



Council Chambers
12 September 2025

An Ordinary Meeting of Council will be held on Cammeraygal lands at the Council Chambers, North Sydney at 7.00pm on Monday 22 September 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: Coffee Pop Up at The Coal Loader, Waverton
 - 8.2 MM02: Precinct planning for the State Significant Development Applications on 5 & 15 Blue Street, North Sydney and the St Francis Xavier site, Lavender Bay
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9. Reports of Committees

- 9.1 Access and Inclusion Committee Minutes - 26 August 2025
- 9.2 Traffic Committee Minutes - 29 August 2025

10. Reports to Council

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- 10.7 Fire and Rescue NSW Inspection Report - 229 Miller Street, North Sydney - response to Council resolution
- 10.8 Fire and Rescue NSW Inspection Report - 54 High Street, North Sydney
- 10.9 Planning Proposal 1/24: 166-188 and 198-214 Military Road, Neutral Bay
- 10.10 Relocation of Heritage Bus Shelters: Monte and McLaren
- 10.11 4th Quarterly Commercial Property Portfolio Report FY2024/25
- 10.12 North Sydney Olympic Pool Redevelopment Project Update

11. Notices of Motion/Questions with Notice

- 11.1 Notice of Motion 20/25: Safety Improvements at Barry Lane and Yeo Street Intersection, Neutral Bay - Crs Keen & Carr
- 11.2 Notice of Motion 21/25: Shellcove Road - Crs Keen and Carr

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 22 SEPTEMBER 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 8 September 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: Coffee Pop Up at The Coal Loader, Waverton

On 10 September 2025, From Sylvie @ The Coal Loader Café closed.

The café was much appreciated by locals and visitors to the Coal Loader and is already very much missed.

Indeed, many residents and visitors have expressed disappointment that they cannot purchase a coffee or cold drink whilst they visit the Coal Loader Parklands and Platform and the Centre for Sustainability, particularly on weekends.

Whilst Council undertakes the process to secure a new tenant for the café at the Coal Loader, there is an opportunity to facilitate a Pop Up to provide coffee, cold drinks etc.

I therefore recommend:

1. THAT Council facilitate a Coffee Pop Up at the Coal Loader, particularly on weekends, whilst the process to secure a new tenant for the café is underway.

8.2 MM02: Precinct planning for the State Significant Development Applications on 5 & 15 Blue Street, North Sydney and the St Francis Xavier site, Lavender Bay

Since January 2025 when the Housing Delivery Authority (HDA) commenced considering expressions of interest for proposals to be declared State Significant Development (SSD) or SSD with concurrent rezoning, more than 10 proposals in the North Sydney LGA have been so declared by the Minister for Planning with many more in the HDA pipeline.

Those SSD proposals, if approved by the Minister or his delegate, will account for more than 3,000 new dwellings on a handful of sites. That is, half of the five-year housing target of 5,900 without factoring in the contribution of Low to Mid Rise housing nor the St Leonards/Crows Nest 2036 Plan as augmented by the gazetted Crows Nest Accelerated Transport Oriented Development controls.

The SSD pathway is a “fast track” process and overrides local planning controls.

Historically, most SSD applications have been for development in Crows Nest, St Leonards and the North Sydney CBD. However, since the HDA was established, projects are proposed in areas that have seen little large-scale development in recent years – such as at Lavender and Middlemiss Streets, Lavender Bay or Blue Street, North Sydney, and Mackenzie Street, Lavender Bay (St Francis Xavier site).

The scale of development proposed, the number of applications, the “fast track” nature of the process, and the evaluation of the projects by the Department of Planning rather than Council have left many residents of McMahon's Point, Milsons Point, and Lavender Bay feeling overwhelmed and somewhat powerless against the State planning juggernaut.

There are three SSD applications at 5 and 15 Blue Street, North Sydney and 1-13, 17-19 Mackenzie Street and 211 Blues Point Road, Lavender Bay that ought to be considered, not as individual application, but holistically as part of a precinct adjoining North Sydney Station.

