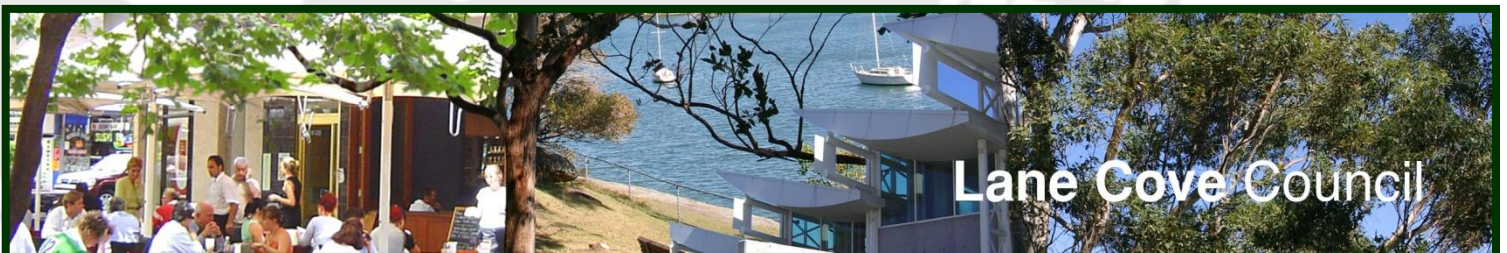


Minutes
Ordinary Council Meeting
18 July 2024, 7:00 PM

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



**Ordinary Council 18 July 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: General Manager, Director - Corporate Services and Strategy, Director - Planning and Sustainability, Director - Open Spaces and Infrastructure, Executive Officer and Minute Taker.

DECLARATIONS OF INTEREST:

Councillor Flood declared a non-pecuniary less than significant interest in Items 13 and 17 '14 Gay Street – Future Use and Management' and ' Request by Owner for Council to Purchase C2 Zoned Land at 347A Burns Bay Road, Lane Cove West'. Councillor Flood knows a resident who owns one of the properties on Council's list of land they wish to acquire in the future. As it is not a property that Council is making a decision on, Councillor Flood will debate and vote on the matter.

Councillor Bennison declared a significant conflict in relation to Item 10 'Notice Of Motion - Developing a Transition Plan to Remove Poker Machines from Council Owned Venues' as he is the auditor of the Longueville Sporting Club. While Councillor Bennison is not on the Executive Committee, he does report on the financial status of the company and will therefore vacate the chamber and not 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 WRITTEN FORUM

Twelve (12) written submission were received, those being from;

1. Richard Muller of Greenwich, in relation to the Sports and Recreation Centre,
2. Shauna Forrest - President, on behalf of the Lane Cove Bushland & Conservation Society in relation to Agenda Item 13, 14 Gay Street, Lane Cove,
3. Alan Jones of Lane Cove North, in relation to in relation to Item 13, 14 Gay Street - Future Use and Management,
4. Robyn Woolley of Lane Cove North, in relation to in relation to Item 13, 14 Gay Street - Future Use and Management,
5. Craig Hendricks of St Leonards in relation to house acquisition of 25 Berry Road St Leonards for Park,
6. Bev Bennett and Liz Smeulders of Lane Cove in relation to Item 9, Notice of Motion - Bus Service Changes,
7. Dawn Hazel of Lane Cove in relation to Item 16, 5G cell Towers - Update,

8. Franc Vaccher of Lane Cove in relation to Item 5, Notice of Motion - St Michael's School - "Kiss And Ride" Upgrade,
9. Antoinette Farrow of Lane Cove, in relation to Item 10, Notice Of Motion - Developing a Transition Plan to Remove Poker Machines from Council Owned Venues,
10. Margaret Bergomi of Lane Cove North, in relation to in relation to Item 13, 14 Gay Street - Future Use and Management,
11. Ruth Neumann of Lane Cove, in relation to Item 10, Notice Of Motion - Developing a Transition Plan to Remove Poker Machines from Council Owned Venues, and Item 13, 14 Gay Street - Future Use and Management, and
12. Lyn Nasir of Lane Cove, in relation to Item 10, Notice Of Motion - Developing a Transition Plan to Remove Poker Machines from Council Owned Venues, and Item 13, 14 Gay Street - Future Use and Management.

