



Council Chambers
13 March 2025

An Ordinary Meeting of Council will be held on Cammeraygal lands at the Council Chambers, North Sydney at 7.00pm on Monday 24 March 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: Australian Local Government Association (ALGA) – Election 2025 Priorities
 - 9. Reports of Committees**
 - 9.1 Access and Inclusion Committee Minutes - 25 February 2025
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10. Reports to Council

- 10.1 Matters Outstanding to 24 February 2025
- 10.2 February 2025 Month-End Financial Report
- 10.3 Investment and Loan Borrowings Report as at 28 February 2025
- 10.4 Administration of Special Rates levied for the Crows Nest and Neutral Bay business areas
- 10.5 Development Assessment Performance - Ministerial Letter
- 10.6 NSW Government's Crows Nest Transport Oriented Development Rezoning - Finalised
- 10.7 Naming of Lane between 39 and 41 McLaren Street, North Sydney
- 10.8 Bike-Share Parking Trial
- 10.9 North Sydney Olympic Pool Redevelopment Project Update
- 10.10 New Lease on Council Property - Suite 3.01, 1 James Place, North Sydney

11. Notices of Motion/Questions with Notice

- 11.1 Notice of Motion 11/25: Managing the traffic impacts of developments
- Cr Beregi

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 24 MARCH 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 Monday 10 March 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: Australian Local Government Association (ALGA) – Election 2025 Priorities

A Federal Election must be held by 17 May 2025.

The Australian Local Government Association (ALGA) has developed a framework and resources for a national advocacy campaign for local government in the lead up to this election. The “Put Our Communities First” campaign seeks to secure additional Federal funding to support every council to play a bigger role delivering local solutions to national priorities.

All Australian councils have been asked to participate in this campaign to ensure a coordinated approach to deliver the best possible outcomes.

The campaign advocates for new Federal funding to be distributed to all councils on a formula-basis, similar to the Commonwealth’s Roads to Recovery Program, or the

previous Local Roads and Community Infrastructure Program. This will ensure that every council and community benefits, and supports local decision-making based on local needs.

ALGA has developed free campaign resources that can be adapted and used by all councils to ensure a consistent and effective approach. Participating in a national advocacy campaign does not preclude this council from advocating on additional local needs and issues, but it will strengthen the national campaign and support all 537 Australian local governments.

The ALGA Board—comprised of representatives from each of Australia’s State and Territory local government associations— has identified five funding priorities that align with key national priorities.

These five funding priorities are:

- \$1.1 billion per year for enabling infrastructure to unlock housing supply;
- \$500 million per year for community infrastructure;
- \$600 million per year for safer local roads;
- \$900 million per year for increased local government emergency management capability and capacity; and
- \$400 million per year for climate change adaptation.

Research from Equity Economics found that 40% of councils have cut back on new infrastructure developments because of inadequate enabling infrastructure funding. This research also shows that achieving the National Housing Accord’s housing targets would incur an additional \$5.7 billion funding shortfall, on top of infrastructure funding gaps already being felt by councils and their communities.

A five year, \$1.1 billion per annum program would fund the infrastructure that is essential to new housing developments, and Australia reaching its housing targets.

ALGA’s 2024 National State of the Assets report indicates that \$8.3 billion worth of local government buildings and \$2.9 billion worth of parks and recreation facilities are in poor condition and need attention.

Introduced in 2020, the Local Roads and Community Infrastructure Program supported all councils to build, maintain, and upgrade local facilities, with \$3.25 billion allocated on a formula basis. This program had a significant impact, driving an almost \$1 billion improvement in the condition of local government buildings and facilities. A \$500 million per year replacement fund would support all councils to build, upgrade, and revitalise the community infrastructure all Australians rely on.

Councils manage more than 75% of Australia’s roads by length, and tragically more than half of all fatal road crashes in Australia occur on these roads. In 2023 the Australian Government announced that it would double the Roads to Recovery funding over the forward estimates, providing councils with an additional \$500 million per year. However, recent independent research by the Grattan Institute highlighted a \$1 billion local government road maintenance funding shortfall, meaning there is still a significant funding gap. Providing local government with \$600 million per year tied to road safety programs and infrastructure upgrades would support all councils to play a more effective role addressing Australia’s unacceptable road toll.

Local governments are at the forefront of grappling with climate impacts as both asset managers and land use decision-makers. However, funding and support from other levels of government has failed to keep pace, placing an inequitable burden on councils and communities to fund this work locally.

