



Lane Cove
Council

Agenda
Responses to Councillor questions related
to Council Meeting Agenda Items

21 May 2026

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May 2026**

**INFORMATION IN RELATION TO AGENDA ITEM 11.1 - NOTICE OF MOTION - OPEN SPACE
STRATEGY**

Item No: INFOR9/26
Subject: Information in relation to Agenda Item 11.1 - Notice of Motion - Open Space Strategy
Record No: SU5863 - 36583/26
Division: Corporate Services and Strategy Division
Author(s): Lorie Parkinson

PURPOSE

The purpose of this report is to provide Council with information in response to questions raised by Councillors in relation to **Agenda Item 11.1 – Notice of Motion – Open Space Strategy**.

EXECUTIVE SUMMARY

In accordance with clause 3.35 of the Code of Meeting Practice the following additional information is provided in advance of the Ordinary Council Meeting.

QUESTIONS AND ANSWERS

Question 1

Does Council currently provide to the public or have access to the following?

- a transparent booking and priority allocation framework
- seasonal allocation protocols for sporting clubs
- published principles for shared use, multi-code use and equitable access
- casual and community-use guidelines to protect informal recreation
- minimum utilisation expectations for allocated fields
- maintenance, restoration and user responsibility agreements
- protocols for managing overuse, wet weather closures and field carrying capacity
- a dispute resolution and review process for allocation decisions

If so, and they are publicly available, could you please provide direction on where to find these?

Response

Council has an existing 'Management Directive for Sportsground Hire' which is available on the Council website. The Directive deals with the matters that have been identified in the question. Council at the December 2025 meeting resolved to undertake a 'review of Council's existing Management Directive for Sportsground Hire ... to explore ways of enhancing the utilisation of Lane Cove sports fields'. This review has commenced and will be reported to Council when completed.

Conversely, the current Council endorsed '2016-2026 Open Space Plan' is a high-level document that provides strategic direction for the planning and management of Council's open spaces. Part 1 of the Plan sets out the challenges for open space planning for Lane Cove and Part 2 of the Plan sets out an Action Plan over a 10-year period.

ATTACHMENTS:

There are no supporting documents for this report.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
May 2026**

**INFORMATION IN RELATION TO AGENDA ITEM 11.2 - NOTICE OF MOTION -
DEVELOPMENT OF A DRAFT SYNTHETIC TURF IN PUBLIC SPACES POLICY AND
INVESTIGATION INTO SYNTHETIC TURF GUIDELINES FOR NEW DWELLINGS**

Item No: INFOR10/26

Subject: Information in relation to Agenda Item 11.2 - Notice of Motion - Development of a draft Synthetic Turf in Public Spaces Policy and investigation into Synthetic Turf Guidelines for New Dwellings

Record No: SU1228 - 36566/26

Division: Corporate Services and Strategy Division

Author(s): Lorie Parkinson

PURPOSE

The purpose of this report is to provide Council with information in response to questions raised by Councillors relating to **Item 11.2 – Notice of Motion – Development of a draft Synthetic Turf in Public Spaces Policy and investigation into Synthetic Turf Guidelines for New Dwellings.**

EXECUTIVE SUMMARY

In accordance with clause 3.35 of the Code of Meeting Practice the following additional information is provided in advance of the Ordinary Council Meeting.

**INFORMATION IN RELATION TO AGENDA ITEM 11.2 - NOTICE OF MOTION -
DEVELOPMENT OF A DRAFT SYNTHETIC TURF IN PUBLIC SPACES POLICY AND
INVESTIGATION INTO SYNTHETIC TURF GUIDELINES FOR NEW DWELLINGS**

QUESTIONS AND ANSWERS

Question 1

Can staff advise whether the matters addressed within Item 11.2 — including sportsfield capacity, recreation planning, surface selection, environmental impacts and future infrastructure provision — are matters ordinarily expected to be considered through Council's adopted higher-order strategic planning framework, including the Open Space Strategy, rather than through a standalone operational policy process?

Response

The current endorsed '2016-2026 Open Space Plan' is a high-level document that provides strategic direction for the planning and management of Council's open spaces. Part 1 of the Plan sets out the challenges for open space planning for Lane Cove and Part 2 of the Plan sets out an Action Plan over a 10-year period.

It is the view of the staff that a review of the current Open Space Plan would explore all open spaces within the LGA including bushland, parks, playgrounds, reserves, sport fields and urban spaces. The review of the plan would include an assessment of current open space provision, capacity, population growth, community needs and community feedback.

Question 2

Given Council's adopted Open Space Strategy forms part of Council's Integrated Planning and Reporting framework, can staff advise whether adopting a subordinate policy position that materially constrains or discourages particular infrastructure options prior to completion of a strategic review could create inconsistency within Council's adopted strategic planning hierarchy?

Response

It is a matter for the elected Council to determine priorities for Policy development. Where any new Policy is introduced, staff review existing policies to ensure that any inconsistent policy statements are addressed or removed.

Question 3

Can staff advise whether the broad policy position proposed under Item 11.2 may have the practical effect of pre-determining future strategic planning outcomes prior to the completion of a comprehensive evidence-based Open Space Strategy review?

