



**Minutes
Ordinary Council Meeting
18 April 2024, at 07:00 pm**

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



Lane Cove Council



**Ordinary Council 18 April 2024
MINUTES**

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

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

APOLOGIES

The Mayor advised that Councillor Mort has requested to attend the meeting via audio visual link.

PROCEDURAL MOTION

50	RESOLVED on the Motion moved by Councillor Bennison and seconded by Councillor Brooks-Horn that the request by Councillor Mort to attend the meeting via audio visual link be granted due to exceptional circumstances.
-----------	--

	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).
--	---

DECLARATIONS OF INTEREST:

Councillor Southwood declared a non-pecuniary conflict of interest that is not significant in relation to the following:

Item 10 '*Finalisation of Bob Campbell Oval upgrade Contract*'. Councillor Southwood was, until 9 January 2022, the President and a committee member of the Greenwich Community Association (GCA). Councillor Southwood resigned all positions and has no financial membership of the Association and does not participate in the conduct of the association. Councillor Southwood's husband was Treasurer of the GCA but, for the avoidance of doubt as to perceived conflicts of interest, her husband has resigned from all committee roles on the GCA.

Natural Grass at Bob Campbell Inc (Natural Grass) objected to the original Bob Campbell Oval Master Plan for a synthetic surface. Natural Grass 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 the Public Officer of Natural Grass in June-July 2021 however she 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 no longer holds a position on the executive.

Natural Grass registered as a third-party campaigner for the December 2021 local government elections. It distributed flyers throughout the LGA that included the names of several currently elected Councillors, including Councillor Southwood whose name was not included in the content of the flyer.

Councillor Southwood declared that she would debate and vote on these matters. Councillor Southwood indicated that going forward she will only declare the interests if there are specific matters that are relevant to the disclosure before Council.

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.

PROCEDURAL MOTION

51 **RESOLVED** on the Motion moved by Councillor Bennison and seconded by Councillor Roenfeldt that Council notes that a Public Forum was conducted on Monday 15 April 2024 and that no additional Public Forum will be conducted at this meeting.

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).

PUBLIC WRITTEN SUBMISSIONS

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

1. James Hansen of Lane Cove, in relation to the accounting, reporting and delivery of the Bike Plan,
2. Joanne Brennan of Lane Cove, in relation to Item 16, Council Policies Review - Part 4. - Objection to the Proposed Changes to the Commercial Dog Walking Policy,
3. Alasdair Stuart and Wendy Bishop of Lane Cove, in relation the non-compliance of the seating bus shelter with Making Lane Cove age friendly and Council's procurement policy,
4. Alex Vaccher of Lane Cove, in relation to Item 13, Bus Industry submission and Peninsular Study,
5. Julia Gale of Lane Cove, in relation to road safety of Joseph Street, Lane Cove
6. Shauna Forrest, President, on behalf of the Lane Cove Bushland & Conservation Society, in relation to Item 9, 2024/2025 Draft Budget, Fees and Charges, Delivery Program and Operational Plan, Resourcing Strategy and Associated Resource Plans; and,
7. Helena Greenwell of Lane Cove North, in relation to Item 16, Council Policies Review - Part 4 - The proposed amendments to the commercial dog walking policy.

CONFIRMATION OF MINUTES OF EXTRAORDINARY COUNCIL MEETING – 26 FEBRUARY 2024

52 **RESOLVED** on the Motion moved by Councillor Roenfeldt and seconded by Councillor Zbik that the minutes of the Extraordinary Council meeting held on the 26 February 2024 be received.

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

Against the Motion was Nil (Total 0).

53 **RESOLVED** on the Motion moved by Councillors Brooks-Horn and seconded by Councillor Flood that the minutes of the Extraordinary Council meeting held on the 26 February 2024 be confirmed.

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

Against the Motion was Nil (Total 0).

CONFIRMATION OF MINUTES OF ORDINARY COUNCIL - 21 MARCH 2024

54 **RESOLVED** on the Motion moved by Councillor Brooks-Horn and seconded by Councillor Southwood that the minutes of the Ordinary Council meeting held on the 21 March 2024 be received.

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).

55 **RESOLVED** on the Motion moved by Councillor Brooks-Horn and seconded by Councillor Zbik that that the minutes of the Ordinary Council meeting held on the 21 March 2024 be confirmed.

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).