A \$400 million per year local government climate adaptation fund would enable all councils to implement place-based approaches to adaptation, delivering local solutions to this national challenge.

Fires, floods, and cyclones currently cost Australia \$38 billion per year, and this is predicted to rise to \$73 billion by 2060. Australian councils play a key role preparing for, responding to, and recovering from natural disasters, but aren't effectively funded to carry out these duties.

The Government's \$200 million per year Disaster Ready Fund is significantly oversubscribed, especially considering the scale and cost of disaster mitigation projects.

Numerous national reviews – including the Colvin Review and Royal Commission into Natural Disaster Arrangements – have identified the need for a significant uplift in local government emergency management capability and capacity. A \$900 million per year fund would support all councils to better prepare their communities before natural disasters, and more effectively carry out the emergency management responsibilities that have been delegated to them.

I therefore recommend:

- 1. THAT** Council supports the national federal election funding priorities identified by the Australian Local Government Association (ALGA); and
- 2. THAT** Council supports and participates in the Put Our Communities First federal election campaign; and
- 3. THAT** Council write to the local federal member(s) of Parliament, all known election candidates in the federal electorate and the President of the Australian Local Government Association expressing support for ALGA's federal election funding priorities.

9. REPORTS OF COMMITTEES

9.1 Access and Inclusion Committee Minutes - 25 February 2025

Report of Peita Rose, Governance Officer

The purpose of this report is to convey the proceedings of the Access and Inclusion Committee meeting of 25 February 2025 to Council, 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 25 February 2025.

The Minutes are attached for the information of Council.

Recommending:

- 1. THAT** the Minutes of the Access and Inclusion Committee meeting dated 25 February 2025 be received and noted by Council.

10. REPORTS TO COUNCIL

10.1 Matters Outstanding to 24 February 2025

Report of Ian Curry, Manager Council and Committee Services

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 24 February 2025 Ordinary Meeting of Council.

Recommending:

1. THAT the report be received.

10.2 February 2025 Month-End Financial Report

Report of Aigul Utegenova, Chief Financial Officer

This report provides an overview of North Sydney Council's financial performance for the period ended 28 February 2025, including revenue, expenses, and net operating result. It compares budgeted versus actual financial results and highlights departmental performance and year-to-date (YTD) trends to support decision-making and financial planning.

A new monthly report has been developed to improve monitoring and reporting in relation to Council's financial position and performance. This report does not replace the Quarterly Budget Review for the purposes of voting on budget variations.

This report provides financial information as of 28 February 2025, however due to the timing of creditor invoices received and the timing of operational projects, the variances reported may reduce as we work towards the end of the financial year.

Continued efforts have and will continue to be made towards cost control and reduction to support improved liquidity forecasts, with further savings expected in employee costs and contractor costs as we move through the year.

The financial performance for February 2025 for North Sydney Council remained aligned with expectations, with some variations across different departments. Revenue collections met projections, while expenses showed some deviations due to the timing of the operational projects.

It should be noted that as of 28 February 2025, 83.28% of budgeted revenue has been accounted for, while 62.59% of expenditure has been accounted for. This is due to the levying of rating revenue early in the financial year. The year-to-date operating results are reflective of this and do not represent the forecast year end results.

This report provides a detailed analysis of budget vs. actual figures, YTD performance:

- Total Income from Continuing Operations: \$123.5m (Budget: \$122.97m) – currently 0.4% above budget.
- Total Expenses from Continuing Operations: \$90.2m (Budget: \$93.98m) – currently 4% below budget.
- Operating Result from Continuing Operations: \$33.3m (Budget: \$28.99m) – 13% above budget forecast.

Net Operating results before capital grants and contributions: \$29.3m (Budget: \$26.5m) – 10% above budget forecast.

Recommending:

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

10.3 Investment and Loan Borrowings Report as at 28 February 2025

Report of Christian Menday, 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 28 February 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 February, the total investment portfolio (which would include Term Deposits, Floating Rate Notes and Bonds) provided a return of +0.31% (actual), or +4.14% p.a. (annualised), under-performing the benchmark AusBond Bank Bill Index return of +0.34% (actual), or +4.51% p.a. (annualised).

Returns on investments exceed the February YTD budget by \$464,000. This result includes fees paid to Council's investment adviser which total \$9,000 year to date.