Response

It is a matter for the elected Council to determine priorities for Policy development. In the event that the motions in Items 11.1 and 11.2 are passed, they can be considered independently if that is the decision of the elected Council.

Question 4

Would it be considered sound governance and strategic planning practice for Council to first undertake a municipality-wide review of current and future sporting and recreational demand before adopting policy settings that may materially influence future sportsfield delivery and infrastructure outcomes?

**INFORMATION IN RELATION TO AGENDA ITEM 11.2 - NOTICE OF MOTION -
DEVELOPMENT OF A DRAFT SYNTHETIC TURF IN PUBLIC SPACES POLICY AND
INVESTIGATION INTO SYNTHETIC TURF GUIDELINES FOR NEW DWELLINGS**

Response

It is a matter for the elected Council to determine priorities for Policy development. There have been occasions in the past where Council has developed policies prior to updating higher order strategic plans and others where the overarching plans are updated first.

Question 5

Given Council is already due to review the Open Space Strategy, can staff advise whether progressing the strategic review first would provide a more transparent, evidence-based and procedurally consistent mechanism for assessing all available options on their merits before Council adopts any further policy positions relating to sportsfield surfaces?

Response

It is a matter for the elected Council to determine priorities for Policy development. Council staff action and implement resolutions of the Council.

Question 6

Can staff confirm whether the Sports Clubs Advisory Committee meeting held last Wednesday expressed unanimous support for the review of the Open Space Strategy as the preferred pathway forward, including support for a review process that considers all available sportsfield surface options on their merits and does not pre-emptively exclude the potential future use of synthetic sportsfields where they may be determined to be appropriate following an evidence-based assessment?

Response

The current 2016-2026 Open Space Plan was discussed at the May Meeting of the Sports Club Advisory Committee. There were no decisions made by the Advisory Committee.

Question 7

Can staff advise whether local sporting clubs, peak sporting bodies or user groups have identified ongoing concerns regarding existing and future sportsfield carrying capacity, field availability and playable hours within the Lane Cove local government area?

Response

Council's sporting fields are at capacity.

Question 8

Can staff advise whether the most recent NSROC "Review of Supply and Demand for Sports Facilities in the NSROC Region" identified a materially worsening shortfall in regional sporting capacity compared with the earlier NSROC regional sportsground strategy review, including an increase from the previously identified capacity shortfall to an estimated requirement for approximately 40% additional capacity by 2026 and 49% by 2036?

Response

The statement is taken from the NSROC 'Review of Supply and Demand for Sports Facilities in the NSROC Region' dated 2023.

Question 9

Further, can staff advise whether the NSROC reports identify synthetic sportsfields as one of the principal mechanisms currently available to councils to materially increase playable hours and carrying capacity where land availability is severely constrained, noting that synthetic fields can generally accommodate substantially higher utilisation levels than traditional natural turf fields?

**INFORMATION IN RELATION TO AGENDA ITEM 11.2 - NOTICE OF MOTION -
DEVELOPMENT OF A DRAFT SYNTHETIC TURF IN PUBLIC SPACES POLICY AND
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Response

Synthetic surfaces on sports fields are an option to increase capacity.

Question 10

Can staff advise what the current estimated carrying capacity and playable hours of Bob Campbell Oval are following the recent drainage and natural turf upgrades, and whether those playable hours are now approaching the approximate utilisation levels currently achieved at the synthetic surface at Blackman Park, previously referenced as approximately 65 playable hours per week?

Response

Bob Campbell Oval has just commenced its first winter season. At this point in time there is insufficient data available to staff to determine what the maximum carry capacity will be at Bob Campbell Oval.

Question 11

Can staff advise whether Item 11.2 contains any detailed strategic assessment of how Council would address the existing and projected shortfall in sporting field capacity identified in regional sports facility demand studies if particular infrastructure options are constrained or discouraged?

Response

It is not appropriate for Council staff to assess or provide commentary on information provided by Councillors in Notices of Motion. It is a matter for the elected Council to consider motions at the Council meeting.

Question 12

Has Council undertaken any comprehensive modelling or evidence-based assessment demonstrating how the sporting capacity demands identified by local sporting clubs and regional planning studies could be accommodated under the policy approach proposed in Item 11.2?

Response

At the December 2025 Council meeting Council resolved to undertake a review of Council's existing Management Directive for Sportsground Hire... to explore ways of enhancing the utilisation of Lane Cove sports fields. This review has commenced and will be reported to Council when completed.

Question 13

If not, can staff advise whether adopting a broad policy position in advance of the Open Space Strategy review may risk limiting Council's future ability to respond to demonstrated sporting infrastructure demand and capacity constraints?

Response

Refer to response to question 12.

Question 14

In relation to the research and claims referenced throughout Item 11.2, can staff advise whether those claims have been independently verified, peer reviewed or formally assessed by Council staff against current NSW Government guidance, contemporary industry standards and comparative recreation planning evidence?

**INFORMATION IN RELATION TO AGENDA ITEM 11.2 - NOTICE OF MOTION -
DEVELOPMENT OF A DRAFT SYNTHETIC TURF IN PUBLIC SPACES POLICY AND
INVESTIGATION INTO SYNTHETIC TURF GUIDELINES FOR NEW DWELLINGS**

Response

It is not appropriate for Council staff to assess or provide commentary on information provided by Councillors in Notices of Motion. The only review that staff complete prior to the publication of a business paper is to ensure that a proposed motion could lawfully be made if adopted by the elected Council.