MAYORAL MINUTES

MAYORAL MINUTE - AMENDMENTS TO WASTE TENDERING REQUIREMENTS UNDER THE LOCAL GOVERNMENT (GENERAL) REGULATION 2021 (NSW)

56 **RESOLVED** on the Motion by Councillor Bennison that Council writes to the Minister for Industrial Relations (NSW), Minister for Local Government (NSW), and local Member of Parliament (NSW):

- a. expressing serious concerns about recent amendments to the *Local Government (General) Regulation 2021* made by the *Local Government (General) Amendment (Tendering) Regulation (No 2) 2023* (NSW) on 15 December 2023, as highlighted in a legal opinion by Arthur Moses (Senior Council) dated 26 February 2024, and
- b. calling on the NSW Government to reconsider the amendments as a matter of urgency and to engage in proper consultation with all relevant stakeholders on an appropriate way forward.

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).

ORDERS OF THE DAY

Councillor Brooks-Horn noted that it was Local Member Anthony Robert's birthday tomorrow, Friday 19 April 2024, and also advised of positive feedback from performers of the AC/DC concert at The Canopy on 6 April 2024, and congratulated Council staff for th excellent event.

Councillor Roenfeldt advised of positive feedback that he had received from the Osborne Park Residents Association regarding the Richardson Street (East and West) track, bridge and steps, thanked Councillor Brooks-Horn and Councillor Southwood for their support and commended staff on their efforts on behalf of the Residents Association and Councillors.

NOTICES OF MOTION

NOTICE OF MOTION - LANE COVE CENOTAPH RELOCATION.

57 **RESOLVED** on the Motion moved by Councillor Brooks-Horn and seconded by Councillor Bennison that Council:

1. Work with Lane Cove RSL Sub Branch to identify other possible locations for the Cenotaph, including the garden bed to the left of The Canopy's stage, which is more prominent than the current location;
2. that a report be prepared for Council with locations, costs and procedures required to move the Cenotaph; and
3. commence work on this resolution when resource capacity permits.

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 MOTION - IMPLEMENTATION OF 'CHATTY CHAIRS' IN OUR LGA TO HELP COMBAT LONELINESS

58 **RESOLVED** on the Motion moved by Councillor Kennedy and seconded by Councillor Bryla that Council:

1. explore what costs and resources would be required to participate in the 'chatty chairs' program run by <https://chattycafeaustralia.org.au/>; and
2. commence work on this resolution when resource capacity permits in suitable locations within our LGA in conjunction with a communication program promoting the initiative.

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 MOTION - SUBMISSION ON DRAFT SYNTHETIC TURF IN PUBLIC OPEN SPACE GUIDELINES FOR DECISION MAKERS

Councillor Southwood withdrew the Motion under clause 10.3 of the Code of Meeting Practice.

NOTICE OF MOTION - WAYS TO DEAL WITH UNAUTHORISED DESTRUCTION OF TREES ON PRIVATE AND PUBLIC PROPERTY

59 **RESOLVED** on the Motion moved by Councillor Bryla and seconded by Councillor Kennedy that Council:-

1. note that the Council website has been updated to place the Notices of Impending Approved Tree Works higher up the navigational hierarchy so that our residents have easier access to information of what is and isn't approved tree removal; and
2. implement an educational program of where this information can be found.

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 MOTION - CRISIS FUND SUPPORTING LOCAL FAMILIES WITH EARLY CHILDHOOD EDUCATION COSTS

60 **RESOLVED** on the motion of Councillor Flood and seconded by Councillor Southwood that consideration for this item be deferred until the next meeting.

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).

OFFICER REPORTS

2024/2025 DRAFT BUDGET, FEES AND CHARGES, DELIVERY PROGRAM AND OPERATIONAL PLAN, RESOURCING STRATEGY AND ASSOCIATED RESOURCE PLANS

MOTION

A Motion was moved by Councillor Zbik and seconded by Councillor Brooks-Horn that:

1. Council adopt, for the purpose of public exhibition, the Draft 2024/24 Budget, Draft 2024/25 Delivery Program and Operational Plan (includes Draft 2024/25 Fees and Charges), and the Draft Resourcing Strategy and associated Resource Plans;
2. Council undertake community consultation from late April 2024 until early June 2024 as per the consultation outlined in the report; and
3. following public exhibition, the Draft 2024/25 Budget, Draft 2024/25 Delivery Program and Operational Plan (includes Draft 2024/25 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 2024.