Underperformance against the benchmark is due to Council holding a higher than usual percentage as cash to pay for expected project costs.

Recommending:

1. **THAT** the report on Investments held at 28 February 2025, prepared in accordance with clause 212 of the Local Government (General) Regulation 2021, and the information on Loan Borrowings be received.

10.4 Administration of Special Rates levied for the Crows Nest and Neutral Bay business areas

Report of Christian Menday, Financial Controller, and Aigul Utegenova, Chief Financial Officer

This report seeks Council consideration of operating expense subsidies to Crows Nest Main Street Limited and the Neutral Bay Chamber of Commerce.

The Neutral Bay Chamber of Commerce and Crows Nest Mainstreet have approached Council, seeking payment of an operating subsidy for the 2024/25 financial year.

Council's *Revenue Policy* notes the payment of the operating subsidy for this purpose will be capped at \$18,000 per annum and is subject to a resolution of Council.

Recommending:

1. **THAT** Council endorse the payment of operating expenses subsidy to Crows Nest Main Street Pty Ltd of \$18,000 ex GST for the 2024/25 financial year.

10.5 Development Assessment Performance - Ministerial Letter

Report of Marcelo Occhiuzzi, Director Community and Planning

The purpose of this report is to respond to the Minister for Planning and Public Spaces' letter dated 6 March 2025 which noted that Council's development assessment performance was below the stated target and outlined the need to prepare a Council-endorsed action plan to improve this performance.

The Minister for Planning and Public Spaces issued a Ministerial Order of Expectations in July 2024 requiring that all NSW Councils meet certain development assessment targets. For North Sydney Council, this included an expectation that development applications be determined, on average, in 115 days. Council's current year to date performance sits at 154 days.

Council has been actively working to improve its Development Application (DA) processing times. Currently these are tracking at approximately 25% better than the previous two years.

It is planned and anticipated that further reductions will occur in the future as Council continues to implement improvement strategies. These include implementing recommendations from an independent process-mapping review due for completion mid-2025 (funded by a Commonwealth Government grant), streamlining its Development Control Plan (also funded by a Commonwealth Government Grant), and participating in a pilot with other Sydney local councils to improve integration with the NSW Planning Portal. Priority is being given to clear the backlog, with Council taking a 'clearing house' approach.

The average value of DAs in the North Sydney LGA is the highest in NSW. Many of Council's DAs are large and complex. Approximately 15% of Council's DAs were determined by the Land and Environment Court or the Regional Planning Panel, which averaged 408 and 260 days respectively. These statistics impact Council's performance on the League Table.

Council received a letter from the Minister for Planning and Public Spaces on 6 March 2025, stating that North Sydney Council is not currently meeting his targets and that a Council-endorsed "action plan along with an associated program to swiftly improve performance" is to be prepared and submitted within 28 days of the letter.

Council staff have been actively pursuing process improvements in this environment as broadly outlined in the report considered by Council on 10 March 2025.

This report more specifically addresses the Minister's requirement for an action plan which is included in this report for endorsement.

Recommending:

- 1. THAT** Council endorse the action plan described in this report and request a meeting with the Minister for Planning to present Council's improvement initiatives.
 - 2. THAT** Council request funding from the NSW Government to assist with the delivery of the various initiatives and strategies to reduce determination times as outlined in this report.
 - 3. THAT** Council write to the Minister seeking acknowledgement that more complex, large-scale applications cannot realistically be determined in 115 days and that a different target stream, as per the targets established for the Regional Planning Panels, be created for such applications.
 - 4. THAT** in the interim, representations be made to the Panel's Secretariat highlighting the Minister's letter to Council and urging the Regional Planning Panel to also focus sharply on determination times in its assessment processes and directions.
 - 5. THAT** given that only about one quarter of all DAs submitted and determined for the North Sydney LGA to February 2025, represent additional housing, the Minister be requested to consider DA determination measures that are more specific to applications that will deliver increased housing supply.
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10.6 NSW Government's Crows Nest Transport Oriented Development Rezoning - Finalised

Report of Stephanie Lum, Team Leader Policy, and Neal McCarry, Service Unit Manager Strategic Planning

The purpose of this report is to provide an overview of the NSW Department of Planning, Housing and Infrastructure's (DPHI) Crows Nest Transport Oriented Development (TOD) rezoning that was finalised on 27 November 2024, and to discuss the key issues and implications for North Sydney Council.

