



Council Chambers
18 July 2025

An Ordinary Meeting of Council will be held on Cammeraygal lands at the Council Chambers, North Sydney at 7.00pm on Monday 28 July 2025. The agenda is as follows.

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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**
 - 8.1 MM01: ALGA National General Assembly and Australian Council of Local Government
 - 8.2 MM02: Rate-exempt schools and educational institutions
 - 8.3 MM03: Blues Point Foreshore Masterplan
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9. Reports of Committees

- 9.1 Traffic Committee Minutes - 13 June 2025
- 9.2 Audit, Risk, and Improvement Committee Minutes - 20 June 2025

10. Reports to Council

- 10.1 Matters Outstanding to 23 June 2025
- 10.2 Investment and Loan Borrowings Report as at 30 June 2025
- 10.3 2025 Local Government NSW Annual Conference - Delegates and Motions
- 10.4 Draft Community Engagement Plan: North Sydney - Towards a Sustainable Future
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- 10.6 North Sydney Development Control Plan streamlining project - post-exhibition report
- 10.7 Sydney North Planning Panel - Membership Nomination 2025
- 10.8 North Sydney Oval PA System Upgrade – critical safety works
- 10.9 Electric Vehicle Charging on Public Land Policy
- 10.10 Draft Amended Swimming Pool Inspection Program
- 10.11 New Members of the Access and Inclusion Committee
- 10.12 New Year's Eve - Introduction of Ticketing Managed Access
- 10.13 Edward Street, North Sydney - part-closure and sale enquiry
- 10.14 North Sydney Community Awards 2025 Recipients
- 10.15 Brightmore Street Drainage Reserve - Draft Plan of Management and Lease Terms for 33A Benelong Rd, Cremorne
- 10.16 Parking Meters Fees - response to Council Resolution
- 10.17 North Sydney Olympic Pool Redevelopment Project Update

11. Notices of Motion/Questions with Notice

- 11.1 Notice of Motion 15/25: Recognition of Luke Simmons, Norths Collective - Crs Carr & Keen
- 11.2 Notice of Motion 16/25: DV Safe Phone initiative - 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 28 JULY 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 23 June 2025 and the Extraordinary Council meeting held on 30 June 2025 be taken as read and confirmed.

5. DISCLOSURES OF INTEREST

6. PUBLIC FORUM

7. ITEMS BY EXCEPTION

8. MINUTES OF THE MAYOR

8.1 MM01: ALGA National General Assembly and Australian Council of Local Government

Councillors recently attended the 31st National General Assembly of Local Government (NGA) in Canberra from 24 - 27 June 2025.

This gathering of the peak body of local government in Australia (Australian Local Government Association, ALGA) was the largest since it began. With more than 1,300 councillor delegates from across the nation, it was an opportunity to debate issues affecting local government and the shared experiences of delegates - whether from a tiny remote council in WA or a capital city council - from financial sustainability to managing the impacts of climate change.

The NGA concluded on Thursday 26 June 2025 and was followed by the Australian Council of Local Government (ACLG) on Friday 27 June 2025. The ACLG is an initiative

of the Prime Minister and provides an extraordinary opportunity for delegates to ask direct questions and discuss issues affecting local government with Ministers and Opposition spokespeople. The ACLG is usually held during a sitting week of Parliament. However, due to the recent election, Parliament was not sitting. Nevertheless, the delegates heard from Local Government Minister, Kristy McBain, and Finance Minister, Katie Gallagher, amongst others. The Ministerial Panels were facilitated by David Speers who held the Commonwealth representatives to answering the questions put by delegates.

I attach the adopted NGA Communique 2025, together with the NGA 2025 Listening Session Report.

The NGA and ACLG provide councillors who attend with access to excellent speakers (as well as the decision-makers at the Commonwealth level) on topics that impact the decisions we make. In addition, meeting and discussing the opportunities and challenges faced with peers from across the country is an unrivalled learning experience. Indeed, it serves to reinforce that the issues facing local government are shared and provides an insight into the innovative and creative projects and approaches taken by councils across the country to address them.

I therefore recommend:

1. THAT Council note the NGA 2025 Communique and the NGA 2025 Listening Session Report.

8.2 MM02: Rate-exempt schools and educational institutions

On 9 December 2024, Council considered a Mayoral Minute entitled *“Invitation to non-rateable educational institutions to voluntarily pay rates, and preparation of a policy to guide and regulate intensive “operational”/timetabled use of Council parks by private schools”*

Council relevantly resolved:

2. *THAT Council invite private schools and the Australian Catholic University to voluntarily pay rates (or an equivalent in-kind contribution) on their property holdings within the North Sydney local government area to contribute to maintenance of Council assets including roads, footpaths, and open space.*
3. *THAT Council publish a “Roll of Honour” on Council’s website and social media platforms recording those educational institutions that voluntarily contribute.*

Following that resolution, I wrote to each of the private schools and the Australian Catholic University, inviting them to voluntarily pay rates or an equivalent in-kind contribution on their property holdings within the North Sydney Local Government Area (LGA).

