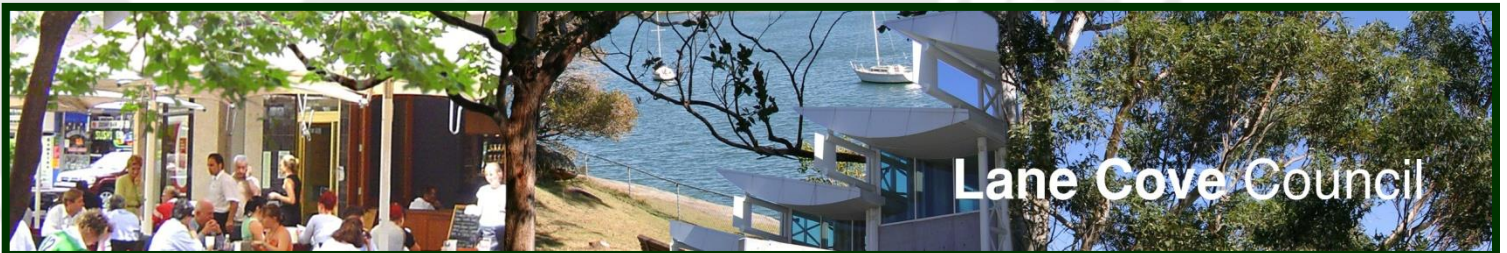


Minutes Ordinary Council Meeting 20 April 2023, 7:00 PM

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



**Ordinary Council 20 April 2023
MINUTES**

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

ALSO PRESENT: General Manager, Executive Manager – Corporate Services, Executive Manager – Environmental Services, Acting Executive Manager – Human Services, Executive Manager – Open Space and Urban Services, Director Major Projects, Manager Commercial Operations and Minute Taker.

DECLARATIONS OF INTEREST:

Councillor Southwood declared a non-pecuniary conflict of interest that is not significant in relation to Item 5 '*Sport and Recreation Facility – April 2023 Progress Report*' and Item 10 '*Manns Point, Greendale Park and Holloway Reserve State Heritage Listing, Badangi*'. Prior to Councillor Southwood's oath of office as Councillor in January 2022 she was President of the Greenwich Community Association Inc. Councillor Southwood has had no subsequent involvement with the GCA other than to attend bi-monthly general meetings. Councillor Southwood's husband was a former Treasurer of the GCA but he has no committee position now. Councillor Southwood indicated she would not vacate the meeting and would debate and vote on the matter.

Councillor Southwood declared a non-pecuniary conflict of interest that is not significant in relation to Item 12 '*Traffic Committee – March 2023*' as this item includes consideration of the Lane Cove Village and St Leonards Parking Study and changes to signage and markings in Oxley and Nicholson Streets, St Leonards. Two St Leonards South residents were on my election ticket and I know other community members who may be impacted by these items. At the time of declaration, Councillor Southwood does not know if they have made submissions. Councillor Southwood indicated she would not vacate the meeting and would debate and vote on the matter.

Councillor Kennedy declared a non-pecuniary conflict of interest that is not significant in relation to Item 5 '*Sport and Recreation Facility – April 2023 Progress Report*' as Councillor Kennedy has a friend who lives adjacent to the golf course towards the end of the first tee. Councillor Kennedy indicated she would not vacate the meeting and would debate and vote on the matter.

Councillor Brooks-Horn declared a non-pecuniary conflict of interest that is significant in relation to Item 5 '*Sport and Recreation Facility – April 2023 Progress Report*' points 1-5 as his good friend lives in close proximity to the proposed facility. Councillor Brooks-Horn indicated he would vacate the meeting and not debate or vote on the item. Point 6, Councillor Brooks-Horn indicated he would not vacate the meeting and would debate and vote on the matter.

Councillor Brooks-Horn declared a non-pecuniary conflict of interest that is not significant in relation to Item 8 '*Towards Net Zero – Sustainability Rebates Program*' as Councillor Brooks-Horn owns a solar company however it does not trade in Lane Cove. Councillor Brooks-Horn indicated he would not vacate the meeting and would debate and vote on the item.

Councillor Brooks-Horn declared a non-pecuniary conflict of interest that is not significant in relation to Item 11 '*New Expert Members and Community Representatives for the Lane Cove Local Planning Panel*' as Councillor Brooks-Horn previously served with Ian Longbottom on Council and is currently on a board with Ian. Councillor Brooks-Horn indicated he would not vacate the meeting and would debate and vote on the item.