Question 15

Can staff advise whether there remains substantial diversity of expert opinion, government guidance and industry practice regarding the appropriate use of synthetic turf in particular sporting, environmental and operational contexts?

Response

It is not appropriate for Council staff to assess or provide commentary on information provided by Councillors in Notices of Motion. There are many views on the acceptability or otherwise of Synthetic Turf.

Question 16

Given Council has already identified that the Open Space Strategy is due for review, can staff advise whether it would represent a more efficient and strategically consistent use of Council resources to undertake that scheduled review first, rather than developing a standalone subordinate policy position which may ultimately require reconsideration, amendment or redrafting following completion of the broader strategic review?

Response

It is a matter for the elected Council to determine priorities for Policy development. Council staff action and implement resolutions of the Council.

Question 17

Further, if Council were to adopt a synthetic turf policy position prior to completion of the Open Space Strategy review, and the outcomes of that review were subsequently inconsistent with the adopted policy position, would staff likely be required to revisit, amend or substantially redraft the policy to restore consistency within Council's strategic planning framework?

Response

It is a matter for the elected Council to determine priorities for Policy development. There have been occasions in the past where Council has developed policies prior to updating higher order strategic plans and others where the overarching plans are updated first.

Question 18

In developing a synthetic turf policy, would staff give any weight to stakeholder submissions, objective evidence or credible academic research that was favourable to the use of synthetic turf in circumstances where a natural turf solution was a viable option?

Response

In developing Council policies Staff consider a range of matters before presenting a draft Policy for consideration of the elected Council.

**INFORMATION IN RELATION TO AGENDA ITEM 11.2 - NOTICE OF MOTION -
DEVELOPMENT OF A DRAFT SYNTHETIC TURF IN PUBLIC SPACES POLICY AND
INVESTIGATION INTO SYNTHETIC TURF GUIDELINES FOR NEW DWELLINGS**

Question 19

If a policy was developed that implemented a requirement that "synthetic turf remains an available option if there is no viable alternative", could council staff conceive of circumstances where a natural turf solution was a viable but obviously compromised solution, and if stakeholder submissions, objective evidence or credible academic research was favourable to the use of synthetic turf in those circumstances, recommend the use of synthetic turf over the viable but compromised natural turf solution?

Response

In making recommendations to Council on this matter, staff would consider a range of issues and would present these to the elected Council for a decision to be made.

Question 20

If a policy was developed that implemented a requirement that "synthetic turf remains an available option if there is no viable alternative", would staff feel obliged to recommend the replacement of existing major synthetic turf facilities with natural turf when those existing facilities reached end-of-life, if it would be possible to do so?

Response

In making recommendations to Council on any matter, staff would consider a range of issues and would present these to the elected Council for a decision to be made. Recommendations made by staff must be based on objective analysis, policy and legislative requirements and must be impartial and unbiased.

Question 21

In Recommendation 3.C, could staff please clarify how the term "significant" would be interpreted and applied in practice?

Specifically:

- What criteria, thresholds, or assessment framework would staff use to determine whether a matter is considered "significant" or "not significant"?
- Who would make that determination?
- Would the assessment be based on quantitative measures, qualitative judgement, policy guidance, community impact, financial implications, or other factors?

Response

It is not appropriate for Council staff to assess or provide commentary on the terms draft Notices of Motion prepared by Councillors, except to ensure that the motion can lawfully be made if resolved. The question is best directed to the authors of the motion. If the motion is passed, staff would turn their mind to the policy settings and definitions that might be required for inclusion in the policy.

ATTACHMENTS:

There are no supporting documents for this report.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
May 2026**

**INFORMATION IN RELATION TO AGENDA ITEM 12.1 - POST EXHIBITION - DRAFT
PLANNING AGREEMENT FOR 177-183 GREENWICH ROAD, GREENWICH**

Item No: INFOR11/26
Subject: Information in relation to Agenda item 12.1 - Post Exhibition - Draft Planning Agreement for 177-183 Greenwich Road, Greenwich
Record No: SU7402 - 36549/26
Division: Corporate Services and Strategy Division
Author(s): Lorie Parkinson

PURPOSE

The purpose of this report is to provide Council with information in response to questions raised by Councillors relating to **Item 12.1 – Post Exhibition – Draft Planning Agreement for 177-183 Greenwich Road, Greenwich.**

EXECUTIVE SUMMARY

In accordance with clause 3.35 of the Code of Meeting Practice the following additional information is provided in advance of the Ordinary Council Meeting.

QUESTIONS AND ANSWERS

Question 1

Regarding the Planning Agreement for 177-183 Greenwich Road during Public Forum a resident asked about repurposing the boat sheds on site. Given the proposal would see the proponent remove these before handover to council, what would be required by way of an amendment to give council the option to investigate whether these buildings are fit for re-use?

Response

Early discussions between Council staff and the proponent included whether the boatshed was able to be re-purposed. Council staff determined that in its current (dilapidated) state, which includes considerable degradation of the timber ramp into the water, the costs to re-purpose would be prohibitive and outweigh any benefit.

