



MINUTES

The Minutes of the Extraordinary Council Meeting held at the Council Chambers, North Sydney at 6.30pm on Monday 7 November 2022.



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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 (6:30 pm) those present were: The Mayor, and Councillors Beregi, Bourke, Gibson, Lamb, Santer, Mutton 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 the Mayor, Councillor Baker.

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

Councillor Drummond indicated her inability to attend the Extraordinary Council meeting on 7 November 2022 and has sought a leave of absence.

It was moved by Councillor Beregi and seconded by Councillor Mutton that Council grant leave of absence to Councillor Drummond for the meeting of 7 November 2022.

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 Mutton and Councillor Welch

Against: Nil

Absent: Councillor Spenceley

336. RESOLVED:

THAT leave of absence be granted to Councillor Drummond.

4. Disclosures of Interest

Nil

5. Public Forum

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

1.THAT Council now conduct the Public Forum.

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 Mutton and Councillor Welch

Against: Nil

Absent: Councillor Spenceley

337. RESOLVED:

{resolution}

1.THAT Council now conduct the Public Forum.

The following people addressed the meeting in relation to Item 7.1: Findings of Heritage Review Report on the Hayden Orpheum Picture Palace Theatre and Parraween Street:

- Chris Holding
- Fiona Gracie

6. Reports to Council

6.1. Findings of Heritage Review Report on the Hayden Orpheum Picture Palace Theatre and Parraween Street

AUTHOR: Tom Mojsiejuk, Strategic Planner

To present to Council the findings and recommendations of the Council-commissioned Heritage Report, prepared by Lucas Stapleton Johnson & Partners in respect to the creation of a Heritage Conservation Area for Parraween Street, and the listing of the Hayden Orpheum Picture Palace, Cremorne as a State Heritage Item.

At its meeting of 10 January 2022, Council resolved:

- 1. THAT Council immediately commences a review of the creation of a Heritage Conservation Area, being the Parraween St Conservation Area to protect the characteristic buildings and history for the row of late 1800's and early 1900's*

federation detached and semi-detached cottages on the northern side of Parraween Street that extends from Paling Street to Macpherson Street.

2. THAT Council urgently receives appropriate advice by a person with the required knowledge and skills to assess if Council can establish an Interim Heritage Order (IHO) for the above properties to cover the period while Council reviews the establishment of the Heritage Conservation Area.

Following this, on 24 January 2022, Council resolved:

1. THAT Council seek urgent heritage advice in relation to the heritage significance of the Cremorne Orpheum Cinema and its curtilage, in particular, whether State heritage listing is appropriate to protect this important local heritage item.

2. THAT such advice be sought as part of the heritage advice to be obtained in respect of the Parraween Street, Cremorne cottages and surrounds under the resolution of Council at the meeting held on 10 January 2022.

In accordance with the 10 January 2022 resolution, Council officers undertook a preliminary assessment of the matter to determine whether Council could potentially establish an Interim Heritage Order (IHO) for the properties on the northern side of Parraween Street.

The preliminary assessment indicated that, notwithstanding any potential heritage value of the properties, the sites did not meet the criteria under Section 25(2) of the Heritage Act 1977 to establish an IHO as there is no immediate threat of harm. Were this to change in the future, Council may at such time seek to establish an IHO.

In consideration of resolution 1 of 10 January 2022 and resolutions 1 and 2 of 24 January 2022, Council officers procured the services of Lucas Stapleton Johnson & Partners to undertake a review of the properties along the northern side of Parraween Street and of the Hayden Orpheum Picture Palace and its curtilage, to determine whether they merit the creation of a Heritage Conservation Area and/or state heritage listing in the case of the Hayden Orpheum Picture Palace.

Council has received a final Heritage Report in response to these resolutions. The Report has made the following recommendations:

- 1. That the Hayden Orpheum Picture Palace, Cremorne be nominated for inclusion on the State Heritage Register for listing under the Heritage Act 1977.*
- 2. That the northern side of Parraween Street, Cremorne, between Paling Street and Langley Avenue does not warrant protection as a heritage conservation area under Schedule 5 of the North Sydney Local Environmental Plan 2013.*
- 3. That the dwellings at Nos. 50, 52, 54 and 56 Parraween Street, Cremorne warrant listing as a group under Schedule 5 of the North Sydney Local Environmental Plan 2013.*

Preparing and exhibiting a planning proposal to amend the North Sydney Local Environmental Plan, and investigating the process to list the Hayden Orpheum Picture Palace as a State Heritage Item, represents a modest investment in Council resources. These can be accommodated within existing budget lines. The cost of the engagement of specialist Heritage advice and reports, including those prepared to inform this Report, has been in the order of \$35,000. It is anticipated that the public exhibition of the planning proposal would generate several submissions. As a result, further engagement of heritage specialist advice may be required to review these submissions, which could be in the range of \$2,000-\$3,000.

RECOMMENDATION:

- 1. THAT** Council resolve to commence preparation of a Planning Proposal to list properties Nos. 50, 52, 54 and 56 Parraween Street, Cremorne as a group under Schedule 5 of the North Sydney Local Environmental Plan 2013.
- 2. THAT** as part of this work, Council request access to the internal areas of the properties for the purpose of preparation of a more detailed photographic inventory.
- 3. THAT** Council note that the preparation of a Planning Proposal will necessitate referral of the draft documentation to the North Sydney Local Planning Panel in the first instance.
- 4. THAT** Council resolve to nominate the Hayden Orpheum Picture Palace for inclusion on the State Heritage Register for listing under the Heritage Act 1977 and commence the process with the Office of Environment and Heritage.

An addendum in relation to this matter with a revised recommendation was circulated on 7 November 2022.

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

- 1. THAT** Council resolve to issue an Interim Heritage Order on No's 50, 52, 54, 56, 70, 72, 78, 80 Parraween Street, Cremorne
- 2. THAT** Council resolve to commence preparation of a Planning Proposal to list properties Nos. 50, 52, 54, 56, 70, 72, 78, 80 Parraween Street, Cremorne under Schedule 5 of the North Sydney Local Environmental Plan 2013.
- 3. THAT** as part of this work, Council request access to the internal areas of the properties for the purpose of preparation of a more detailed photographic inventory.
- 4. THAT** Council note that the preparation of a Planning Proposal will necessitate referral of the draft documentation to the North Sydney Local Planning Panel in the first instance.
- 5. THAT** Council resolve to nominate the Hayden Orpheum Picture Palace for inclusion on the State Heritage Register for listing under the Heritage Act 1977 and commence the process with the Office of Environment and Heritage.

The Motion was put and **Carried**.

Voting was as follows:

For/Against 6 / 2

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

338.RESOLVED:

- 1. THAT** Council resolve to issue an Interim Heritage Order on No's 50, 52, 54, 56, 70, 72, 78, 80 Parraween Street, Cremorne
- 2. THAT** Council resolve to commence preparation of a Planning Proposal to list properties Nos. 50, 52, 54, 56, 70, 72, 78, 80 Parraween Street, Cremorne under Schedule 5 of the North Sydney Local Environmental Plan 2013.
- 3. THAT** as part of this work, Council request access to the internal areas of the properties for the purpose of preparation of a more detailed photographic inventory.

4. THAT Council note that the preparation of a Planning Proposal will necessitate referral of the draft documentation to the North Sydney Local Planning Panel in the first instance.

5. THAT Council resolve to nominate the Hayden Orpheum Picture Palace for inclusion on the State Heritage Register for listing under the Heritage Act 1977 and commence the process with the Office of Environment and Heritage.

7. Closure

The Meeting concluded at 6:51 pm.