



MINUTES

The Minutes of the Extraordinary Council Meeting
held at the Council Chambers, North Sydney
at 9:00 AM on Tuesday 18 June 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 (9.00am) those present were: The Mayor, and Councillors Beregi, Bourke, Gibson, Lamb, Mutton, Santer, Spenceley, 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 Gibson.

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

It was moved by Councillor Gibson and seconded by Councillor Spenceley:

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

2. THAT Council grant Leave of Absence to Councillor Lepouris.

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

120. RESOLVED:

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

4. Disclosures of Interest

Nil

5. Public Forum

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

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

- Item 6.1 Notice of Motion 09/24: Neutral Bay Village - Low to Mid-Rise Housing Reform - Crs Spenceley & Bourke

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 Mutton, Councillor Santer, Councillor Spenceley, and Councillor Welch

Against: Nil

Absent: Nil

121. RESOLVED:

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

- Item 6.1 Notice of Motion 09/24: Neutral Bay Village - Low to Mid-Rise Housing Reform - Crs Spenceley & Bourke

6. Notices of Motion

6.1. Notice of Motion 09/24: Neutral Bay Village - Low to Mid-Rise Housing Reform - Crs Spenceley & Bourke

1. THAT Council notes the invalid response provided by Council staff to the Department of Planning, Housing, and Infrastructure (DPHI) on 15 May 2024 in response to the Station and Town Centre Selection Form and the failure to implement a lawful resolution of Council made on 12 February 2024.

2. THAT Council notes the response fails to positively implement Council's resolved position and serves to undermine Council's resolved position.

3. THAT Council writes to the DPHI to formally rescind its earlier response to the Station and Town Centre Selection Form, requesting acknowledgement of the rescission from the DPHI.

4. THAT Council resolves to submit a transparent and authorised response to the Station and Town Centre Selection Form, that represents the Council resolution dated 12 February 2024, including justifications to demonstrate that Neutral Bay is unsuitable for inclusion, including addressing the DPHI criteria as well as the assessment of the town centre including:

- transport capacity including:
 - lack of train service
 - the quality and capacity of bus service
- the extended linear nature of the Village and resulting difficulty in access
- Council's existing and further commitment to high quality place-based planning

5. THAT the CEO facilitates an industry appropriate review of the internal process that resulted in a submission on the Station and Town Centre Selection Form that was contrary to Council's resolved position.

6. THAT the CEO reports back to Council on all appropriate measures to rectify the relevant contravention and documents actions and improvements to strengthen Council processes.

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

1. THAT Council notes the invalid response provided by Council staff to the Department of Planning, Housing, and Infrastructure (DPHI) on 15 May 2024 in response to the Station and Town Centre Selection Form and the failure to implement a lawful resolution of Council made on 12 February 2024.

2. THAT Council notes the response fails to positively implement Council's resolved position and serves to undermine Council's resolved position.

3. THAT Council writes to the DPHI to formally rescind its earlier response to the Station and Town Centre Selection Form, requesting acknowledgement of the rescission from the DPHI.

4. THAT Council resolves to submit a transparent and authorised response to the Station and Town Centre Selection Form, that represents the Council resolution dated 12 February 2024, including justifications to demonstrate that Neutral Bay is unsuitable for inclusion, including addressing the DPHI criteria as well as the assessment of the town centre including:

- transport capacity including:
 - lack of train service
 - the quality and capacity of bus service
- the extended linear nature of the Village and resulting difficulty in access

- Council’s existing and further commitment to high quality place-based planning
- 5. THAT** the CEO facilitates an urgent industry-appropriate review of the internal process that resulted in a submission on the Station and Town Centre Selection Form that was contrary to Council’s resolved position.
 - 6. THAT** the CEO urgently reports back to Council on all appropriate measures to rectify the relevant contravention and documents actions and improvements to strengthen Council processes.
 - 7. THAT** North Sydney Council strongly write to apply for the same relief as other Councils seeking exemption from mid-rise housing in the R3 zone to avoid jarring transitions between the lower and mid-rise zones.
 - 8. THAT** Council provide an urgent supplementary submission to the DPHI seeking that they abandon low to mid-rise housing reforms in circumstances in which housing targets were issued on 29 May 2024, and task Council to work with communities to plan to meet those targets.
 - 9. THAT** Council publish on its website all current and future correspondence between Council and the DPHI on housing reforms.

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 Mutton, Councillor Santer, Councillor Spenceley and Councillor Welch

Against: Nil

Absent: Nil

122. RESOLVED:

- 1. THAT** Council notes the invalid response provided by Council staff to the Department of Planning, Housing, and Infrastructure (DPHI) on 15 May 2024 in response to the Station and Town Centre Selection Form and the failure to implement a lawful resolution of Council made on 12 February 2024.
- 2. THAT** Council notes the response fails to positively implement Council’s resolved position and serves to undermine Council’s resolved position.
- 3. THAT** Council writes to the DPHI to formally rescind its earlier response to the Station and Town Centre Selection Form, requesting acknowledgement of the rescission from the DPHI.
- 4. THAT** Council resolves to submit a transparent and authorised response to the Station and Town Centre Selection Form, that represents the Council resolution dated 12 February 2024, including justifications to demonstrate that Neutral Bay is unsuitable for inclusion, including addressing the DPHI criteria as well as the assessment of the town centre including:
 - transport capacity including:
 - lack of train service
 - the quality and capacity of bus service
 - the extended linear nature of the Village and resulting difficulty in access
 - Council’s existing and further commitment to high quality place-based planning

5. THAT the CEO facilitates an urgent industry-appropriate review of the internal process that resulted in a submission on the Station and Town Centre Selection Form that was contrary to Council's resolved position.

6. THAT the CEO urgently reports back to Council on all appropriate measures to rectify the relevant contravention and documents actions and improvements to strengthen Council processes.

7. THAT North Sydney Council strongly write to apply for the same relief as other Councils seeking exemption from mid-rise housing in the R3 zone to avoid jarring transitions between the lower and mid-rise zones.

8. THAT Council provide an urgent supplementary submission to the DPHI seeking that they abandon low to mid-rise housing reforms in circumstances in which housing targets were issued on 29 May 2024, and task Council to work with communities to plan to meet those targets.

9. THAT Council publish on its website all current and future correspondence between Council and the DPHI on housing reforms.

7. Matters of Urgency

Councillor Spenceley sought leave under 9.3(b) of the Code of Meeting Practice to raise the following matter of urgency:

1. THAT Council provide clear, regular updates on when North Sydney Olympic Pool (NSOP) will be ready, and the estimated cost of the build.

2. THAT Council provide regular media updates to make the community aware.

The Mayor did not accept the matter as urgent, as a report addressing the above has been published for the 24 June Council meeting.

8. Closure

The Meeting concluded at 10.10am.