Of course, the context for this invitation was that private schools own approximately 152,566m² of land in the LGA and, if that were rated as a business, it would result in additional rate revenue of over \$1 million.

I received a response from the following institutions:

- Catholic Schools NSW;
 - Sydney Catholic Schools;
 - Redlands;
 - St Aloysius’ College;
 - SHORE – Sydney Church of England Grammar School; and
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- Wenona.

Each of the schools cited s83C of the *Education Act 1990 (NSW)* and/or clause 26 of the *Australian Education Regulations 2023 (Cwlth)* as a restriction on their capacity to voluntarily contribute in cash or in kind. That is, they politely declined and expressed a commitment to continuing to work with Council to support the community they are an important part of.

Section 83C of the *Education Act 1990 (NSW)* provides:

Financial assistance not to be provided to schools that operate for profit

(1) The Minister must not provide financial assistance (whether under this Division or otherwise) to or for the benefit of a school that operates for profit.

(2) A school operates for profit (without limiting the circumstances in which it does so) if the Minister is satisfied that—

(a) any part of its proprietor's assets (in so far as they relate to the school) or its proprietor's income (in so far as it arises from the operation of the school) is used for any purpose other than for the operation of the school, or

(b) any payment is made by the school to a related entity or other person or body—

(i) for property, goods or services at more than reasonable market value, or

(ii) for property, goods or services that are not required for the operation of the school, or

(iii) for property, goods or services that is in any other way unreasonable in the circumstances having regard to the fact that financial assistance is provided to or for the benefit of the school by the Minister, or

(c) any payment is made by the school to a person in connection with the person's activities as a member of the governing body of the school unless it is in reimbursement for a payment made by the person in connection with the operation of the school.

(3) The regulations may specify whether or not a school operates for profit because of any particular use of assets or income, any particular payment in relation to the school or any other matter. Any such regulation has effect despite anything to the contrary in subsection (2).

(4) The Minister is not obliged to terminate the provision of financial assistance because of this section if, following an investigation under this Division, the Minister is satisfied that—

(a) termination of financial assistance is not justified because of the minor nature of the relevant conduct, or

(b) more appropriate action can be taken under section 83E.

(5) In this section—

asset means an economic resource that may depreciate in value over time.

income means money or other forms of consideration received periodically from the provision of property, goods or services, investments, gifts, donations, grants, financial assistance or any other gain obtained from the use of a school's assets or its proprietor's assets.

payment means a transaction involving consideration (including non-monetary consideration) and includes a commitment to spend or a liability incurred (whether or not the time for payment has arisen).

In short, the schools assert that if they were to provide a payment for “any purpose other than for operation of the school”, financial assistance from the State and Commonwealth Governments would be withdrawn.

It is not clear that the application of s83C would result in such an outcome for the schools. However, given that they all rely upon the provision, it would appear that clarity is required and possible amendments to the Education Act 1990 or to the Local Government Act 1993 to exempt the operation of s83C in respect of any voluntary payment, in cash or in kind, to a council from a rate exempt educational institution. Following receipt of the correspondence from the various schools, I met with Mr Dallas McInerney, Chief Executive Officer of Catholic Schools NSW, to discuss constraints on voluntary contributions, community access to school facilities, and collaboration between Council and schools. In addition, we discussed the significant impacts of Marist College on St Leonards Park and Ted Mack Civic Park.

I, too, met with the COO of the Australian Catholic University (the ACU). The ACU cited examples of their contributions over recent years including towards conservation works at Don Bank Museum. Although they expressed a reluctance to voluntarily pay rates, they reconfirmed a desire to revisit and reinvigorate the Memorandum of Understanding between Council and the ACU with a commitment to working together to support the community in which they operate.

Finally, I met with the Minister for Local Government, the Hon. Ron Hoenig, MP and raised concerns about rate-exempt educational institutions in the particular (and somewhat extraordinary) context of the North Sydney LGA. I requested that the Government implement the findings of the Upper House Inquiry into the ability of local governments to fund infrastructure and services, particularly Recommendation 1 “that the NSW Government conduct a comprehensive review of the rate exemptions and concessions under the Local Government Act 1993”.

We also discussed whether an amendment to exempt voluntary payments to councils from rate exempt schools from the operation of s83C of the Education Act 1990 was necessary.

I therefore recommend:

1. THAT Council calls on the State Government to implement the recommendations of the recent Upper House Inquiry into the ability of local governments to fund infrastructure and services, particularly an urgent review of rate exemptions and concessions under the Local Government Act 1993 and, if necessary, urgently amend the Act to exempt voluntary contributions to councils from operation of s83C of the Education Act 1990; and

2. THAT Council seeks to refresh and reinvigorate the Memorandum of Understanding with Australian Catholic University.

8.3 MM03: Blues Point Foreshore Masterplan

On 28 March 2022, Council considered a report in relation to the transfer of State-owned lands to North Sydney Council. The report detailed a proposal for the transfer of 35 parcels of land owned by the Planning Ministerial Corporation (PMC).