PROCEDURAL MOTION

- 141 RESOLVED** on the motion moved by Councillor Zbik and seconded by Councillor Mort that Item 13 - 14 Gay Street - Future Use and Management be moved forward as the first item to be considered on the agenda.

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).

14 GAY STREET - FUTURE USE AND MANAGEMENT MOTION

A motion moved by Councillor Zbik and seconded by Councillor Flood that Council adopt 'Option 3 - Dedicate the entire site to bushland' and classify the entire site as Community Land under the Local Government Act, and specifically;

1. Rezone the entire site to C2 - Environmental Conservation in the next general LEP update;
2. Notes this resolution, in conjunction with other financial commitments of Council, may restrict in the short-term the financial capacity to acquire land identified in Council's Bushland Land Acquisition Program;
3. Develop a plan for removal of the existing dwelling including consideration of an arborist report for the protection of trees and tree roots in the area and undertaking bushland regeneration in the area occupied by the dwelling, and report back to Council on a funding strategy for the work;
4. Acknowledges and is thankful to the members of the Bushland Management Advisory Committee, Lane Cove Bushland and Conservation Society, Lane Cove North Residents Association and other committed local residents for the extensive work they have undertaken to encourage council to rezone 14 Gay St as C2, including offers to meet Councillors on site for further explanation and clarification. It is appreciated that during their passionate campaign for 14 Gay St to be rezoned C2 in its entirety, they remained respectful and polite at all times; and
5. Acknowledges the recommendation of Council Officers and the important and sometimes difficult role they perform in providing honest advice to Councillors.

**Ordinary Council 18 July 2024
MINUTES**

142 RESOLVED on the motion moved by Councillor Roenfeldt and seconded by Councillor Mort that Council move into Committee of the Whole.

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).

143 RESOLVED on the motion moved by Councillor Roenfeldt and seconded by Councillor Mort that Council move out of Committee of the Whole.

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).

144 Upon being put to the meeting the motion was declared carried.

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).

ADJOURNMENT

145 RESOLVED on the motion moved by Councillor Roenfeldt and seconded by Councillor Mort that the meeting be adjourned for 5 minutes at 7.28pm.

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).

RESUMPTION

The meeting resumed at 7:40pm.

MINUTES OF ORDINARY COUNCIL - 20 JUNE 2024

146 RESOLVED on the motion moved by Councillor Zbik and seconded by Councillor Brooks-Horn that the minutes of the Ordinary Council meeting held on the 20 June 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).

147 RESOLVED on the motion moved by Councillor Flood and seconded by Councillor Mort that the minutes of the Ordinary Council meeting held on the 20 June 2024 be confirmed, subject to Minute No. 123 of the Ordinary Council Meeting on 20 June 2024 be amended to reflect that Councillor Flood voted Against the Motion and Councillor Mort voted For the Motion. Once put to the Council at the meeting on 20 June 2024, the accurate voting result for Motion No. 123 was:

*For the Motion Councillors Bennison, Mort, Books-Horn and Zbik (Total 4).
Against the Motion were Councillors Southwood, Roenfeldt, Kennedy, Bryla and Flood (Total 5). The motion was declared lost.*

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 - IMPLICATIONS OF BUDGET REJECTION: HOW WOULD LANE COVE COUNCIL MANAGE FINANCIAL AND OPERATIONAL RISKS?

148 RESOLVED on the motion moved by Councillor Bennison that the Mayoral Minute be received and noted.

For the Motion were Councillors Bennison, Roenfeldt, Brooks-Horn, Mort and Zbik (Total 5). Against the Motion were Councillors Southwood, Flood and Bryla (Total 3). Abstained from the Motion was Councillor Kennedy (Total 1).

