

**North Sydney Combined Precincts Committee (CPC)**  
**Tuesday 18 October 2022**  
**6.00pm start, Ros Crichton Pavilion**

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**General Meeting Minutes**

**Participants<sup>1</sup>:** JB (Bay), BE (Bay), LS (Brightmore) PE (Brightmore), JC (Edward), GM (Edward) ; DM (Hayberry); AJ (Hayberry), CC (Harrison), MdS (Harrison); KB (Holtermann), LT (Holtermann), BS (Lavender Bay); JC (Milson); JN (Milson); EC (Neutral); GD (Parks); SB (Parks); SM (Parks/CPC Co-convenor); MA (Registry); MdS (Registry); CT (Union); KH (Union); IG (Waverton/CPC Co-Convenor); MTJ (Willoughby Bay); PM (Willoughby Bay); JH (Wollstonecraft).

**Also present:** Cr Zoe Baker, Mayor of North Sydney, Robert Emerson, A/General Manager (North Sydney Council); JG, Manager Corporate Planning & Engagement (North Sydney Council); GN, Community Engagement Coordinator (North Sydney Council, Minutes), EB (Milson)

**Apologies:** Nil

**Co-convenor presiding:** Ian Grey (CPC Co-Convenor/Waverton)

The meeting started at 6.02pm

**1. Acknowledgement of Country**

IG (Chair/Waverton) opened the meeting by acknowledging the traditional owners of the land on which the meeting was held and welcoming all attendees to the meeting.

**2. Guest Speakers - Mayor Zoë Baker and Rob Emerson A/General Manager regarding NSOP redevelopment**

The Mayor (ZB) and A/General Manager (RE) addressed the CPC to provide an update regarding the North Sydney Olympic Pool (NSOP) redevelopment in context of why Council cancelled the Extraordinary Council (EC) meeting scheduled for 18 October 2022 and the Council resolution of 10 October 2022 to conduct an independent review into the redevelopment project:

- 1. THAT Council urgently undertake an independent review of the Council's management of the North Sydney Olympic Pool redevelopment project.*
- 2. THAT Council engage a suitably qualified independent person to undertake a thorough review of all aspects of the North Sydney Olympic Pool redevelopment project and prepare a report to Council.*

ZB (NSC) advised that the purpose of the EC meeting was to present the audited financial reports, together with the external auditor's report, to Council. This is an annual requirement under the *Local Government Act 1993*. Council's finance team prepared the financial statements in a timely manner. In September 2022, while the audit was being completed, significant variations to the cost of the project were lodged. As these had not been formally reviewed and approved, the claims were noted in the covering report to Council's Audit, Risk and Improvement Committee (ARIC) meeting of 7 October 2022. ARIC resolved to recommend to Council:

- 1. THAT consideration of the Financial Statements for the Year Ended 30 June 2022 be deferred to allow legal advice to be obtained; clarification of the quantum and validity of variations and the appropriate accounting treatments and disclosures to be made in relation to the North Sydney Olympic pool redevelopment contract.*

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<sup>1</sup> Limited to two representatives per active Precinct Committee.

2. THAT the Committee recommends that Council staff seek a one-month lodgement extension for the annual accounts from the Office of Local Government.
3. THAT a special meeting of the Committee be arranged to consider the Financial Statements for the Year Ended 30 June 2022 in accordance with the revised timetable.

ZB (NSC) outlined that the Council resolved on 10 October 2022 to request an extension of time to finalise the 2021/22 financial statements and it is anticipated these will be presented to Council for endorsement on or before 30 November 2022.

RE (NSC) gave overview of the NSOP redevelopment history from the proceed with a preferred tender on 15 December 2021 to the commencement of construction, the original budget to the revised cost of \$63.8M and approved variations of \$3.816M. The project was originally to be completed November 2022 with the revised competition now anticipated to be November 2023. Delays are primarily due to latent conditions and aspects not foreseen including rain/wet weather, COVID design clarifications etc.

ZB (NSC) explained that the contract was awarded to the lowest tender with the Council resolving that the General Manager be authorised to execute the contract. The contract was signed on 31 December 2020. This is a project that the new Council has inherited and is addressing ways to deliver it in a financially sustainable way. It was noted that Council has borrowed \$30M from TCorp and used \$3M of its open space budget toward the project.

