

## 10.13.North Sydney Oval - Cricket Australia Multi-Year Venue Hire Agreement - 2024/25-2028/29

<b>AUTHOR</b>	Gary Parsons, Director Open Space & Infrastructure
<b>ENDORSED BY</b>	Gary Parsons, Director Open Space and Infrastructure
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. CONFIDENTIAL REDACTED - Confidential Memo - NSO - Cricket Australia Multi- Year VHA [<b>10.13.1</b> - 6 pages]</li> <li>2. CONFIDENTIAL REDACTED - North Sydney VHA 2024-2029 - Heads of Agreement [<b>10.13.2</b> - 4 pages]</li> </ol>
<b>CSP LINK</b>	<ol style="list-style-type: none"> <li>1. Our Living Environment               <ol style="list-style-type: none"> <li>1.4 Well utilised open space and recreational facilities</li> </ol> </li> <li>2. Our Built Infrastructure               <ol style="list-style-type: none"> <li>2.1 Infrastructure and assets meet diverse community needs</li> </ol> </li> <li>4. Our Social Vitality               <ol style="list-style-type: none"> <li>4.1 North Sydney is connected, inclusive, healthy and safe</li> </ol> </li> </ol>

### PURPOSE:

The purpose of this report is to seek Council’s endorsement of a Heads of Agreement between North Sydney Council and Cricket Australia (CA), to form the basis of a five-year Venue Hire Agreement (VHA) for the use of North Sydney Oval (NSO) and Bon Andrews Oval (BAO).

### EXECUTIVE SUMMARY:

- Previous venue arrangements between CA and Council are outdated and do not reflect the increasing costs to Council, the flexibility required to meet the demand for open space in North Sydney, and the length of tenure required by CA.
- A Heads of Agreement has been developed with CA, which provides for increased availability of NSO and BAO for other uses, and secure long-term tenure for CA.

### RECOMMENDATION:

- 1. THAT** Council note the contents of this report in relation to the development of a Venue Hire Agreement with Cricket Australia for the use of North Sydney and Bon Andrews Ovals for the period 1 October 2024 to 30 September 2029.
- 2. THAT** Council notes the Heads of Agreement proposed between Cricket Australia and Council (included within the confidential attachment of this report), which will be used to inform a five-year Venue Hire Agreement for the use of North Sydney and Bon Andrews Ovals for the period 1 October 2024 to 30 September 2029.
- 3. THAT** Council authorise the Chief Executive Officer to enter into the proposed Heads of Agreement to inform the development of a five-year Venue Hire Agreement with Cricket Australia for the use of North Sydney and Bon Andrews Ovals.

**4. THAT** Council authorise the Chief Executive Officer to finalise negotiations with Cricket Australia and enter into a five-year Venue Hire Agreement with Cricket Australia for the use of North Sydney Oval and Bon Andrews Oval, based on the proposed Heads of Agreement.

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

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

*(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.

## Background

The first cricket pitch was laid at North Sydney Oval (NSO) on 6 December 1867, making it one of the oldest cricket grounds in Australia. The following 157 years have seen NSO established as one of the most iconic Tier 2 ovals in Australia.

Due to its rich history, location, heritage, and design, NSO is sought-after by multiple sporting codes including cricket, rugby league, rugby union, and AFL. A lack of open space and growing development within the North Sydney has also placed further demand on the oval to be available for other uses.

Cricket Australia (CA) has had a long-standing presence at NSO, which has consistently provided playing surfaces of the highest internal standard. More recently the venue has played a leading role in the growth and success of women's cricket at State and International level. NSO has become known as the 'home of women's cricket'.

Previous venue arrangements between CA and Council are outdated and do not reflect the increasing costs to Council, the flexibility required to meet the demand for open space in North Sydney, nor the length of tenure required by CA.

## Report

In June 2024 meetings commenced between representatives from CA and Council to develop a multi-year VHA for the use of NSO and Bon Andrews Oval, whilst ensuring an appropriate financial return and increased use of the Ovals for other sporting and non-sporting uses.

Council's fees and charges do not adequately address multi-year agreements and therefore a Heads of Agreement has been developed outlining the commitments of each party for the consideration of the Council. Subject to Council approval the Heads of Agreement would then be used to inform the drafting of a five-year Venue Hire Agreement.

The Heads of Agreement and other relevant information which is commercial in nature forms the confidential attachment to this report.

A summary of the benefits of the proposed Heads of Agreement are as follows:

- Previous agreements with CA included 'block-out' periods either side of cricket match days, which were implemented to reduce the possibility of damage to the playing surface and disruption to scheduled matches. This arrangement significantly reduced days available for other activities.

Council's ability to consistently prepare high-class playing surfaces over a number of years has led to CA being more flexible on this arrangement. Notwithstanding, Council is liable should there be disruption to scheduled matches due to damaged sustained during a Council-permitted activity.

The reduction of the 'block-out' periods as proposed under the Heads of Agreement results in an additional 71 days of availability of NSO and an increase in 36 days availability for BAO for other uses and users. Further detail of this increased availability is provided in the confidential attachment to this report.

- In addition to increased flexibility in the usage, the proposed Heads of Agreement provides tenure to Cricket Australia, which enables an improved financial return to Council for the use of the venue through increased hire fees and a significant contribution to the drop-in wicket, which is currently an annual cost to Council of \$175,000.
- In addition, CA are proposing to provide Council with 100 tickets for each Women's International (WINT) match and 50 tickets for each WBBL match, to be distributed to the community of North Sydney under the proposed Heads of Agreement

The proposed Head of Agreement, provides long-term tenure for Cricket Australia as well as guaranteed elite sporting content for North Sydney Oval that assists the financial sustainability of the venue and improves access for the community and other uses.

### **Consultation requirements**

No community consultation is required, should the Council accept the recommendation of this report.

### **Financial/Resource Implications**

Accepting the recommendations within this report will enable Council to negotiate and enter into a five-year VHA with CA that will result in an improved financial return to Council and increased community access of BAO and NSO.

### **Legislation**

s608(1) of the NSW Local Government Act 1993