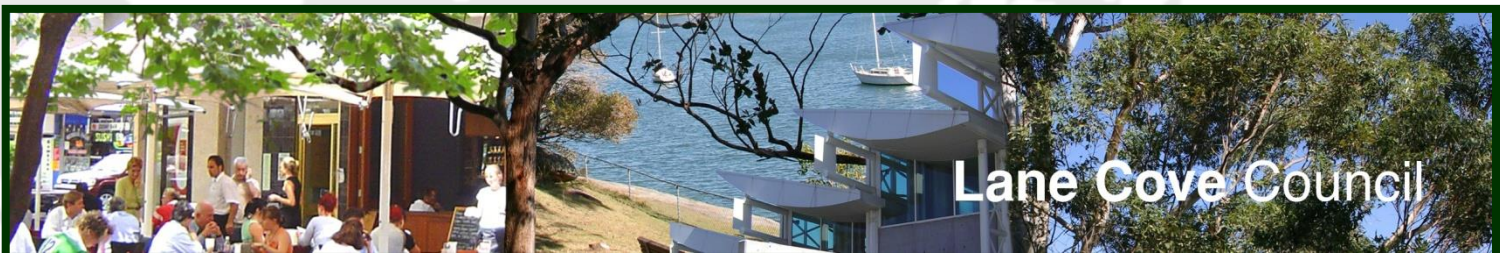


**Minutes
Extraordinary Meeting of Council
26 February 2024, 7:00pm**

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



Lane Cove Council

**Extraordinary Meeting of Council 26 February 2024
MINUTES**

PRESENT: Councillor Bennison (Mayor), Councillor Southwood, Councillor Roenfeldt, Councillor Kennedy, Councillor Flood, Councillor Bryla, Councillor Brooks-Horn, Councillor Mort and Councillor Zbik.

ALSO PRESENT: Acting General Manager, Director - Planning and Sustainability, Director - Community and Culture, Director - Open Spaces and Infrastructure and Minute Taker.

DECLARATIONS OF INTEREST:

Councillor Brooks-Horn declared a non-pecuniary conflict of interest which is less than significant for Item 5 '*Local Planning Panel – Expiration of Term*'. Councillor Brooks-Horn has known Ian Longbottom, who is a community representative on the local planning panel, for over 15 years having served on Lane Cove Council with him and currently serving on a not for profit board, Sydney Community Services.

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.

REFERRED REPORTS

COUNCILLOR AND STAFF INTERACTION POLICY UPDATE, MANAGING PSYCHOSOCIAL HAZARDS IN THE WORKPLACE PROCEDURE INFORMATION AND PROPOSED AMENDMENTS TO THE CODE OF MEETING PRACTICE

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

1. Note the update on the Draft Councillor and Staff Interaction Policy together with the legal advice in relation to Councillor obligations under the Work, Health and Safety Act 2011;
2. Note that a Managing Psychosocial Hazards in the Workplace Procedure and Risk Assessment is to be developed in the context of Councillor to Staff, Councillor to Councillor, and Staff to Councillor interactions,
3. Council:
 - a) Pursuant to clause 4.1 to the Code of Meeting Practice, Council moves the Public Forum segment to a Monday evening in the week of a scheduled Ordinary Council Meeting from March 2024 to September 2024.
 - b) To webcast the forum and allow remote attendance by both residents, Councillors and Council officers.
 - c) To publish minutes of the Public Forum on the Council website recording attendance, speakers and topics addressed.
 - d) Permits a public forum during an Ordinary Council Meeting if a late Agenda

**Extraordinary Meeting of Council 26 February 2024
MINUTES**

item or Mayoral Minute has been issued after the public forum has concluded on a Monday. The public forum during the Ordinary Council Meeting would be limited to the late Agenda item or Mayoral Minute only.

- e) To include an explanation to the community that the Public Forum will be limited to the intent of Section 4 of the Code of Meeting Practice
 - f) That Council review the timing of the Public Forum after the trial ends in September 2024.
4. Note that other proposed Code of Meeting Practices amendments outlined in this report will be the subject of community consultation at the same time as the Draft Councillor and Staff Interaction Policy is released for community consultation.

AMENDMENT

An Amendment was moved by Councillor Flood and seconded by Councillor Bryla that Council:

- 1. Note the update on the Draft Councillor and Staff Interaction Policy together with the legal advice in relation to Councillor obligations under the Work, Health and Safety Act 2011;
- 2. Note that a Managing Psychosocial Hazards in the Workplace Procedure and Risk Assessment is to be developed in the context of councillor to staff, councillor to councillor, and staff to councillor interactions,
- 3. Resolve to go to Community Consultation to move the Public Forum segment to a Monday evening in the week of a scheduled Ordinary Council Meeting and that the Forum be webcast and allow remote attendance; and
- 4. Note that other proposed Code of Meeting Practices amendments outlined in this report will be the subject of community consultation at the same time as the Draft Councillor and Staff Interaction Policy is released for community consultation.

For the Amendment were Councillors Southwood, Kennedy, Flood and Bryla (Total 4). Against the Motion were Councillors Bennison, Roenfeldt, Brooks-Horn, Mort and Zbik (Total 5).

Upon being put to the meeting the Amendment was lost.