RE advised that the business case has been revised based on historical usage, a new governance structure implemented, and a probity advisor appointed. Council has also undertaken revised financial modelling on scenarios at costs of \$70M, \$75M, \$80M and \$90M to prepare for worst case scenarios. The Council receives monthly progress reports and more detailed confidential quarterly reports. Property lawyers have been consulted regarding the café/restaurant leases. A report has been called for operational models due November 2022, which could include Council run, outsourced, lease, or incorporated body.

ZB (NSC) advised the independent review has been called so a fresh set of eyes can review how to manage variations historically and going forward. One benefit of the delayed constructions is that the actions being undertaken put Council in a better position and should have been undertaken a year ago. A new auditor has been appointed and the new General Manager will start 21 November 2022.

ZB (NSC) that the new Council is committed to transparency and will provide as much information to the community as possible (only limited by the strictures of commercial-in-confidence and legal professional privilege).

Questions were taken from the floor and ZB (NSC) also offered to present to individual Precinct Committees on this matter, by request.

Related information is available on Council's website

- [https://www.northsydney.nsw.gov.au/Council\\_Meetings/Council\\_News/Latest\\_News/North\\_Sydney\\_Olympic\\_Pool\\_Review](https://www.northsydney.nsw.gov.au/Council_Meetings/Council_News/Latest_News/North_Sydney_Olympic_Pool_Review)
- [https://www.northsydney.nsw.gov.au/Council\\_Meetings/Council\\_News/Latest\\_News/Message\\_from\\_Mayor\\_Zoe\\_Baker](https://www.northsydney.nsw.gov.au/Council_Meetings/Council_News/Latest_News/Message_from_Mayor_Zoe_Baker)

**ACTION: The CPC requested that a fact sheet be prepared to assist explaining the situation to Precinct Committee members and the general community.**

*EB (Milson) left the meeting*

### 3. Minutes of 16 August 2022

**MOTION: That the minutes of the general meeting held on 16 August 2022 were confirmed as read and correct (with the exception that the meeting was not conducted via Zoom).**

**MOVED BY: BS (Lavender Bay), SECONDED BY: KH (Union)**

**CARRIED Unanimous**

#### **4. Council's Reply to Previous Minutes (Summary of Actions)**

Deferral of the Aboriginal Heritage Office as guest speaker was noted. It was also noted that it may be suitable to invite the Harbour Trust to address the CPC closer to completion of the works on the Torpedo Factory at Sub Base Platypus.

**ACTION: Council to distribute, by way of attachment to these minutes, the reply from the President of NSROC received in response to item 7bi(b), June 2022.**

#### **5. Co-convenors Report**

IG (Chair/Waverton) spoke to the Draft Berrys Bay Masterplan currently on public exhibition by TfNSW and advised that the WHT contractor is to be determined by the end of this year from Waverton to Berry/Falcon Streets part of the tunnel; noting that the Rozelle to Birchgrove contractor has been appointed. Three contractors have been short listed.

**MOTION: That the CPC supports the WHT related Council resolution of 26 September 2022 (Item 9.1):**

- 1. THAT Council call on the NSW State Government not to enter into any contracts for the Western Harbour Tunnel Stage 3 or the Northern Beaches Link projects prior to the 2023 NSW State Government election.**
- 2. THAT Council write to the Premier, Treasurer, Minister for Roads, Minister for Heritage and Minister for the Environment seeking their assurance that no contracts in relation to the works on the Western Harbour Tunnel and Northern Beaches Link projects are signed prior to the 2023 NSW State Government election.**
- 3. THAT Council write to the Leader of the Opposition, Shadow Treasurer, Shadow Minister for Roads, Shadow Minister for Heritage and Shadow Minister for the Environment seeking their commitment that should they be elected in March 2023, that they will immediately halt and review the Western Harbour Tunnel Beaches Link Project.**
- 4. THAT Council write to the Prime Minister, the Federal Minister for the Environment, and the Federal Minister for Transport, seeking their assurance that no federal funding will be provided for this project.**
- 5. THAT Council also make similar representations regarding the Warringah Freeway Upgrade.**

