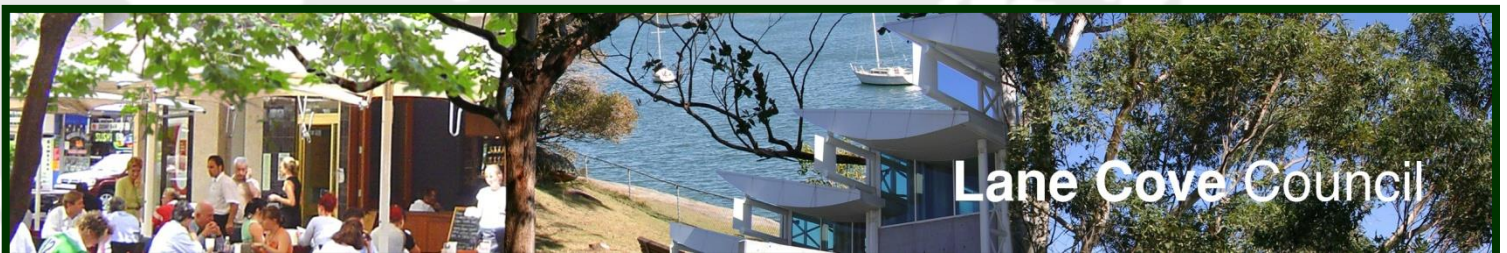


**Minutes
Extraordinary Meeting of Council
29 August 2022, 7:00 PM**

All minutes are subject to confirmation at a subsequent meeting and may be amended by resolution at that meeting.



Extraordinary Meeting of Council 29 August 2022
MINUTES

PRESENT: Councillor A. Zbik (Mayor), Councillor S. Bennison, Councillor K. Bryla, Councillor R Flood, Councillor B. Kennedy (online), Councillor K. Mort, Councillor D. Roenfeldt, Councillor M. Southwood.

ALSO PRESENT: General Manager, Executive Manager – Corporate Services, Executive Manager – Environmental Services, Executive Manager – Open Space & Urban Services, Executive Manager – Human Services and Minute Taker.

DECLARATIONS OF INTEREST:

Nil

APOLOGIES

Apologies be received on behalf of Councillor Brooks-Horn.

175 RESOLVED on the motion of Councillors Bennison and Flood that the apology be accepted and leave of absence be granted.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Flood, Bryla, Bennison and Mort (Total 7).

Against the Motion was Nil (Total 0).

The Mayor advised that Councillor Kennedy has requested to attend the meeting via audio visual link due to exceptional circumstances.

176 RESOLVED on the motion of Councillors Roenfeldt and Southwood that the request to attend the meeting by audio-visual link be granted.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Flood, Bryla, Bennison and Mort (Total 7).

Against the Motion was Nil (Total 0).

ACKNOWLEDGEMENT TO COUNTRY

The Mayor gave an acknowledgement of Country.

MINUTE OF SILENCE FOR REFLECTION OR PRAYER

The Mayor gave notice of a minute of silence for reflection or prayer.

WEBCASTING OF COUNCIL MEETING

The Mayor advised those present that the Meeting was being webcast.

PUBLIC FORUM

In Person

1. Frances Vissel of Lane Cove in relation to Item 1 '*Notice of Rescission - Final Report - Provision of a Sport and Recreation Facility*' and Item 2 '*Notice of Motion - Progression on a Sport and Recreation Facility at 180 River Road (Golf Course) Site*';
2. Raphaela Cahalan Griffith of Longueville in relation to Item 1 '*Notice of Rescission - Final Report - Provision of a Sport and Recreation Facility*' and Item 2 '*Notice of Motion - Progression on a Sport and Recreation Facility at 180 River Road (Golf Course) Site*'; and
3. Adrienne Cahalan of Longueville in relation to Item 1 '*Notice of Rescission - Final Report - Provision of a Sport and Recreation Facility*' and Item 2 '*Notice of Motion - Progression on a Sport and Recreation Facility at 180 River Road (Golf Course) Site*'.

