



# MINUTES

The Minutes of the Council held at the  
Council Chambers, North Sydney  
at 6.30pm Monday 12 August 2024.



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## 1. Opening Meeting

### Statement of ethical obligations

Councillors are reminded of the oath or affirmation taken upon commencement of office that they will undertake the duties of the office of councillor in the best interests of the people of North Sydney and the North Sydney Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the [Local Government Act 1993](#) or any other Act to the best of their ability and judgment.

Councillors are also reminded of their obligations under the Code of Conduct to disclose and appropriately manage conflicts of interest.

At the commencement of business (6.30pm) those present were: The Mayor, and Councillors Beregi, Bourke, Gibson, Lamb, Lepouris, Mutton, Santer, and Welch.

The meeting was opened by the Mayor.

## 2. Acknowledgement of Country

### RECOGNITION OF THE CAMMERAYGAL PEOPLE

We respectfully acknowledge the Traditional Custodians of the land and waters of North Sydney local government area, the Cammeraygal people.

The Acknowledgement of Country was read by Councillor Bourke.

## 3. Apologies and applications for leaves of absence or attendance by audio-visual link by councillors

A Motion was moved by Councillor Gibson and seconded by Councillor Beregi:

**1. THAT** Council grant permission for Councillor Lepouris to attend remotely for the following reason: other.

**2. THAT** Council grant Leave of Absence to Councillor Mutton for the following reason: travel.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 7 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, and Councillor Welch

**Against:** Nil

**Absent:** Councillor Spenceley

**166. RESOLVED:**

- 1. THAT** Council grant permission for Councillor Lepouris to attend remotely for the following reason: other.
- 2. THAT** Council grant Leave of Absence to Councillor Mutton for the following reason: travel.

**4. Confirmation of Minutes**

The Motion was moved by Councillor Lamb and seconded by Councillor Welch.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

- For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Lepouris, Councillor Santer, and Councillor Welch
- Against:** Nil
- Absent:** Councillor Spenceley

**167. RESOLVED:**

- 1. THAT** the Minutes of the Council Meeting held on Monday 22 July 2024 be taken as read and confirmed.

**5. Disclosures of Interest**

The following Disclosure of Interest was made:

Re: 10.7	Outdoor Dining and Goods on Footpath Policy
Councillor Lepouris	Maintains a Business which makes use of outdoor dining on the footpath (pecuniary/significant)

**6. Public Forum**

A Motion was moved by Councillor Beregi and seconded by Councillor Bourke:

- 1. THAT** the Public Forum be opened, and that the following items be considered as part of the Public Forum:

10.2	2024 Council Meeting Schedule - proposed amendment
10.4	State Significant Development Submission - Walker Street, North Sydney
10.5	Advertising on Council Infrastructure - Citizen Jury
11.1	Notice of Motion 12/24: Art installation honouring local women - Cr Welch
11.2	Notice of Motion 13/24: Alcohol-related domestic violence - Cr Santer
11.3	Notice of Motion 14/24: Warringah Freeway rooftop park - Cr Santer

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Lepouris, Councillor Santer, and Councillor Welch  
**Against:** Nil  
**Absent:** Councillor Spenceley

**168. RESOLVED:**

**1. THAT** the Public Forum be opened, and that the following items be considered as part of the Public Forum:

10.2	2024 Council Meeting Schedule - proposed amendment
10.4	State Significant Development Submission - Walker Street, North Sydney
10.5	Advertising on Council Infrastructure - Citizen Jury
11.1	Notice of Motion 12/24: Art installation honouring local women - Cr Welch
11.2	Notice of Motion 13/24: Alcohol-related domestic violence - Cr Santer
11.3	Notice of Motion 14/24: Warringah Freeway rooftop park - Cr Santer

## 7. Items Considered by Exception

Nil

## 8. Mayoral Minute

### 8.1. MM01: Welcoming Cities

In North Sydney, we celebrate our multicultural and diverse population.

While we celebrate our multiculturalism and diversity, we also recognise the need to continue fostering an inclusive and welcoming environment for everyone, particularly migrants, refugees, and people seeking asylum. During the recent community engagement for the Next 10 Years Council consulted on the development of a Social Inclusion Strategy. The Discussion Paper noted that:

*Inclusivity is one of the principles of the North Sydney Vision 2040 Community Strategic Plan. This means we value our individual differences - whether they relate to age, ability, income or background - and embrace the diversity of our community and their culture, ethnicity, gender, sexual orientation and beliefs. We know that an inclusive, diverse North Sydney is stronger, more resilient and a place where people want to live, work and visit.*

On 9 August 2024 I met with a representative of Welcoming Cities who issued an invitation to North Sydney Council to join the Welcoming Cities network.

Welcoming Cities, an initiative of Welcoming Australia, is a national network of councils committed to an Australia where everyone can belong and freely participate in social, cultural, economic, and civic life. Welcoming Cities provides a framework and support system to help councils achieve these goals.

There are over 250 member cities worldwide, including 80 in Australia, representing a mix of metropolitan, regional, and remote councils.

Welcoming Cities allows councils to benefit from knowledge sharing, evidence-based research and case studies, and access to frameworks to measure and assess inclusivity. The network also recognises success in members, accredits best practice and facilitates cross-sector partnerships.