Those three SSD applications are as follows:

- SSD-86299960 – 15 Blue Street (Fujitsu Building) which proposes rezoning from E2 Commercial Centre to MU1 Mixed Use and increased height from RL130 to RL162, construction of a 30-storey tower with 200 apartments, new entry to North Sydney Station, and public domain improvements;
 - SSD-86270706 – 5 Blue Street (Zurich Building) which proposes rezoning from E2 Commercial Centre to MU1 Mixed Use (“shop top housing”) and construction of a 29-storey tower with commercial use on the ground floor, 195 affordable housing co-living units on levels 1-5, and a residential flat building on levels 6-27 with approximately 200 apartments; and
 - SSD-8872457 - 1-13, 17-19 Mackenzie Street, and 211 Blues Point Road, Lavender Bay (Francis Xavier site) which proposes to rezone the site to part MU1 Mixed Use and retain the SP2 Infrastructure zoning for the Church and increase the height to permit a 20-storey tower, adaptive reuse of the former school building, construction of 186 dwellings within a 20-storey mixed use tower, a three-storey residential building, and a seven-storey mixed use building with five levels of residential units, through site links to North Sydney Station Plaza.
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The sites adjoin the Lavender Bay Heritage Conservation Area which includes St Peter's Presbyterian Church and grounds, St Peter's Presbyterian Church Manse, St Francis Xavier Church, St Francis Xavier School Hall, and more than 30 individual heritage items ranging from terraces (first to be built on the northern side of the harbour) to workers cottages. The topography is steep and drops sharply from North Sydney Station to Lavender Street – the heritage conservation area and adjoining properties are to the south of the proposed SSD developments giving rise to significant amenity impacts as a result of the proposed towers.

On 16 July 2025 the Department of Planning issued Secretary's Environmental Assessment Requirements (SEARS) for the Zurich Building application. On 17 July 2025, SEARS were issued for the Fujitsu Building application and on 22 August 2025 SEARS were issued for the Francis Xavier site.

Each of the Applicants is currently preparing an Environmental Impact Statement (EIS), guided by the SEARS, to be lodged with the Department of Planning and subsequently publicly exhibited for a mere 14 days.

The SEARS for all three applications includes the following requirement:

"23. Public space

...Demonstrate collaboration and a consistent approach for the public domain and proposed Blue St Square with the landowners of 5 Blue [or in the case of the Zurich Building – "with 15 Blue Street and the Catholic Church at 17 Mackenzie Street"]"

The SEARS for 5 and 15 Blue Street include a requirement:

"10. Transport

The TIA [Traffic Impact Assessment] should assess the cumulative impacts arising from surrounding known or committed developments, including but not limited to adjoining sites at 15 Blue Street and 1-13 Mackenzie Street. [Expressed as "5 Blue Street and 1-13 Mackenzie Street for the Fujitsu Building"]"

Those SEARS implicitly acknowledge that best practice planning would consider all three applications on adjoining land with proposed interconnected public domain works in an holistic precinct plan. Not site by site, in isolation.

All three applications propose a "fast track" rezoning. Two of the sites are currently zoned E2 Commercial Centre under North Sydney Local Environmental Plan 2013. The proposed rezoning to MU1 Mixed Use is inconsistent with Council's strategic planning for residential development in the area and undermines the role of the commercial centre.

Objective 18 of the Sydney Region Plan – A metropolis of three cities, 2018 provides that the "Harbour CBD is stronger and more competitive".

The plan states that:

*"Facilitating office development can be complex, especially as residential development also competes with commercial development for scarce Harbour CBD space. Maintaining a long-term supply of office space is critical to maintaining Greater Sydney's global economic role and **should not be compromised by residential development.**"*

Planning Priority N7 of the North District Plan 2018 is identical to Objective 18 of the Sydney Region Plan. The North District Plan states:

"Maintaining a long-term supply of office space will maintain Greater Sydney's global economic role and should not be compromised by residential development. Future planning for the Harbour CBD will balance high levels of development with high levels of amenity."

[The North Sydney CBD] “is recognised as the northern component of the Harbour CBD ...It’s ongoing protection and growth is key to its prominent role in the Greater Sydney office market.” (my emphasis in bold)

This important strategic context must be considered for each site, but also the cumulative impact of rezoning all three sites on this special precinct around North Sydney Station.