Councillor Bennison declared a non-pecuniary conflict of interest that is not significant in relation to Item 8 '*Towards Net Zero – Sustainability Rebates Program*' as he is an accountant for a solar company that does not trade in Lane Cove. Councillor Bennison indicated he would not vacate the meeting and would debate and vote on the item.

**Ordinary Council 20 April 2023
MINUTES**

Councillor Bennison declared a non-pecuniary conflict of interest that is not significant in relation to Item 11 *'New Expert Members and Community Representatives for the Lane Cove Local Planning Panel'* as he previously served on Council with Ian Longbottom. Councillor Bennison indicated he would not vacate the meeting and would debate and vote on the item.

Councillor Flood declared non-pecuniary conflict of interest that is not significant in relation to Item 5 *'Sport and Recreation Facility – April 2023 Progress Report'* as Councillor Flood knows someone whose property adjoins onto the site, they live down the far end of the golf course and will not be directly impacted by the construction. Councillor Flood 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 Murchinson of Lane Cove in relation to Item 5 *'Sport and Recreation Facility – April 2023 Progress Report'*;

In Person

2. Chris Tudor of Lane Cove in relation to Dual Occupancy Dwellings in the R3 Zone;
3. Cindy Brown of Neutral Bay in relation to Item 5 *'Sport and Recreation Facility – April 2023 Progress Report'*;
4. David Joffe of Lane Cove in relation to thanking Council for Item 4 *'LEP Amendment No. 41 Subdivision of Existing Dual Occupancy Dwellings'*;
5. Duncan Tweed of Lane Cove in relation to Item 4 *'LEP Amendment No. 41 Subdivision of Existing Dual Occupancy Dwellings'*;
6. Ezzat Zadeh of Lane Cove in relation to the Lane Cove Council Rangers and a Stop Work Order issued at 3 Second Avenue, Lane Cove;
7. Jacky Barker of Lane Cove in relation to thanking Lane Cove Council staff and Councillors in regards to the Budget Papers, thanking Cllr Bennison in regards to the recent blackout at Market Square, diesel spill, Lane Cove Village Parking Plan,
8. Katherine Sainty of Lane Cove in relation to Item 5 *'Sport and Recreation Facility – April 2023 Progress Report'*;
9. Leo Parthenos of Lane Cove in relation to Item 5 *'Sport and Recreation Facility – April 2023 Progress Report'*;

10. Margaret Curley of Lane Cove representing the Northwood Action Group in relation to the diesel spill into Berry's Creek and commend Council Rangers for their prompt response and Item 5 'Sport and Recreation Facility – April 2023 Progress Report';
11. Michael Campbell of Lane Cove in relation to Item 4 'LEP Amendment No. 41 Subdivision of Existing Dual Occupancy Dwellings';
12. Paul Bennett of Lane Cove in relation to creating a Speaker's Corner in the Lane Cove Canopy precinct;
13. Raz Azmir of Lane Cove in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report';
14. Richard Muller of Greenwich in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report';
15. Rick D'Amico of Osborne Park in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report';
16. Tony Happell of Lane Cove in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report';
17. Ros Noone of Lane Cove in relation to the Lane Cove Sustainability Action Group and Item 8 '*Towards Net Zero – Sustainability Rebates Program*';
18. Allan Wolley of Lane Cove in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report'; and
19. Andrew Ferrick of Lane Cove in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report'.

Written Submissions

Seven (7) written submissions were received, those being from:-

1. Simon Pallavicini of St Leonards in regard to Item 12 'Traffic Committee – March 2023'
2. Mike and Belinda Aynsley of Lane Cove in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report';
3. Paul Johnson of Longueville in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report';
4. Alastair Stuart and Wendy Bishop of Lane Cove in relation to Item 9 'NSROC Regional Waste Strategy – Endorsement';
5. Kim and Susan Loane of Lane Cove in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report';
6. Margie and Tony Happell of Lane Cove in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report'; and
7. Murray and Michelle Jones of Lane Cove in relation to Item 5 'Sport and Recreation Facility – April 2023 Progress Report'.

PROCEDURAL MOTION

33 **RESOLVED** on the motion moved by Councillor Bennison and Councillor Roenfeldt that Item 5 '*Sport and Recreation Facility – April 2023 Progress Report*' be considered as the first item of business.

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).

SPORT AND RECREATION FACILITY - APRIL 2023 PROGRESS REPORT

34 **RESOLVED** on the motion moved by Councillor Zbik and seconded by Councillor Kennedy that the recommendation for Item 5 '*Sport and Recreation Facility – April 2023 Progress Report*' be dealt with Ad Seriatim, with part 6 being dealt with first and then parts 1-5.

