



Council Chambers
1 August 2025

An Ordinary Meeting of Council will be held on Cammeraygal lands at the Council Chambers, North Sydney at 7.00pm on Monday 11 August 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 Traffic Committee Minutes – 18 July 2025
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10. Reports to Council

- 10.1 Hardship Policy
- 10.2 Commercial and Group Use of Open Space Policy
- 10.3 Preparation of Planning Proposal to amend Planning Controls for Berrys Bay Foreshore
- 10.4 Future Management of Berrys Bay Foreshore
- 10.5 Community use of St Leonards Park - response to Council resolution
- 10.6 Don Bank Museum - roof replacement
- 10.7 North Sydney Art Prize 2026
- 10.8 Art installation honouring local women - response to Council resolution
- 10.9 New Lease on Council Property - 56 Alfred Street, Milsons Point
- 10.10 Current Appeals and Results - July 2025

11. Notices of Motion/Questions with Notice

Nil

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 11 AUGUST 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 28 July 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 Traffic Committee Minutes - 18 July 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 18 July 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 18 July 2025 be received.

10. REPORTS TO COUNCIL

10.1 Hardship Policy

Report of Ian Robertson, Service Unit Manager Corporate Governance, and Aigul Utegenova, Chief Financial Officer

The purpose of this report is to present a new draft Financial Hardship Policy and for Council to endorse public exhibition of the amended policy for 28 days.

The Financial Hardship Policy was originally adopted by Council in June 2005.

Council has reviewed and redeveloped a new Draft Financial Hardship Policy as committed to as part of the recent special variation application.

The updated policy is written in plain English, making it easier to understand and navigate for all ratepayers.

Eligibility has been broadened to include a wider range of financial hardship situations and now allows applications from both individuals and businesses.

The previous percentage of income test has been replaced with a flexible, principles-based assessment that considers overall capacity to pay.

The policy now clearly outlines available assistance options, introduces a transparent application and appeals process, and promotes a supportive, respectful approach to all applicants.

Recommending:

1. **THAT** the draft Financial Hardship Policy be endorsed for public exhibition for a period of 28 days.
2. **THAT** a further report be provided to Council following the conclusion of the public exhibition period, for the purpose of considering any submissions received, and to adopt the amended Financial Hardship Policy.

10.2 Commercial and Group Use of Open Space Policy

Report of Mark Richardson, Service Unit Manager Ranger & Parking Services

The purpose of this report is to seek Council's endorsement of the draft Commercial and Group Use of Public Open Space Policy for the purposes of publicly exhibiting the document to seek community feedback.

Council currently has no formalised policies in place to effectively manage and balance the use of our limited public open space areas between commercial operators, large groups, and casual users.

There are currently no formal courses of action available to staff, nor rules that can be enforced to ensure that these areas are equitably used and not misused or damaged, nor that reasonable commercial arrangements in place for those who use public open space for financial gain.

Council has received many complaints in recent years regarding commercial enterprises pursuing their services and activities in Council's public open space areas.

These activities require services from Council in the form of management of and response to complaints, maintenance and repair of grounds / surfaces, access to and use of amenities, and management of community expectations regarding equitable use and access to the limited areas of public open space in the Local Government Area. This report identifies the need for the introduction of a policy which clearly articulates Council's expectations regarding the sustainable use of Council's limited open space areas, the balance between commercial, group, and casual users, and standards and conditions of use.

A fee structure should be considered, to ensure a reasonable return towards the ongoing maintenance and upkeep of such public assets.

Recommending:

- 1. THAT** Council endorse the attached draft policy, Commercial and Group Use of Public Open Space.
- 2. THAT** the draft policy be placed on public exhibition for comment in accordance with the *North Sydney Community Engagement Strategy*.
- 3. THAT** the results of the public exhibition be presented to Council along with a schedule of recommended fees that should be associated with application of the policy.

10.3 Preparation of Planning Proposal to amend Planning Controls for Berrys Bay Foreshore

Report of Neal McCarry, Service Unit Manager Strategic Planning & Environment

The purpose of this report is to advise Council of the initiation of a Planning Proposal to amend the planning controls under North Sydney Local Environmental Plan 2013 (NSLEP 2013) for the western foreshore of Berrys Bay, to facilitate the implementation of a future foreshore public open space and community corridor, and to ensure that these planning controls are consistent with the desired long-term use of the use and function of this land.

Transport for NSW (TfNSW) has been liaising with Council and members of the community to prepare a masterplan for the corridor between Carradah Park and 'Woodleys Shed' on the western foreshore of Berrys Bay. This has arisen following the removal of the need to utilise this land for the construction of the Western Harbour Tunnel project, as initially envisaged.

One of the key components of the work being conducted by TfNSW is the design of a new community building to replace the "Woodley's" industrial shed structure. The entire precinct on this western foreshore of Berrys Bay has a strong maritime industrial past, and this is reflected in the current zoning regime under the provisions of NSLEP 2013.