**MOVED BY: JC (Edward), No SECONDER - FAILED MOTION**

**ACTION: JC (Edward) to provide suggested WHT/BL motion for consideration at next CPC meeting.**

#### **6. Council Update**

##### **a. Precinct related Council updates (Jenny Gleeson, NSC)**

- Planning Proposals online information session 25 October 2022, 6pm - recording to be made available the event
- New Council website progress update - volunteers needed for eye tracking test (limited places; date TBC)
- Annual General Meetings
- 2022/23 Operational Funding and MOU renewal
- Precinct System 50<sup>th</sup> anniversary - update
  - [Photo and Story Sharing Portal](#)
- Precinct System Review recommendations implementation - working groups update (including remote meetings)

JG (NSC) provided an overview of presentation slides (ATTACHMENT A).

**ACTION:** *Precinct members interested in being involved in eye tracking to advise GN (NSC) or JG (NSC) by emailing [precincts@northsydney.nsw.gov.au](mailto:precincts@northsydney.nsw.gov.au)*

**ACTION:** *Council to distribute memo regarding procedure for applying for operational funding and provide updated MOU to all Precinct Committees*

**ACTION:** *Precinct Committees to promote photo sharing portal to their members.*

**b. Current/upcoming consultations (to be taken as read unless/discussion only if prior request received)**

- i. [Milson Park Kayak Storage](#) - submissions closes 31 October
- ii. [Arts & Cultural Strategy Review, Stage 1](#) - submissions closes 1 November
- iii. [Miller Street Pop-up](#) - feedback closes 2 November
- iv. Food Scraps Collection Trial - selected multi-unit dwellings only (ongoing)
- v. [Draft Berrys Bay Masterplan](#) - closes 23 October (TfNSW)
- vi. [Planning Proposal 4/22 - Prohibition of residential flat buildings in the R3 Medium Density Residential zone](#) - closes 7 November
- vii. [Burton Street and Blight Street, Kirribilli: Permanent Closure and Shared Zone Concepts](#) - closes 14 November
- viii. [West Street Cycling, Walking and Streetscape Upgrades](#) - feedback closes 14 November
- ix. [Draft NSDCP2013 Amendment, St Leonards/Crows Nest Planning Area](#) - closes 15 November
- x. Willoughby Road Streetscape Upgrade - anticipated to commence 7 October (for 42 days)
- xi. [Draft NSDCP2013 Amendment - Car Parking Rates for new high-density developments in areas with high public transport access](#) - closes 13 December
- xii. [Parraween Street Free 30 minutes parking trial](#) - closes 20 September 2023

MdS (Harrison) spoke to 6bvi, encouraging all Precinct Committees to be aware of the proposal and opportunity to provide feedback; and asked for confirmation as to whether the post exhibition report would be presented to the Council meeting of 14 November 2022<sup>2</sup>.

**MOTION:** *That the CPC supports Planning Proposal 4/22: Prohibition of residential flat buildings in the R3 Medium Density Residential zone.*

**MOVED BY:** *MdS (Harrison), SECONDED BY: MTJ (Willoughby Bay)*

**CARRIED**

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<sup>2</sup> POSTSCRIPT: the business paper for the Council Meeting of 14 November 2022 will be available from Council's website on 4 November 2022.

In favour	Opposed	Abstained
Bay x 2		Hayberry x 2
Brightmore x 2		
Edward x 2		
Harrison x 2		
Holtermann x 2		
Lavender Bay x 1		
Milson x 2		
Neutral x 1		
Parks x 2		
Registry x 2		
Union x 2		
Waverton x 1		
Willoughby Bay x 2		
Wollstonecraft x 1		
<b>Total: 24</b>	<b>Total: 0</b>	<b>Total: 2</b>

## 7. General Business

### a. Future Guest Speakers

- Council's Strategic Planning Department are available to address the CPC on 29 November regarding Planning Proposals (recap of 25 October online information session)
- Aboriginal Heritage Office - deferred (alternate proposal is a dedicated online information session open to all Precinct members, same format as the Planning Proposals session on 25 October 2022)

***ACTION: whether a presentation from Council's Strategic Planners regarding Planning Proposals is to be included on the 29 November 2022 CPC agenda is to be discussed with co-convenors based on feedback from the online information session to be held 25 October 2022.***

### b. Proposed Motions

#### i. Weighting of Precinct Submissions (Parks)

The Combined Precincts Committee urges North Sydney Council to adopt a formal system of weighting of Precinct submissions on exhibited proposals that recognises numbers of votes in favour of a resolution and the number of votes against that resolution as each being one submission when counting numbers of submission received.