There is no cost to join Welcoming Cities.

**I therefore recommend:**

**1. THAT** Council becomes a member of the Welcoming Cities network.

The Motion was moved by the Mayor.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Lepouris, Councillor Santer, and Councillor Welch

**Against:** Nil

**Absent:** Councillor Spenceley

**169. RESOLVED:**

**1. THAT** Council becomes a member of the Welcoming Cities network.

Councillor Spenceley joined the meeting at 6.37pm.

## Public Forum

### 10.2. 2024 Council Meeting Schedule - proposed amendment

*This item was moved forward as part of the Public Forum (see page 6).*

**AUTHOR:** Ian Curry, Manager Governance

#### **PURPOSE:**

The purpose of this report is to seek approval from Council to remove the 9 September 2024 Council meeting from the adopted schedule.

#### **EXECUTIVE SUMMARY**

- The Local Government Act prescribes that councils are required to meet at least 10 times each year, each time in a different month.
- In September 2023, Council adopted a schedule for Council meetings in 2024.
- Based upon the adopted schedule, a meeting is scheduled for 9 September, the week of the Local Government elections.

#### **RECOMMENDATION:**

**1. THAT** the 2024 meeting schedule be amended to remove the 9 September Council meeting.

The following person spoke to this item as part of the Public Forum:

- Davie Macdonald (Local resident, 2024 NSC Community Builder nominee, and Precinct activist/member)

A Motion was moved by Councillor Beregi and seconded by Councillor Lamb:

**1. THAT** the 2024 meeting schedule be amended to remove the 9 September Council meeting.

**2. THAT** a review of the Code of Meeting Practice be referred to the new Council.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 9 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Lepouris, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil



**170. RESOLVED:**

1. **THAT** the 2024 meeting schedule be amended to remove the 9 September Council meeting.
2. **THAT** a review of the Code of Meeting Practice be referred to the new Council.

**10.4. State Significant Development Submission - Walker Street, North Sydney**

*This item was moved forward as part of the Public Forum (see page 6).*

**AUTHOR:** Jim Davies, Executive Assessment Planner

**PURPOSE:**

The purpose of this report is to seek Council's endorsement of the submission made to the Department of Planning Housing and Infrastructure in relation to a State Significant Development Application for a proposed residential development of 228 apartments on the corner of Walker and Hampden Streets, North Sydney.

**EXECUTIVE SUMMARY**

- A State Significant Development Application (SSDA) was lodged on 21 June 2024 with the Department of Planning Housing and Infrastructure. Council is a major stakeholder. The application is identified as a SSDA by virtue of its value exceeding \$75M.
- A submission was made on 1 August 2024 to meet the Department's deadline. It was agreed that a later Council-endorsed submission could be made after the deadline of 1 August.
- The SSDA takes advantage of the potential to achieve bonus height and floor space ratio, being 30% more than permitted by the North Sydney LEP 2013, in exchange for the inclusion of 15% affordable rental housing enabled by recent amendments to the SEPP (Housing) 2021, introduced by the NSW Government.
- The proposed maximum height is RL 154.1, 4.1% above the maximum permitted by the LEP of RL 148m. This is well below the 30% maximum possible bonus provision enabled by the SEPP (Housing) 2021. The maximum floor space ratio (FSR) bonus of 30% is achieved, which equates to 7.93:1, or 30% above that permitted by the LEP, being 6.1:1.
- The submission made by staff has raised the following objections to the proposal:
  - o the site has already benefited significantly by a recent uplift of height and FSR standards following the completion of a planning study and a parallel Planning Proposal process enabled by the Department of Planning. This represented a very significant increase in height which was underpinned by careful planning and consultation. The increases proposed are unplanned and ad hoc given the comprehensive planning undertaken by Council;

- the 15-year limit on housing being retained as affordable is most inappropriate, being a temporary solution to what will be an ongoing and growing problem for Sydney, and would allow the affordable housing component to be traded on the open market after that time;
- the amount of parking proposed is excessive, considering the site is a leisurely walk to both North Sydney railway station and Victoria Cross Metro Station - a “game-changing” transport link for Sydney, according to the NSW Government;
- the number of cars capable of being parked on the site will increase traffic congestion in the area, exacerbating conditions already expected to worsen due to the Warringah Expressway upgrading and the dramatic growth of new and intensified development occurring in the precinct;
- urban design can be improved for the built form, including an increase of the above-podium setback of Building A, legibility of entries, reconsideration of the porte cochere off Walker Street, and providing equitable access to recreation facilities for the affordable housing;
- the clear difference in design approach between the build to rent and market-based housing, defining the former as a clear poor cousin to the latter;
- the design quality of Building A compared to Building B1, in terms of detailing, finish, materials, and potentially environmental performance should be improved;
- potential access difficulties for service (e.g., garbage collection) and emergency service vehicles etc.;
- reduction of on-street parking and potential traffic flow inefficiencies;
- the green travel plan submitted is inadequate and does not take full account of all public transport facilities and the evolving active transport network;
- waste management arrangements do not comply with Council DCP requirements.
- the loss of 33 mature trees cannot be supported;
- the submitted arboriculture report fails to address the impacts of the loss of existing trees, tree canopy pruning, and the impacts thereof; and
- no apparent assessment of the impact of the proposal on existing wildlife.