It is, therefore, vital that the three applications be assessed and considered together to promote excellent, careful planning within this important precinct:

- to properly consider the strategic merit of the proposed rezonings in the context of the vital role the E2 Commercial Centre zone plays within the State and National economy (contributing approximately \$23B in GDP and providing employment and economic growth);
- to address the height, form and massing of the proposed 20, 29 and 30 storey towers on the adjoining properties and Heritage Conservation Area to the south to mitigate amenity impacts such as solar access, visual and acoustic privacy; and
- to ensure co-ordinated public domain improvements and public benefits arising from any up-zoning which will deliver considerable increased yield on each of the sites, consistent with the careful local planning

I therefore recommend:

1. THAT Council write to the Minister for Planning and the Planning Secretary urging that the three sites be considered concurrently and as part of an holistic precinct plan and seek a meeting with the Minister and the Department to discuss the impacts of these projects, best practice planning, and the future of the North Sydney CBD and E2 Commercial Centre zone.

9. REPORTS OF COMMITTEES

9.1 Access and Inclusion Committee Minutes - 26 August 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 26 August 2025, 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 26 August 2025.

The Minutes are attached for the information of Council.

RECOMMENDATION:

1. THAT the Minutes of the Access and Inclusion Committee meeting dated 26 August 2025 be received and noted by Council.

9.2 Traffic Committee Minutes - 29 August 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 29 August 2025 for Council adoption. The Minutes are attached for information.

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

RECOMMENDATION:

1. THAT the Minutes of the Traffic Committee meeting dated 29 August 2025 be received.

10. REPORTS TO COUNCIL

10.1 Election of Deputy Mayor

Report of Ian Curry, Governance Manager

The purpose of this report is to facilitate an election for the position of Deputy Mayor, in accordance with Council's Deputy Mayor Policy. In accordance with the Local Government (General) Regulation 2005, the Chief Executive Officer is the Returning Officer.

Council's Deputy Mayor Policy and Section 231 of the Local Government Act 1993 states that Council may elect a Deputy Mayor. The Policy provides that the Deputy Mayor will be appointed for a period from 1 October to 30 September. However, the legislation provides that the Deputy Mayor may be elected for the Mayoral term, or a shorter term.

Nominations must be in writing, in accordance with clause 2 of Schedule 7 of the Local Government (General) Regulation 2005 (The Schedule), a copy of which is attached to the previous report.

Nominations must be provided to the Chief Executive Officer (via Governance, or directly) prior to the commencement of the election. Councillors are encouraged to submit nominations in advance to ensure their validity is confirmed prior to the election. Schedule 7 governs the election of a Mayor, or Deputy Mayor, by councillors.

Recommending:

1. THAT Council resolve to appoint a Councillor to be the Deputy Mayor in accordance with section 231(1) of the Local Government Act 1993.

2. THAT an election be held to elect a Deputy Mayor for the period 1 October 2025 to 30 September 2026.

3. THAT Council determine the method of voting as open voting in accordance with Council's Deputy Mayor Policy.

4. THAT the Deputy Secretary, Local Government, and the Secretary and Chief Executive Officer of Local Government New South Wales be advised of the election result.

10.2 Matters Outstanding to 25 August 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 25 August 2025 Ordinary Meeting of Council.

Recommending:

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

10.3 2025 Local Government NSW Annual Conference Motions

Report of Ian Curry, Governance Manager

The purpose of this report is to endorse 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 submit the following Motion for consideration by the LGNSW Annual Conference:

That Local Government NSW advocates to the NSW State Government to:

1. *Actively consult with local councils and the broader stormwater industry as part of its review of the stormwater management service charge announced as part of the [NSW Government's response](#) to Recommendation 4 from the report of the [NSW Parliament's Standing Committee on State Development 2024 inquiry into the ability of local governments to fund infrastructure and services](#)*
2. *Raise and appropriately index the Stormwater Management Services Charge.*
3. *Investigate supporting measures to improve governance, funding, and organizational capacity for sustainable stormwater management as part of this review.*

2. **THAT** Council consider any further Motions that may be raised by Councillors at this meeting.

10.4 2025 Model Code of Meeting Practice

Report of Ian Curry, Governance Manager

The purpose of this report is to seek Council's endorsement of the North Sydney Council Draft Code of Meeting Practice, based on the Model Code of Meeting Practice 2025, for the purpose of public exhibition. The draft includes recommended selections

of mandatory and non-mandatory clauses that reflect Council's current practices and governance priorities.

Following extensive consultation, the new 2025 Model Code of Meeting Practice for Local Councils in NSW (2025 Model Meeting Code) has been finalised by the Office of Local Government.