**Extraordinary Meeting of Council 29 August 2022
MINUTES**

4. Meliba Rodriguez of Lane Cove North in relation to Item 1 'Notice of Rescission - Final Report - Provision of a Sport and Recreation Facility' and Item 2 'Notice of Motion - Progression on a Sport and Recreation Facility at 180 River Road (Golf Course) Site';
5. Shauna Forrest of Longueville in relation to Item 1 'Notice of Rescission - Final Report - Provision of a Sport and Recreation Facility' and Item 2 'Notice of Motion - Progression on a Sport and Recreation Facility at 180 River Road (Golf Course) Site';
6. Caleb Taylor of Lane Cove North in relation to Item 1 'Notice of Rescission - Final Report - Provision of a Sport and Recreation Facility' and Item 2 'Notice of Motion - Progression on a Sport and Recreation Facility at 180 River Road (Golf Course) Site'; and
7. Gillian Levitt of Greenwich in relation to Item 1 'Notice of Rescission - Final Report - Provision of a Sport and Recreation Facility' and Item 2 'Notice of Motion - Progression on a Sport and Recreation Facility at 180 River Road (Golf Course) Site'.

Written Submissions

Two (2) written submission was received, those being from:-

1. Liz Powter in relation to Item 1 'Notice of Rescission - Final Report - Provision of a Sport and Recreation Facility' and Item 2 'Notice of Motion - Progression on a Sport and Recreation Facility at 180 River Road (Golf Course) Site'; and
2. Hugh Liney of Greenwich in relation to Item 1 'Notice of Rescission - Final Report - Provision of a Sport and Recreation Facility' and Item 2 'Notice of Motion - Progression on a Sport and Recreation Facility at 180 River Road (Golf Course) Site'.

NOTICE OF RESCISSION

NOTICE OF RESCISSION - FINAL REPORT - PROVISION OF A SPORT AND RECREATION FACILITY

177 **RESOLVED** on the motion of Councillors Roenfeldt and Mort that Council's resolution adopted on the 18 August 2022, Resolution No. 158/2022 be rescinded, viz:-

"That Council:-

1.
 - a. Resolves to progress the design and construction of a Sports and Recreation Facility of a maximum of 8 courts (4 indoor and 4 multi-purpose outdoor) (8 Court concept) on the golf course site at 180 River Road, Lane Cove; and
 - b. Seeks to expedite the procurement of information required to assist it in the consideration of a concept plan for the 8 Court Concept.
2. Proceeds with concept planning and design to achieve a total project budget of up to \$75 million and by so doing:-
 - a. Instructs Allen Jack and Cottier (existing Architect for the project) to develop a concept plan for 4 indoor and 4 outdoor multipurpose courts (8 Court Concept Plan), in doing so to investigate opportunities to reduce the overall footprint of the building on the site further;
 - b. Procures a revised business model from Xypher Sport and Leisure to reflect an 8 court and a 7 court concept (if necessary at the tender phase);
 - c. Engages Steensen Varming (currently the Sustainability Consultant on the project) to prepare target goals to reach the equivalent of the Green Building Council of Australia (GBCA) 5 Star Rating; and

Extraordinary Meeting of Council 29 August 2022
MINUTES

- d. *Procures a report on indicative cost of an 8 and 7 court concept by Mitchell Brandtman or other quantity surveyor appointed by Council for this purpose.*
3. *Reviews, in the September Council meeting, or an Extraordinary Meeting convened for this purpose, the 8 Court Concept Plan and the information detailed in 2a.,2c.,2d. above, and the information in 2b. be circulated to Councillors for information.*
4. *In the event that it resolves to proceed with the 8 Court Concept Plan to the Development Application (D.A.) stage:-*
 - a. *Exhibits for community consultation, for a period of 28 days, the 8 Court Concept Plan together with the documents listed in 2 above and other information that may inform the community as to the scope, projected cost and funding sources for the project; and*
 - b. *Conducts a community workshop at the golf course site no later than one week before the date close of submissions to seek community input into preferred design features.*
5. *During the consultation period:-*
 - a. *Procures a peer review of the revised business case detailed in 2b. for the information of Council and Community;*
 - b. *Conducts a workshop for Councillors to agree targets to reach the equivalent of the Green Building Council of Australia (GBCA) 5 Star Rating, and resolves to incorporate into the design of a development application for the Sports and Recreation Facility if it proceeds; and*
 - c. *Procures from Mitchell Brandtman or other quantity surveyor appointed by Council for this purpose an update of the report in 2d. above.*
6. *Upon the conclusion of the community consultation, reviews at a Council Meeting the:-*
 - a. *Report on the outcomes of the community consultation process; and*
 - b. *Information detailed in 5 above and other information required to determine if it will proceed to engage a design team to develop the documents required to support a Development Application for the 8 court facility and to achieve the finalised 5 star Green Star targets determined in 2c. above and to incorporate design features outlined in the community consultation process (8 Court DA).*
7. *Reviews at a Council Meeting, and if approved, authorise the submission of the 8 Court Development Application to the Sydney North Planning Panel.*
8. *During the assessment of the 8 court DA, prepares design documentation, tender specifications and a draft contract.*
9. *Approves at a Council meeting, the release of tender and RFQ documentation for the 8 court project.*
10. *Reviews in a Council meeting, the evaluation of tenders (including all supporting documentation) and, if so resolved, approve the award of a tender for the construction of the 8 court project.*
11. *Adopts the funding strategy outlined in the report for the project and the revised Long Term Financial Plan attached to the report for the purposes of exhibition and proceed with community consultation on the revised Long Term Financial Plan as outlined in the report.*
12. *Lodges a Capital Expenditure Review for the project with the Office of Local Government.*
13. *Delegates authority to the General Manager to enter into a fixed loan agreement for \$10 million over 10 years with TCorp utilising the NSW Department of Planning,*