In addition, the maintenance of a structure on the foreshore would have significant ongoing cost implications. It is the opinion of staff that (depending on the intended use) there is also likely to be an issue related to insufficient street-parking available to accommodate an additional land use in the precinct, and the Council's draft Small Watercraft Policy which is currently on public exhibition proposes to not allow small watercraft to be stored on C2 land.

Question 2

The Executive Summary of the report states that the "draft Planning Agreement has been assessed on its own merits with no influence on Council's decision making related to the current Planning Proposal for the site".

Whilst the Explanatory Note in the Planning Agreement recites benefits that will flow to Council and the community through the delivery of the C2 land, the **Reason for Planning Agreement** in the Explanatory Note cites argument in support of the Planning Proposal, which is not the subject of the Planning Agreement.

Furthermore, in the section **How the agreement promotes the public interest** it is stated that the Planning Agreement promotes –

- the orderly and economic use and development of land by facilitating a feasible redevelopment of the Land for high density residential purposes, in accordance with LCLEP and Lane Cove Development Control Plan
- the supply and delivery of housing.

How does the Planning Agreement promote these objectives?

Response

A Planning Agreement is a voluntary, legally binding agreement between a planning authority and a developer that is linked to a DA, change in environmental planning instrument (planning proposal), or a CDC.

Under a Planning Agreement the developer agrees to the provision of public benefits that are not ordinarily available through the planning system or are available in a restricted manner.

In the case of 177-183 Greenwich Road, the proponent is seeking to amend the height and FSR development standards that apply to the land under the Lane Cove LEP, and the Planning Proposal advances these changes.

Separately, the proponent has submitted an offer to enter into a Planning Agreement offering the delivery of public benefits to Council. In this case, the public benefit offer is the dedication of that

part of the developer's land that is zoned C2, vegetation management works and a monetary contribution to cover the costs of constructing a busk track and maintenance works for 10 years.

Whilst the offer of the Planning Agreement is linked to the Planning Proposal (noting that all planning agreements must be linked to planning proposal, DA or CDC) the assessment of the draft Planning Agreement and Planning Proposal have each been assessed on their own merits and are to be considered independently.

The Explanatory Note to the draft Planning Agreement does not cite (nor infer) arguments in support of the Planning Proposal. Any reference to the Planning Proposal was provided principally in the interest(s) of transparency and by way of explanation as to the nature of the Planning Proposal that had been submitted for the property.

It is appreciated that commentary about the nature of the Planning Proposal to change the planning controls for that part of the land that is zoned R4 and the combination of these statements intended to provide the context and background to the planning agreement offer in plain English under the heading "Reason for Planning Agreement" which also includes a description of Lane Cove's Local Housing Strategy at Section 5.3.1 may be confusing to some members of the community.

It is the view of staff that the draft Planning Agreement promotes the public interest and enables the dedication of land to Council at no cost, which has been a long-term strategic objective to bring into public ownership. The Planning Agreement also ensures that public access to the land and foreshore is achieved by the construction of a bush track, as well as 10 years of maintenance. The delivery of more public open space and access to foreshore land for a growing residential population is appropriate.

Question 3

In Council's assessment of the Planning Agreement against Test E of the Acceptability Test – "protect the community against adverse planning decisions" – it is stated that Council's receipt of the C2 land will protect the site from future development.

Noting that the only works permitted with consent in the zone are environmental protection works, that environmental facilities, oyster aquaculture and roads are the only works permitted with consent and that all other development is prohibited, what adverse planning decisions could be possible in respect of the C2 land even if it was not transferred to Council?

Response

Whilst there are limited permissible works allowed on land that is zoned C2, the public ownership of the land provides greater protection of the land and its environmental qualities if it were to remain in private ownership. A private landowner is not prevented from submitting a planning proposal seeking to rezone the land which could result in an adverse planning decision being made. This is not likely to occur if the land is owned by Council. The public ownership of land also enables the land to be classified as community land providing ever greater protection from adverse planning decisions.

Question 4

How has the value of the land been determined?

Response

The value of the land was determined by two (2) accredited and independent valuers.

Question 5

Is stamp duty payable on the land transfer and, if yes, who will pay this duty?

Response

Stamp duty is not applicable.

Question 6

Seeking clarification on how the costings (for bushcare maintenance but also other elements) were derived and also whether it is a \$\$ figure that is provided to Council as a one-off amount, that is then allocated overtime, or whether the developer provides the services.

“provide funding for council to construct a foreshore access path and for 10 years of maintenance for this land – valued at \$97,000”

Response

Staff in the Open Space and Infrastructure Division inspected the site to assess current and future needs including the provision of a bush (walking track). Staff established that based on their experience the cost of the track would be approximately \$47,000 with an additional amount of \$5,000 per annum for a period of 10 years (that is \$50,000) being required for maintenance and care of the track and surrounds.

The proponent initially offered to contribute to maintenance costs for a period of 5 years, but staff rejected that offer on the basis that re-establishment programs take longer than 5 years. Maintenance for a 10-year period was ultimately agreed by the proponent.

Construction of the bush track will only occur after the Vegetation Management Works (estimated at \$200,00) as described in Schedule 6 of the Planning Agreement have been completed by the proponent under the supervision of Council. These works are essentially designed to ‘make good’ of the site in advance of dedication to Council and therefore the bush track and maintenance responsibility of Council.