ORDERS OF THE DAY

Councillor Mort acknowledged the passing of long-term Lane Cove resident, Professor John Walsh AO, who worked tirelessly in policy development and research to improve the lives of people living with disabilities.

NOTICES OF MOTION

NOTICE OF MOTION - SUPPORT FOR LOCAL WOMEN'S REFUGE AND FAMILIES IN NEED THROUGH COMMUNITY COLLABORATION

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

1. acknowledges the support that has been, and continues to be provided to Women & Children First and Delvena by a dedicated team of local volunteers,
2. investigate a process to identify houses that are empty and available, and contact the owners to seek agreement to facilitate free temporary access; and
3. organises a roundtable discussion with interested parties, including volunteers who have worked to date with Women & Children First and Delvena to support a comprehensive coordinated network to increase the assistance available to women and families in need.

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).

ADJOURNMENT

150 RESOLVED on the motion moved by Councillor Roenfeldt and seconded by Councillor Brooks-Horn that the meeting be adjourned for 2 minutes at 8.05pm

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).

RESUMPTION

The meeting resumed at 8:10pm

NOTICE OF MOTION - SUPPORT FOR NEW LEGISLATION AND STRICTER REGULATION OF STRATA MANAGEMENT COMPANIES.

151 **RESOLVED** on the motion moved by Councillor Mort and seconded by Councillor Bryla that :-

- (a) Council write to the NSW Minister for Better Regulation and Fair Trading, The Hon. Anoulack Chanthivong endorsing the review and strengthening of the legislation governing Strata Management Companies and Strata Managers and request the new legislation:-
1. significantly increase the accountability and transparency required of Strata Management companies and considers within the legislation the rights of individual owners to take action against strata managers where appropriate; and
 2. instead of allowing commissions to strata and property services companies for any purpose, the payment of commissions should be band entirely from service providers, consistent with the view of the Royal Commission into banking which held that the conflict of payment of commissions is too great to overcome and service should be rendered on a fee for service only basis.
- (b) Councillors submit to the General Manager any matters for consideration for inclusion and the final submission be circulated to Councillors prior to lodgement, providing one week for Councillors to provide feedback.

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 - ST MICHAEL'S SCHOOL - "KISS AND RIDE" UPGRADE

152 **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Bryla that -

1. Council's design for a revised Longueville Road "Kiss and Ride" and crossing outside St Michael's Primary School be sent to the Traffic Committee for their approval or suggested changes; and
2. Council consider the project for inclusion in the 2025/26 Budget, with completion as early as possible unless an opportunity arises for completion this financial year through grant funding.

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 - PROPOSED REVIEW TO SUPPORT THE REPORTING AND DELIVERY OF MAJOR PROJECTS

MOTION

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

1. Request that ARIC review Council's existing Project Management Framework process (noting it was last reviewed in 2018), leveraging off the recent work undertaken by Willoughby Council (including their development of a standardised template for project status reports) with consideration given to how we could achieve improvements on managing and delivering major projects and reporting on risk, programme and financing,

2. Notes that high-level reporting of Major Projects is currently provided to ARIC quarterly but that this three-month delay and current lack of detail could reduce proactive management of risk, as the information is historic;
3. Notes that the monthly snapshot and Council websites provides similar high-level project reporting to the public on projects and quarterly budgetary changes are included in the quarterly budget review; and
4. From the start of the new council term, for major projects over \$5 million (or an amount advised by ARIC), utilise the detailed project status report template developed by Willoughby Council to provide monthly reports to the governing body to ensure the governing body has all the information required to make timely and informed decisions in regards to risk and budget involved in the procurement and delivery of Major Projects and real-time reporting to Councillors on risk, and use of contingency of 50%.

FORESHADOWED MOTION

A Foreshadowed Motion was moved by moved by Councillor Zbik and seconded by Councillor Roenfeldt that Council:

1. Acknowledges Council Officers have provided updates to Councillors on a regular basis at Councillor Workshops about major projects currently underway;
2. Acknowledges that the Audit Risk and Improvement Committee determined at the June Meeting what reporting it required for major projects.