**Extraordinary Meeting of Council 29 August 2022
MINUTES**

- Industry and Environment interest rate subsidy under the Low-Cost Loans Initiative.*
14. *Lodge an application under the NSW Government's Multi-Sport Community Facility Fund for \$5M funding towards the project;*
 15. *Acknowledges that the development of the Sports and Recreation Facility will necessitate changes in access of some stakeholders to facilities at the golf course site to the level they currently enjoy.*
 16. *Will, in the event that it proceeds with the proposed project, ensure the operation of the facility will provide all stakeholders with balanced access to the sporting facilities.*
 17. *Continue to seek to locate alternative netball and tennis sporting facilities and improve existing facilities for these sports within Lane Cove to supplement the facilities to be provided in the Sports and Recreation Facility".*

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison and Mort (Total 8).

Against the Motion was Nil (Total 0).

ORDERS OF THE DAY

Nil

NOTICE OF MOTION

NOTICE OF MOTION - PROGRESSION ON A SPORT AND RECREATION FACILITY AT 180 RIVER ROAD (GOLF COURSE) SITE

A motion was moved by Councillors Zbik and Roenfeldt that Council:-

1. Resolves to progress the design and construction of a Sports and Recreation Facility of a maximum of 8 courts (4 indoor and 4 multi-purpose outdoor) on the golf course site at 180 River Road, Lane Cove; and
2. Proceeds with concept planning and design to achieve a total project budget of up to \$75 million and by so doing:-
 - a. Instructs Allen Jack and Cottier (existing Architect for the project) to develop a concept plan for 4 indoor and 4 outdoor multipurpose courts, in doing so to investigate opportunities to reduce the overall footprint of the building on the site further;
 - b. Procures a revised business model from Xypher Sport and Leisure to reflect an 8 court and a 7 court concept (if necessary at the tender phase);
 - c. Engages Steensen Varming (currently the Sustainability Consultant on the project) to prepare target goals to reach the equivalent of the Green Building Council of Australia (GBCA) 5 Star Rating and as part of this process conducts a workshop for Councillors to review targets to reach the equivalent of the Green Building Council of Australia (GBCA) 5 Star Rating to incorporate into the design for a Development Application for the Sports and Recreation Facility;
 - d. Procures a report on the indicative cost of an 8 and 7 court concept by Mitchell Brandtman or other quantity surveyor appointed by Council for this purpose;
 - e. Prepare a revised Development Application for an 8 Court Facility;
 - f. Conduct a community workshop at the golf course site prior to the September Council meeting to seek community input into the concept design (work in progress). The concept plan to consider the community feedback in the resolution of the concept design; and