The precinct is currently zoned 'W4 – Working Waterfront', under the provisions of the NSLEP 2013 which is reflective of historic State Government positions, established in the 1990's, to maintain a working harbour foreshore.

Given the current efforts to open up public access and the usability of this foreshore corridor as an area of public open space, it is appropriate to review the planning controls in order to facilitate these evolving aspirations.

This report advises Council that staff will commence the preparation of a Planning Proposal to amend the NSLEP 2013 in order to explore a more flexible and appropriate

zoning regime for this corridor, to ensure that the planning controls are aligned with Council's and the community's long-term aspirations for this foreshore corridor.

Recommending:

- 1. THAT** Council resolve to prepare a Planning Proposal to amend the North Sydney Local Environmental Plan 2013 to provide a greater level of flexibility in land use permissibility to the western foreshore of Berry's Bay, to assist with the implementation of the long-term vision for this foreshore corridor for community and public open space purposes.
- 2. THAT** a Councillor Briefing be conducted, prior to reporting the Planning Proposal to the North Sydney Local Planning Panel, to provide a more detailed account of the Proposal's provisions.
- 3. THAT** a further report be prepared for Council's consideration after the matter has been considered by the North Sydney Local Planning Panel.

10.4 Future Management of Berrys Bay Foreshore

Report of Marcelo Occhiuzzi, Director Planning and Engagement

This report seeks the authorisation of Council to authorise the Chief Executive Officer to enter into formal discussions with Transport for NSW (TfNSW) in relation to the future care, control, and management of Berry's Bay Foreshore Park.

TfNSW has worked with Council, Council's Berrys Bay Working Group, and other stakeholders to develop a Master Plan for Berrys Bay Reserve, which will link Carradah Park with the Quarantine Boat Depot site.

Council has previously approached the State Government in relation to the transfer of the Berrys Bay foreshore lands held by the State Government to Council. Representatives from TfNSW recently reconfirmed the State Government would not transfer land ownership of Berrys Bay Reserve to Council.

At its meeting on the 25 November 2024, Council resolved to endorse the removal of Woodley's Shed on the condition that TfNSW meets its commitments in relation to the structure, in accordance with the Functional Brief agreed with Council.

Councillors were briefed in relation to the Place, Design, and Landscape Plan (PDLP) which is now on public exhibition until 24 August 2025. The Masterplan, which is based on the PDLP, is generally consistent with Council and the community's long-term vision for Waverton Peninsula.

Given the progress in relation to the development of the Masterplan and imminent works onsite, it is necessary for Council enter into discussions with TfNSW in relation to the future management arrangements of Berrys Bay Reserve.

Recommending:

- 1. THAT** Council note the contents of this report in relation to the development of the Masterplan for Berrys Bay Reserve.
 - 2. THAT** the Council authorise the Chief Executive Officer to enter into formal discussions with Transport for NSW in relation to the care, control, and management of Berrys Bay Reserve.
 - 3. THAT** Council note a further report will be brought back to Council following discussions with Transport for NSW in relation to the care, control, and management of Berrys Bay Reserve.
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10.5 Community use of St Leonards Park - response to Council resolution

Report of David Manson, Manager Parks & Reserves

This report responds to the Council resolution of 10 February 2025 regarding the utilisation of St Leonards Park and the installation of promotional signage for Parkrun. St Leonards Park is listed on the NSW State Heritage Register as an item of State Significance.

Proposed improvements within the park are to be considered in the context of the park's adopted Masterplan and Conservation Management Plan (CMP).

Whilst most activities within St Leonards Park have remained at manageable levels, the use of the park by schools has significantly increased over the past two years. Much of this use is not formally booked.

Staff have received complaints from park users in relation to the domination of space used by football codes when warming up prior to matches; Council staff are working to mitigate this issue through the designation of areas for this practice.

Whilst Council is managing the physical maintenance of the park within existing resource and budget allocations, structured group activities have occasionally led to conflicts over shared spaces.

Council first gave approval for Parkrun to operate in St Leonards Park in September 2017. The event operates on an annual approval basis and is currently averaging around 400 participants per week.

The installation of permanent promotional signage would contravene the provisions within the CMP in relation to signage, however the promotion of the event through Council's media channels is proposed as an alternative.

Recommending:

- 1. THAT** Council note the contents of this report in relation to the utilisation of St Leonards Park and the installation of promotional signage for Parkrun.
- 2. THAT** Council note that Council's Customer and Communications team will seek to include the promotion of Parkrun through its existing media and marketing channels.

10.6 Don Bank Museum - roof replacement

Report of Ian Hoskins, Council Historian

The Don Bank Museum is the oldest timber house on Sydney's north shore. The need to renew the roof of the Don Bank Museum (and the possibility of using metal rather than shingle) was reported to Council on 12 December 2022 and 23 March 2023.

