

# Minutes Ordinary Council Meeting 23 February 2023, 7:00 PM

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



**Ordinary Council 23 February 2023  
MINUTES**

**PRESENT:** Councillor A. Zbik (Mayor), Councillor M. Southwood, Councillor D. Roenfeldt, Councillor B. Kennedy, Councillor R. Flood, Councillor K. Bryla, Councillor D. Brooks-Horn, Councillor S. Bennison and Councillor K. Mort.

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

**DECLARATIONS OF INTEREST:**

Councillor Southwood declared a conflict of interest in relation to Item 4 '*Finalisation of Bob Campbell Oval Masterplan*' as she was President of the Greenwich Community Association Inc until she took the oath of office as a Councillor. Councillor Southwood resigned from this position and from the GCA committee effective 10 January 2022 and advised 1200 community members by email of this decision on 9 January 2022. Councillor Southwood has had no subsequent involvement with the GCA other than to attend bi-monthly general meetings, as do other Councillors. Councillor Southwood's husband was treasurer of the GCA but has resigned and he has no role in the administration of the GCA committee. Natural Grass at Bob Campbell Inc (Natural Grass) objected to the original BCO master plan for a synthetic surface. Natural Grass has participated in the BCO Working group as a stakeholder, as have other community groups. It has engaged in no other community engagement or activity since January 2022. Councillor Southwood was a Public Officer of Natural Grass in June - July 2021. Councillor Southwood resigned from that role on 27 July 2021 and had no role in the administration of the Natural Grass committee. Councillor Southwood's husband was the founding treasurer of Natural Grass but he has resigned from that role. Natural Grass registered as a third party campaigner for the local government elections. It distributed flyers throughout the LGA that included the names of several currently elected Councillors. I did not authorise the inclusion of my name in the content of the flyer. Councillor Southwood has friends who are members of the Greenwich Sports Club Inc, the Northwood Action Group and the Greenwich Village Games Committee, all of whom participated in the BCO Working group. Councillor Southwood indicated she would not vacate the meeting and would debate and vote on the matter.

**APOLOGIES**

Nil

**ACKNOWLEDGEMENT OF 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**

**Online**

1. Don Murchison of Greenwich in relation to *Item 3 'Acceptance of Invitation of North Sydney Council to Join St Leonard's/Crow's Nest 2036 Plan – Cross LGA Border Working Party'* and *Item 5 'Conversion of the Council Chambers into a Multifunctional Performance Space'*;

**In Person**

2. Catherine Briggs of Lane Cove in relation to Lucretia Baths and Historical Baths in Lane Cove on behalf of the Lane Cove Historical Society;
3. Lynda Wehipeihana of Lane Cove in relation to the installation of 5G towers in Lane Cove;
4. Paul Bennett of Lane Cove in relation to thanking Council for their support of the Live Music Zone in The Canopy;
5. Martin Cunningham of Greenwich in relation to Item 4 *'Finalisation of Bob Campbell Oval Masterplan'*;
6. Anita Thomessen of Lane Cove in relation to thanking the Council for the Christmas decorations they displayed in 2022 and raised concerns on various matters, including concerns about 5G and any introduction of a SMART city concept in Lane Cove;
7. Tom Lawson of Greenwich in relation to Item 4 *'Finalisation of Bob Campbell Oval Masterplan'* and Item 5 *'Conversion of the Council Chambers into a Multifunctional Performance Space'*; and
8. Christine Anderson of Lane Cove in relation to various matters, including 5G towers in Lane Cove.

**Written Submissions**

Two (2) written submission were received from:

1. Shauna Forrest, on behalf of the Lane Cove Bushland and Conservation Society in relation to Item 4 *'Finalisation of Bob Campbell Oval Masterplan'* and Item 7 *'Finalisation of Urban Forest Strategy'*; and
2. Lynne McLoughlin of Lane Cove in relation to Item 4 *'Finalisation of Bob Campbell Oval Masterplan'*, Item 6 *'Consultation Results on the Draft Community Engagement Strategy'* and Item 7 *'Finalisation of Urban Forest Strategy'*.

**CONFIRMATION OF MINUTES OF ORDINARY COUNCIL - 8 DECEMBER 2022**

- 1** **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Bennison that the minutes of the Ordinary Council meeting held on the 8 December 2022 be confirmed and accepted.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

- 2** **RESOLVED** on the motion moved by Councillor Bennison and seconded by Councillor Mort that the minutes of the Ordinary Council meeting held on the 8 December 2022 be confirmed.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

## **MAYORAL MINUTES**

### **MAYORAL MINUTE - ST IGNATIUS' COLLEGE RIVERVIEW PUBLIC FORESHORE ACCESS**

**3** **RESOLVED** on the motion moved by Councillor Zbik that Council receive and note the Mayoral Minute.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