AMENDMENT

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

1. receives and notes the report
2. acknowledges the commitment and professionalism of Council staff in preparing and presenting the documents in this report
3. defers consideration of this item to allow Councillors to be more fully briefed on matters relevant to the Draft 2024/24 Budget, Draft 2024/25 Delivery Program and Operational Plan (includes Draft 2024/25 Fees and Charges), and the Draft Resourcing Strategy and associated Resource Plans including the Long Term Financial Plan
4. convenes at a later date, if necessary in an extraordinary meeting of Council, to consider the adoption, for the purpose of public exhibition, the Draft 2024/24 Budget, Draft 2024/25 Delivery Program and Operational Plan (includes Draft 2024/25 Fees and Charges), and the Draft Resourcing Strategy and associated Resource Plans including the Long Term Financial Plan (as amended, if appropriate, after Councillors have been briefed pursuant to 3 above);
5. if so adopted, Council undertakes community consultation for a period of six (6) weeks per the consultation method outlined in the report; and
6. following public exhibition, the Draft 2024/25 Budget, Draft 2024/25 Delivery Program and Operational Plan (includes Draft 2024/25 Fees and Charges), and the Draft Resourcing Strategy and associated Resource Plans including the long term financial plan, together with a report on any submissions received, be considered at a Council meeting or at an extraordinary meeting of Council to be held no later than 30 June 2024.

61 **RESOLVED** on the Motion moved by Councillor Brooks-Horne and seconded by Councillor Bennison that the Amendment be put to the vote.

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

Against the Motion were Councillors Southwood, Flood and Bryla (Total 3).

AMENDMENT

The Amendment was put to the vote and was declared lost.

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).

MOTION

62 The Motion was then put to the vote and was declared carried.

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

Against the Motion were Councillors Southwood, Flood, and Bryla (Total 3).

MATTER ARISING

63 **RESOLVED** on the Motion moved by Councillor Kennedy and seconded by Councillor Bryla that Council review the Workforce Management Plan during the exhibition period to include Psychosocial Hazards with the possibility of increasing the information in the Plan by benchmarking other councils.

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).

MATTER ARISING

A Matter Arising was moved by Councillor Flood and seconded by Councillor Bryla that Council:

1. thank Council staff for their work on the budget and the long term financial plan
2. notes that, as a governing body, we have a responsibility under s 223 of the Local Government Act to “ensure as far as possible the financial sustainability of the Council”
3. notes any material changes in documents will be reported should they arise to ensure the community is fully informed on the long term financial position of council and any material changes to project budgets to ensure council as a governing body is complying with all reporting obligations, including those under capital expenditure agreements
4. recognise that Council received an exemplary rating in a recent independent audit regarding Council’s Integrated Planning and Reporting (IP&R) Framework.

AMENDMENT

An Amendment was moved by Councillor Brooks-Horn and seconded by Councillor Bennison that Council:

1. thank staff for their work on the budget and the long term financial plan

2. recognise that Council received an exemplary rating in a recent independent audit regarding Council's Integrated Planning and Reporting Framework
3. notes any material changes in documents will be reported should they arise.

The Amendment was put to the vote.

For the Amendment were Councillors Bennison, Roenfeldt, Brooks-Horn and Zbik (Total 4).

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

The voting being equal, the Mayor exercised a casting vote for the Amendment and the Amendment was declared carried.

The Amendment became the Motion.

64 The amended Motion was then put to the vote and was declared carried.

For the Motion were Councillors Bennison, Roenfeldt, Brooks-Horn and Zbik and Kennedy (Total 5).

Against the Motion were Councillors Southwood, Flood and Bryla (Total 3).

Councillor Mort left the meeting at 8.25 PM (audiovisual connection ceased)

FINALISATION OF BOB CAMPBELL OVAL UPGRADE CONTRACT

MOTION

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

1. receives and notes the further report on the outcomes of the negotiations
2. notes that Council has issued a letter of intent to Landscape Solutions Pty Ltd to deliver the works for the works at Bob Campbell Oval as modified in accordance with Resolution **10/2024**
3. notes that the works are proposed to be completed and available for use by the community in late 2025
4. will include the funding of the Shared User Path from Gore Creek to the corner of St Vincents Road and Gore Street (Item 6 in the Bob Campbell Oval Masterplan adopted by Council in Resolution **5/2023**) in Council's 2025/26 Capital Budget for Transport & Mobility – Traffic and Transport for delivery in conjunction with the works detailed in 3.

AMENDMENT

An Amendment was moved by Councillor Brooks-Horn and seconded by Councillor Zbik that Council;

1. receives and notes the further report on the outcomes of the negotiations,
2. and that the Shared User Path from Gore Creek to the corner of St Vincents Road and Gore Street will be delivered as part of the project.