34 of the parcels of land were located in existing parks and reserves, and zoned either RE1 Public Recreation or C2 Environmental Conservation. This land was already managed and maintained by the Council for the purpose of public open space and

recreation. The parcels included Tunks Park, Primrose Park, Sawmillers Reserve, Kurraba Reserve, Badangi Reserve, and Henry Lawson Reserve.

In June 2021, the State Government compulsorily acquired the remaining parcel of land at 1 Henry Lawson Avenue McMahons Point, to preserve the site and facilitate its integration into the public space network. Bounded on both sides by Henry Lawson Reserve, this land was subsequently transferred to the Council. Although zoned RE1 Public Recreation, public access remains limited due to the presence of existing buildings and a slipway. The report highlighted that transforming this site into usable foreshore parkland will require demolition works, conservation of the heritage listed slipway, site remediation, and landscaping.

The acquisition of this parcel represented a key step in realising Council's and the community's decades' long battle to acquire the site and the opportunity to provide continuous public access along the McMahons Point foreshore.

On 28 March 2022, Council resolved:

- 1. THAT Council thank the State Government for the transfer of 35 parcels of land, including 1 Henry Lawson Ave, from the Planning Ministerial Corporation to North Sydney Council as per the Land Transfer Agreement.*
- 2. THAT Council advocates for the State Government to undertake remediation and fund construction of a park on 1 Henry Lawson Ave, McMahons Point (Lot 1 in DP915829).*

No further proposals or recommendations have been brought to Council for consideration in relation to the 1 Henry Lawson Avenue site since that resolution in March 2022.

In 2024, Council undertook a comprehensive community engagement program - 'Have your say on North Sydney's next ten years' - to understand the needs and priorities of our community. The feedback from this engagement informed Council's eight Key Informing Strategies, which were adopted by Council on the 10 February 2025.

The suite of adopted strategies reflects a clear and coordinated vision for the future of North Sydney. The Open Space and Recreation Strategy specifically recognises the strategic significance of the Blues Point waterfront. It outlines a targeted action for the preparation of a comprehensive Masterplan for the entire precinct, designed to guide future enhancements and support the long-term stewardship of this important public asset.

In this context, the current development application proposal for 1 Henry Lawson Avenue appears premature and overlooks the opportunity to adopt a more integrated and strategic approach to planning and delivering improvements to the foreshore area.

Council has a unique opportunity to transform the Blues Point precinct to celebrate the rich heritage, enhance public access, and create a beautiful public domain as a legacy for future generations.

Council adopted a strategic approach with the Waverton Peninsula Masterplan that provided a strong, community-embraced vision for the Waverton Peninsula and allowed resourcing of works, including The Coal Loader Platform, over many years. It is, therefore, vital that excellent masterplanning be undertaken to shape and guide the short, medium and longer term projects and works that will be required for the precinct. An ad hoc approach, one DA at a time, must be avoided at all costs to ensure design excellence and a cohesive public domain.

I therefore recommend:

- 1. THAT** Council withdraw the current Development Application for 1 Henry Lawson Avenue, McMahon's Point.
- 2. THAT** a report be presented to Council outlining the process, costs, and next steps for the development of a Masterplan for the Blues Point foreshore precinct.

9. REPORTS OF COMMITTEES**9.1 Traffic Committee Minutes - 13 June 2025**

Report of Peita Rose, Governance Officer

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.*

This report presents the Minutes of the last meeting of the Traffic Committee held 13 June 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>.

Recommending:

- 1. THAT** the Minutes of the Traffic Committee meeting dated 13 June 2025 be received.

9.2 Audit, Risk, and Improvement Committee Minutes - 20 June 2025

Report of Ian Curry, Governance Manager

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.

This report presents the decisions of the last meeting of the Audit, Risk, and Improvement Committee held on 20 June 2025 for Council adoption. The minutes are attached for information.

Recommending:

- 1. THAT** the Minutes of the Audit, Risk, and Improvement Committee meeting held on 20 June 2025 be endorsed.

10. REPORTS TO COUNCIL**10.1 Matters Outstanding to 23 June 2025**

Report of Ian Curry, Governance Manager

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 23 June 2025 Ordinary Meeting of Council.

Recommending:

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

10.2 Investment and Loan Borrowings Report as at 30 June 2025

Report of Aigul Utegenova, Chief Financial Officer

The purpose of this report is to provide details of the performance of Council's investments and loans for the month ending 30 June 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 June, the total investment portfolio (which includes Term Deposits, Floating Rate Notes and Bonds) provided a return of +0.31% (actual), or +3.87% p.a. (annualised), slightly under performing the benchmark AusBond Bank Bill Index return of +0.32% (actual), or +3.94% p.a. (annualised).