## **ORDERS OF THE DAY**

Nil

## **NOTICES OF MOTION**

### **NOTICE OF MOTION - ACCEPTANCE OF INVITATION OF NORTH SYDNEY COUNCIL TO JOIN ST LEONARDS/CROWS NEST 2036 PLAN - CROSS LGA BORDER WORKING PARTY**

**4** **RESOLVED** on the motion moved by Councillor Southwood and seconded by Councillor Kennedy that in the event that Council is invited by North Sydney Council to participate in a working party on the St Leonards Crows Nest 2036 as outlined in the Mayoral Minute detailed above Accepts the invitation and:

- a. Nominates a Councillor from East Ward and a strategic planning officer to participate in the working party with the Mayor; and
- b. Requests the working party to consider existing Bicycle Plans for each LGA and how these can be coordinated to make cycling safer in the St Leonards / Crows Nest area.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla and Brooks-Horn (Total 7).

Against the Motion were Councillors Bennison and Mort (Total 2).

## **OFFICER REPORTS FOR DETERMINATION**

### **FINALISATION OF BOB CAMPBELL OVAL MASTERPLAN**

**5** **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Roenfeldt that Council:-

1. Receive and note the report;
2. Adopt the Bob Campbell Oval Masterplan;
3. Undertake a procurement process for design specification and tender documentation for construction and a report be submitted back to Council for endorsement; and
4. Upon receipt of the specification for the project Council explores the removal of the Fig Tree and a suitable surface for the shared pathway at the base of the cliff.

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

Against the Motion was Councillor Bennison (Total 1).

## **CONVERSION OF THE COUNCIL CHAMBERS INTO A MULTIFUNCTION PERFORMANCE SPACE**

**6** **RESOLVED** on the motion moved by Councillor Bryla and seconded by Councillor Kennedy that Council:-

1. Include the conversion of the Council Chambers into a Performance space targeting theatrical style productions into the 2023/24 Operational and Delivery Plan;
2. Include in the 2023/24 budget an amount to undertake the conversion including the cost of setting up a temporary Council Chambers;
3. Consider if Council meetings should move permanently from the current Council Chambers location once the detailed planning and design phase is completed;
4. In June 2023 seek submissions from interested community members to be part of a reference group to assist in the planning for the project; and
5. Notify all participants in the 31 January workshop of the Council's resolution.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

## **CONSULTATION RESULTS ON THE DRAFT COMMUNITY ENGAGEMENT STRATEGY**

**7** **RESOLVED** on the motion moved by Councillor Southwood and seconded by Councillor Flood that Council:-

1. Note the submissions received and the draft council responses prepared in relation to the Draft Community Engagement Strategy;
2. Write to each of the individuals and/or organisations, where identifiable, who made comment on the Draft Community Engagement Strategy, thanking them for their input and providing responses to the issues raised in their submissions; and
3. In light of the administrative changes to the Revised Community Engagement Policy necessitated by legislative references that required updating and the introduction of a Community Engagement Strategy that now contains all aspects of the adopted Community Engagement Policy that have been removed to avoid duplication, adopt the Revised Community Engagement Policy without community consultation.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

## **FINALISATION OF URBAN FOREST STRATEGY**

**8** **RESOLVED** on the motion moved by Councillor Kennedy and seconded by Councillor Southwood that Council:-

1. Receive and note the report;
2. Adopt the Urban Forest Strategy as amended, included as **AT-1**; and
3. Write to the NSW Minister for the Environment, advocating for the council in which the Biodiversity Credits Scheme is generated, to be allowed, as a priority, to offset credits in their own LGA, before they are pooled in the statewide scheme.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

### **DISABILITY INCLUSION ACTION PLAN**

**9** **RESOLVED** on the motion moved by Councillor Flood and seconded by Councillor Bennison that Council:-

1. Receive and note the report;
2. Adopt the revised Disability Inclusion Action Plan 2022-2026, included as **AT-1**; and
3. Conduct the next review of the Disability Inclusion Action Plan in 2026 and report on progress through Council's Annual Report.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

### **SOFT PLASTIC RECYCLING**

**10** **RESOLVED** on the motion moved by Councillor Mort and seconded by Councillor Southwood that Council:-

1. Receive and note the report;
2. Seek out opportunities to:
  - a. Support recycling markets through procuring materials with recycled content; and
  - b. Advocate for a reduction in the use of soft plastics, and promote options to reduce their use;
3. Continue discussions with plastic recyclers, NSROC, and other key stakeholders around opportunities for soft plastic recycling; and
4. Confirms that Recycle Smart has recommenced soft plastic recycling as of Wednesday, 22 February 2023 and information has been uploaded to Council's website.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

### **DRAFT SOCIAL MEDIA POLICY**

**11** **RESOLVED** on the motion moved by Councillor Flood and seconded by Councillor Southwood that Council:-

1. Undertakes Community Consultation in relation to its draft revised Social Media Policy as outlined in the report to Council; and
2. Receives a report on the outcomes of the Community Consultation and a recommendation as to Council's revised Social Media Policy, which is to be provided to Councillors during a workshop briefing.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