Before preparing this report, the Department of Planning Housing and Infrastructure were approached, and advised that no extension would be granted to enable the Council to consider this proposal prior to deadline. A submission detailing the issues described throughout this report was therefore made by the Director Planning and Environment on 1 August 2024.

**RECOMMENDATION:**

- 1. THAT** Council endorse the submission made to the Department of Planning, Housing, and Infrastructure as attached to this report and consider any additions or amendments it considers are warranted.
- 2. THAT** Council staff forward the endorsed submission (or supplementary submission) to the Department as soon as possible after Council’s consideration.

The following person spoke to this item as part of the Public Forum:

- Davie Macdonald (Local resident, 2024 NSC Community Builder nominee, and Precinct activist/member)

The Motion was moved by Councillor Beregi and seconded by Councillor Spenceley.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 9 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Lepouris, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

**171. RESOLVED:**

**1. THAT** Council endorse the submission made to the Department of Planning, Housing, and Infrastructure as attached to this report and consider any additions or amendments it considers are warranted.

**2. THAT** Council staff forward the endorsed submission (or supplementary submission) to the Department as soon as possible after Council's consideration.

## **10.5. Advertising on Council Infrastructure - Citizen Jury**

*This item was moved forward as part of the Public Forum (see page 6).*

**AUTHOR:** Neal McCarry, Service Unit Manager Strategic Planning

**PURPOSE:**

The purpose of this report is to respond to a Council resolution, to investigate the feasibility of Council hosting a citizen jury to assist with the issue of using Council infrastructure and land for third party advertising.

**EXECUTIVE SUMMARY**

- A citizen jury is a panel made up of a randomly selected and demographically diverse group of people (Jurors) who listen to and examine information on complex issues and assist with decision making by providing recommendations.
- A citizen jury can vary in size but is generally composed of 30 - 45 citizens (selected through categorised random sampling who are representative of the area) who come together to deliberate and find common ground on an issue.
- The use of citizen juries is not common in NSW Local Government due largely to the cost and resource requirements. When used, it has typically been focused on high level strategic direction such as long-term city planning or financial sustainability.

- The use of citizen juries is consistent with the principles of a participatory democracy and can result in new insights and considerations being available to help elected decision-makers make more informed decisions.
- The formulation of a citizen jury, on the single issue of advertising signage alone, is not considered feasible given the resource and finance cost. Council should consider its broader engagement priorities prior to making a high value engagement investment.
- A broader investigation, to explore a policy and criteria around the potential development of a citizen jury and other in-depth community consultation techniques as part of future community engagement on wider policy issues, is recommended.

**RECOMMENDATION:**

**1.THAT** Council receive and note the report.

**2.THAT** a citizen jury, on the issue of third-party advertising on Council infrastructure, not be progressed at this time.

**3.THAT,** as part of the next review of Council’s Community Engagement Strategy, the inclusion of citizen jury as part of future community engagement be explored.

The following person spoke to this item as part of the Public Forum:

- Davie Macdonald (Local resident, 2024 NSC Community Builder nominee, and Precinct activist/member)

A Motion was moved by Councillor Bourke and seconded by Councillor Spenceley:

**1.THAT** Council receive and note the report.

**2.THAT** a randomly selected and representative voluntary 12-person citizen jury sitting for one weekend on the issue of third-party advertising on Council infrastructure, be progressed at this time.

**3.THAT,** as part of the next review of Council’s Community Engagement Strategy, the inclusion of more citizen juries as part of future community engagement be explored.

An Amendment was moved by Councillor Beregi and seconded by Councillor Welch:

**1.THAT** Council receive and note the report.

**2.THAT** Council give in-principle support to a randomly selected voluntary 12-person citizen jury sitting for one weekend, on the issue of third-party advertising on Council infrastructure.

**3. THAT** this matter be deferred to a Councillor Briefing in the new Council, and that the briefing include costings.

The Amendment was put and **Lost**.

Voting was as follows:

For/Against 3 / 6

**For:** Councillor Beregi, Councillor Santer, and Councillor Welch

**Against:** Councillor Baker, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Lepouris, and Councillor Spenceley

**Absent:** Nil

The Motion was put and **Carried**.

Voting was as follows:

For/Against 7 / 2

**For:** Councillor Baker, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Lepouris, Councillor Santer, and Councillor Spenceley

**Against:** Councillor Beregi, and Councillor Welch

**Absent:** Nil

**172. RESOLVED:**

**1.THAT** Council receive and note the report.

**2.THAT** a randomly selected and representative voluntary 12-person citizen jury sitting for one weekend, on the issue of third-party advertising on Council infrastructure, be progressed at this time.

**3.THAT,** as part of the next review of Council's Community Engagement Strategy, the inclusion of more citizen juries as part of future community engagement be explored.

Councillor Lepouris retired from the meeting at 7.13pm during consideration of Item 11.1.