Returns on investments exceeded the June YTD budget by \$282,744. This result includes fees paid to Council's investment advisers of \$18,000 per annum.

Recommending:

1. **THAT** the report on Investments held at 30 June 2025, prepared in accordance with clause 212 of the Local Government (General) Regulation 2021, and the information on Loan Borrowings, be received.

10.3 2025 Local Government NSW Annual Conference - Delegates and Motions

Report of Ian Curry, Governance Manager

The purpose of this report is to call for Councillor registrations to attend and outline the process for submitting Motions for consideration at the Local Government NSW (LGNSW) Annual Conference.

The Local Government NSW (LGNSW) Annual Conference is taking place from Sunday 23 to Tuesday 25 November 2025, at Panthers Penrith and Western Sydney 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.

Recommending:

1. **THAT** Council nominates five voting delegates for the 2025 LGNSW Conference at Panthers Penrith and Western Sydney Conference Centre.
 2. **THAT** other Councillors interested in attending the conference as non-voting delegates advise the Chief Executive Officer before Monday 29 September 2025.
 3. **THAT** Councillors submit suggested issues for Council's consideration as Motions to the Conference by 10 September 2025 for inclusion in a further report to Council on 22 September 2025.
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10.4 Draft Community Engagement Plan: North Sydney - Towards a Sustainable Future

Report of Catrin Hobart, Executive Manager Corporate Affairs

The purpose of this report is to seek Council endorsement of the Community Engagement Plan to inform service levels, infrastructure condition, and rating levels. On 30 June 2025, Council approved the 2025-2029 Delivery Program, and the 2025-2026 Operational Plan and Budget.

Council's Integrated Planning and Reporting documents raise concerns regarding Council's financial strength and financial sustainability, including its ability to maintain current service levels and the maintenance and renewal of community infrastructure. To inform a review of Council's Long-Term Financial Plan and options for financial repair, the adopted 2025-2026 Operational Plan committed to undertaking comprehensive engagement in relation to services and infrastructure.

The proposed 'North Sydney – Towards a Sustainable Future' Engagement Plan has been developed to meet this commitment.

The engagement will have two stages. The first stage will seek to explore community expectations around service levels, infrastructure conditions, and financial repair options, as included within the Operational Plan.

The findings of the first stage will be used to inform new modelling for Council's Long Term Financial Plan and future rating options, which will then be the subject of the second stage of community engagement.

The engagement approach has been designed to meet both the inform and consult levels under IAP2 engagement standards as well as the criteria for community engagement contained in the Office of Local Government 2020 Guidelines for the preparation of an application for a special variation to general income.

Stage one will run for four weeks commencing on 1 August 2025 and concluding on 29 August 2025. Stage two will run for five weeks commencing on 20 October 2025 and concluding on 24 November 2025.

Recommending:

- 1. THAT** the proposed North Sydney – Towards a Sustainable Future Community Engagement plan be endorsed for implementation.
- 2. THAT** the Chief Executive Officer be authorised to make minor corrections and adjustments to the implementation of the Community Engagement plan if required.

10.5 Development Assessment Performance 2024/25

Report of Marcelo Occhiuzzi, Director Planning and Engagement

This report provides an overview and analysis of Council's development assessment performance for the 2024/25 year as measured by the NSW Government's Planning League Table.

The Minister for Planning and Public Spaces issued a Ministerial *Order of Expectations* in July 2024 requiring that all NSW Councils meet certain development assessment targets. For North Sydney Council, this included an expectation that development applications be determined, on average, within 115 days.

Council subsequently received a letter from the Minister for Planning and Public Spaces on 6 March 2025, stating that North Sydney Council was not currently meeting set targets, and that a Council-endorsed "action plan along with an associated

program to swiftly improve performance” was to be prepared and submitted within 28 days of that letter. The action plan was reported to and endorsed by Council on 21 March 2025.

The Minister subsequently responded on 14 May 2025, acknowledging Council’s commitment to process improvements, and advised that our progress will be further reviewed in three months (mid-August 2025).

This report provides a summary of Council’s development assessment performance for the 2024/25 financial year against the NSW Planning League Table and the Minister’s expectations.

Whilst the League Table identified a year low of 159 days average for Council’s DA determination time (in January 2025), Council has been able to achieve continuous and sustained improvement in the monthly determination data since that time, and finished the year with an average of 126 days. This is a good result and reflects the various initiatives and changes implemented and moreover, the ongoing commitment to improvement by Council staff. These improvements will continue to be driven into 2025/26.

Recommending:

1. **THAT** this report be noted.

