

## MINUTES OF EXTRAORDINARY MEETING HELD ON MONDAY, 25 MARCH 2024

Present: The Mayor, Councillor S Ngai (Chairperson)  
Councillors J Pettett & G Taylor (Comenarra Ward)  
Councillors S Lennon & B Ward (Gordon Ward)  
Councillor A Taylor (Roseville Ward)  
Councillors C Kay & M Smith (St Ives Ward)  
Councillors C Spencer & K Wheatley (Wahroonga Ward)

Staff Present: Acting General Manager (David Marshall)  
Director Community (Janice Bevan)  
Acting Director Corporate (Angela Apostol)  
Director Development & Regulation (Michael Miocic)  
Acting Director Operations (Peter Lichaa)  
Director Strategy & Environment (Andrew Watson)  
Corporate Lawyer (Jamie Taylor)  
Manager Corporate Communications (Virginia Leafe)  
Manager Governance and Corporate Strategy (Christopher M Jones)  
Manager Urban & Heritage Planning (Antony Fabbro)  
Governance Support Officer (Nicole Kratochvil)

*The Meeting commenced at 6:00 PM*

The Mayor offered the Acknowledgement of Country and Prayer

### 57 **Filming of Council**

File: S11228

The Mayor advised the meeting that Council had received a request from Sky News to record the meeting. The filming of proceedings of meetings requires prior authorisation of Council in accordance with clause 15.23 of the Code of Meeting Practice.

#### **Resolved:**

(Moved: Councillors Spencer/Lennon)

That Council agree to Sky News's request to record the proceedings of the 25 March 2024 Extraordinary Meeting of Council.

**CARRIED UNANIMOUSLY**

**APOLOGIES**

File: S02194  
Nil

**DECLARATIONS OF INTEREST**

The Mayor referred to the necessity for Councillors and staff to declare a Pecuniary Interest/Conflict of Interest in any item on the Business Paper.

No Interest was declared.

**58 Confirmation of attachments to be considered in closed meeting**

File: S02499/9

**Resolved:**

(Moved: Councillors Smith/Wheatley)

That in accordance with the provisions of Section 10 of the Local Government Act 1993, all officers' reports be released to the press and public, with the exception of confidential attachments to the following General Business reports:

**GB.1 A community and Council led response to the TOD program and low and mid-rise SEPP - Ku-ring-gai Housing Strategy Implementation Program**

In accordance with 10A(2)(d)(ii):

Attachment 4: Risk Management Strategy

**CARRIED UNANIMOUSLY**

**GENERAL BUSINESS**

**59** File: S12198

**MOTION:**

(Moved: Councillors Smith/Wheatley)

- A. Council notes that the five councillors who called this extraordinary general meeting of council did so for the sole purpose of considering Confidential Attachment A4 to GB.1.
- B. Council notes that the mayor and all councillors were unaware that staff had prepared and would include in the agenda for this extraordinary general meeting of council the details of the report titled *A community and Council led response to the TOD program and low and mid-rise SEPP - Ku-ring-gai*

*Housing Strategy Implementation Program.*

- C. Council notes but does not implement the staff recommendation in the report titled *A community and Council led response to the TOD program and low and mid-rise SEPP - Ku-ring-gai Housing Strategy Implementation Program.*
- D. Council continues to condemn and oppose the irresponsible approach to planning by the Minns New South Wales state government for the future of the built and natural environment in Sydney, Newcastle, Wollongong and the Central Coast as reflected in the TOD (Transport Oriented Development) Program and the proposed Low and Mid-rise SEPP (State Environmental Planning Policy).
- E. Council continue to inform residents about the proposed changes to planning controls as information becomes available, including their risks and consequences.
- F. The General Manager is authorised to implement actions outlined in attachment A4 to GB.1 should it be required.

**AMENDMENT:**

(Moved: Councillors A.Taylor/G.Taylor)

That Council:

- A. Rejects the State Government's unreasonable and infeasible new dwelling targets for Ku-ring-gai, and continues to fight the simplistic one-size-fits-all planning parameters in the TOD and Low and Mid-rise Housing SEPPs with all available means as described in the risk management strategy.
- B. Recognises that NSW needs good planning and Ku-ring-gai should help to solve the housing crisis.
- C. Commences a refresh of our housing strategy that delivers a reasonable and feasible increase in housing supply and greater housing diversity across Ku-ring-gai and is acceptable to the community.
- D. The General Manager is authorised to implement actions outlined in attachment A4 to GB.1 should it be required.

The Amendment was put and declared **LOST**

*For the Amendment:*

*The Mayor, Councillor Ngai, Councillors Kay, A. Taylor and G. Taylor*

*Against the Amendment:*

*Councillors Lennon, Pettett, Smith, Spencer, Ward and Wheatley*

Debate resumed on the Motion.

**PROCEDURAL MOTION:**

(Moved: Councillors A.Taylor/G.Taylor)

That the motion be put in seriatim (sequentially and voted on separately) as A to F.

*For the Motion:* Councillors Kay, A.Taylor and G.Taylor

*Against the Motion:* The Mayor Councillor Ngai, Councillors Lennon, Pettett, Smith, Spencer, Ward and Wheatley

*No decision was taken in respect of the above matter as the Motion when put to the vote was **LOST***

**Resolved:**

(Moved: Councillors Smith/Wheatley)

- A. Council notes that the five councillors who called this extraordinary general meeting of council did so for the sole purpose of considering Confidential Attachment A4 to GB.1.
- B. Council notes that the mayor and all councillors were unaware that staff had prepared and would include in the agenda for this extraordinary general meeting of council the details of the report titled *A community and Council led response to the TOD program and low and mid-rise SEPP - Ku-ring-gai Housing Strategy Implementation Program*.
- C. Council notes but does not implement the staff recommendation in the report titled *A community and Council led response to the TOD program and low and mid-rise SEPP - Ku-ring-gai Housing Strategy Implementation Program*.
- D. Council continues to condemn and oppose the irresponsible approach to planning by the Minns New South Wales state government for the future of the built and natural environment in Sydney, Newcastle, Wollongong, and the Central Coast as reflected in the TOD (Transport Oriented Development) Program and the proposed Low and Mid-rise SEPP (State Environmental Planning Policy).
- E. Council continue to inform residents about the proposed changes to planning controls as information becomes available, including their risks and consequences.
- F. The General Manager is authorised to implement actions outlined in attachment A4 to GB.1 should it be required.

*For the Resolution:* The Mayor, Councillor Ngai, Councillors Lennon, Pettett, Smith, Spencer, A. Taylor, Ward and Wheatley

*Against the Resolution: Councillors Kay and G. Taylor*

**CARRIED**

GB.1 was not considered at the meeting and therefore lapsed.

*The Meeting closed at 7:20PM*

The Minutes of the Extraordinary Meeting held on 25 March 2024 (Pages 1 - 5) were confirmed as a full and accurate record of proceedings on 16 April 2024.

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General Manager

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Mayor / Chairperson