Question 7

Can officers provide clarification on the multiple adjoining sites that were referred to during the Public Forum?

Response

Schedule 5 of the Planning Agreement shows the Plan of Dedication Land. Council owns the immediately adjacent site shown on this plan (Lot 2 DP 572800) as well as the next site, Lot 2 DP 572799.

These sites form part of Council-owned foreshore access from Jago Street to the rear of 177-183 Greenwich Road which currently comprises a total of 3 lots owned by Council and one Crown Land lot.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
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**INFORMATION IN RELATION TO AGENDA ITEM 12.1 - POST EXHIBITION - DRAFT
PLANNING AGREEMENT FOR 177-183 GREENWICH ROAD, GREENWICH**

Question 8

During the Public Forum on 18 May 2026, Ms Christina Renner, legal counsel representing Winten (the Proponent for the draft Planning Agreement for 177-183 Greenwich Road) was asked by a Councillor to respond in writing to the statements made by the Greenwich Community Association during public forum on Monday 18 May 2026.

Response

A written submission by Ms Renner (AT-1) was received on 20 May 2026 and includes an Annexure (AT-2).

ATTACHMENTS:

AT-1 View	Applicant response to Public Forum 18 May 2026	Available Electronically
AT-2 View	Annexure to Applicant Response to Public Forum 18 May 2026 - Summary of Changes to Practice Note	Available Electronically

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
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**INFORMATION IN RELATION TO AGENDA ITEM 12.2 - PROPOSED VARIATION TO
PLANNING AGREEMENT - AREAS 22 AND 23, ST LEONARDS SOUTH PRECINCT**

Item No: INFOR12/26
Subject: Information in relation to Agenda Item 12.2 - Proposed Variation to Planning Agreement - Areas 22 and 23, St Leonards South Precinct
Record No: SU8525 - 36605/26
Division: Corporate Services and Strategy Division
Author(s): Lorie Parkinson

PURPOSE

The purpose of this report is to provide Council with information in response to questions raised by Councillors relating to **Item 12.2 – Proposed Variation to Planning Agreement – Areas 22 and 23, St Leonards South Precinct**.

EXECUTIVE SUMMARY

In accordance with clause 3.35 of the Code of Meeting Practice the following additional information is provided in advance of the Ordinary Council Meeting.

QUESTIONS AND ANSWERS

Question 1

I note that Council has yet to agree the terms of a variation to the Planning Agreement with the developer of Areas 18,19, 20.

Is it intended that the variation for Areas 22 and 23 will be conditional upon the execution of a variation with the developer of Areas 18, 19, 20?

Is it intended that the variations will be exhibited simultaneously?

And where can we find the document that includes A.7 – Public Domain Works” in Conditions of Consent dated 18 February 2026, please?

Response

It is not intended that the variation for Areas 22 and 23 will be conditional upon the execution of a variation with the developer of Areas 18, 19 and 20; and it is not the intention to exhibit the variations simultaneously.

The information requested is available for Councillors to view on the Hub and is available to view publicly on Council’s website.

ATTACHMENTS:

There are no supporting documents for this report.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
May 2026
INFORMATION IN RELATION TO AGENDA ITEM 13.2 - DELIVERY PROGRAM AND
OPERATIONAL PLAN - 2025/26 THIRD QUARTER REVIEW**

Item No: INFOR13/26
Subject: Information in relation to Agenda Item 13.2 - Delivery Program and Operational Plan
- 2025/26 Third Quarter Review
Record No: SU238 - 36581/26
Division: Corporate Services and Strategy Division
Author(s): Lorie Parkinson

PURPOSE

The purpose of this report is to provide Council with information in response to questions raised by Councillors relating to **Item 13.2 - Delivery Program and Operational Plan - 2025/26 Third Quarter Review**.

EXECUTIVE SUMMARY

In accordance with clause 3.35 of the Code of Meeting Practice the following additional information is provided in advance of the Ordinary Council Meeting.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
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INFORMATION IN RELATION TO AGENDA ITEM 13.2 - DELIVERY PROGRAM AND
OPERATIONAL PLAN - 2025/26 THIRD QUARTER REVIEW**

QUESTIONS AND ANSWERS

Question 1

Can staff advise the total anticipated cost to Council of engaging consultancy firm 100% Renewables to undertake the comprehensive carbon inventory project, whether this expenditure is funded within the adopted Delivery Program and Operational Plan budget and considered discretionary or required expenditure, what specific operational, financial or statutory outcomes Council expects to achieve from the project, whether a cost-benefit or options assessment was undertaken prior to the engagement, and how the expenditure is justified and aligned with Council's current financial position, adopted priorities and broader resource allocation considerations?

Response

The cost of the work being done by 100% Renewables is \$16,000, with funding approved from the [Sustainability Levy](#).

This project was initiated to help Council understand the options available to meet our Net Zero target by 2028, identify significant emission sources outside of activities such as energy / fuel use, and identify opportunities to improve data capture within Council to enable reporting of these emission sources.