10.6 North Sydney Development Control Plan streamlining project - post-exhibition report

Report of Ben Boyd, Executive Strategic Planner

The purpose of this report is to address any issues raised in submissions made in response to the public exhibition of draft North Sydney Development Control Plan (NSDCP) 2025, and to seek Council’s resolution as to the proposed progression of this planning instrument.

On 14 April 2025, Council resolved to endorse placing the draft NSDCP 2025 on public exhibition.

The primary purpose for preparing a new comprehensive DCP is to enable Council’s existing DCP (North Sydney Development Control Plan 2013 – NSDCP 2013) to be integrated into a future artificial intelligence (AI) platform for development assessment purposes. The draft NSDCP 2025 represents the first stage of this process and is generally limited to the restructure of NSDCP 2013; it does not include any significant changes to Council’s current policy positions.

The draft NSDCP 2025 was placed on public exhibition, from 1 May 2025 to 30 May 2025, inclusive and Council did not receive any public submissions during this period. Council staff have undertaken a further internal review to determine if the adopted approach for the DCP’s restructure is accurately reflected in the new DCP format. In undertaking this review, Council staff have identified a number of issues whereby further amendment is necessary to improve the DCP’s clarity, transparency, consistency with adopted policy positions, and further remove any duplication.

It is recommended that Council repeal NSDCP 2013 and adopt NSDCP 2025 (forming Attachment 3 to this report), incorporating the additional amendments and refinements in response to issues identified by Council staff, and complete the necessary steps to enable its implementation.

It is also recommended that a previously proposed amendment to NSDCP 2013 relating to land at 270-272 Pacific Highway not be proceeded with, acknowledging the significant change in planning and development context of this site which is located within the Crows Nest Transit Oriented Development Precinct.

Recommending:

- 1. THAT** Council note that no public submissions were made to the exhibition of draft North Sydney Development Control Plan 2025.
- 2. THAT** Council adopt North Sydney Development Control Plan 2025 forming Attachment 3 to this report and incorporating all amendments as recommended in the body of this report, in accordance with clause 14(1) of the Environmental Planning and Assessment Regulation, 2021.
- 3. THAT** Council repeal North Sydney Development Control Plan 2013 concurrent with the commencement of North Sydney Development Control Plan 2025 in accordance with clause 16(2) of the Environmental Planning and Assessment Regulations 2021.
- 4. THAT** public notice of the adoption and publication of North Sydney Development Control Plan 2025 and the repeal of North Sydney Development Control Plan 2013 be given on Council's website in accordance with clause 14(2) of the Environmental Planning and Assessment Regulation, 2021.
- 5. THAT** in accordance with Clause 20(1) of the Environmental Planning and Assessment Regulation 2021, a copy of North Sydney Development Control Plan 2025 along with this Council report and resolution, be forwarded to the Secretary of the Department of Planning, Housing and Infrastructure.
- 6. THAT** in accordance with Clause 14(1) of the Environmental Planning and Assessment Regulation 2021, Council not proceed with the making of the draft amendment to NSDCP 2013 relating to land at 270-272 Pacific Highway, Crows Nest.
- 7. THAT** in accordance with Clause 14(3) of the Environmental Planning and Assessment Regulation 2021, that public notice be given of Council's decision to not proceed with the making of the draft amendment to NSDCP 2013 relating to land at 270-272 Pacific Highway, Crows Nest.

10.7 Sydney North Planning Panel - Membership Nomination 2025

Report of Stephen Beattie, Service Unit Manager Development Services

The purpose of this report is for Council to determine the appointment of representatives to the Sydney North Planning Panel.

At its meeting of 21 February 2022, Council considered a report addressing the need to appoint community representatives to the Sydney North Planning Panel (SNPP). Council granted delegation to the Chief Executive Officer to make those appointments from the Community representatives serving on the North Sydney Local Planning Panel.

The Chief Executive Officer appointed the current community panel members following Council's resolution.

The existing community representatives' tenure ends in September 2025, and it is now necessary for Council to consider the appointment of new community representatives to the Sydney North Planning Panel.

It is noted that Council has chosen not to have Councillor representation on the SNPP for some years. However, Council may now want to consider Councillor representation, being one qualified Councillor and at least two alternatives. An alternative option is to seek expressions of Interest from eligible North Sydney Local Planning Panel community representatives and the wider community.

Recommending:

1.THAT Council consider nominating two Councillors and at least one alternate Councillor, to sit on the Sydney North Planning Panel, OR call for expressions of interest from the North Sydney Local Planning Panel community representatives and the wider community, with delegation being issued to the Chief Executive Officer to appoint the additional representation.

2.THAT Council thank the outgoing representatives for their service to the North Sydney Community.

10.8 North Sydney Oval PA System Upgrade – critical safety works

Report of Philippa Cochran, Acting Service Unit Manager Leisure and Aquatics, and Duncan Rennie, Acting Director Corporate Services

The purpose of this report is to seek approval from Council to reallocate capital works funding to enable the renewal of the public address (PA) system at North Sydney Oval. Over the last year Council has secured numerous long-term Venue Hire Agreements and significant events at North Sydney Oval, which assist in ensuring the financial sustainability of this venue.