The new 2025 Model Meeting Code has been published in the Government Gazette and is expected to be prescribed under the Local Government (General) Regulation 2021 (the Regulation) shortly.

Among other changes, the mandatory provisions of the 2025 Model Meeting Code will prohibit pre-meeting briefings and limiting Councillors' attendance at meetings by audio-visual link

While North Sydney Council already livestreams meetings and takes an audio-visual recording, this will become mandatory for meetings of the Council and committees comprising wholly of councillors from 1 January 2026. Recordings of meetings must be published on Council's website for the balance of the Council term or for 12 months, whichever is the later date.

Recommending:

1. THAT Council endorse the North Sydney Council Draft Code of Meeting Practice (based on the Model Code of Meeting Practice 2025) for public exhibition, inclusive of the following selections:

a) Mandatory Clause Selection

- Clause 15.16: *All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.*

b) Non-Mandatory Clause Inclusions

- Clause 5.2: *The general expectation of dress for councillors and staff when attending meetings is business formal or conservative professional attire, similar to a professional business meeting, to convey a professional image and show respect for the proceedings.*

- Clause 10.26: *A motion or an amendment to a motion which, if passed, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the motion if adopted.*

- Clause 11.10: *All voting at council meetings (including meetings that are closed to the public) must be recorded in the minutes of meetings, with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded. Clauses 11.4–11.9 are to remain unchanged.*

2. THAT a further report be presented to Council after the public exhibition period to consider any submissions received and to adopt the North Sydney Council Draft Code of Meeting Practice.

10.5 August 2025 Month-End Financial Report

Report of Shirley Chen, Financial Controller

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

For the second month of 2025/26, Council's operating result before capital grants and contributions is broadly in line with budget, recording a favourable variance of \$2.460 million.

The overall surplus from continuing operations was \$76.011 million, which is \$5.094 million above the year-to-date budget. This result was mainly driven by higher-than-expected developer contributions (\$2.634 million above budget), as well as stronger revenues from grants and infringement income (\$0.480 million), regulatory and statutory fees (\$0.221 million) and North Sydney Oval income (\$0.300 million).

Operating expenses were \$1.678 million below budget, with savings in employee costs (\$1.0 million) and other expenses (\$0.516 million), partly offset by minor variances across other categories.

Overall, income was 103.56% of budget for the month, while expenses were 93.29% of budget. Although early developer contributions and savings in Materials and Services have strengthened results to date, ongoing monitoring of core revenue streams - particularly user charges and fees - will remain important.

Recommending:

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

10.6 Investment and Loan Borrowings Report as at 31 August 2025

Report of Shirley Chen, Financial Controller and 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 31 August 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 August, the total investment portfolio (which includes Term Deposits, Floating Rate Notes and Bonds) provided a return of +0.31% (actual), or +3.73% p.a. (annualised), marginally underperforming the AusBond Bank Bill Index return of +0.32% (actual) or +3.84% p.a. (annualised).

Returns on investments exceeded the August YTD budget by \$10,420. This result includes fees paid to Council's investment advisers for the period.

Recommending:

1. **THAT** the report on Investments held at 31 August 2025, prepared in accordance with clause 212 of the Local Government (General) Regulation 2021, and the information on Loan Borrowings, be received.
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10.7 Fire and Rescue NSW Inspection Report - 229 Miller Street, North Sydney - response to Council resolution

Report of Jad Davis, Executive Compliance Officer

The purpose of this report is to provide an update in relation to the timeframes for implementation by Council officers concerning the Fire & Rescue NSW inspection report at 229 Miller Street, North Sydney.

At its meeting of 25 August 2025, Council considered a report relating to a Fire and Rescue NSW (FRNSW) inspection report which identified various fire-related issues requiring rectification at 229 Miller Street, North Sydney. Council resolved to receive an update on the timing of the implementation of these.

The fire safety matters identified in the FRNSW inspection report were rectified within two days of the FRNSW inspection report being received.

The only remaining outstanding item required to be completed is re-painting of the fire hydrant booster pipework. Council officers have required the painting to be completed by 29 September 2025. Enforcement action will be initiated, in accordance with Council's Enforcement and Compliance Policy, if the works remain outstanding after that date.