Upon being put to the meeting the Motion was 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).

The Foreshadowed Motion became the Motion.

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

For the Motion were Councillors Bennison, Roenfeldt, Flood, Brooks-Horn, Mort and Zbik (Total 6).
Against the Motion were Councillors Southwood, Kennedy and Bryla (Total 3).

NOTICE OF MOTION - AFFIRMATION OF COUNCIL COMMITMENT TO AN INCLUSIVE SOCIETY

154 **RESOLVED** on the motion moved by Councillor Southwood and seconded by Councillor Bryla that Council affirms its commitment to an inclusive community and respects the rights of its community members to observe the religious faith of their choosing.

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 - DAMAGE, REMOVAL OR THEFT OF ELECTORAL MATERIAL DURING LOCAL GOVERNMENT ELECTIONS

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

1. notes that the appropriate authorities to issue instructions or take action in relation to the display of local government election material are the relevant local council and/or the NSW Electoral Commission;
2. condemns the removal, theft or damage of electoral material associated with local government elections unless such action has been authorised by an appropriate regulatory authority; and
3. request the General Manager investigate the provision of a security guard from 11.00pm on the eve of the Election until 7.00am on Election Day at each polling place and obtain quotations and identify a suitable source of funding for consideration by Council at the August Council 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).

NOTICE OF MOTION - BUS SERVICE CHANGES LANE COVE

156 RESOLVED on the motion moved by Councillor Flood and seconded by Councillor Kennedy that Council:

1. Update the existing portal for lodging reports on late and cancelled bus services to include specific feedback on the impact of the upcoming route changes. This will allow the Council to gather detailed information on the effects of these changes (once implemented in August) and advocate for better service outcomes for our community; and
2. Write to Transport for NSW expressing the following:
 - a. The importance of maintaining and improving current service levels to avoid reduced accessibility and increased travel complexity for residents.
 - b. Concerns over the negative impact of changing transport modes on public transport usage, emphasizing the need to encourage public transport use to reduce emissions, congestion, and travel costs.
 - c. The potential risks posed to older adults and school children due to the need for multiple bus changes and navigating dangerous intersections.
 - d. Reiterating Lane Cove Council's opposition to the privatisation of bus services and endorsing the Legislative Council Inquiry's recommendation to reverse the privatisation of Sydney metropolitan bus services, including Region 7.

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 Scott Bennison left the meeting, the time being 08:55 PM.

The Deputy Mayor David Roenfeldt assumed the Chair.

NOTICE OF MOTION - DEVELOPING A TRANSITION PLAN TO REMOVE POKER MACHINES FROM COUNCIL OWNED VENUES

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

1. Develop a simple gambling harm reduction policy that aims to:
 - a. Phase out poker machines on council owned property (as property lease agreements come up for renewal); and
 - b. Phase out gambling advertising on council-owned property,
2. Initiate preliminary conversation with the current leaseholders for the two council owned venues which currently house poker machines to begin discussions on possible steps towards becoming pokie-free venues - to help develop a supported transition plan.
 - a. In the interim, encourage the operators to display and actively promote harm minimisation support services as an immediate initiative; and
3. Investigate opportunities to expand on council's existing work to support and collaborate with organisations caring for people with gambling addictions and their families including GambleAware North Sydney and Central Coast (which covers the Lane Cove LGA), and other local providers. For example, this could include:
 - a. Helping direct residents to practical support webinars and workshops run by existing gambling support services (through formal or informal referrals);
 - b. Offering council venues for free to host gambling support meetings/events/workshops; and
 - c. Sharing gambling addiction campaign materials from the Department of Liquor and Gaming to help increase awareness of gambling harms and to broaden the reach of these important campaigns.

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

Against the Motion was Councillor Brooks-Horn (Total 1)

Absent Councillor Bennison (1).