GD (Parks) explained this item was raised after community engagement of Young Street Plaza, noting that some Precincts had objected to the Young Street proposal, but their motions were counted as one submission as was a petition from the residents of Bougainvillea retirement village. A similar motion relating to weighting of Precinct submissions has also been raised by several individual Precinct Committees including Wollstonecraft, Milson, Parks, Brightmore and Willoughby Bay.

JG (NSC) advised that at its meeting of 10 October 2022, Council resolved (Item 11.4):

1. THAT in its consultative process with the community, including consideration of submissions from Precincts, on Council policy proposals, Council ensure, when voting from the community is requested, Council recognises the number of individual votes for and against the proposal, rather than consider that an individual organisation's majority vote be counted as a block of one vote for or against the proposal.
2. THAT at community group meetings where a consultation is requested by Council, it is made explicitly clear, through a prepared standard statement (agreed to by Council) read in the meeting, the individual vote numbers will be recorded in the consultation report to Council.

3. THAT for the purpose of transparency and to ensure the absence of 'branch stacking', the names and addresses of individual voters will be included in the report to Council on the voting outcome of the consultation.
4. THAT when voting is counted at Council, any individual person's vote is only counted once, whether it be as an individual or part of a group.
5. THAT the principle of "one person, one value, one vote" is included in the review of the Community Engagement Protocol.

Several questions/issues were raised in response to the above stated Council motion. GM (Edward) noted that some people may vote at a Precinct meeting and make a submission, and how will this be handled? MTJ (Willoughby Bay) advised that they were not sure how to record voting at their recent Precinct meeting based on the resolution. JH (Wollstonecraft) suggested that a list of attendees could be provided by Precincts for Council staff to cross reference. LH (Holtermann) asked if pro-forma submissions would be counted as multiple (i.e. when a submission template is provided and multiple people make the same submission). DM (Hayberry) noted that the information provided at Precinct meetings by attendees may not be correct/biased and at times is clarified after the Precinct has passed a motion. MdS (Harrison) flagged privacy concerns regarding the release of names and addresses of individual voters.

JG (NSC) advised that staff were currently work on how to implement the Council resolution and that further information will be provided to all Precinct Committees in due course. JG (NSC) also advised that per the note included with both the CPC and Council meeting agenda, that this motion links to finalisation of the Implementation Plan from the Precinct System Review and will initially be discussed as part of Working Group 1 to inform Council's revised Precinct System Policy, Code and Guidelines, as well the review of Council's *Community Engagement Protocol*.

**c. Discussion Items (pre-submitted items)**

**i. Special Precincts Meeting held 7 September recap (Bay)**

JB (Bay) provided an overview of the Special Precincts meeting held by Bay Precinct Committee in conjunction with Registry, Brightmore, Parks and Willoughby Bay Precinct Committees, which included addresses by Paul Walter, Convenor of Bay Precinct, Cr Zoë Baker, Mayor of North Sydney and Tim James MP, State Member for Willoughby. [A recording is available on Bay Precinct Committee's webpage.](#) JB (Bay) also provided an update on the community meeting held in Green Park on 10 September 2022 which featured ghost trees with messages to Tim James MP and tabled a letter to Kyela Tink, Federal Member for North Sydney who has confirmed that there is no federal money for WHT/BL.

DM (Hayberry) tabled correspondence with other NSW councils noting success with contacting them and asking them to raise concerns with their local MPs regarding the lack of other facilities in their local government areas in light of what is being spent on WHT/BL.