The colour of the fire hydrant booster pipework does not affect the operation or performance of the fire hydrant booster system, nor does it satisfy the minimum conditions required for Council to issue a Fire Safety Order under Schedule 5 of the Environmental Planning and Assessment Act, 1979.

Recommending:

- 1. THAT** Council note the contents of the report and the report be received.

10.8 Fire and Rescue NSW Inspection Report - 54 High Street, North Sydney

Report of Jad Davis, Executive Compliance Officer

The purpose of this report is to enable Council to determine whether to issue a Fire Safety Order in response to an inspection report received from Authorised Fire Officers of Fire and Rescue NSW concerning the premises located at 54 High Street, North Sydney.

Authorised Fire Officers from Fire and Rescue NSW (FRNSW) conducted an inspection of 54 High Street, North Sydney and issued an inspection report to Council on 7 August 2025.

When an inspection report is received, it must be tabled at a Council meeting for Council to determine whether it will exercise its powers to give a Fire Safety Order and notify the Commissioner of Fire and Rescue of its determination.

Council is currently managing an active Fire Safety Order that was issued to the owners of the building. This is acknowledged in the FRNSW inspection report. Given the content of the FRNSW inspection report overlaps with Council's active Fire Safety Order, it is considered that an additional Fire Safety Order is not warranted.

Council takes fire safety seriously and the management of the Fire Safety Order is underpinned by Council's Compliance and Enforcement Policy.

Recommending:

- 1. THAT** Council not exercise its powers to give a Fire Safety Order in response to the Fire and Rescue NSW inspection report,
 - 2. THAT** Council notify the Commissioner of Fire and Rescue NSW of its determination.
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10.9 Planning Proposal 1/24: 166-188 and 198-214 Military Road, Neutral Bay

Report of Katerina Papas, Senior Strategic Planner

The purpose of this report is to present the independent assessment report of Planning Proposal 4/24 for 166-188 and 198-214 Military Road, Neutral Bay, which seeks to amend North Sydney Local Environmental Plan 2013 following its consideration by the North Sydney Local Planning Panel on 26 August 2025.

On 29 October 2024, Council received a Planning Proposal to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) as it relates to land at 166-188 and 198-214 Military Road, Neutral Bay.

The subject site is located within the area covered by the Neutral Bay Village Planning Study (NBVPS), adopted by Council on 27 May 2024.

The Planning Proposal seeks to increase the maximum building height control for the site from the current height limit of 16m to 36-45m (excluding 180-182 Military Road and the areas where through-site links are proposed) and increase the minimum non-residential floor space ratio control from 0.5:1 to 1.2:1.

The intent of the Planning Proposal is to facilitate four mixed-use buildings on the site ranging from nine to 12 storeys in height. The site is divided into two portions; two buildings are proposed on the western portion (Site 2A) and two buildings on the eastern portion (Site 2B). Sites 2A and 2B are separated by land owned by North Sydney Council (190-192 Military Road) which accommodates the Neutral Bay Community Centre and two heritage buildings (194-196 Military Road) which are in private ownership.

The Planning Proposal is accompanied by a non-binding letter of offer to enter into a Voluntary Planning Agreement (VPA) with Council to deliver a 730m² community centre with a 40-year peppercorn lease term to Council, two publicly accessible through-site links, footpath widening, and other public domain upgrades.

An independent planning consultant (Ingham Planning) was engaged to undertake the assessment of the proposal on behalf of Council, given the extended planning history for the precinct as well as the current Expressions of Interest evaluation process for the potential delivery of a future Grosvenor Plaza.

Following the completion of the assessment by the consultant, the Planning Proposal was referred to the North Sydney Local Planning Panel (NSLPP) on 26 August 2025, as required by Ministerial direction.

The NSLPP agreed with the recommendations of the consultant's assessment report, that the Planning Proposal should not be supported to proceed to a Gateway Determination in its current form, and that, should the Planning Proposal progress via an alternate approval pathway, the proposal be amended to resolve the key issues raised in the independent consultant's assessment report.

Recommending:

1. THAT, consistent with the independent planning assessment and the recommendation of the North Sydney Local Planning Panel of 26 August 2025, Council not support the Planning Proposal proceeding to a Gateway Determination.