**11.1. Notice of Motion 12/24: Art installation honouring local women  
- Cr Welch**

*This item was moved forward as part of the Public Forum (see page 6).*

**1. THAT** Council staff prepare a report, considering 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.

**2. THAT** the report investigate and highlight the achievements and significance of influential women.

The following person spoke to this item as part of the Public Forum:

- Davie Macdonald (Local resident, 2024 NSC Community Builder nominee, and Precinct activist/member)

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Councillor Lepouris

**173. RESOLVED:**

- 1. THAT** Council staff prepare a report, considering 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.
- 2. THAT** the report investigate and highlight the achievements and significance of influential women.

**11.2. Notice of Motion 13/24: Alcohol-related domestic violence - Cr Santer**

*This item was moved forward as part of the Public Forum (see page 6).*

- 1. THAT** Council, noting the report referred to below on the link between domestic violence, alcohol, and wealth and the relatively higher rate of alcohol-related domestic violence in our LGA, explore appropriate measures for Council to take, to counter such violence.
- 2. THAT**, in view of the fact that Council alone cannot address the problem, Council organise a Roundtable Conference in Council Chambers, involving representatives from the NSW State Government, the NSW Police, and appropriate social organisations to discuss the adoption of effective policies to overcome the problem.

The following person spoke to this item as part of the Public Forum:

- Davie Macdonald (Local resident, 2024 NSC Community Builder nominee, Precinct activist/member, domestic violence survivor and worker in the area of domestic violence)

The Motion was moved by Councillor Santer and seconded by Councillor Beregi.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Councillor Lepouris

**174. RESOLVED:**

**1. THAT** Council, noting the report referred to below on the link between domestic violence, alcohol, and wealth and the relatively higher rate of alcohol-related domestic violence in our LGA, explore appropriate measures for Council to take, to counter such violence.

**2. THAT**, in view of the fact that Council alone cannot address the problem, Council organise a Roundtable Conference in Council Chambers, involving representatives from the NSW State Government, the NSW Police, and appropriate social organisations to discuss the adoption of effective policies to overcome the problem.

**11.3. Notice of Motion 14/24: Warringah Freeway rooftop park - Cr Santer**

*This item was moved forward as part of the Public Forum (see page 6).*

**1. THAT** Council, noting the need for more parkland and open space in our LGA, propose that the NSW State Government establish a rooftop park over the Warringah Freeway between Falcon and Ernest Streets to provide a direct link between Cammeray, Anzac, and St Leonards Parks via Jeaffreson Jackson Reserve and tunnel links under Ernest and Falcon Streets.

The following person spoke to this item as part of the Public Forum:

- Davie Macdonald (Local resident, 2024 NSC Community Builder nominee, and Precinct activist/member)

A Motion was moved by Councillor Santer and seconded by Councillor Spenceley:

**1. THAT** Council include in its report on the submission to Transport for NSW (TfNSW) on the place, design, and landscape plans in relation to the Western Harbour Tunnel and Warringah Freeway upgrade:

- the need for more parkland and open space in our Local Government Area.
- that the NSW State Government establish a rooftop park over the Warringah Freeway between Falcon and Ernest Streets to provide a direct link between Cammeray, Anzac, and St Leonards Parks via Jeaffreson Jackson Reserve and tunnel links under Ernest and Falcon Streets.
- that the area of St Leonards Park land between Ridge Street and Bon Andrews Oval, part of which has been temporarily resumed by TfNSW for the Warringah Freeway Upgrade (WFU) project, when made good for restoration to Council on completion of the WFU project, as promised by TfNSW, be levelled and terraced to the Freeway to enable the area to be returned as parkland for use by the North Sydney community.

The Amendment was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

**175. RESOLVED:**

**1. THAT** Council include in its report on the submission to Transport for NSW (TfNSW) on the place, design, and landscape plans in relation to the Western Harbour Tunnel and Warringah Freeway upgrade:

- the need for more parkland and open space in our Local Government Area.
- that the NSW State Government establish a rooftop park over the Warringah Freeway between Falcon and Ernest Streets to provide a direct link between Cammeray, Anzac, and St Leonards Parks via Jeaffreson Jackson Reserve and tunnel links under Ernest and Falcon Streets.
- that the area of St Leonards Park land between Ridge Street and Bon Andrews Oval, part of which has been temporarily resumed by TfNSW for the Warringah Freeway Upgrade (WFU) project, when made good for restoration to Council on completion of the WFU project, as promised by TfNSW, be levelled and terraced to the Freeway to enable the area to be returned as parkland for use by the North Sydney community.

## **9. Reports of Committees**

### **9.1. Audit, Risk and Improvement Committee Minutes - 14 June 2024**

**AUTHOR:** Ian Curry, Manager Governance

**PURPOSE:**

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.

**EXECUTIVE SUMMARY**

- This report presents the decisions of the last meeting of the Audit, Risk and Improvement Committee held on 14 June 2024 for Council adoption. The minutes are attached for information.
- The 14 June 2024 meeting was the first with the new Committee members, appointed by Council in April 2024.

**RECOMMENDATION:**

**1.THAT** the Minutes of the Audit, Risk, and Improvement Committee meeting held on 14 June 2024 be endorsed.

The Motion was moved by Councillor Beregi and seconded by Councillor Lamb.

The Motion was put and **Carried**.