IG (Waverton/Chair) noted that TfNSW had conducted a walkthrough in relation to the Draft Berrys Bay Masterplan i.e. northern end of the WHT Berrys Bay and Waverton. At this walkthrough it was advised that a Masterplan will be developed by the contractor, the contract who will not be appointed for 12 months. There is a six-year minimum delay time to be able to action any agreed activities in these areas due to the tunnel project. There is particular community concern for the Woodleys shed, given its poor state, the community would like it excised from the WHT project.

**ii. PP 2/22 12-14 Waters Rd, Neutral Bay & PP 6/22 1-7 Rangers Rd, Neutral Bay - verbal update (Willoughby Bay)**

MTJ (Willoughby Bay) provided an overview of PP 6/22 by Woolworths. The proposal is 40m high (current height restriction is 16m). Although not on public exhibition, Council received 204 individual submissions opposing the development. At its meeting of 10 October 2022, Council resolved not to support the planning proposal. The applicant has lodged a rezoning review and the decision as to whether to progress the will be

made by the Department of Planning and Environment (DPE). An article from the North Shore Time was tabled (ATTACHMENT B).

An update was also provided on PP 2/12. A rezoning review was lodged with the Sydney North Planning Panel (SNPP) who referred to the NSW Department of Planning. It was noted that matters are considered by the regional planning panel with no opportunity for the community to make submissions and no public are allowed to view the meetings (*Note: submissions can be made to DPE and Council is able to make representations*). There was discussion that this process is not transparent.

**MOTION 1: That the CPC write to the NSW Planning Minister and State Members (Tim James and Felicity Wilson) advising that they do not support PP 6/22 1-7 Rangers Rd, Neutral Bay.**  
**MOVED BY: MTJ (Willoughby Bay), SECONDED BY: CC (Harrison)**

In favour	Opposed	Abstained
Bay x 2	Hayberry x 1	Hayberry x 1
Brightmore x 2		
Edward x 2		
Harrison x 2		
Hayberry x 2		
Holtermann x 2		
Lavender Bay x 1		
Milson x 2		
Neutral x 1		
Parks x 2		
Registry x 2		
Union x 2		
Waverton x 1		
Willoughby Bay x 2		
Wollstonecraft x 1		
<b>Total: 24</b>	<b>Total: 1</b>	<b>Total: 1</b>

**MOTION 2: That the CPC is concerned with how Planning Proposals undermine Council’s planning controls by effectively allowing spot rezonings on a site-by-site basis. This is removing any community confidence in our planning system.**

**MOVED BY: MdS (Harrison), SECONDED BY: MTJ (Willoughby Bay)**  
**CARRIED Unanimous**

LT and KB (Holtermann) left the meeting

**iii. NSOP redevelopment progress update (Edward/Union)**

Refer to item 5

**iv. Heritage - Loss of area character from development pressure (Harrison)**

- Comprehensive Heritage Review timing
- revised Military Road Corridor Planning Study timing

MDS (Harrison) provided background of proposals for sites that aren’t heritage listed but contribute to the heritage of the Cremorne area, Parraween Street (8 houses), Yeo Street and Holt Avenue. It was also noted that the Cremorne Orpheum cinema has been recommended for State heritage listing. Heritage consultants engaged to look at proposed heritage listing inclusive of the houses that back onto Parraween Street, because some warrant it themselves and some contribute to the area.

**ACTION: Council is requested firm up timelines around conducting localised Heritage Reviews.**

JG (NSC) noted Council's response in agenda Attachment C - that Council's Manager Strategic Planning has advised that a total of \$50,000 has been included in Council's *Operational Plan & Budget 2022/23* to commence the comprehensive LGA wide heritage review process. This will commence in early 2023 after a full scoping exercise has been undertaken. It should be acknowledged that this will be a very involved process and one that will require significant and comprehensive levels of community consultation. It is expected that this process may take up to three years or more to complete depending on the scope and consultation responses. It is certainly not a piece of work that can be rushed. Further updates will be provided to all Precinct Committees in due course.

**8. OTHER ITEMS - to be tabled at the meeting**

Nil

**9. NEXT MEETING - 29 November**

2023 Meeting dates: to be discussed at the 29 November meeting

Meeting closed at 8.17pm