2. THAT, should the Planning Proposal progress via an alternate approval pathway, it be required to be amended to resolve the key issues raised in the detailed assessment report (by Ingham Planning) and by the North Sydney Local Planning Panel, including:

- the proposed height and FSR controls also apply to 180-182 Military Road, Neutral Bay;
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- a mechanism be included to exclude additional heights above 8 to 12 storeys through the application of Clause 4.6 or any bonus provision in any other planning instruments.
- the indicative concept scheme be amended to resolve key issues raised in this report, including the inconsistencies with the Neutral Bay Village Planning Study:
 - the location, width and form of the proposed through-site links;
 - compliance with the NSW Apartment Design Guide building separation requirements and undesirable reliance on blank walls to satisfy these;
 - the location, size and tenure of the proposed community centre; and
 - the building setbacks generally on the ground floor.

3. THAT any letter of offer to enter into a Voluntary Planning Agreement with Council be amended to provide a new community centre, publicly accessible through-site links, Military Road footpath widening, public domain improvements, and landscaping that are consistent with Council's adopted *Neutral Bay Village Planning Study* (NBVPS), and that any revised VPA offer be reported to Council. In addition, that consideration be given to the provision of affordable housing.

10.10 Relocation of Heritage Bus Shelters: Monte and McLaren

Report of Jessica Choy, Service Unit Manager Public Presentation

The purpose of this report is to advise Council on the proposed relocation of the heritage bus shelters, Monte and McLaren, currently located on Miller Street, North Sydney.

In April 2022, Sydney Metro advised Council that they would be relocating bus stops located at 192 Miller Street and 229 Miller Street, to the northern entry of Victoria Cross Station, at 200 Miller Street and 255 Miller Street respectively.

Transport for NSW (TfNSW) installed modern steel and glass bus shelters at these new bus stop locations, with signage advising that all bus services would cease operating from the former bus stops located at the heritage 'traditional style' Monte (192 Miller Street) and McLaren (229 Miller Street) bus shelters, from 30 March 2025.

Council engaged Heritage Architects, Lucas, Stapleton, Johnson, and Partners (LSJP), to provide a heritage assessment, with recommendations for the treatment of these now-redundant shelters.

Upon inspection, LSJP observed the deteriorated condition of the Monte and McLaren shelters. Subsequently a Structural Engineer was engaged to assess them, and bracing was installed in line with their recommendations.

The recommendations from LSJP were to either remove the newly installed TfNSW shelters and rebuild the existing traditional-style shelters in their place, or relocate the Monte and McLaren shelters to active bus stops at heritage locations where similar shelters have been removed.

Recommending:

1. THAT Council endorse the proposed relocation of the Monte and McLaren bus shelters on Miller Street to Lady Hay and Crowie on Pacific Highway, in accordance with recommendations of the Heritage Assessment report prepared by Heritage Architects Lucas, Stapleton, Johnson, and Partners.

2. THAT Council endorse exploring advertising opportunities in the vicinity of the current and proposed bus shelter locations, to replace any revenue stream lost through the relocation.

3. THAT Council note that proceeding with the proposed relocation work is subject to the determination of a future Development Application.

10.11 4th 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 4th quarter of financial year 2024/2025, covering the period from 1 April 2025 to 30 June 2025.

The total budgeted cash income for the full year-to-date in the 2024/25 financial year was \$6.44 million. The actual cash income received year-to-date in 2024/25 financial year was \$5.89 million - 8.5% below budget. Using accrual accounting, the total income received was \$5.98 million against a budget of \$6.3 million – 5% below budget. The primary reason for the shortfall is the leasing of vacant spaces at 1 James Place. Council anticipated these vacancies would be leased during the year but the expected occupancy rate was not achieved due to continuing unprecedented market weakness. Council's Property Portfolio vacancy rate at the end of June 2025 was 5.64%, an increase from the previous 5.28% due to new retail vacancy at Shop 1, 36 Hume Street, Crows Nest. The majority of the vacant space is office accommodation, which remains the most challenging commercial property sector post-pandemic.

The confidential attachment to this report 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).

RECOMMENDATION:

1. THAT the report be received.

2. THAT Council resolve that the identified attachment to this report is to be treated as confidential in accordance with section 11(3) of the Local Government Act for the following reason under Section 10A (2) of the Local Government Act:

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

10.12 North Sydney Olympic Pool Redevelopment Project Update

Report of Duncan Rennie, Acting Director Open Space and Infrastructure

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

There continues to be a high level of onsite activity and resources, resulting in significant progress across many areas of the project. Fit out and commissioning activities have commenced across many areas of the project.