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).

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

1. Establishes a working group to oversee the golf course operations (access and amenity) during construction of the Sport & Recreation Facility comprising of:
 - a. Two (2) community representatives from the Gamma Road Precinct (Alpha, Beta, Delta, Gamma and Zeta Roads and Richardson St West).
 - b. Two (2) community representatives from the Third Avenue Precinct (First, Second, Third and Fourth Avenues, Campbell Avenue, Osborne Road, and Richardson St East).
 - c. East Ward Councillors.
 - d. Two (2) representatives from Lane Cove Golf Club.
 - e. Two (2) Council Officers as determined by the General Manager.
 - f. Golf Course Operator.
2. Resolves to keep the Golf Course fully operational with a modified 9 hole layout during construction of the Sport & Recreation Facility relying on existing on-street parking arrangements (i.e. no changes) adjacent to the Golf Course.
3. Accept the offer of the course operator to trial for a 6 week period, promotion of the Little Street Car Park as a suitable park and ride location to access the Golf Course, with a shuttle service provided in the morning (4 hours) on weekends and during the trial Council waive the car parking fees in the Little Street Car Park for the 4 hour period.

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).

Councillor David Brooks-Horn left the meeting, the time being 08:16PM

MOTION

A Motion was moved by Councillor Southwood and seconded by Councillor Flood that Council:-

1. Receives and notes the report on the Sport and Recreation Facility (the Project);
2. Accepts the recommendation of Council's Tender Evaluation Committee which comprised Council's Project Manager (two personnel), two Executive Staff members and overseen by the external Probity Advisor that ADCO Constructions, AW Edwards, Grindley Construction, Prime Constructions and Richard Crookes (recommended contractors) be invited to tender for the Project should Council proceed to construction;
3. Affirms that, as detailed in Council business papers from August 2022 to the

present, including Resolution 25/2023, Councillors are to receive 80% detailed design for the Project as the design proposed for endorsement by Council for inclusion in tender documents and all supporting report documentation prepared for tender and notes that Councillors have not received 80% detailed design for the Project;

4. Does not proceed to invite the recommended contractors to tender or issue any tender documentation to them until Councillors have received the documents detailed in 3. This will enable Council, as the governing body, to minimise risks, including those associated with potential Project cost overruns, by ensuring that the tender process is not commenced until detailed and accurate 80% design documentation has been completed;
5. Include in the tender documents for a 200kW net Solar PV array system and pricing for the Maximum Solar PV system (Circa 500kW) and option for the battery storage system to meet the power needs of the facility. Council understand that this ambition to achieve the operation energy demand on site by 100% renewable energy supply should be a priority in order to meeting our emission target goals however it will be reviewed in line with the commitment to remain on budget for this project once tenders close and pricing is reviewed;
6. Council to research the opportunities available to utilise the Solar PV capacity beyond the operational energy demands of the building in order to provide additional green energy that may be of community benefit eg: use as a solar farm/garden for uptake of solar into apartment buildings in the local area;
7. At the Councillor Workshop to be conducted on 8 May 2023 provides to Councillors the current detailed design for the Project including a report on the Project design compliance with dark sky principles and light spill based on Ecologically Sustainable Development best practice;
8. Immediately upon finalisation of a full set of the tender documents for Stage 2 of the Project (including 80% detailed design), Council to provide to Councillors, upon request, a copy of the tender documents;
9. Convenes an Extraordinary Meeting of Council no less than one week after finalisation of Stage 2 tender documents to consider proposed changes to the Project design and, if adopted, to be issued as addendums to the tender documents; and
10. Provide to Councillors at their June 2023 workshop a briefing on the possible operational/management models for the Sport and Recreation Facility once completed and the financial modelling for such models consistent with the business case forming **AT-3** and **AT-4** in the business papers for the Council meeting of 19 May 2022.

PROCEDURAL MOTION

36 **RESOLVED** on the motion moved by Councillor Bennison and seconded by Councillor Mort that Council end questioning and enter into debate.

For the Motion were Councillors Southwood, Kennedy, Flood and Bryla (Total 4).

Against the Motion were Councillors Zbik, Roenfeldt, Bennison and Mort (Total 4).

The Mayor declined to exercise a casting vote, allowing questioning to continue.