Councillor Scott Bennison returned to the meeting at 09:04 PM and resumed the Chair.

NOTICE OF MOTION - COMMUNITY E-SHUTTLE FOR LANE COVE

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

1. conduct preliminary investigations into the feasibility, cost, and logistics of introducing a community e-shuttle, or regular shuttle bus service within the Lane Cove LGA. This study should consider:
 - potential routes covering key residential, commercial, recreational areas, and transport hubs,
 - scheduling that aligns with peak usage times and maximises accessibility,
 - estimated costs and potential funding sources, including grants and partnerships, sponsorship from local shops, optional small donations from bus users etc.,
 - opportunities for collaboration with other LGAs (e.g. Willoughby),
 - feasibility of running this as a free service or by donation to keep costs for users minimal; and

2. entering into partnerships with aged care providers to utilise their bus assets to deliver a service to the community in addition to their residents.

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 - FOOD ORGANICS AND GARDEN ORGANIC (FOGO)/WASTE UPDATES

159 RESOLVED on the motion moved by Councillor Kennedy and seconded by Councillor Bryla that Council:

1. give the highest priority to researching and implementation of a Council-wide food collection service given the mandate, noting that there will be penalties for those who do not comply with introducing FOGO in by 1 July 2030; and
2. notes that Council is continuing work with NSROC in implementing regional waste programs and initiatives and that in the next 12 month will be conducting research to prepare for the NSW Government mandate for food collection services by 2030;
3. provide an update on:
 - a) Staff Bin Trim Assessor training, and progress on implementation on core components of the Bin Trim Networks Program;
 - b) The NSROC Regional Organics Implications Study;
 - c) Specifics on when the site specific Resource Recovery Order and Exemption trial to permit the use of Woodlawn Organic Outputs (WOO) in the rehabilitation of tailings dams at the Woodlawn Zinc Copper mine is planned to be terminated (if prior to 2030); and
4. recommends to the new incoming Council are briefed on our regional waste practices and position, including FOGO, and offered a visit to nearby innovative FOGO waste processing solutions such as the GoTerra Soldier Fly Larvae food waste processing plant at Barangaroo.

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).

LANE COVE NORTH SPEED REDUCTION PROPOSAL

160 RESOLVED on the motion moved by Councillor Flood and seconded by Councillor Zbik that Council Subject to detailed design and as per the Final Concept Plans included in AT-2, commence construction for the Lane Cove North Speed Reduction proposal for the following treatments:

- Continuous footpath treatments on Willandra Street, Mindarie Street, Girraween Avenue at the intersection with Mowbray Road;
- Continuous footpath treatments on Elizabeth Parade, Arding Street, Canberra Street at the intersection with Centennial Avenue;
- Speed humps along the local streets outlined in the locality plan;
- Raised pedestrian crossing on Helen Street at Goodlet Reserve;
- 2 metre parking lanes and 3 metre travel lanes on Karilla Avenue between Centennial Avenue and Kurri Street to ensure Karilla Avenue appears narrow to reduce speed;

- A raised pedestrian crossing on Karilla Avenue at its intersection with Centennial Avenue and remove existing pedestrian refuge;
- Rumble strip on Karilla Avenue at the intersection with Kurri Street;
- Pedestrian refuge on Burley Street at the intersection with Pacific Highway;
- Raised pedestrian crossing on all approaches of the Mindarie Street/Kullah Parade/Hatfield Street intersection;
- All associated signage and line markings.

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).

FURTHER AMENDMENTS TO PARTS C, J & S OF COUNCIL'S DCP - PUBLIC EXHIBITION

MOTION

A motion moved by Councillor Bryla and seconded by Councillor Southwood that Council:-

1. Adopt the Development Control Plan, as shown in AT-3 to AT-5 inclusive, plus insertion of the following in Part S:

“Silica-based engineered stone products must not be used”
2. Publish the Development Control Plan on its website as soon as practicable.
3. Consider the development of an education campaign of the benefits of including high performance extraction/ventilation in existing kitchens to remove all fumes relating to existing gas and the replacement of gas appliances and the benefits of doing so.