The Crows Nest TOD rezoning came into effect on 27 November 2024.

The TOD rezoning introduces significant changes to the future built form of Crows Nest, St Leonards, and Wollstonecraft. The rezoning will enable the development of high-density mixed use and residential towers ranging from six to 62 storeys, fundamentally altering the character and function of the precinct.

Significant post-exhibition changes were made to the Crows Nest TOD which have resulted in the expansion of the precinct. The exhibited 'area of change' has been extended to the west and south towards Lithgow Street, River Road, and Gillies Street. A number of sites across the precinct have also had their maximum building height and density increased following public exhibition.

This report outlines key elements of the proposal, impacts of the high-density built form, and implementation implications on Council and the community. It recommends Council note the contents and implications of the Crows Nest TOD and write to the DPHI recommending amendments to the North Sydney Local Environmental Plan (NSLEP) 2013 and Crows Nest TOD Precinct Design Guide (Design Guide) to address some of the impacts of the high-density built form.

Recommending:

- 1. THAT** Council note the contents and implications of the Crows Nest Transport Oriented Development (TOD).
- 2. THAT** Council write to the NSW Department of Planning, Housing, and Infrastructure (DPHI) recommending amendments be made to the North Sydney Local Environmental Plan (LEP) 2013 and Crows Nest TOD Precinct Design Guide to provide greater solar access, improved landscape character, human scale, and walkability through incorporating adequate tower separation distances, setbacks, and lot sizes.
- 3. THAT** Council call on the State Government to provide details of the Housing and Productivity Contribution for the Crows Nest Accelerated TOD Precinct to fund and deliver essential community infrastructure for the existing and additional planned population including open space, road upgrades, community facilities, and upgrades to essential services.
- 4. THAT** Council continue to collaborate with the DPHI to investigate alternative options to deliver an optimal public open space outcome for the Lithgow Street block.

10.7 Naming of Lane between 39 and 41 McLaren Street, North Sydney

Report of Ian Hoskins, Council Historian

The purpose of this report is to recommend a new name for the lane running off McLaren Street between number 39 and 41.

Council approved the name 'Faith Bandler Place' in 2022 but this name did not meet Geographic Names Board guidelines, and the name was never authorised.

At its meeting of 27 July 2020, Council resolved to name the lane between numbers 39 and 41 McLaren Street, 'Faith Bandler Place'. However, the Geographic Names Board [GNB] withheld approval because the 2019 guidelines stipulated that only one word be used for road and place naming: e.g., 'Bandler Place' rather than 'Faith Bandler Place'. An alternative name was not put forward. A street sign referring to Faith Bandler Place was installed and remained in place until recently.

The 2025 opening of the school Reddam House North Shore at 41 McLaren Street has made the assignment of a GNB-approved name for the lane imperative.

While acknowledging the work of erstwhile North Sydney resident and social justice campaigner Faith Bandler remains important, a means of doing this is suggested in this report.

Renaming the lane in question is an opportunity to assign an Aboriginal word of relevance to the site.

The recommended word 'gamarada' means friend or comrade and was recorded by William Dawes between 1790 and 1792. Gamarada Place has been approved by the Aboriginal Heritage Office [AHO] and pre-approved by the GNB.

Recommending:

1. THAT Council approves the name Gamarada Place identified for the laneway between 39 and 41 McLaren Street, North Sydney.

2. THAT the naming proposal be placed on public exhibition for 28 days.

3. THAT should Council receive submissions, a further report be prepared for Council's consideration. Should Council receive no submissions, Council consider the name 'Gamarada Place' as adopted at the end of the closing period for submissions.

10.8 Bike-Share Parking Trial

Report of Max White, Sustainable Transport Project Coordinator

The purpose of this report is to provide an overview of a proposed dedicated parking trial for bike share in the North Sydney Local Government Area (LGA).

Bike-share services expanded into the North Sydney LGA in November 2024, providing an additional transport option, however the expansion has highlighted challenges including footpath obstructions and inefficient bike distribution.

Transport for NSW (TfNSW) have approached North Sydney Council to implement a 12-month trial of dedicated parking for bike share.

The trial includes geofencing around specific locations and line marking to visually identify locations.

North Sydney Council is proposing approximately 50 locations across Crows Nest / St Leonards, North Sydney CBD, and Milsons Point. The trial 50 locations are proposed on footpaths where there is adequate space for pedestrians, or in No Stopping areas so as to not result in the removal of parking.