FORESHADOWED MOTION

A Foreshadowed Motion was moved by Councillor Bennison and seconded by Councillor Mort that:

1. The report be received and noted;
2. Council reaffirm its decision of 23 March, 2023 to proceed to tender for Stage 2 Construction Contractor (Major Works), with 80% design documentation and ADCO Group, AW Edwards, Grindley Construction, Prime Constructions and Richard Crookes Constructions be invited to tender;
3. A Councillor Workshop be conducted in May 2023, outlining the 80% detailed design development for the Sport and Recreation Facility, including QS Report and the design's compliance with dark sky principles and light spill based on Ecologically Sustainable Development best practice;
4. Council Include in the tender documents for a 200kW net Solar PV array system and pricing for the Maximum Solar PV system (Circa 500kW) and option for the battery storage system to meet the power needs of the facility. Council understand that this ambition to achieve the operation energy demand on site by 100% renewable energy supply should be a priority in order to meet our emission target goals however it will be reviewed in line with the commitment to remain on budget for this project once tenders close and pricing is reviewed;
5. Council to research the opportunities available to utilise the Solar PV capacity beyond the operational energy demands of the building in order to provide additional green energy that may be of community benefit eg: use as a solar farm/garden for uptake of solar into apartment buildings in the local area;
6. Any proposed changes to the design arising from the May Councillor workshop be submitted to the next Council Meeting for consideration, and if adopted, issued as addendums to the tender documents; and
7. Council publish on the Sport & Recreation Facility page on the Council website a detailed explanation of measures implemented by Lane Cove Council responding to recommendations identified in the PriceWaterhouseCoopers report referenced in the North Sydney Council agenda for the Meeting on 26th April 2023.

The Motion was put to the meeting and was declared lost.

For the Motion were Councillors Southwood, Kennedy, Flood and Bryla (Total 4).

Against the Motion were Councillors Zbik, Roenfeldt, Bennison and Mort (Total 4).

The Mayor declined to exercise his casting vote and the Motion was declared lost.

The Foreshadowed Motion became the Motion.

37 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).

PROCEDURAL MOTION

38 **RESOLVED** on the motion moved by Councillor Zbik and seconded by Councillor Kennedy that Item 4 '*LEP Amendment No. 41 Subdivision of Existing Dual Occupancy Dwellings*' be considered as the next item of business.

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

Against the Motion was Nil (Total 0).

**Ordinary Council 20 April 2023
MINUTES**

Councillor David Brooks-Horn returned to the meeting, the time being 09:26 PM

LEP AMENDMENT NO 41 SUBDIVISION OF EXISTING DUAL OCCUPANCY DWELLINGS

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

1. Receive and note the report;
2. Adopt amended Planning Proposal 41 for finalisation as included at **AT-1**; and
3. Forward the amended Planning Proposal to the Department of Planning and Environment to request the making of LEP amendment No 41 on behalf of the Council.

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).

CONFIRMATION OF MINUTES OF ORDINARY COUNCIL - 23 MARCH 2023

40 **RESOLVED** on the motion moved by Councillor Southwood and seconded by Councillor Brooks-Horn that the minutes of the Ordinary Council meeting held on the 23 March 2023 be received.

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).

41 **RESOLVED** on the motion moved by Councillor Bennison and seconded by Councillor Roenfeldt that the minutes of the Ordinary Council meeting held on the 23 March 2023 be confirmed upon being corrected to reflect that Councillor Brooks-Horn was present during the voting of the Item 3 *'Mayoral Minute – Taking Action Against the Sale of Vaping and E-Cigarette Products to Children and Teenagers Under 18 Years of Age'* and voted for the Motion.

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

Against the Motion was Nil (Total 0).

MAYORAL MINUTES

NOTICE OF MOTION - IDLING OF MOTOR VEHICLES CAUSING EXCESSIVE AIR POLLUTION

42 **RESOLVED** on the motion moved by Councillor Zbik that Council:-

1. Lodge a motion for the next Local Government NSW Conference as follows: "Lane Cove Council calls on LGNSW to advocate to the NSW State Government for the inclusion in relevant State Legislation and Regulations a traffic offence for excessive idling of a motor vehicle (e.g. more than 2 minutes) that causes air pollution";
2. Write a Letter to the NSW Minister for Roads calling for the State Government to create in relevant State Legislation and Regulations a traffic offence for excessive idling of a (e.g. more than 2 minutes) motor vehicle that causes air pollution; and
3. Implement a community educational program, highlighting the air pollution and CO2 emissions produced during idling, and explore options to implement signage requesting drivers not leave their car idling during dropoff/pickup times.