ATTACHMENTS:

There are no supporting documents for this report.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
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INFORMATION IN RELATION TO AGENDA ITEM 14.2 - PUBLIC EXHIBITION - DRAFT
PLANNING AGREEMENT POLICY**

Item No: INFOR14/26
Subject: Information in relation to Agenda Item 14.2 - Public Exhibition - Draft Planning Agreement Policy
Record No: SU11174 - 36824/26
Division: Corporate Services and Strategy Division
Author(s): Lorie Parkinson

PURPOSE

The purpose of this report is to provide Council with information in response to questions raised by Councillors relating to **Item 14.2 – Public Exhibition – Draft Planning Agreement Policy**

EXECUTIVE SUMMARY

In accordance with clause 3.35 of the Code of Meeting Practice the following additional information is provided in advance of the Ordinary Council Meeting.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
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INFORMATION IN RELATION TO AGENDA ITEM 14.2 - PUBLIC EXHIBITION - DRAFT
PLANNING AGREEMENT POLICY**

QUESTIONS AND ANSWERS

Councillors have requested responses to statements made by the Greenwich Community Association during public forum on Monday 18 May 2026.

Issue one – the draft policy cites the wrong practice note in 2 places (section 5 and section 6.1).

This is a drafting error and will be corrected prior to the public exhibition of the draft Policy.

The current 2025 practice note is not a stand-alone document, in the format of the former 2021 practice note, and is a series of web pages and modules on the NSW Department of Planning, Housing and Infrastructure Website. There is no referencing of dates on the practice note, rather the following information is provided on the Department website [Updates | Planning Portal - Department of Planning and Environment](#), which says:

The local infrastructure contributions practice notes were first published in May 2025 and will be periodically updated. Updates to these practice notes will be detailed here.

These practice notes replace the following:

- *Development contributions practice notes (introduction) 2005*
- *Development contributions practice notes 2005*
- *Local infrastructure contributions (review by IPART) practice note 2019*
- *Section 7.12 fixed development consent levies practice note 2021*
- *Planning agreements practice note 2021*
- *Section 94A development contributions plans - 2005 (superseded 2021).*

There are no substantive changes between the 2 practice notes.

Issue 2 – the draft policy invents a definition of ‘development contribution’ that does not exist in the Environmental Planning & Assessment Act 1979 or Environmental Planning & Assessment Regulation 2021.

The definition that has been included in ‘part 5 – definitions’ of the draft Planning Agreements Policy is as follows:

*‘Development contribution – the provision made by a developer under a planning agreement being a **monetary contribution, the dedication of land free of cost, or the provision of any other material public benefit, or any combination of them, to be used for or applied towards a public benefit.**’*

The definition of Development Contribution in the EP&A Regulation 2021 is as follows:

*‘Development contribution – means the **dedication of land, the payment of a monetary contribution or the provision of a material public benefit, as referred to in the Act, section 7.11**’*

There is no definition of Development Contribution in the Environmental Planning and Assessment Act 1979.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
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INFORMATION IN RELATION TO AGENDA ITEM 14.2 - PUBLIC EXHIBITION - DRAFT
PLANNING AGREEMENT POLICY**

Whilst the definition provided in the draft Policy is not exactly the same as the definition in the EP&A Regulation 2021, the elements are the same as highlighted above and have been proposed for the purpose of the Lane Cove draft policy.

The Department Practice Note suggests that Councils do not need to reproduce the requirements set out in the legislation or the contents of the practice note in planning agreement policies, and they should address how planning agreements will work in the council's specific circumstances.

This individualised approach has been taken by other councils, noting that the City of Sydney Council has used the same definition as proposed in the Lane Cove Policy in their current Planning Agreement Policy as shown below:

'Development Contribution - A contribution provided by the Developer under a planning agreement being a monetary contribution, the dedication of land free of cost to Council, any other material public benefit or any combination of them.'

Notwithstanding this, if for the purpose of consistency with legislative definitions the Council would like the EP&A Regulation definition included in the draft Policy (noting there is no legislative or statutory basis on which it must be the same), this administrative change can be easily made prior to the public exhibition of the draft Policy.

Issue 3 – the draft Policy omits Acceptability Test point e 'protect the community against adverse planning decisions.'

Section 7.3 of the draft Planning Agreements Policy includes 8 matters for Council to consider when assessing the acceptability or desirability of a proposed planning agreement.

The assessment criteria proposed in the draft Policy is more comprehensive than the Department Practice Note as shown below, however one of the Practice Note's acceptability criteria has been omitted in drafting of the Policy as shown below.

The non-inclusion of the 'e' acceptability test was a conscience decision made in the drafting of the Policy on the basis that the test suggests that Council would make a conscience decision to make an adverse planning decision. In the view of staff preparing the Policy this was seen as being counter intuitive. The additional criteria that have been added were considered to be more appropriate.

Again, the approach taken by individual councils on inclusion of acceptability test for the purpose of Planning Agreement Policies differs, noting that the City of Sydney Council and Ryde Councils have not included 'e' in their Policies. This is on the basis that the relevant practice note says that councils do not need to reproduce the requirements set out in the legislation or the contents of the practice note, rather they should however address how planning agreements will work in the council's specific circumstances.