In January 2025, Council staff submitted an application to the *Caring for State Heritage Grants* program for the renewal of the roof on the Don Bank Museum. Council was advised in May 2025 that the application had been successful in securing \$158,585 towards the renewal of the roof through the program on a dollar-for-dollar basis.

The grant program requires completion of the works within 24 months, from 1 July 2025. It is proposed to secure approvals in the 2025/26 financial year and undertake works in the 2026/27, which will assist Council in meeting its funding commitments. Council will need to allocate \$158,585 from its 2026/27 Capital Works Program to meet its grant funding obligations.

Recommending:

1. **THAT** Council notes the successful grant funding application through the 2025-27 *Caring for State Heritage Grants* program which will assist with the renewal of the Don Bank Museum roof.
2. **THAT** Council notes that Council's 2025/26, 2026/27 Operational Plans and Capital Works Programs will be adjusted to include \$158,585 for the renewal of the Don Bank Museum roof to meet its funding obligations under the 2025-27 *Caring for State Heritage Grants* program.

10.7 North Sydney Art Prize 2026

Report of Lisa Woolfe, Arts and Culture Coordinator, and Vikki Woods, Service Unit Manager, Arts, Library, & Events

The purpose of this report is to seek Council's endorsement for the deferral of the North Sydney Art Prize (NSAP) from 2026 to 2027.

The North Sydney Art Prize (NSAP) has been Council's largest cultural project, delivered biennially at The Coal Loader Centre for Sustainability by Council's Arts and Culture team.

In 2025 as part of broader organisation review activities, the NSAP was reviewed to assess its sustainability, delivery model, alignment with strategic goals, and future direction. The review has confirmed the NSAP is well regarded and aligns with Council's strategic priorities as outlined in the informing strategies.

While strategically aligned, in reviewing the NSAP, there is an opportunity to develop a refined model to ensure the NSAP remains sustainable and aligned with Council's long-term aspirations to increase access to creative experiences, preserve and celebrate heritage, foster inclusion, support artist development, and position North Sydney as a cultural destination.

It is proposed that the NSAP be deferred from 2026 to 2027 to allow time to refine the NSAP model and secure sponsorship or external funding, ensuring the long-term sustainability of the NSAP. This deferral would allow the allocated budget to be diverted to address asset renewal needs across Council.

Recommending:

1. **THAT** Council approve the deferral of the next North Sydney Art Prize to 2027 to allow time for strategic planning, partnership development, and resourcing.
2. **THAT** Council reallocate the budget for the North Sydney Art Prize to reactive infrastructure renewal priorities.

10.8 Art installation honouring local women - response to Council resolution

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

The purpose of this report is to respond to a Council resolution regarding the creation of an art installation in the North Sydney Local Government Area to celebrate the contributions of notable and inspiring local women, both past and present.

Council resolved at its meeting on 12 August 2024 to consider a report on the creation of an art installation in North Sydney to celebrate the contributions of notable and inspiring local women, both past and present.

It is proposed that an annual art event or installation recognising inspirational local women be timed to coincide with International Women's Day (8 March, annually). The annual event or installation will be determined following consultation with the community to identify inspirational women in North Sydney.

Recommending:

- 1. THAT** Council undertake an annual art event or installation to recognise inspirational local women, to coincide with International Women's Day.
- 2. THAT** Council call on the community to nominate the inspirational woman to be recognised each year.

10.9 New Lease on Council Property - 56 Alfred Street, Milsons Point

Report of Alistair White, Commercial property Specialist

The purpose of this report is to seek Council's endorsement to enter a proposed new lease over 56 Alfred Street, Milsons Point on the terms and conditions contained in this report.

Council has received a lease proposal for 56 Alfred Street, Milsons Point which requires a lease incentive (to be taken as a rental abatement) to be considered.

56 Alfred Street 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.

Recommending:

- 1. THAT** Council resolves to enter the proposed lease over 56 Alfred Street, Milsons Point on the terms and conditions detailed in the confidential attachments to this 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 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:
 - (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 Current Appeals and Results - July 2025

Report of Kathy Simpson, Administration Officer, and Victoria McGrath, Legal Counsel Planning

The purpose of this report is to provide Council with information on current appeal and prosecution matters.

Lists of current appeal and prosecution matters as at 15 July 2025 are attached to this report, for Council's information.

Four attachments are provided, including public listings and separate confidential reports. The confidential reports include additional detail (as highlighted) on the legal nature of the appeals, status updates, and legal issues relating to matters still afoot.

Should Council wish to discuss this report it is noted that the attached confidential documents include 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. As such should this report be discussed it should be considered in closed session.

Recommending:

1. THAT the report be noted.

2. THAT, should Council resolve to debate or discuss this matter, that the meeting be closed to the public in accordance with Section 10A(2) of the Local Government Act and the Local Government (General) Regulation 2005 for the reason listed below:

(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

It is further noted that release of this information 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.

11. NOTICES OF MOTION

Nil

12. MATTERS OF URGENCY

Nil

13. CLOSURE