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

Against the Motion were Councillors Bennison and Brooks-Horn (Total 2).

ORDERS OF THE DAY

Nil

NOTICES OF MOTION

NOTICE OF MOTION - 2023 IPCC REPORT AND CLIMATE ACTION IN LANE COVE

PROCEDURAL MOTION

43 **RESOLVED** on the motion moved by Councillor Mort and seconded by Councillor Brooks-Horn that Item 3 '*Notice of Motion – 2023 IPCC Report and Climate Action in Lane Cove*' be dealt with Ad Seriatim with parts 1,2,5,6, considered concurrently followed by parts 3 and 4 concurrently.

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

Against the Motion were Councillors Kennedy and Bryla (Total 2).

44 **RESOLVED** on the motion moved by Councillor Flood and seconded by Councillor Kennedy that Council:-

1. Note the findings of the IPCC report and affirm the need for urgent and significantly increased action to reduce emissions within our LGA, to help mitigate climate change.
2. Note that since signing a Climate Emergency Declaration whole LGA emissions have only been lowered by approximately 3%.
5. Write to the Hon. Penny Sharpe, newly elected Minister for Climate Change, Energy and the Environment to call for urgent climate action in light of the IPCC report, including: a. Reviving the abandoned Design and Place State Environmental Planning Policy (SEPP), which included requirements for energy efficiency and electrification targets, presenting a unique opportunity to reduce emissions from new builds. b. Reviewing support available for households to transition away from gas
6. Write to the Hon. Tanya Plibersek, Minister for the Environment and Water, calling on the Federal Government to implement a moratorium on all new coal and gas projects, in light of the unambiguous evidence in the IPCC Synthesis report.

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

Against the Motion were Councillors Bennison and Brooks-Horn (Total 2).

45 **RESOLVED** on the motion moved by Councillor Flood and seconded by Councillor Kennedy that Council:-

3. Produce a report reviewing the emission reduction targets set within our Climate Action Plan, and identifying how these targets could be increased or brought forward, in light of the clear need for urgent action. The report should include elements such as, proposed programs, incentivisation schemes, costs (including staffing) and other processes to increase the rate of reduction of greenhouse gases in our LGA. This report should come back to Council no later than October 2023; and
4. Review Council's investment portfolio and provide a report back to Council on our current investment exposure within the coal and gas sectors, options to invest cash with institutions that have statements on not lending to Coal and Gas sectors and outline a plan for divestment.

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

Against the Motion were Councillors Bennison, Brooks-Horn and Mort (Total 3).

BLACKMAN PARK SKATE PARK - FINAL CONCEPT DESIGN

46 **RESOLVED** on the motion moved by Councillor Bennison and seconded by Councillor Roenfeldt that Council:-

1. Receive and note the report;
2. Endorse the final concept design for CONVIC to commence Phase 3 - Detail design for construction in preparation for tender; and
3. Ensure that any lighting considered in the project is best practice low-spill lighting, to reduce impact on bush fauna, and minimise light pollution.

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).

2023/2024 DRAFT BUDGET, FEES AND CHARGES, DELIVERY PROGRAM AND OPERATIONAL PLAN, RESOURCING STRATEGY AND ASSOCIATED RESOURCE PLANS

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

1. Council adopt, for the purpose of public exhibition, the Draft 2023/24 Budget, Draft 2023/24 Delivery Program and Operational Plan (includes Draft 2023/24 Fees and Charges), and the Draft Resourcing Strategy and associated Resource Plans;
2. Council undertake community consultation from late April 2023 until early June 2023 as per the consultation outlined in the report; and
3. Following public exhibition, the Draft 2023/24 Budget, Draft 2023/24 Delivery Program and Operational Plan (includes Draft 2023/24 Fees and Charges), and the Draft Resourcing Strategy and associated Resource Plans, together with a report on any submissions received, be considered at the Council meeting to be held in June 2023.

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).

TOWARDS NET ZERO - SUSTAINABILITY REBATES PROGRAM

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

1. Approve the Sustainability Rebate Program for Lane Cove residents and businesses to incentivise energy and water savings measures as outlined in Council's Draft 2023/24 Delivery and Operational Plan; and
2. Note the continued exploration of community energy projects to progress the Lane Cove community towards sustainability targets.

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

Against the Motion were Councillors Bennison and Brooks-Horn (Total 2).