Councillor Kennedy left the meeting, the time being 9:14 PM
Councillor Kennedy returned to the meeting, the time being 9:19 PM

PROCEDURAL MOTION

161 RESOLVED on the motion moved by Councillor Bennison and seconded by Councillor Brooks-Horn that the voting on the motion be Part 1 and 2 together, and Part 3 be voted on separately.

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).

162 RESOLVED on the motion moved by Councillor Bryla and seconded by Councillor Southwood that Council:-

1. Adopt the Development Control Plan, as shown in AT-3 to AT-5 inclusive, plus insertion of the following in Part S:

“Silica-based engineered stone products shall not be used”
2. Publish the Development Control Plan on its website as soon as practicable.

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).

PROCEDURAL MOTION

163 RESOLVED on the motion moved by Councillor Brooks-Horn and seconded by Councillor Bennison that voting of Parts 1 and 2 of the motion be recommitted.

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).

164 RESOLVED on the motion moved by Councillor Bryla and seconded by Councillor Southwood that Council:-

1. Adopt the Development Control Plan, as shown in AT-3 to AT-5 inclusive, plus insertion of the following in Part S:

“Silica-based engineered stone products must not be used”

2. Publish the Development Control Plan on its website as soon as practicable

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

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

Abstained from the Motion was Councillor Mort (Total 1).

165 RESOLVED on the motion moved by Councillor Bryla and seconded by Councillor Southwood that Council:-

3. Consider the development of an education campaign of the benefits of including high performance extraction/ventilation in existing kitchens to remove all fumes relating to existing gas appliances and the benefits of replacing gas appliances.

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).

5G CELL TOWERS – UPDATE

Councillor Mort tabled correspondence from Kylea Tink MP responding to Council’s letter in relation to electromagnetic radiation.

MOTION

A motion moved by Councillor Mort and seconded by Councillor Brooks-Horn that Council:-

1. Receives and notes the update provided in this report; and
2. Notes that officers are currently progressing arrangements with ARPANSA to provide an online presentation to Lane Cove residents.
3. In progressing arrangements for an online presentation remind ARPANSA of the offer in their letter dated 23 August 2023 which states “We would be able to engage via an online presentation where we can answer any specific concerns that your community has”.
4. Consider options or means by which testing of EME radiation levels by an independent assessor in specific areas of Lane Cove may be funded.

PROCEDURAL MOTION

166 RESOLVED on the motion moved by Councillor Zbik and seconded by Councillor Mort that the voting on the motion be Part 1, 2 and 3 together, and Point 4 be voted on separately.

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).

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

1. Receives and notes the update provided in this report;
2. Notes that officers are currently progressing arrangements with ARPANSA to provide an online presentation to Lane Cove residents; and
3. In progressing arrangements for an online presentation remind ARPANSA of the offer in their letter dated 23 August 2023 which states "We would be able to engage via an online presentation where we can answer any specific concerns that your community has".

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).

The motion moved by Councillor Mort and seconded by Councillor Brooks-Horn that Council:-

4. Consider options or means by which testing of EME radiation levels by an independent assessor in specific areas of Lane Cove may be funded.

was put to the vote and was declared lost.

For the Motion were Councillors Bennison, Brooks-Horn and Mort (Total 3).
Against the Motion were Councillors Southwood, Roenfeldt, Kennedy, Flood, Bryla and Zbik (Total 6).

REQUEST BY OWNER FOR COUNCIL TO PURCHASE C2 ZONED LAND AT 347A BURNS BAY ROAD, LANE COVE WEST

168 RESOLVED on the motion moved by Councillor Zbik and seconded by Councillor Roenfeldt that Council:-

1. Purchase the site 347a Burns Bay Road, Lane Cove West for the purpose of Open Space at a cost of \$1.8M.
2. Classify the land on acquisition as Community Land under the Local Government Act.
3. Delegate authority to the General Manager to complete the purchase transaction.
4. Amend the 2024/25 Budget to fund the acquisition from the Property Acquisition Reserve, with the amount to be repaid as s7.11 funds are received.
5. Consider the demolition of the existing structures and regeneration of the land as bushland as a project in the 2025/26 Budget.