Voting was as follows:

For/Against 8/ 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

**176. RESOLVED:**

**1.THAT** the Minutes of the Audit, Risk, and Improvement Committee meeting held on 14 June 2024 be endorsed.

## **10. Reports to Council**

### **10.1. Expenses and Facilities for the Mayor and Councillors**

**AUTHORS:** Ian Curry, Manager Governance, and Ian Robertson, Service Unit Manager Corporate Governance

**PURPOSE:**

The purpose of this report is to propose the adoption of an amended *Councillor Expenses and Facilities Policy*.

**EXECUTIVE SUMMARY**

- Under section 252 of the Local Government Act 1993 (the Act), a Councillor Expenses and Facilities policy must be adopted within 12 months of the commencement of a new term.
- The current policy was approved by Council in 2022.
- The attached draft policy was updated and placed on public consultation prior to the Council elections in September 2024. No significant submissions were received.
- The report recommends adoption of the amended Policy.

**RECOMMENDATION:**

**1. THAT** Council adopt the attached amended *Councillor Expenses and Facilities Policy*.

A Motion was moved by Councillor Beregi and seconded by Councillor Welch:

**1. THAT** Council adopt the attached amended *Councillor Expenses and Facilities Policy*, subject to the removal of postage stamps from the policy.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

**177. RESOLVED:**

**1. THAT** Council adopt the attached amended *Councillor Expenses and Facilities Policy*, subject to the removal of postage stamps from the policy.

## **10.2. 2024 Council Meeting Schedule - proposed amendment**

*This item was moved forward as part of the Public Forum (see page 6).*

## **10.3. Recognition - Freddie Lane**

**AUTHORS:** Ian Hoskins, Council Historian, and Jenny Cheeseman, Arts and Culture Coordinator

**PURPOSE:**

The purpose of this report is to respond to a Council resolution of 24 June 2024, seeking information on an appropriate acknowledgement of Freddie Lane (deceased), Olympic gold medal swimmer and Cremorne resident.

**EXECUTIVE SUMMARY**

- Freddie Lane was the first Australian swimmer to win an Olympic gold medal, at the 1900 Paris Olympics.
- Lane moved to Cremorne Point in 1912 and initiated the construction of a harbour pool that would become known as the Maccallum Pool, after Hugh Maccallum, who was recognised in a 1933 plaque as the primary figure behind the pool's success.
- It is not appropriate to write Hugh Maccallum's name out of history, therefore the request to rename the Maccallum Pool is not recommended, however commemorating Freddie Lane offers an opportunity to consider how to remember the exploits of other swimming champions with connections to North Sydney.

- North Sydney has a remarkable place in the history of Australian swimming, as home to both the famous Lavender Bay Baths and North Sydney Olympic Pool. Eighty-four world records were broken at the pool.
- The 90<sup>th</sup> anniversary of the North Sydney Olympic Pool in 2026 is an opportune moment to commemorate those champions in the form of a creative installation at the newly refurbished pool.

**RECOMMENDATION:**

**1. THAT** Freddie Lane be one of the swimmers acknowledged as part of a new artwork that celebrates North Sydney’s historic association with Australian competitive swimming, and that the artwork be located outside the North Sydney Olympic Pool, to be unveiled to coincide with the Pool’s 90<sup>th</sup> anniversary in 2026.

The Motion was moved by Councillor Beregi and seconded by Councillor Gibson.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

**178. RESOLVED:**

**1. THAT** Freddie Lane be one of the swimmers acknowledged as part of a new artwork that celebrates North Sydney’s historic association with Australian competitive swimming, and that the artwork be located outside the North Sydney Olympic Pool, to be unveiled to coincide with the Pool’s 90<sup>th</sup> anniversary in 2026.

**10.4. State Significant Development Submission - Walker Street, North Sydney**

*This item was moved forward as part of the Public Forum (see page 6).*

**10.5. Advertising on Council Infrastructure - Citizen Jury**

*This item was moved forward as part of the Public Forum (see page 6).*

## 10.6. West Street Stage 2 - cycling, walking, and streetscape upgrades - Outcomes report

**AUTHOR:** Max White, Sustainable Transport Project Coordinator

### **PURPOSE:**

The purpose of this report is to provide Council with the outcome of the community consultation process for the proposed design for Stage 2 - West Street Cycling, Walking, and Streetscape Upgrades.

### **EXECUTIVE SUMMARY**

- The West Street Cycling, Walking, and Streetscape Upgrades - Stage 2 proposal aims to improve active transport infrastructure along West Street, from Ridge Street in North Sydney to Amhurst Street in Cammeray. This route is a key initiative within Council's adopted North Sydney Integrated Cycling Strategy (2014).
- Public consultation was conducted from 5 December 2023 to 3 March 2024. 271 submissions were received. Most of the feedback (75%) was supportive of the proposed design. Minor design adjustments were made in response to feedback provided from the consultation.
- The proposed upgrades would provide significant benefits to the community by improving connectivity, safety, and the overall streetscape amenity.
- The project aligns with broader strategic objectives to promote sustainable transport and improve urban environments in North Sydney as outlined in the adopted North Sydney Integrated Cycling Strategy (2014).