NSROC REGIONAL WASTE STRATEGY - ENDORSEMENT

49 **RESOLVED** on the motion moved by Councillor Bryla and seconded by Councillor Southwood that Council adopt the NSROC Regional Waste Strategy.

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).

MANNS POINT, GREENDALE PARK AND HOLLOWAY RESERVE STATE HERITAGE LISTING, BADANGI

50 **RESOLVED** on the motion moved by Councillor Southwood and seconded by Councillor Roenfeldt that Council:-

1. Supports the Heritage Council of NSW recommendation to list Manns Point, Greendale Park and Holloway Reserve on the State Heritage Register under the name Badangi;
2. Notifies the following stakeholders of the Heritage Council of NSW proposal, including the impacts of such a listing on the activities that Council may carry out on the sites and the impacts for development activities on land adjacent to the sites:-
 - Bushland Management Advisory Committee
 - Lane Cove Bushland and Conservation Society
 - Greenwich Community Association Incand inviting these stakeholders to provide feedback within 21 days;
3. After receipt of the feedback provide them to the Heritage Council of NSW in relation to the proposed listing;
4. Authorises the General Manager to approve the final list of exemptions prior to gazettal;
5. If listed, Include a notation in the Lane Cove Community Land Plan of Management, Crown Reserves with Council as Manager or the Lane Cove Community Land Plan of Management Council owned Community Land (as appropriate); and
6. If required, a report be submitted to a later Council meeting on the Council response to the Heritage Council of NSW.

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).

NEW EXPERT MEMBERS AND COMMUNITY REPRESENTATIVES FOR THE LANE COVE LOCAL PLANNING PANEL

51 **RESOLVED** on the Motion moved by Councillor Southwood and second by Councillor Bryla that Item 11 '*New Expert Members and Community Representatives for the Lane Cove Local Planning Panel*' be dealt with Ad Seriatim.

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).

52 **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Bennison that Council appoint the following experts to the Lane Cove Local Planning Panel:

- Michael Ryan
- Kim Crestani
- Lisa Bella Esposito
- David Ryan
- Jason Perica
- Susan Hobley

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).

53 **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Mort that Council appoint the following community representatives to the Lane Cove Local Planning Panel:

- Melanie Naidoo
- Ian Longbottom
- David Risbey

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

Against the Motion was Councillor Southwood (Total 1).

54 **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Bennison that Council advise the Department of Planning of the new expert members and community representatives appointed to the Lane Cove Planning Panel.

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).

TRAFFIC COMMITTEE - MARCH 2023

55 **RESOLVED** on the motion moved by Councillor Bryla and seconded by Councillor Flood that Council adopts the recommendations of the Lane Cove Traffic Committee Meeting held on Tuesday, 21 March 2023, with the exception of item 2, relating to the Lane Cove and St Leonards Parking Study, be the subject of a separate report to Council at the next meeting and also discussed at the next Councillor Workshop.

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

COUNCIL SNAPSHOT MARCH 2023

56 **RESOLVED** on the motion moved by Councillor Zbik and seconded by Councillor Roenfeldt that:-

1. The report be received and noted; and
2. Information about the proposed leases to KU Greenwich and Osborne Park, and Montessori childcare facilities be discussed at a Councillor Workshop.

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).

Councillor Kathy Bryla left the meeting, the time being 10:47PM

PROCEDURAL MOTION

57 **RESOLVED** on the motion moved by Councillor Zbik and seconded by Councillor Roenfeldt that the meeting be extended until 11:15pm.

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

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:

CYBER SECURITY

It is recommended that the Council close so much of the meeting to the public as provided for under Section 10A(2) (f) of the Local Government Act, 1993, on the grounds that the report contains matters affecting the security of the council, councillors, council staff or council property; 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

58 RESOLVED on the motion moved by Councillor Brooks-Horn and seconded by Councillor Flood that Council:-

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.
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, Bennison, Brooks-Horn and Mort (Total 8).

Against the Motion was Nil (Total 0).

Closed Committee commenced at 10:48 pm. The public and media left the chamber.

Open Council resumed at 10:50 pm. The public and media were invited into the chamber.

Councillor Kathy Bryla returned to the meeting, the time being 10:50 PM.

CONFIDENTIAL ITEMS

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

59 RESOLVED on the motion moved by Councillor Mort and seconded by Councillor Bennison that Council adopt the Draft Cyber Security Policy and the Draft Cyber Incident Response Plan.

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 10:52pm.

Confirmed at the Ordinary Council Meeting of 18 May 2023, at which meeting the signature herein is subscribed.

MAYOR

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