Recommending:

1. THAT Council note the proposed locations for dedicated bike-share parking and the implementation timeline.

2. THAT Council endorse proceeding with the 12-month dedicated bike-share parking trial.

3. THAT Council note that the funds will be allocated from the Active Transport Facilities Budget.

10.9 North Sydney Olympic Pool Redevelopment Project Update

Report of Gary Parsons, Director Open Space and Infrastructure

This report provides Council with an update on the North Sydney Olympic Pool redevelopment project.

Council's contractor (Icon) is progressing works onsite; however, progress is being impacted by continuing program slippages. The revised contractual date for Practical Completion remains 11 July 2024; Council's contractor Icon is now reporting a forecast target completion date of 17 July 2025.

The revised construction contract sum is currently \$91.78m. Project costs remain within the total forecast costs to completion of \$122m, however Council is aware of significant variation claims that are still to be lodged.

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.

10.10 New Lease on Council Property - Suite 3.01, 1 James Place, North Sydney

Report of Alistair White, Commercial Property Specialist

The purpose of this report is to seek Council's endorsement to enter the proposed new lease over Suite 3.01, Level 3, 1 James Place, North Sydney on the terms and conditions contained in this report.

Council has received a lease proposal for Suite 3.01, Level 3, 1 James Place, North Sydney which requires a rental abatement to be considered.

1 James Place is an office building forming part of Council's property portfolio which is held as investments for income purposes, and to diversify and spread the risk of Council's revenue streams.

The confidential attachments include monetary information relating to property income, as well as leasing transactions. Should Council wish to discuss this report it is noted that the attached confidential document includes information that would, if disclosed, confer a commercial advantage on a competitor of the Council. Further, release of the information would, on balance, be contrary to the public interest as it would affect Council's ability to obtain value for money services.

If Council wishes to discuss the report, the meeting should be closed to the public to do in accordance with Section 10A(2)(a) of the Local Government Act (LGA).

Recommending:

- 1. THAT** Council resolves to enter the proposed lease over Suite 3.01, Level 3, 1 James Place, North Sydney on the terms and conditions detailed in the confidential report.
 - 2. THAT** Council authorise the Chief Executive Officer (or their delegate) to sign all necessary legal documents in relation to this matter.
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3. 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
(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.*

11. NOTICES OF MOTION

11.1 Notice of Motion 11/25: Managing the traffic impacts of developments - Cr Beregi

1. THAT a report be prepared for Council investigating what measures can be implemented to manage the impacts of developments particularly in relation to:

- i) pedestrian safety due to obstruction/blocking of footpaths
- ii) traffic management and congestion during peak morning and afternoon times particularly when school zones are in operation.

2. THAT the report include a review of the requirements, methodology and process undertaken for the preparation of Traffic Management Plans (TMP), including the Construction Traffic Management Plans (CTMP).

Background

Development activity is having adverse effects on the safety and amenity of our community. The increase in large development site activity with many sites being in close proximity to each other, is having a compounding impact on residents as they try to leave from and return to their homes for work and other commitments. Further, the blocking of footpaths, ad-hoc contra-flow traffic management, the stopping of traffic, and the impacts of Traffic Management Plans (TMP) and Construction Traffic Management Plans (CTMP) is resulting in an unsafe environment.

Pedestrian access, especially during school zone times with young children and family members, often pushing a pram, is becoming increasingly dangerous as those traveling on foot need to navigate their way around trucks, over broken paths, out onto the roadway, and around other obstructions on footpaths. Local roads are already heavily trafficked during peak times, and the frequent interventions that stop traffic for a period of time and/or divert traffic around the site results in significant congestion across major intersections and on major roads, which makes for an unsafe environment.

The purpose of a school zone is to protect children on their way to and from school. Reducing the speed limit to no more than 40kph is one way to protect children. Another way to protect children and families on their way to and from school is to provide safe route options when walking to and from school, however, when a development site is operational during school zones times, the pedestrian route is often unsafe, and the vehicular route is obstructed.

The purpose of this report is to identify measures that could be implemented to make journeys in peak times, and especially during school zone times, safe for pedestrians

and vehicles, reduce congestion, and improve traffic flow, noting that some measures may need the support of the State Government.

12. Matters of Urgency

Nil

13. CLOSURE