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 5

169 RESOLVED on the Motion moved by Councillor Bryla and seconded by Councillor Southwood that Council:

1. Adopt the reviewed and updated policies of:
 - Council Records and Archives Policy
 - Sister Cities Policy
 - Draft Risk and Management Policy

2. Refer to ARIC for review and comment the Draft Risk and Management Policy and a report be submitted back to Council if there are any comments or amendments required.

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).

AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) - TERMS OF REFERENCE

170 RESOLVED on the motion moved by Councillor Zbik and seconded by Councillor Roenfeldt that Council adopt the Audit, Risk and Improvement Committee - Terms of Reference included as **(AT-1)** to replace the existing Audit, Risk and Improvement Committee Charter.

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).

APPOINTMENT OF ADDITIONAL YOUTH ADVISORY GROUP MEMBER

171 RESOLVED on the motion moved by Councillor Flood and seconded by Councillor Roenfeldt that Council:-

1. Endorse Chloe Champion as a nominee for the Youth Advisory Group; and
2. Notify the applicant of Council's decision.

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 DECISION MAKING AND USE OF COUNCIL RESOURCES PRIOR TO THE 2024 LOCAL GOVERNMENT ELECTION

172 RESOLVED on the motion moved by Councillor Roenfeldt and seconded by Councillor Mort that Council receive and note the report.

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 SNAPSHOT - JUNE 2024

173 RESOLVED on the motion moved by Councillor Brooks-Horn and seconded by Councillor Flood that Council receive and note the report.

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).

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:

NOTICE OF MOTION NO. 30

SUBJECT: NOTICE OF MOTION - REFERRAL TO AUDIT, RISK AND IMPROVEMENT COMMITTEE – MANAGING RISK IN COUNCIL ENGAGEMENT OF CONSULTANTS

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.

MAYORAL MINUTE NO. 12

SUBJECT: MAYORAL MINUTE - SENIOR STAFF MATTER

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.

PROCEDURAL MOTION

174 RESOLVED on the motion moved by Councillor Brooks-Horn and seconded by Councillor Kennedy that Council move into Closed Committee of the Whole.

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).

The public and media left the chamber.

Closed Committee commenced at 10:00pm.

RESUMPTION

Open Council resumed at 10:30pm.

The public and media were invited into the chamber.

Councillor Bryla left the meeting, the time being 10:30 PM
Councillor Kennedy left the meeting, the time being 10:30 PM
Councillor Bryla returned to the meeting, the time being 10:35 PM
Councillor Kennedy returned to the meeting, the time being 10.35 PM

CONFIDENTIAL ITEMS

NOTICE OF MOTION NO. 30 - REFERRAL TO AUDIT, RISK AND IMPROVEMENT COMMITTEE – MANAGING RISK IN COUNCIL ENGAGEMENT OF CONSULTANTS

The Mayor advised that the Notice of Motion was withdrawn.

MAYORAL MINUTE NO. 12 - SENIOR STAFF MATTER –

The Mayor read the recommendation of Council in Closed Committee.

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

1. Councillors note the facilitator's report on the General Manager's 2023-24 Annual Performance Review;
2. Council endorse the review committee's review and the performance appraisal;
3. Council endorse the review committee's recommendation for an increase to the General Manager's TRP as allowable under clause 8.3 of the GM's contract of employment; and
4. The General Manager be offered a new five-year contract effective 18 August 2024 under the existing terms and conditions and the Mayor be delegated authority to execute the contract.

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

The meeting closed at 10.52 PM.

Confirmed at the Ordinary Council Meeting of 22 August 2024, at which meeting the signature herein is subscribed.

MAYOR

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