### **RECOMMENDATION:**

**1. THAT** Council note the outcomes of the community consultation undertaken in relation to the proposed designs for the West Street Cycleway - Stage 2.

**2. THAT** Council endorse the proposed design amendments to the West Street Stage 2 designs adopted in response to community consultation submissions for, as follows:

- a) Honeycomb line-marking to be marked at the beginning of the share path, near to the West Street and Amhurst Street intersection.
- b) The installation of wayfinding signage at the intersection of Huntington Street and West Street, & Mathew Street and Atchison Street directing cyclists around St Thomas Rest Park.
- c) The provision of a pedestrian crossing across West Street north of Metcalfe Street with the loss of one additional parking space from the consulted designs.
- d) The reallocation of kerbspace on the eastern side of West Street south of Falcon Street from "No Stopping 6:30am-9:30am Mon-Fri" and "2P 9:30am-6pm Mon-Fri Permit Holders Excepted Area 21" to "No Stopping 6:30am-9:30am "3:30pm-6:30pm Mon-Fri" and "2P 9:30am-3:30pm Mon-Fri Permit Holders Excepted Area 21" to improve

intersection performance. This will result in the loss of 5 additional parking spaces during weekday evening peak hours.

**3. THAT** Council note that the final design for the West Street Cycleway – Stage 2 will be referred to the North Sydney Local Traffic Committee for endorsement.

**4. THAT** Council continue to advocate and seek funding opportunities to progress the delivery of the West Street Cycleway – Stage 2 project.

The Motion was moved by Councillor Welch and seconded by Councillor Lamb.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

**179. RESOLVED:**

**1. THAT** Council note the outcomes of the community consultation undertaken in relation to the proposed designs for the West Street Cycleway - Stage 2.

**2. THAT** Council endorse the proposed design amendments to the West Street Stage 2 designs adopted in response to community consultation submissions for, as follows:

- a) Honeycomb line-marking to be marked at the beginning of the share path, near to the West Street and Amhurst Street intersection.
- b) The installation of wayfinding signage at the intersection of Huntington Street and West Street, & Mathew Street and Atchison Street directing cyclists around St Thomas Rest Park.
- c) The provision of a pedestrian crossing across West Street north of Metcalfe Street with the loss of one additional parking space from the consulted designs.
- d) The reallocation of kerbspace on the eastern side of West Street south of Falcon Street from “No Stopping 6:30am-9:30am Mon-Fri” and “2P 9:30am-6pm Mon-Fri Permit Holders Excepted Area 21” to “No Stopping 6:30am-9:30am “3:30pm-6:30pm Mon-Fri” and “2P 9:30am-3:30pm Mon-Fri Permit Holders Excepted Area 21” to improve intersection performance. This will result in the loss of 5 additional parking spaces during weekday evening peak hours.

**3. THAT** Council note that the final design for the West Street Cycleway – Stage 2 will be referred to the North Sydney Local Traffic Committee for endorsement.

**4. THAT** Council continue to advocate and seek funding opportunities to progress the delivery of the West Street Cycleway – Stage 2 project.

## 10.7. Outdoor Dining and Goods on Footpath Policy

**AUTHOR:** Alistair White, Commercial Property Specialist

### **PURPOSE:**

The purpose of this report is to advise Council of the outcomes of the public exhibition for the proposed amendments to the *Outdoor Dining and Display of Goods on the Footpath Policy* and its accompanying *Guidelines*, and to seek adoption of the policy.

### **EXECUTIVE SUMMARY**

- Council endorsed the amended *Outdoor Dining and Display of Goods on the Footpath Policy* and *Guidelines* at its meeting of 11 March 2024 and the public exhibition of the policy.
- The public exhibition of the policy has now been undertaken. This report summarises the public exhibition statistics and submissions from the public and seeks formal adoption of the policy.

### **RECOMMENDATION:**

**1. THAT** the Council adopt the amended *Outdoor Dining and Display of Goods on the Footpath Policy* and *Guidelines*.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 7 / 1

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Councillor Gibson

**Absent:** Councillor Lepouris

### **180. RESOLVED:**

**1. THAT** the Council adopt the amended *Outdoor Dining and Display of Goods on the Footpath Policy* and *Guidelines*.

## 10.8. Sunset Cinema - 2024/25 Venue Hire Agreement for North Sydney Oval

**AUTHOR:** Duncan Rennie, Manager Leisure and Aquatics

**PURPOSE:**

The purpose of this report is to seek Council's endorsement of a Heads of Agreement which will form the Venue Hire Agreement for MMR Entertainment Pty Ltd ("Sunset Cinema") to operate at North Sydney Oval during 2024/25.

**EXECUTIVE SUMMARY**

- Sunset Cinema (previously Starlight Cinema) has operated at North Sydney Oval (NSO) for almost 25 years, traditionally operating under a Venue Hire Agreement (VHA).
- Under the Sunset Cinema 2024-25 VHA, it is proposed that Sunset Cinema will control all food and beverage (F&B) services for every screening, previously Council-controlled beverage sales. An increased venue hire fee will offset revenue previously generated through beverage sales while also removing certain operational risks.
- Recent changes in the agreement for cricketing use of North Sydney Oval means the number of screenings available to Sunset Cinema have increased, which will benefit both Council and Sunset Cinema.
- Sunset Cinema have proposed providing Council with 100 general admission tickets (to be distributed at Council's discretion), in addition to a 90-second pre-show advertisement at every screening.
- The proposed 2024-25 Sunset Cinema VHA will provide an improved experience for all patrons, an increased number of screenings, and a better financial result for Council.
- Should Council wish to discuss this report it is noted that the attached confidential document includes commercial information that would, if disclosed, prejudice the commercial position of the person who supplied it. Further, release of the information would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services. As such should this matter be discussed it should be considered in closed session.