The Amendment was put to the vote.

For the Amendment were Councillors Bennison, Roenfeldt, Brooks-Horn and Zbik (Total 4).

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

The voting being equal, the Mayor exercised a casting vote for the Amendment and the Amendment was declared carried.

The Amendment became the Motion.

65 The amended Motion was then put to the vote and was declared carried.

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

Against the Motion was Nil (Total 0).

Councillor Kennedy left the meeting, the time being 08:35 PM

Councillor Kennedy returned to the meeting, the time being 08:39 PM

Councillor Bryla left the meeting, the time being 08:41 PM

Councillor Kthy Bryla returned to the meeting, the time being 08:45 PM

CHILDREN AND FAMILIES POLICY

MOTION

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

1. commence work on a Children and Families Strategy to be presented for adoption in the 2024-25 financial year;
2. commit to having a Council operated model for the two St Leonards South childcare centres to be run on a non-profit basis, with placement priority to be given to local families on low incomes; and
3. receive a report on the outcomes of the tender process at the appropriate time.

FORESHADOWED MOTION

A Foreshadowed Motion was moved by Councillor Bennison and seconded by Councillor Brooks-Horn that Council:

1. commence work on a Children and Families Strategy to be presented for adoption in the 2024-25 financial year;
2. prepare a tender for the operation of the Early Childhood Centre 13-19 Canberra Ave, St Leonards; and
3. receive a report on the outcomes of the tender process at the appropriate time.

The Motion was put to the meeting and declared lost.

For the Motion were Councillors Southwood, Flood and Bryla (Total 3).

Against the Motion were Councillors Bennison, Roenfeldt, Kennedy, Brooks-Horn and Zbik (Total 5).

The Foreshadowed Motion became the Motion.

PROCEDURAL MOTION

66 **RESOLVED** on the Motion moved by Councillor Flood and seconded by Councillor Bryla that Items 2 and 3 be voted on together and item 1 separately.

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

Against the Motion was Nil (Total 0).

67 **RESOLVED** on the Motion that Council, in relation to Item 1, commence work on a Children and Families Strategy to be presented for adoption in the 2024-25 financial year.
For the Motion were Councillors Bennison, Southwood, Flood, Bryla, Kennedy, Roenfeldt, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

68 **RESOLVED** on the Motion that Council, in relation to Item 2, prepare a tender for the operation of the Early Childhood Centre 13-19 Canberra Ave, St Leonards and in relation to Item 3, receive a report on the outcomes of the tender process at the appropriate time.

For the Motion were Councillors Bennison,, Kennedy, Roenfeldt, Brooks-Horn and Zbik (Total 5).
Against the Motion was Councillor Southwood, Bryla and Flood (Total 3).

Councillor Brooks-Horn left the meeting, the time being 08:54 PM
Councillor Brooks-Horn returned to the meeting, the time being 08:55 PM

STATEMENT OF COMMITMENT TO CHILD SAFETY

69 **RESOLVED** on the Motion moved by Councillor Zbik and seconded by Councillor Brooks-Horn that Council adopt the Statement of Commitment to Child Safety.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

BUS INDUSTRY SUBMISSION AND PENINSULAR STUDY

70 **RESOLVED** on the Motion moved by Councillor Kennedy and seconded by Councillor Bryla that Council:

1. endorse the submission to the NSW Government's Bus Industry Taskforce; and
2. undertake community consultation to gauge the level of community support for the Lane Cove Peninsula – Bus Service Improvements, AND consultation to gauge support for the preferred Option 3"
3. note that as Option 3 included a proposed Roundabout at Northwood Road, Council will discuss with TfNSW and Busways the impact of the removal of the roundabout on the preferred option and make any necessary amendments to the report prior to commencing the community consultation.
4. also discuss with TfNSW and Busways the potential impact of the Greenwich hospital redevelopment (approved post the Bitzios report) and the residential aged care facility at 33 Greenwich Road, on public transport requirements.
5. notes that 161 surveys submitted in relation to cancellation, over-crowding, and other issues with the current bus service.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

CODE OF MEETING PRACTICE - PROPOSED AMENDMENTS

MOTION

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

1. notes that Clause 4 of Resolution **16/2024** provides that the following amendments will be the subject of community consultation at the same time as the Draft Councillor and Staff Interaction Policy is released for community consultation
 - a) Reinstating the need for Councillors and staff to stand when speaking to better manage the flow and order of debate/discussion during Council meetings;
 - b) Including a provision that limits public speakers to only speak once about a subject/item that is not on the published business paper agenda;
2. affirms that, pursuant to Clause 4 of Resolution **16/2024** the following amendments will be exhibited in accordance with Clause **16/2024** :

Section 7: Modes of Address:

- Additional item included: “7.5 – Councillors and Council Officers are required to stand and use their microphone when speaking during a Council Meeting”.