AMENDMENT

An Amendment was moved by Councillor Flood and seconded by Councillor Southwood that Council:

- 1. Note the update on the Draft Councillor and Staff Interaction Policy together with the legal advice in relation to Councillor obligations under the Work, Health and Safety Act 2011;
- 2. Note that a Managing Psychosocial Hazards in the Workplace Procedure and Risk Assessment is to be developed in the context of councillor to staff, councillor to councillor, and staff to councillor interactions,
- 3. Resolve to move the Public Forum segment to a Monday evening in the week of a scheduled Ordinary Council Meeting and that the Forum be webcast and allow remote attendance on a trial basis for a period of 3 months; and

**Extraordinary Meeting of Council 26 February 2024
MINUTES**

4. Note that other proposed Code of Meeting Practices amendments outlined in this report will be the subject of community consultation at the same time as the Draft Councillor and Staff Interaction Policy is released for community consultation.

For the Motion were Councillors Southwood, Kennedy, Flood and Bryla (Total 4).
Against the Motion were Councillors Bennison, Roenfeldt, Brooks-Horn, Mort and Zbik (Total 5).

Upon being put to the meeting the Amendment was lost.

- 16** For the Motion were Councillors Bennison, Roenfeldt, Kennedy, Bryla, Brooks-Horn, Mort and Zbik (Total 7).
Against the Motion were Councillors Southwood and Flood (Total 2).

Upon being put to the meeting the Motion was carried.

2023/24 BUDGET - SECOND QUARTER REVIEW

- 17 RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Zbik that the 2023/24 Budget be varied as follows:-

	Original Budget (000's)	First Quarter Adjustments (000's)	Second Quarter Adjustments (000's)	Revised Budget (000's)
Operating Income	59,815	574	665	61,054
Operating Expenditure	59,742	576	663	60,981
Surplus/(Deficit) before Capital Grants/Contributions	73	(2)	2	73
Capital Grants/Contributions	5,944	370	15,092	21,406
Surplus/ (Deficit)	6,017	368	15,094	21,478
Capital Expenditure	54,839	7,408	15,393	77,640
<i>Funded by:</i>				
Transfers from Reserves	43,174	7,040	15,884	66,099
Grants and Contributions	4,944	370	(521)	4,793
Internal Plant Hire	96	-	-	96
Sale of Assets	241	-	-	241
General Revenue	6,384	(2)	30	6,412
Total Funding	54,839	7,408	15,393	77,640

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn, Mort and Zbik (Total 9).
Against the Motion was Nil (Total 0).

COUNCIL POLICIES REVIEW - PART 3

- 18** **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Roenfeldt that Council adopt the reviewed and updated policies.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn, Mort and Zbik (Total 9).
Against the Motion was Nil (Total 0).

DELIVERY PROGRAM AND OPERATIONAL PLAN - 2023/24 SECOND QUARTER REVIEW.

- 19** **RESOLVED** on the motion moved by Councillor Roenfeldt and seconded by Councillor Bryla that the Second Quarter Review of the 2023/24 Delivery Program and Operational Plan be received and noted.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn, Mort and Zbik (Total 9).
Against the Motion was Nil (Total 0).

LOCAL PLANNING PANEL - EXPIRATION OF TERM

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

1. the report be received and noted;
2. Council advise the Department of Planning & Environment of the reappointments;
3. Council write to the departing Chair Mr. David Lloyd KC and express its appreciation for his work over a long period of time as the Chair of the Lane Cove Local Planning Panel and the former Lang Cove Independent Hearing An Assessment Panel; and
4. Council write to the departing expert members and community representatives and express its appreciation for their work on the Panel.
5. A recruitment process be undertaken for the selection of an additional community member.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn, Mort and Zbik (Total 9).
Against the Motion was Nil (Total 0).

Councillor Merri Southwood left the meeting, the time being 07:34 PM
Councillor Bridget Kennedy left the meeting, the time being 07:34 PM

COUNCILLOR CONFERENCE ATTENDANCE REQUEST - NSW ALGWA CONFERENCE 2024

21 **RESOLVED** on the motion moved by Councillor Bryla and seconded by Councillor Roenfeldt that Council endorse the request by Councillors Kennedy and Southwood to attend the NSW ALGWA Conference 2024, hosted by the City of Ryde.

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

Against the Motion was Nil (Total 0).

Councillor Bridget Kennedy returned to the meeting, the time being 07:35 PM

Councillor Merri Southwood returned to the meeting, the time being 07:35 PM

COUNCIL SNAPSHOT - DECEMBER 2023 & JANUARY 2024

22 **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Roenfeldt that the report be received and noted.

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

Against the Motion was Nil (Total 0).

NOTICE OF RESCISSION

The Acting General Manager confirmed receipt of a valid Notice of Rescission in relation to Item 4 '*Notice of Motion - Support for Additional Legislation to Restrict the Sale of Non-Therapeutic Unregulated E Cigarettes (Vapes)*' which was considered at the Ordinary Council Meeting dated 22 February 2024. The Notice of Rescission was presented prior to the close of the Council Meeting.

As such, the resolution passed at the Ordinary Council Meeting (22 February 2024) will not be executed until such time as the Notice of Rescission has been debated and resolved. The Notice of Rescission will be included as an Agenda Item in the Business Papers and presented to Council at the Ordinary Council Meeting of 21 March 2024.

The meeting closed at 7:37pm

Confirmed at the Ordinary Council Meeting of 18 April 2024, at which meeting the signature herein is subscribed.

MAYOR

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