Extraordinary Meeting of Council 29 August 2022
MINUTES

- g. Council undertakes additional community outreach to notify residents of the revised timeframe, including additional prompts and reminders in the 48 hours leading up to the close of submissions, and in advance of the community workshop.
3. Reviews, in the September Council Meeting, the 8 Court Concept Plan and supporting information outlined in item 2 above, and the information in 2b. be circulated to Councillors for information;
4. Subject to receipt and endorsement of the 8 Court Concept Plan the:
 - a. Council will place on exhibition the Concept Plan and supporting information outlined in Item 2 above, for the 8 court concept for a period of 14 days; and
 - b. Council undertakes additional community outreach to notify residents of the revised timeframe, including additional prompts and reminders in the 48 hours leading up to the close of submissions, and in advance of the community workshop.
5. During the consultation period, procures a peer review of the revised business case detailed in 2b. for the information of the Council and Community.
6. Upon the conclusion of the community consultation, reviews at a Council Workshop the:-
 - a. Report on the outcomes of the community consultation process and recommendations on possible inclusion of comments into the Development Application Design; and
 - b. The updated report and design details for the incorporation of the proposed 5 star Green Star targets.
7. Council to review the draft Development Application package of an 8 court option at the October Council Meeting and subject to endorsement, authorise the submission of the 8 Court Development Application to the Sydney North Planning Panel;
8. During the assessment of the 8 court Development Application, prepares design documentation, tender specifications, and a draft contract;
9. Approves at a Council meeting, the release of tender and RFQ documentation for the 8 court project;
10. Reviews in a Council meeting, the evaluation of tenders (including all supporting documentation) and, if so resolved, approve the award of a tender for the construction of the 8 court project;
11. Adopts the funding strategy outlined in the report for the project and the revised Long Term Financial Plan attached to the report for the purposes of exhibition and proceed with community consultation on the revised Long Term Financial Plan for 28 days as outlined in the report;
12. Lodges a Capital Expenditure Review for the project with the Office of Local Government;
13. Delegates authority to the General Manager to enter into a fixed loan agreement for \$10 million over 10 years with TCorp utilising the NSW Department of Planning, Industry and Environment interest rate subsidy under the Low-Cost Loans Initiative;
14. Lodge an application under the NSW Government's Multi-Sport Community Facility Fund for \$5M funding towards the project;
15. Acknowledges that the development of the Sports and Recreation Facility will necessitate changes in access of some stakeholders to facilities at the golf course site to the level they currently enjoy;
16. Will, in the event that it proceeds with the proposed project, ensure the operation of the facility will provide all stakeholders with balanced access to the sporting facilities;

**Extraordinary Meeting of Council 29 August 2022
MINUTES**

17. Continue to seek to locate alternative netball and tennis sporting facilities and improve existing facilities for these sports within Lane Cove to supplement the facilities to be provided in the Sports and Recreation Facility; and
18. Amends the meeting schedule for Ordinary Council Meetings as follows:-
 - a. Change the scheduled meeting from 22 September 2022 to 29 September 2022.
 - b. Change the scheduled meeting from 20 October 2022 to 27 October 2022.

AMENDMENT

An amendment was moved by Councillors Southwood and Flood that Council:-

1. a. Resolves to progress the design and construction of a Sports and Recreation Facility of a maximum of 8 courts (4 indoor and 4 multi-purpose outdoor) (8 Court concept) on the golf course site at 180 River Road, Lane Cove; and
 - b. Seeks to expedite the procurement of information required to assist it in the consideration of a concept plan for the 8 Court Concept.
2. Proceeds with concept planning and design to achieve a total project budget of up to \$75 million and by so doing:-
 - a. Instructs Allen Jack and Cottier (existing Architect for the project) to develop a concept plan for 4 indoor and 4 outdoor multipurpose courts (8 Court Concept Plan), in doing so to investigate opportunities to reduce the overall footprint of the building on the site further;
 - b. Procures a revised business model from Xypher Sport and Leisure to reflect an 8 court and a 7 court concept (if necessary at the tender phase);
 - c. Engages Steensen Varming (currently the Sustainability Consultant on the project) to prepare target goals to reach the equivalent of the Green Building Council of Australia (GBCA) 5 Star Rating;
 - d. Procures a report on the indicative cost of an 8 and 7 court concept by Mitchell Brandtman or other quantity surveyor appointed by Council for this purpose;
 - e. Procures *an independent feasibility and cost-benefit analysis by an external consultant comparing options 1, 2, 3a, 3b and 3c; and*
 - f. Prepare a revised Development Application for an 8 Court Facility.
3. Reviews, in the September Council meeting, or an Extraordinary Meeting convened for this purpose, the 8 Court Concept Plan and the information detailed in 2a., 2c., 2d. above, and the information in 2b. be circulated to Councillors for information.
4. Subject to receipt and endorsement of the 8 Court Concept Plan and the information detailed in 2a., 2c., 2d. above:-
 - a. Exhibits for community consultation the 8 Court Concept Plan together with the documents listed in 2. above and other information that may inform the community as to the scope, projected cost, and funding sources, for a minimum of 14 days, and otherwise as outlined in the Consultation Plan in the report; and
 - b. Conduct a community workshop at the golf course site no later than one week before the close of submissions to seek community input into preferred design features.
 - c. Council undertakes additional community outreach to notify residents of the revised timeframe, including additional prompts and reminders in the 48 hours leading up to the close of submissions, and in advance of the community workshop.