Section 8 - Order of Business for Ordinary Council Meetings

- Amendment to Item 8.1 to align to the Model Code – “The general order of business for an ordinary meeting of the Council shall be as outlined below or as otherwise resolved by Council”.
3. notes that the timing of the Public Forum on the Monday before a Council meeting is in place and that the General Manager has advised that no resolution of Council was required to facilitate this
 4. notes that Clause 3(f) of Resolution **16/2024** provides that Council will review the timing of the Public Forum after the trial of the Monday night Public Forum ends in September 2024
 5. notes that a new Council will have been elected in September 2024 and that the Office of Local Government requires that “*Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code of Meeting Practice no later than 12 months after each ordinary council elections. Councils are required to consult with their communities prior to adopting a code of meeting practice*”.
 6. in order not to fetter the discretion of the Council to be elected in September 2024 in relation to the Code of Meeting Practice to be adopted by the new Council, will not seek to make further changes to the Code of Meeting Practice not specifically authorised in Resolution **16/2024**.

71 FORESHADOWED MOTION

A Foreshadowed Motion was moved by Councillor Bennison and seconded by Councillor Brooks-Horn that Council:

1. adopts, for the purpose of public exhibition, the Draft Code of Meeting Practice (2024) with the ‘proposed amendments’ as outlined in this report;
2. undertakes community consultation for a period of six (6) weeks as per the consultation plan outlined in this report; and
3. following the public exhibition period, the Draft Code of Meeting Practice (2024), together with a report on any submissions received and any proposed amendments, be considered at the Council meeting to be held on 20 June 2024.

The Motion was put to the meeting.

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

Against the Motion were Councillors Bennison, Roenfeldt, Brooks-Horn and Zbik (Total 4).

The voting being equal, the Mayor exercised a casting vote against the Motion and the Motion was declared lost.

72 The Foreshadowed Motion became the Motion and was put to the meeting.

For the Motion were Councillors Bennison, Roenfeldt, Brooks-Horn and Zbik (Total 4).

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

The voting being equal, the exercised a casting vote for the Motion and the Motion was declared carried.

Councillor Bennison left the meeting, the time being 09:15 PM, the Deputy Mayor Cllr Roenfeldt assumed the Chair.

Councillor Bennison returned to the meeting, the time being 09:16 PM and resumed the Chair.

14 GAY STREET - UPDATE

73 **RESOLVED** on the Motion moved by Councillor Brooks-Horn and seconded by Councillor Kennedy that Council:

1. receive and note the report; and
2. consider the future Local Government Act Land Classification of the property at 14 Gay Street at the July 2024 Council Meeting following community consultation.

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

Against the Motion was Nil (Total 0).

COUNCIL POLICIES REVIEW - PART 4

74 **RESOLVED** on the Motion moved by Councillor Southwood and seconded by Councillor Kennedy that Council:-

1. adopts the updated policies that have been reviewed with no or minimal administrative changes being;
 - Draft - Use of Public Spaces by Commercial Fitness Groups and Personal Trainers Policy,
 - Draft - Notification of Development Applications,
 - Draft - Waterfront Structures Policy; and
 - Draft - Car Share Parking Policy
2. adopts the Draft - Landscaping, Street Trees and Tree Preservation Policy for the purpose of undertaking community consultation for a period of six (6) weeks as per the consultation plan outlined in this report
3. following public exhibition period, receives a report for consideration on any submissions received in respect of the Draft - Landscaping, Street Trees and Tree Preservation Policy and any proposed amendments at the Ordinary Council meeting to be held 20 June 2024

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

Against the Motion was Nil (Total 0).

