 1991.
- 5) reaffirm its position that public health monitoring and environmental reporting of coastal water quality are essential State Government services, and that cost-shifting such programs undermines the capacity of local government to deliver on its own core services.
- 6) write to the Minister for the Environment and the Premier to express appreciation for the decision to retain Beachwatch funding at the State level.

12. Matters of Urgency

Nil

13. CLOSURE