Extraordinary Meeting of Council 29 August 2022
MINUTES

5. During the consultation period: -
 - a. Procures a peer review of the revised business case detailed in 2b. for the information of the Council and Community;
 - b. Conducts a workshop for Councillors to review targets to reach the equivalent of the Green Building Council of Australia (GBCA) 5 Star Rating to incorporate into the design for a Development Application for the Sports and Recreation Facility; and
 - c. Procures from Mitchell Brandtman or other quantity surveyor appointed by Council for this purpose an update of the report in 2(d) above.
6. Upon the conclusion of the community consultation, reviews at a Council Meeting the:-
 - a. Report on the outcomes of the community consultation process; and
 - b. Information detailed in 5 above, the final proposed 5 star Green Star targets following the review, refer 5b. above, and to consider incorporating design features identified in the community consultation process (8 Court Development Application).
7. Subject to 6, authorise the submission of the 8 Court Development Application to the Sydney North Planning Panel.
8. During the assessment of the 8 court Development Application, prepares design documentation, tender specifications, and a draft contract.
9. Approves at a Council meeting, the release of tender and RFQ documentation for the 8 court project.
10. Reviews in a Council meeting, the evaluation of tenders (including all supporting documentation) and, if so resolved, approve the award of a tender for the construction of the 8 court project.
11. Adopts the funding strategy outlined in the report for the project and the revised Long Term Financial Plan attached to the report for the purposes of exhibition and proceed with community consultation on the revised Long Term Financial Plan for 28 days as outlined in the report.
12. Lodges a Capital Expenditure Review for the project with the Office of Local Government.
13. Delegates authority to the General Manager to enter into a fixed loan agreement for \$10 million over 10 years with TCorp utilising the NSW Department of Planning, Industry and Environment interest rate subsidy under the Low-Cost Loans Initiative.
14. Lodge an application under the NSW Government's Multi-Sport Community Facility Fund for \$5M funding towards the project.
15. Acknowledges that the development of the Sports and Recreation Facility will necessitate changes in access of some stakeholders to facilities at the golf course site to the level they currently enjoy.
16. Will, in the event that it proceeds with the proposed project, ensure the operation of the facility will provide all stakeholders with balanced access to the sporting facilities.
17. Continue to seek to locate alternative netball and tennis sporting facilities and improve existing facilities for these sports within Lane Cove to supplement the facilities to be provided in the Sports and Recreation Facility.
18. Amends the meeting schedule for Ordinary Council Meetings as follows:-
 - a. Change the scheduled meeting from 22 September 2022 to 29 September 2022.
 - b. Change the scheduled meeting from 20 October 2022 to 27 October 2022.

**Extraordinary Meeting of Council 29 August 2022
MINUTES**

Upon being put to the meeting the amendment was declared lost.

For the Motion were Councillors Southwood and Flood (Total 2).

Against the Motion were Councillors Zbik, Roenfeldt, Kennedy, Bryla, Bennison and Mort (Total 6).