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**DRAFT MEDIA POLICY**

**12** **RESOLVED** on the motion moved by Councillor Southwood and seconded by Councillor Flood that Council:-

1. Undertakes Community Consultation in relation to its Media Policy as outlined in the report to Council; and
2. Receives a report on the outcomes of the Community Consultation and a recommendation as to Council's Media Policy, which is to be provided to Councillors during a workshop briefing.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

**DELIVERY PROGRAM AND OPERATIONAL PLAN - 2022/23 SECOND QUARTER REVIEW**

**13** **RESOLVED** on the motion moved by Councillor Bennison and seconded by Councillor Roenfeldt that the Second Quarter Review of the 2022/23 Delivery Program and Operational Plan be received and noted.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

**2022/23 BUDGET - SECOND QUARTER REVIEW**

**14** **RESOLVED** on the motion moved by Councillor Roenfeldt and seconded by Councillor Bennison that the 2022/23 Budget be varied as follows:-

	<b>Original Budget (000's)</b>	<b>First Quarter Adjustments (000's)</b>	<b>Second Quarter Adjustments (000's)</b>	<b>Revised Budget (000's)</b>
Expenditure - Operating	55,881	804	683	57,368
Income - Operating	56,184	552	683	57,419
Surplus/(Deficit) before Capital Grants & Contributions	303	(252)	0	51
Income - Capital	10,214	1,265	0	11,479
Surplus/ (Deficit)	10,517	1,013	0	11,530

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

**PROPERTY CRIME IN THE LANE COVE LOCAL GOVERNMENT AREA**

**15** **RESOLVED** on the motion moved by Councillor Bennison and seconded by Councillor Mort that Council:-

1. Continue to provide information to the Lane Cove Community about what they can do to protect their property through Council's newsletter social media and other relevant communication platforms; and
2. Investigate running a 'Safe Plate' event to install anti-theft number plate screws.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

**DRAFT MODERN SLAVERY PREVENTION POLICY**

**16** **RESOLVED** on the motion moved by Councillor Bennison and seconded by Councillor Bryla that Council:-

1. Adopt the Draft Modern Slavery Prevention Policy for the purpose of public exhibition;
2. Place the Draft Lane Cove Council Modern Slavery Prevention Policy on public exhibition for a period of six (6) weeks and that consultation take place in accordance with the Consultation Strategy outlined in the report;
3. Receive a further report following the exhibition period, to consider the final Policy for adoption;
4. Acknowledge Council's positive obligation under section 438ZE of the NSW Local Government Act 1993 to take reasonable steps to identify procurement not sourced from known Countries and/or companies that use slave labour; and
5. In pursuance of that positive obligation, Lane Cove Council commits to ensuring that any procurement and/or promotion of, will not be sourced from known manufacturers that use slave labour.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

**OFFICER REPORTS FOR INFORMATION**

**BACKGROUND TO THE ST LEONARDS SOUTH LEP SITE CONSOLIDATION CLAUSE**

**17** **RESOLVED** on the motion moved by Councillor Southwood and seconded by Councillor Roenfeldt that Council receive and note the report.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

## **COUNCIL SNAPSHOT JANUARY 2023**

**18** **RESOLVED** on the motion moved by Councillor Kennedy and seconded by Councillor Mort that the report be received and noted.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

## **CONFIDENTIAL ITEMS**

Pursuant to section 10A(4), the public were invited to make representations to the council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed to consider:

### **BUSHLAND EXPANSION PROGRAM**

*It is recommended that the Council close so much of the meeting to the public as provided for under Section 10A(2) (d) of the Local Government Act, 1993, on the grounds that the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the council; or (iii) reveal a trade secret; it further being considered that discussion of the matter in open meeting would be, on balance, contrary to public interest by reason of the foregoing.*

No members of the public made representations.

## **CLOSED COMMITTEE**

**19** **RESOLVED** on the motion moved by Councillor Mort and seconded by Councillor Southwood that:-

1. Resolve into Closed Committee to consider the business identified above;
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above; and
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

Closed Committee commenced at 8:17pm. The public and media left the chamber.

Open Council resumed at 8:26pm. The public and media were invited into the chamber.

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**CONFIDENTIAL ITEMS**

The General Manger read the recommendation of the Item considered in Closed Committee prior to Council's consideration:

**20**     **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Kennedy that Council resolve to proceed with the Bushland Expansion Program in accordance with the recommendation of Closed Committee.

For the Motion were Councillors Zbik, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Bennison, Brooks-Horn and Mort (Total 9).

Against the Motion was Nil (Total 0).

The meeting closed at 8:25pm.

Confirmed at the Ordinary Council Meeting of 23 March 2023, at which meeting the signature herein is subscribed.

**MAYOR**

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