A venue risk assessment notes the PA system is the primary mechanism for crowd control and emergency evacuation.

The current PA system at the venue is at the end of usable life and requires renewal. Given the increased usage and scale of events at the venue, Council faces significant risk should this equipment not be renewed.

A quote of \$134,129 (excluding GST) has been obtained for the most urgent works, which will ensure basic functionality and safe operation.

It is proposed to reallocate funding from the capital works budget to cover the cost of this renewal.

Recommending:

1. THAT Council note the contents of this report and the requirement to renew the public address system at North Sydney Oval.

2. THAT Council approve the reallocation of funding from the 2025/26 capital works budget and defer the reconstruction of the seawall at Blues Point to fund the public address system renewal at North Sydney Oval.

10.9 Electric Vehicle Charging on Public Land Policy

Report of Danielle Birbeck, Acting Service Unit Manager Community Resilience & Sustainability

The purpose of this report is to present Council with the draft Electric Vehicle Charging on Public Land Policy for its consideration and endorsement prior to publicly exhibiting the document for community feedback.

The draft Electric Vehicle Charging on Public Land Policy (the Policy) guides the establishment of publicly accessible electric vehicle charging infrastructure (EVCI) to encourage electric vehicle adoption in North Sydney, reduce emissions, meet climate targets, and improve local environmental outcomes.

The draft Policy outlines the requirements for the establishment, operation, management, and removal of EVCI on public land within the North Sydney Local Government Area (LGA).

The draft Policy prioritises equity, safety, transparency, sustainability, accessibility, public amenity, and infrastructure expansion to ensure fair and effective EVCI distribution.

The draft Policy outlines the key site selection and design criteria guidelines that will ensure installations meet safety, accessibility, environmental, and community requirements.

Charge Point Operators (CPOs) would be required to lodge an application to install EVCI on public land. All applications would be subject to community consultation and Council approval.

Following approval from Council, CPOs are required to enter into a licence agreement and pay the applicable fees.

Recommending:

- 1. THAT** Council endorse the draft Electric Vehicle Charging on Public Land Policy (Attachment 1 to this report) and place it on public exhibition for a period of 28 days.
- 2. THAT** a further report come back to Council following the engagement process as per Recommendation 1 above, outlining any submissions received.

10.10 Draft Amended Swimming Pool Inspection Program

Report of Jad Davis, Executive Compliance Officer

The purpose of this report is to seek Council's endorsement to publicly exhibit the draft Swimming Pool Inspection Program for community feedback and comment.

The Swimming Pool Inspection Program specifies how Council conducts mandatory inspections of swimming pools located on private property.

The Program, introduced in 2013, has remained unchanged and needs to be updated to reflect current regulatory requirements and operational practices.

The Program has been reviewed and has been subject to housekeeping updates to align with the Swimming Pool Regulation 2018 and current legislative requirements.

Recommending:

- 1. THAT** Council endorse the draft Swimming Pool Inspection Program for public exhibition for a period of 28 days to invite public comment.
 - 2. THAT** Council adopt the draft Swimming Pool Inspection Program at the end of the submission period if no submissions are received during that period.
 - 3. THAT** should submissions be received during the exhibition period, a further report on the draft Swimming Pool Inspection Program be provided to Council.
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10.11 New Members of the Access and Inclusion Committee

Report of George Carrick, Access & Inclusions Coordinator

The purpose of this report is to inform Council of the recruitment of four new members for Council's Access and Inclusion Committee.

Council's Access and Inclusion Committee (AIC) is an advisory group, comprised of local residents with lived experience with disability, that provides guidance and expertise on how to enhance accessibility and promote inclusion within Council's infrastructure, facilities, events, services, systems, and processes for people with disability.

Following the departure of two committee members from the AIC, there are only six current members of the AIC.

The AIC Terms of Reference state that the quorum for meetings will be six members, with a maximum of 10.

To ensure the AIC has enough members so that meeting quorums are met, Council has recently undertaken a recruitment process to seek new candidates for the AIC. Through the recruitment process, four candidates were selected for inclusion in the committee.

New members of the AIC will be inducted ahead of the next meeting of the AIC on 26 August 2025.

Recommending:

- 1. THAT** Council note the contents of this report.
- 2. THAT** Council note the appointment of four new members of the Access and Inclusion Committee.
- 3. THAT** Councillors be invited to attend the upcoming meeting of the Access and Inclusion Committee on 26 August 2025 to meet and welcome the newly appointed members.

10.12 New Year's Eve - Introduction of Ticketing Managed Access

Report of Vikki Woods, Service Unit Manager Arts, Library, & Events

The purpose of this report is to seek a decision from Council regarding the potential ticketing of managed vantage points for New Year's Eve (NYE) North Sydney 2025/26, to support full or partial cost recovery of NYE event expenses which have for some years been fully subsidised by Council.