FORESHADOWED MOTION

A foreshadowed motion was moved by Councillor Bennison and Mort that:-

1. Resolves to progress the design and construction of a Sports and Recreation Facility of a maximum of 9 courts (5 indoor and 4 multi-purpose outdoor) on the golf course site at 180 River Road, Lane Cove; and
2. Proceeds with concept planning and design to achieve a total project budget of up to \$75 million and by so doing:-
 - a. Instructs Allen Jack and Cottier (existing Architect for the project) to develop a concept plan for 5 indoor and 4 outdoor multipurpose courts, in doing so to investigate opportunities to reduce the overall footprint of the building on the site further;
 - b. Procures a revised business model from Xypher Sport and Leisure to reflect an 9 court and a 8 court concept (if necessary at the tender phase);
 - c. Engages Steensen Varming (currently the Sustainability Consultant on the project) to prepare target goals to reach the equivalent of the Green Building Council of Australia (GBCA) 5 Star Rating and as part of this process conducts a workshop for Councillors to review targets to reach the equivalent of the Green Building Council of Australia (GBCA) 5 Star Rating to incorporate into the design for a Development Application for the Sports and Recreation Facility;
 - d. Procures a report on the indicative cost of an 9 and 8 court concept by Mitchell Brandtman or other quantity surveyor appointed by Council for this purpose;
 - e. Prepare a revised Development Application for an 9 Court Facility;
 - f. Conduct a community workshop at the golf course site prior to the September Council meeting to seek community input into the concept design (work in progress). The concept plan to consider the community feedback in the resolution of the concept design; and
 - g. Council undertakes additional community outreach to notify residents of the revised timeframe, including additional prompts and reminders in the 48 hours leading up to the close of submissions, and in advance of the community workshop.
3. Reviews, in the September Council Meeting, the 9 Court Concept Plan and supporting information outlined in item 2 above, and the information in 2b. be circulated to Councillors for information;
4. Subject to receipt and endorsement of the 9 Court Concept Plan the:-
 - a. Council will place on exhibition the Concept Plan and supporting information outlined in Item 2 above, for the 9 court concept for a period of 14 days; and
 - b. Council undertakes additional community outreach to notify residents of the revised timeframe, including additional prompts and reminders in the 48 hours leading up to the close of submissions, and in advance of the community workshop.
5. During the consultation period, procures a peer review of the revised business case detailed in 2b. for the information of the Council and Community.
6. Upon the conclusion of the community consultation, reviews at a Council Workshop the:-
 - a. Report on the outcomes of the community consultation process and

**Extraordinary Meeting of Council 29 August 2022
MINUTES**

recommendations on possible inclusion of comments into the Development Application Design; and

- b. The updated report and design details for the incorporation of the proposed 5 star Green Star targets.
7. Council to review the draft Development Application package of an 9 court option at the October Council Meeting and subject to endorsement, authorise the submission of the 8 Court Development Application to the Sydney North Planning Panel;
8. During the assessment of the 9 court Development Application, prepares design documentation, tender specifications, and a draft contract;
9. Approves at a Council meeting, the release of tender and RFQ documentation for the 9 court project;
10. Reviews in a Council meeting, the evaluation of tenders (including all supporting documentation) and, if so resolved, approve the award of a tender for the construction of the 9 court project;
11. Adopts the funding strategy outlined in the report for the project and the revised Long Term Financial Plan attached to the report for the purposes of exhibition and proceed with community consultation on the revised Long Term Financial Plan for 28 days as outlined in the report;
12. Lodges a Capital Expenditure Review for the project with the Office of Local Government;
13. Delegates authority to the General Manager to enter into a fixed loan agreement for \$10 million over 10 years with TCorp utilising the NSW Department of Planning, Industry and Environment interest rate subsidy under the Low-Cost Loans Initiative;
14. Lodge an application under the NSW Government's Multi-Sport Community Facility Fund for \$5M funding towards the project;
15. Acknowledges that the development of the Sports and Recreation Facility will necessitate changes in access of some stakeholders to facilities at the golf course site to the level they currently enjoy;
16. Will, in the event that it proceeds with the proposed project, ensure the operation of the facility will provide all stakeholders with balanced access to the sporting facilities;
17. Continue to seek to locate alternative netball and tennis sporting facilities and improve existing facilities for these sports within Lane Cove to supplement the facilities to be provided in the Sports and Recreation Facility; and
18. Amends the meeting schedule for Ordinary Council Meetings as follows:-
 - a. Change the scheduled meeting from 22 September 2022 to 29 September 2022.
 - b. Change the scheduled meeting from 20 October 2022 to 27 October 2022.

178 Upon being put to the meeting the Motion was declared carried.

For the Motion were Councillors Zbik, Roenfeldt, Kennedy, Bryla, Bennison and Mort (Total 6).

Against the Motion were Councillors Southwood and Flood (Total 2).

The Foreshadowed Motion lapsed.

The meeting closed at 8:43pm.

**Extraordinary Meeting of Council 29 August 2022
MINUTES**

Confirmed at the Ordinary Council Meeting of 29 September 2022, at which meeting the signature herein is subscribed.

MAYOR

******* END OF MINUTES *******