Notwithstanding this, if for the purpose of consistency with the Practice Note Council would like acceptability test 'e' to be added, this administrative change can be easily made prior to the public exhibition of the draft Policy.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
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INFORMATION IN RELATION TO AGENDA ITEM 14.2 - PUBLIC EXHIBITION - DRAFT
PLANNING AGREEMENT POLICY**

LC Draft Planning Agreements Policy	Department Practice Note
Is the proposed planning agreement directed towards a proper and legitimate planning purpose having regard to the statutory planning controls and other adopted planning strategies and policies applying to the development?	Are directed towards legitimate planning purposes, which can be identified in the statutory planning controls and other adopted planning strategies and policies applying to the development?
Does the proposed planning agreement provide for the delivery of infrastructure or public benefits not wholly unrelated to the development?	Provide for the delivery of infrastructure or public benefits not wholly unrelated to the development?
Does the proposed planning agreement produce outcomes that meet the general values and expectations of the public and protect the overall public interest?	Produce outcomes that meet the general values and expectations of the public and protect the overall public interest?
Does the proposed planning agreement provide for a reasonable means of achieving the desired outcomes and securing the benefits?	Provide for a reasonable means of achieving the desired outcomes and securing the benefits?
Are there any relevant circumstances that may preclude council from entering into the proposed planning agreement?	<i>Protect the community against adverse planning decisions.</i>
Is the public benefit appropriate having regard to the nature of the development?	
Will the planning agreement provide benefits that advance the delivery of services and infrastructure within Lane Cove?	
Is the quantum of the public benefit commensurate with the value of the development contribution?	

Issue 4 – the draft Policy does not mandate ‘independent third-party reviews’ and it should do so.

The draft Planning Agreements Policy in section 8.9 ‘Independent third parties’ states that independent third parties, may at the sole discretion of Council, be used wherever it is deemed appropriate by Council for various reasons including but not limited to circumstances where it is considering the planning agreement delivers a net public benefit.

The assertion of the GCA is that the Department Practice Note states that where there are multiple interests, safeguards including independent third parties involvement ‘*would be appropriate*’. The Practice Note does not state ‘must’.

The drafting of the Policy in section 8.9 does not preclude independent third parties being used. No changes are proposed to the draft Policy for the purpose of public exhibition.

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INFORMATION IN RELATION TO AGENDA ITEM 14.2 - PUBLIC EXHIBITION - DRAFT
PLANNING AGREEMENT POLICY**

Issue 5 – the draft Policy does not mandate the provision of independent land valuation and should do so.

The draft Planning Agreements Policy in section 8.10 ‘valuation and costing’ states that ‘*the value of a benefit proposed under a planning agreement will be determined prior to the agreement being publicly notified*’.

It also states that ‘*where relevant, council may require the developer to provide at its cost:*

- *An independent land valuation by a suitably qualified valuer*
- *Quantity surveyor cost estimates for the works*
- *Lifecycle, maintenance and asset handover information*
- *Any other expert evidence reasonably required by Council.*

This section of the draft Policy also states that Council will generally assess planning agreements on a case-by-case basis, meaning that the matters identified in the list above will be sought where relevant.

Given this it is not appropriate to mandate a land valuation being sought in circumstances where land dedication is not being proposed as part of a draft planning agreement. The Policy needs to be flexible to account for all different scenarios and there is clear policy direction on where the provision of a land valuation would be required. Given this the proposed wording of section 8.10 is acceptable, and no changes to the draft Policy are recommended prior to public exhibition.

Issue 6 – the draft Policy does not explicitly prohibit the preparation of the Explanatory Note by the developer and the policy should do so.

This is not correct. The draft Planning Agreements Policy in section 8 ‘negotiation of planning agreements’ clearly states in ‘step 4 – explanatory note’ the following:

‘Council prepares an explanatory note describing the draft planning agreement, including public benefits and public purpose.’

Notwithstanding the clear statement in the draft Policy, the provisions of clause 205 of the Environmental Planning and Assessment Regulation 2021 set out the statutory requirements of a planning authority proposing to enter into, amend or revoke a planning agreement MUST prepare a written statement (explanatory note).

It is noted that a planning agreement and explanatory note templates will be prepared by legal officers and will form part of the Planning Agreement Package.

Accordingly, no changes are required to the draft Policy.

None of the matters raised by the GCA prevent Council from proceeding with the public exhibition of the draft Policy. They certainly do not amount to the mismanagement of a significant governance function as asserted by the GCA during the public forum.

In contrast, the preparation of a draft Planning Agreements Policy that establishes a clear, transparent framework for the negotiation, preparation and administration of planning agreements by Lane Cove Council seeks to address a long-held policy gap and to strengthen governance.

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PLANNING AGREEMENT POLICY**

The Department Practice Note that has been referred to in the GCA in both verbal and written submissions clearly states under the heading '**Council policies and procedures for planning agreements**' that whilst there is no legislation that mandates councils to prepare policies and procedures relating to planning agreements, the Department strongly encourages councils to prepare Planning Agreement Policies.

The Practice Note relevantly states that a Planning Agreement Policy does not need to reproduce the requirements set out in the legislation or the contents of the practice note. It should however address how planning agreements will work in the council's specific circumstances.

The draft Policy that has been prepared by Lane Cove Council does this, and it is recommended that the policy be adopted for the purpose of public exhibition.