The contractual date for Practical Completion for the project is 14 July 2024. Icon recently provided an updated program indicating 25 November 2025 as their forecast date for Practical Completion (handover). It is anticipated that it will take two - three months to commission and operationalise the facility before it can be open to the public.

At the Council meeting on 25 August 2025 it was resolved to extend key consultancies from the end of August 2025 to the end of November 2025, to align with the most recent Practical Completion date issued by Icon.

The revised construction contract sum is currently \$92.52m, which includes 43 variations totalling \$234k that have been agreed and closed since the last report to Council.

The total project commitments remain within the forecast costs to completion of \$122m. It should be noted that this forecast was provided to Council in February 2024, with an anticipated date for project completion of December 2024. A significant number of variations remain either under assessment or that are yet to be submitted, which will place further pressure on the allocated budget for this project.

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.

4. THAT Council note that current financial commitments for the North Sydney Olympic Pool redevelopment remain within the forecast cost to completion of \$122m, however there are a significant number of variation claims that are still to be submitted.

11. NOTICES OF MOTION

11.1 Notice of Motion 20/25: Safety Improvements at Barry Lane and Yeo Street Intersection, Neutral Bay - Crs Keen & Carr

1. THAT Council notes ongoing community concern regarding driver and pedestrian safety at the corner of Barry Lane and Yeo Street in Neutral Bay, particularly due to repeated illegal parking in the designated 'No Stopping' zone.

2. THAT Council acknowledges previous community representations on this issue, including photographic evidence and direct reporting of violations through Council channels.

3. THAT Council refers this matter to the next Local Traffic Committee meeting for official review by the panel and requests that the Traffic Committee suggest potential solutions to the ongoing driver and pedestrian safety at this intersection.

Background

Residents of Neutral Bay, particularly those living near Barry Lane and Yeo Street, have raised repeated concerns over vehicles illegally parking in the 'No Stopping' area on the corner. These obstructions significantly reduce visibility for motorists exiting Barry Lane—particularly when turning left, which often requires vehicles to cross onto the wrong side of the road to avoid parked cars. Right turns are also compromised, especially when larger vehicles obstruct the line of sight.

Despite previous correspondence with Council and the submission of photographic evidence through Council's online reporting systems, no significant action has been taken to address the issue. This has led to continued safety risks for both drivers and pedestrians.

Residents have proposed viable and low-cost solutions, such as the installation of a small traffic island like the one located at 57 Ben Boyd Road, Neutral Bay, where such infrastructure has successfully deterred illegal parking.

While it is recognised that a bike path maybe installed on Yeo Street which in itself presents immense, driver, cyclist, and pedestrian safety in the future, there is a clear expectation that the council will safeguard current pedestrian and motorist safety.

This Motion seeks to bring the matter to formal consideration by the Traffic Committee, with the aim of delivering a long-overdue improvement in local traffic and pedestrian safety.

11.2 Notice of Motion 21/25: Shellcove Road - Crs Keen and Carr

1. THAT Council prepares a report on:

- i. possible options to introduce regulated partial pavement parking on Shellcove Road, with appropriate markings and restrictions to maintain pedestrian access and allow traffic flow;
- ii. comparative approaches used in other Sydney councils to manage similar narrow-street parking pressures;
- iii. consultation with residents on preferred solutions, including resident parking schemes or regulated pavement parking trials; and
- iv. report back to Council for decision, with the aim of providing fair, safe, and practical parking options for Shellcove Road residents.

Background

Shellcove Road is a narrow street where residents have very limited parking availability. Parking is allowed on both sides of the street which makes the movement of larger vehicles very difficult. Residents have complained that their cars get swiped occasionally with trucks using the road such as garbage collection trucks. Residents occasionally set wheels on the pavement which allows the street to become a bit wider and that allows traffic to flow a little easier. This is currently prohibited under road rules creating enforcement tension and uncertainty for residents.

Other Councils such as the former Leichhardt Council trialled regulated pavement parking in certain narrow streets, using signage and line-marking to balance resident parking needs, safe pedestrian passage and traffic flow.

12. MATTERS OF URGENCY

Nil

13. CLOSURE