**RECOMMENDATION:**

**1.THAT** Council note the contents of this report in relation to the proposed Venue Hire Agreement for the Sunset Cinema to operate at North Sydney Oval during 2024-25.

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

*(d) commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it*

It is further noted that release of this information would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

**3. THAT** Council endorse the proposed terms in the attached Heads of Agreement.

**4. THAT** Council authorise the CEO to finalise negotiations and enter into a Venue Hire Agreement with Sunset Cinema for the use of North Sydney Oval during 2024/25.

The Motion was moved by Councillor Lamb and seconded by Councillor Beregi.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

#### **181. RESOLVED:**

**1.THAT** Council note the contents of this report in relation to the proposed Venue Hire Agreement for the Sunset Cinema to operate at North Sydney Oval during 2024-25.

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

*(d) commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it*

It is further noted that release of this information would, on balance be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

**3. THAT** Council endorse the proposed terms in the attached Heads of Agreement.

**4. THAT** Council authorise the CEO to finalise negotiations and enter into a Venue Hire Agreement with Sunset Cinema for the use of North Sydney Oval during 2024/25.

### **10.9. Schedule of Rates for Civil Works - Tender 1/2024**

**AUTHOR:** Jim Moore, Engineering Project Manager

#### **PURPOSE:**

The purpose of this report is to advise Council of the outcome of the recent tender (1/2024) for Civil works contractors to form a panel for civil works based on an adopted schedule of rates.



## EXECUTIVE SUMMARY

- The current panel used for Council's civil works contractors has now expired and Council required to publicly request tenders for contractors interested in undertaking civil work for Council.
- In June 2024, council sought tenders from appropriately qualified contractor to for a new Schedule of Rates panel (Contract 1/2024) for civil works.
- 34 Submissions were received when the tender closed on 3 July 2024.
- Submissions were subsequently assessed for conformity against the identified criteria and a shortlisted panel of contractors has now been identified.

### RECOMMENDATION:

- 1. THAT** Council accept the short-list of tenderers as outlined in Attachment 1 to this report for Tender 1/2024 – Schedule of Rates Contract for Civil Works.
- 2. THAT** the Chief Executive Officer be authorised to take any necessary action to implement the decision including entering into associated contracts.
- 3. THAT** the Chief Executive Officer is the delegated Authority to negotiate a variance in the annual adjustment of the rates due to unforeseen circumstances that may arise.
- 4. THAT** the Director of Open space and Infrastructure is the delegated Authority to extend the contract options as per clauses in the tender documents.

The Motion was moved by Councillor Beregi and seconded by Councillor Lamb.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

### 182. RESOLVED:

- 1. THAT** Council accept the short-list of tenderers as outlined in Attachment 1 to this report for Tender 1/2024 – Schedule of Rates Contract for Civil Works.
- 2. THAT** the Chief Executive Officer be authorised to take any necessary action to implement the decision including entering into associated contracts.
- 3. THAT** the Chief Executive Officer is the delegated Authority to negotiate a variance in the annual adjustment of the rates due to unforeseen circumstances that may arise.
- 4. THAT** the Director of Open space and Infrastructure is the delegated Authority to extend the contract options as per clauses in the tender documents.

## **10.10.Quotation assessment under Contract LGP420(B) Willoughby Road (east side), Crows Nest - paving upgrade**

**AUTHOR:** Paul Yang, Engineering Project Manager

### **PURPOSE:**

The purpose of this report is to provide Council with the outcome and recommendations of the Request for Tender process for Willoughby Road (East side) Paving Upgrade.

### **EXECUTIVE SUMMARY**

- Council has elected to use a select tender process for the Willoughby Road (east side) upgrade using two separate packages of work.
- Council has used Local Government Procurement (LGP) to procure these works. LGP are a prescribed entity for the purposes of s55 of the Local Government Act 1993.
- On 12 July 2024 quotations were requested from five contractors listed on Council's adopted panel. Four submissions were received when tenders closed on 30 July 2024.
- Tender submissions were subsequently assessed in accordance with the Criteria outlined with the tender documentation and Council adopted tender assessment methodology.

### **RECOMMENDATION:**

**1. THAT** Council accept the quotation of the highest ranked tenderer for Part A of Contract LGP420(B) Willoughby Road, Crows Nest (East side) - Paving Upgrade, as outlined in the confidential attachment to this report.

**2. THAT** Council accept the quotation of the highest ranked tenderer for Part B of Contract LGP420(B) Willoughby Road, Crows Nest – Road Restoration, as outlined in the confidential attachment to this report.