The City of Sydney funds a NYE fireworks display which is operationally supported by multiple State and local government agencies. Up to one million people view the fireworks live from the Sydney Harbour foreshore, with many viewing the display from North Sydney.

Council manages three primary vantage places - Bradfield Park/Mary Booth Reserve, Lavender Bay Parklands (incorporating Clark and Watt Parks and Quibaree Reserve), and Blues Point (incorporating Blues Point and Henry Lawson Reserves).

Neighbouring Councils and public landowners have ticketed for NYE celebrations in the past; however, it is evident few will be ticketing for 2025/26 NYE.

This report explores the options for introducing paid ticketing for the 2025/26 event, to either partially or fully recover costs associated with managing the primary vantage points in North Sydney for the NYE fireworks display. All options come with a varying scale of risks and opportunities.

Recommending:

- 1. THAT** Council note the contents of this report and considers the options outlining the risks and benefits associated with ticketing the managed vantage points in North Sydney for NYE 2025/26.
- 2. THAT** Council endorse Option 2, which proposes ticketed access to one of North Sydney's three primary vantage points, with the intent to support partial cost recovery of New Years Eve event expenses, which have traditionally been fully subsidised by Council.

10.13 Edward Street, North Sydney - part-closure and sale enquiry

Report of Gary Parsons, Director Open Space & Infrastructure

The purpose of this report is to seek authorisation from Council for the Chief Executive Officer to enter into preliminary discussions with The Sydney Church of England Grammar School (Shore) regarding the part-closure and sale of Edward Street North Sydney and commence investigations into the part-closure.

The Sydney Church of England Grammar School (Shore) has formally approached Council in relation to the closure and purchase of the portion of Edward Street south of Lord Street, North Sydney.

Council needs to undertake a number of investigations prior to contemplating any formal closure and inform its response to Shore.

Council would look to request that Shore meets the costs of these investigations irrespective of the closure progressing.

Council would undertake community consultation in relation this request prior to progressing with any formal road closure application.

Recommending:

- 1. THAT** Council authorise the Chief Executive Officer to enter into discussions regarding the potential closure and sale of a portion of Edward Street, North Sydney with The Sydney Church of England Grammar School.
 - 2. THAT** Council approve the commencement of investigations to inform the potential closure and sale of a portion of Edward Street, North Sydney to The Sydney Church of England Grammar School.
 - 3. THAT** Council note that community consultation will be undertaken in relation the potential closure and sale of a portion of Edward Street, North Sydney to The Sydney Church of England Grammar School, in accordance with Council's Community Engagement Policy.
 - 4. THAT** Council note that The Sydney Church of England Grammar School will be required to lodge a bond of \$20,000, that will be increased if required, to cover all costs associated with the investigations to inform the potential closure and sale of a portion of Edward Street, North Sydney to The Sydney Church of England Grammar School.
 - 5. THAT** a further report will be brought back to Council once investigations into the potential closure and sale of a portion of Edward Street, North Sydney to The Sydney Church of England Grammar School are complete.
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10.14 North Sydney Community Awards 2025 Recipients

Report of Natalia Londono, Community Capacity Building Officer

The purpose of this report is to seek Council's endorsement of the recommended winners of the North Sydney Community Awards 2025.

North Sydney Council administers an annual Community Awards program to formally recognise individuals and organisations that have demonstrated exceptional contributions to the wellbeing of the community and the enhancement of the local environment within the North Sydney Local Government Area.

The awards program is a small but important way in which Council acknowledges and celebrates the enormous contribution that grassroots volunteers make to build and enhance community capacity, resilience and spirit in North Sydney.

The nomination period for the 2025 awards commenced on 3 February and concluded on 7 March 2025.

The Community Awards Selection Panel, comprising the Mayor and representatives from key Council departments, convened on 18 March 2025 to determine the recipients of the 2025 awards.

This report seeks Council's endorsement of the panel's recommended award winners. Should the Council wish to discuss this report it is noted that the attached confidential documents include personal matters that relate to specific individuals and as such should be considered in closed session.

Recommending:

1. THAT Council resolve that the identified attachments to this report are 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*:

(a) personnel matters concerning individuals (other than Councillors).

2. THAT Council endorse the winners as recommended by the North Sydney Community Awards 2025 Panel.

10.15 Brightmore Street Drainage Reserve - Draft Plan of Management and Lease Terms for 33A Benelong Rd, Cremorne

Report of Risha Joseph, Senior Property Officer, and Ian Robertson, Service Unit Manager Corporate Governance

The purpose of this report is to:

- present the draft Plan of Management for Brightmore Street Drainage Reserve;
- outline the legal and access issues concerning 33A Benelong Road Cremorne including the proposed control measures; and
- seek Council's endorsement to proceed with public consultation on the draft Plan of Management and the proposed five-year licence agreement.