DRAFT VOLUNTARY PLANNING AGREEMENT FOR 524 - 542 PACIFIC HIGHWAY, ST LEONARDS

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

1. receive and note the report;
2. enter into a Voluntary Planning Agreement with GFM Investment Group in its capacity as trustee of GFM HOME Trust Subtrust No.2 (HOME); and
3. authorise the General Manager to review the trustee assignment provisions of the VPA and be authorised to finalise the wording of the proposed Voluntary Planning Agreement and sign the Agreement on behalf of Council.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

BLACKMAN PARK SKATE PARK

76 **RESOLVED** on the Motion moved by Councillor Brooks-Horn and seconded by Councillor Bennison, that the report be received and noted.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

MARCH 2024 - TRAFFIC COMMITTEE

MOTION

A Motion was moved by Councillor Brooks-Horn and seconded by Councillor Roenfeldt that Council adopt the recommendations of the Lane Cove Traffic Committee Meeting held on Tuesday, 19 March 2024.

AMENDMENT

An Amendment was moved by Councillor Flood and seconded by Councillor Southwood that Council monitors the effectiveness of the traffic and speed control measures in Karilla and, if rat running remains a problem, commit to further consultation on additional measures including a partial closure of Karilla.

The Amendment was put to the vote.

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

The voting being equal, the Mayor exercised a casting vote against the Amendment and the Amendment was declared lost.

77 The Motion was put to the meeting and was declared carried.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

COUNCILLOR COURSE ATTENDANCE REQUEST - BUSINESS EXCELLENCE IN LOCAL GOVERNMENT

78 **RESOLVED** on the Motion moved by Councillor Bryla and seconded by Councillor Flood that Council:

1. note Councillor Bryla has withdrawn her request to attend the Business Excellence in Local Government course provided by Local Government NSW (LGNSW) on the 23 May 2024; and
2. note that no other Councillor expressed an interest in attending the course.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

COUNCIL SNAPSHOT - MARCH 2024

79 **RESOLVED** on the Motion moved by Councillor Zbik and seconded by Councillor Brooks-Horn that the report be received and noted.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

PROCEDURAL MOTION

80 **RESOLVED** on the Motion moved by Councillor Brooks-Horn and seconded by Councillor Roenfeldt that Council consider two late items in Closed Committee.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

The Mayor ruled the matters to be urgent.

ADJOURNMENT

81 **RESOLVED** on the Motion moved by Brooks-Horn and seconded by Councillor Roenfeldt that a 10 minute recess be granted before moving into Closed Committee

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (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:

OFFICER REPORT FOR DETERMINATION NO. 42

SUBJECT: LEC APPEAL 13- 19 CANBERRA AVENUE ST LEONARDS SOUTH

It is recommended that the Council close so much of the meeting to the public as provided for under Section 10A(2) (g) of the Local Government Act, 1993, on the grounds that the report contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege; 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.

**MAYORAL MINUTE - PSYCHOSOCIAL HAZARDS
SUBJECT: PSYCHOSOCIAL HAZARDS**

It is recommended that the Council close so much of the meeting to the public as provided for under Section 10A(2) (a) of the Local Government Act, 1993, on the grounds that the matter will involve the discussion of personnel matters concerning a particular individual; 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

EXTENSION OF TIME

82 RESOLVED on the Motion to extend the meeting time until midnight was moved by Councillor Bennison and seconded by Councillor Brooks-Horn.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

Closed Committee commenced at 10:03 PM.
The public and media left the chamber.

The minute takers left the meeting.

RESUMPTION

Open Council resumed at 11.30pm
The public and media were invited to return to the Chamber.

LEC APPEAL 13- 19 CANBERRA AVENUE ST LEONARDS SOUTH

The General Manager read the recommendation of Council in Closed Committee.

83 RESOLVED on the Motion moved by Councillor Bennison and seconded by Councillor Brooks-Horn that Council receive and note the information provided in the report.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

MAYORAL MINUTE - PSYCHOSOCIAL HAZARDS

The General Manager read the recommendation of Council in Closed Committee.

84 RESOLVED on the Motion moved by Councillor Bennison and seconded by Councillor Roenfeldt that:-

1. Council adopt the current draft Interaction Policy and Flow Chart as a protocol for communication pending the finalisation of the draft, and Councillors are obliged to adhere to a maximum cap of five (5) questions per Councillor per week.
2. any requests for information would be triaged in accordance with the Flow Chart and not otherwise.

For the Motion were Councillors Bennison, Southwood, Roenfeldt, Kennedy, Flood, Bryla, Brooks-Horn and Zbik (Total 8).
Against the Motion was Nil (Total 0).

**Ordinary Council 18 April 2024
MINUTES**

The meeting closed at 11:43pm

Confirmed at the Ordinary Council Meeting of 16 May 2024, at which meeting the signature herein is subscribed.

MAYOR

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