**3. THAT** Council approve carry forward unspent funds from 2023/2024 Crows Nest Public Domain Masterplan Implementation budget for the Willoughby Road (east side) upgrade works.

**4. THAT** the Chief Executive Officer be authorised to take any necessary action to implement the decision including entering into contracts for the engagement of the preferred contractors for Contract LGP420(B) Willoughby Road, Crows Nest (east side) - Paving Upgrade

**5. 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:

*(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business*

*(d) commercial information of a confidential nature that would, if disclosed*

*(i) prejudice the commercial position of the person who supplied it*

It is further noted that the release of this information would, on balance, be contrary to the

public interest as publication of all tendered documents would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

The Motion was moved by Councillor Gibson and seconded by Councillor Beregi.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

**183. RESOLVED:**

**1. THAT** Council accept the quotation of Ally Property Services for Part A of Contract LGP420(B) Willoughby Road, Crows Nest (East side) - Paving Upgrade, as outlined in the confidential attachment to this report.

**2. THAT** Council accept the quotation of Civotek for Part B of Contract LGP420(B) Willoughby Road, Crows Nest – Road Restoration, as outlined in the confidential attachment to this report.

**3. THAT** Council approve carry forward unspent funds from 2023/2024 Crows Nest Public Domain Masterplan Implementation budget for the Willoughby Road (east side) upgrade works.

**4. THAT** the Chief Executive Officer be authorised to take any necessary action to implement the decision including entering into contracts for the engagement of the preferred contractors for Contract LGP420(B) Willoughby Road, Crows Nest (east side) - Paving Upgrade

**5. 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:

*(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business*

*(d) commercial information of a confidential nature that would, if disclosed*

*(i) prejudice the commercial position of the person who supplied it*

It is further noted that the release of this information would, on balance, be contrary to the public interest as publication of all tendered documents would discourage potential tenderers from submitting commercial information in future and would affect Council's ability to obtain value for money services.

## **11. Notices of Motion**

### **11.1. Notice of Motion 12/24: Art installation honouring local women - Cr Welch**

*This item was moved forward as part of the Public Forum (see page 6).*

### **11.2. Notice of Motion 13/24: Alcohol-related domestic violence - Cr Santer**

*This item was moved forward as part of the Public Forum (see page 6).*

### **11.3. Notice of Motion 14/24: Warringah Freeway rooftop park - Cr Santer**

*This item was moved forward as part of the Public Forum (see page 6).*

### **11.4. Notice of Motion 15/24: Student Support - Cr Lamb**

**1. THAT**, as part of the development of the various strategies currently underway, consideration be given to prioritising resources to provide free, safe, and accessible study spaces for students in primary school, high school, and university.

**2. THAT** the research include:

- a) development of a social media platform to coordinate the location of available study spaces.
- b) a focus on areas with no public libraries, such as Crow's Nest, Kirribilli, Cremorne etc.
- c) the provision of free wi-fi and appropriate amenities.

**3. THAT** Council researches a strategy to promote student discounts in all cafés and restaurants in the North Sydney local government area, with a focus on locations around existing schools and future study spaces.

A Motion was moved by Councillor Lamb and seconded by Councillor Spenceley.

**1. THAT**, as part of the development of the various strategies currently underway, consideration be given to prioritising resources to provide free, safe, and accessible study spaces for students in primary school, high school, and university.

**2. THAT** the research include:

- a) development of a social media platform to coordinate the location of available study spaces.
- b) a focus on areas with no public libraries, such as Crow's Nest, Kirribilli, Cremorne etc.
- c) the provision of free wi-fi and appropriate amenities.

**3. THAT** Council researches a strategy to promote student discounts in participating cafés and restaurants in the North Sydney local government area, with a focus on locations around existing schools and future study spaces.

An Amendment was moved by Councillor Spenceley and seconded by Councillor Gibson:

**1. THAT**, as part of the development of the various strategies currently underway, consideration be given to prioritising resources to provide free, safe, and accessible study spaces for students in primary school, high school, and university.

**2. THAT** the research include:

- a) development of a social media platform to coordinate the location of available study spaces.
- b) a focus on areas with no public libraries, such as Crow's Nest, Kirribilli, Cremorne etc.
- c) the provision of free wi-fi and appropriate amenities.

The Amendment was withdrawn.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 8 / 0

**For:** Councillor Baker, Councillor Beregi, Councillor Bourke, Councillor Gibson, Councillor Lamb, Councillor Santer, Councillor Spenceley, and Councillor Welch

**Against:** Nil

**Absent:** Nil

**184. RESOLVED:**

**1. THAT**, as part of the development of the various strategies currently underway, consideration be given to prioritising resources to provide free, safe, and accessible study spaces for students in primary school, high school, and university.

**2. THAT** the research include:

- a) development of a social media platform to coordinate the location of available study spaces.
- b) a focus on areas with no public libraries, such as Crow's Nest, Kirribilli, Cremorne etc.
- c) the provision of free wi-fi and appropriate amenities.

**3. THAT** Council researches a strategy to promote student discounts in participating cafés and restaurants in the North Sydney local government area, with a focus on locations around existing schools and future study spaces.

## **12. Matters of Urgency**

Nil

### **13. Closure**

The Meeting concluded at 8.00pm.