The Brightmore Street Drainage Reserve is classified as Community Land and serves as an overland flow path for stormwater management. However, it is also the only viable access route to 33A Benelong Road, which lacks direct vehicular access.

A historical 1998 Court Order granted consent for a carport to be constructed, leading to the adoption of a Plan of Management in 1998 under the legal framework of the *Local Government Act 1993* which provided a lease for access. This Plan was subject to a sunset clause linked to ownership changes and a five-year lease period. No further

Plan of Management has been prepared since the cessation of the original arrangement.

This report presents a new Draft Plan of Management for Brightmore Street Drainage Reserve, outlining legal and access considerations concerning 33A Benelong Road. The primary objective is to seek Council's endorsement to proceed with public consultation on the draft Plan of Management and the proposed five-year Licence agreement.

The public consultation process, in compliance with Section 47A of the *Local Government Act 1993*, will involve a 28-day public exhibition period.

The confidential attachment includes monetary information relating to the potential income for the use of the vehicular access for private use.

Recommending:

1. THAT Council notes that the provisions of Section 46(4)(b) of the *Local Government Act 1993* do not apply as the drainage reserve is not a dedicated 'public road'.

2. THAT Council approve the commencement of the public consultation process for the proposed five-year licence and the Draft Plan of Management, to be exhibited concurrently for a minimum of 28 days.

3. THAT the Chief Executive Officer be granted delegated authority to negotiate the terms of the licence including the rental.

4. THAT should the relevant stakeholders or residents support the proposal, or no feedback is received during the consultation, the Plan of Management will be considered adopted.

5. THAT Council acknowledge a further report will be submitted following the public consultation period summarising the community feedback should feedback in opposition to the proposal be received.

6. 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 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.

10.16 Parking Meter Fees - response to Council resolution

Report of Mia Stubis, Team Leader Paid Parking, and Eoin Cunningham, Service Unit Manager Traffic & Transport Operations

This report responds to a resolution of the Council meeting held 12 May 2025 in relation to on-street parking meters.

At its meeting of 12 May 2025, Council resolved that staff report back to Council regarding the legality of fee collection via Council's on-street parking meters, following matters raised by a member of the public.

Council has received legal advice which advises that Council's pay parking network is compliant with the relevant mandatory provisions of Road Transport (General) Regulation 2021 (NSW) (Regs) and Transport for NSW's (TfNSW) Pay Parking and Controlled Loading Zone Guidelines (Guidelines).

Recommending:

1. THAT the meeting be closed to public in accordance with the Local Government Act 1993 Section 10A (2):

(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 Council notes the contents of the report and the attached legal advice in relation to legality of fee collection and compliance of Council's on-street metered parking network.

3. THAT the confidential report and related attachments be treated as confidential and remain confidential unless Council resolves otherwise.

10.17 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 18 November 2025, which equates to 12 days of slippage since the last report to Council.

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 \$92.26m. The total project costs remain within the forecast costs to completion of \$122m, however Council is aware of further variations worth in the order of \$4.6m 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 15/25: Recognition of Luke Simmons, Norths Collective - Crs Carr & Keen

1. THAT Council formally acknowledges and extends its sincere thanks to Luke Simmons for his leadership and dedicated service to Norths Collective and especially for the support provided by the Club, to the wider community of North Sydney.

Background

Luke Simmons is stepping down as CEO of Norths Collective after 25 years at Norths and 13 years as CEO. His resignation marks the end of a significant chapter of Norths during which he led the group through substantial growth and transformation. Luke has demonstrated a strong commitment to the values and development of the Norths community, fostering a spirit of collaboration, resilience, and growth. Under Luke's leadership, Norths has supported many projects in our Local Government Area that benefit our local community and provide significant impact to those who need it most.

11.2 Notice of Motion 16/25: DV Safe Phone initiative - Cr Welch

1. THAT North Sydney Council looks to partner with DV Safe Phone to collect used phones that are then refurbished and donated to agencies that assist survivors of domestic violence.

Background

DV Safe Phone is a national not-for-profit organisation working toward a future where domestic violence victim survivors can live safe, connected lives through access to sustainable technology solutions.

Since 2020, DV Safe Phone has collected, refurbished, and distributed free mobile phones to victim-survivors of domestic violence. Rather than distributing phones directly, DV Safe Phone works in partnership with a network of more than 430 trusted agencies across Australia, including domestic and family violence services, police stations, hospitals, and safe houses.

This partnership model ensures that every phone is provided within the context of expert safety planning and professional support, delivering not just a lifeline but a pathway to safety and empowerment.

By partnering with DV Safe Phone, Council can help extend this critical service to residents in need, reinforcing a commitment to safety, dignity, and practical support for those experiencing domestic and family violence.

12. Matters of Urgency

Nil

13. CLOSURE