ATTACHMENTS:

There are no supporting documents for this report.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
May 2026
INFORMATION IN RELATION TO AGENDA ITEM 15.2 - PUBLIC EXHIBITION - DRAFT
AFFORDABLE HOUSING POLICY**

Item No: INFOR15/26
Subject: Information in relation to Agenda Item 15.2 - Public Exhibition - Draft Affordable Housing Policy
Record No: SU5369 - 36538/26
Division: Corporate Services and Strategy Division
Author(s): Lorie Parkinson

PURPOSE

The purpose of this report is to provide Council with information in response to questions raised by Councillors relating to **Item 15.2 – Public Exhibition – Draft Affordable Housing Policy**.

EXECUTIVE SUMMARY

In accordance with clause 3.35 of the Code of Meeting Practice the following additional information is provided in advance of the Ordinary Council Meeting.

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INFORMATION IN RELATION TO AGENDA ITEM 15.2 - PUBLIC EXHIBITION - DRAFT
AFFORDABLE HOUSING POLICY**

QUESTIONS AND ANSWERS

Question 1

Do you believe this section within the affordable housing policy adequately captures the issue of segregated housing (ie. poor doors, restrictions on use of communal facilities) etc? This is somewhat separate to the issue of internal fittings, solar access - so want to make sure it's covered.

Standard of dedicated dwellings

Council will accept dedication of dwellings only where in the opinion of Council it is suitable for use as affordable housing. The dwellings are to be the same standard of other dwellings forming part of the proposed particularly in relation to internal fittings and finishings, solar access and privacy. They are not to be able to be distinguished from other dwellings in the development.

Response

The wording included in the draft Policy would capture matters such as communal facilities, however if Council are seeking to be explicit the following amendment is suggested (shown in red):

Standard of dedicated dwellings

*Council will accept dedication of dwellings only where in the opinion of Council it is suitable for use as affordable housing. The dwellings are to be the same standard of other dwellings forming part of the proposed particularly in relation to internal fittings and finishes, solar access and privacy, **access to communal facilities, including entrances and exits** They are not to be able to be distinguished from other dwellings in the development.*

Question 2

Can staff advise whether the proposed 10% affordable housing target and associated contribution mechanisms have been supported by any detailed economic feasibility modelling specific to the Lane Cove local government area, including assessment of potential impacts on development viability, housing supply and housing affordability?

Response

The inclusion of commitment to a target of 10% affordable housing target was based on the North District Plan target of 10%. The draft policy makes it clear that a feasibility analysis will be required to accompany any future planning proposals and it is expected that further feasibility analysis will occur at the time that Council prepares the Affordable Housing Contributions Scheme.

Question 3

Given the draft policy proposes Council may receive affordable housing dwellings, land or monetary contributions, can staff advise whether Council has undertaken any assessment of the long-term financial, governance, staffing, maintenance and asset management implications associated with implementing and administering the proposed framework?

Response

Council already has Affordable Housing units as a part of its property portfolio. At present there is a policy void in the provision and delivery of Affordable Housing in Lane Cove and the draft Policy seeks to establish a framework and roadmap for the future. Considerations such as financial, asset management, staffing are all matters that will need to be considered in the future and the draft policy sets out the policy position until such time as Council has prepared an Affordable Housing

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AFFORDABLE HOUSING POLICY**

Contributions Scheme and undertakes an expression of interest process for a community housing provider.

Question 4

Can staff advise whether the draft policy is intended primarily as a strategic advocacy document or whether it is intended to establish the future policy basis for mandatory affordable housing contribution requirements through planning agreements, an Affordable Housing Contributions Scheme and potential LEP amendments, and if so, whether further detailed strategic, financial and legal analysis will be undertaken before those mechanisms are considered by Council?

Response

The purpose of the draft Policy is to outline Council's policy position and approach to the provision of affordable rental housing in the LGA. It sets out principles and policy statements that together will guide Council's actions to support affordable housing. The draft Policy also sets out a roadmap of council actions for the future including the preparation of an Affordable Housing Contribution Scheme, and potential LEP amendments. Further legal, strategic and financial considerations will be made at the time these matters are considered.

ATTACHMENTS:

There are no supporting documents for this report.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
May 2026
PUBLIC FORUM MEETING - COUNCILLOR INFORMATION SEGMENT**

Item No: INFOR16/26
Subject: Public Forum Meeting - Councillor Information Segment
Record No: SU11033 - 36603/26
Division: Corporate Services and Strategy Division
Author(s): Lorie Parkinson

PURPOSE

The purpose of this report is to provide Council with information in response to questions raised by Councillors during the Councillor Information Segment of the Public Forum Meeting held on the 18 May 2026 relating to the Ordinary Council Meeting 21 May 2026

EXECUTIVE SUMMARY

In accordance with clause 3.35 of the Code of Meeting Practice the following additional information is provided in advance of the Ordinary Council Meeting.

ITEM 11.1 – NOTICE OF MOTION – OPEN SPACE STRATEGY

Councillor Roenfeldt asked are other recreational activities apart from organised sports, such as dog walking, gym equipment, picnicking etc, excluded on synthetic fields?

Response

Dogs are not permitted on synthetic turf, but other activities can occur as long the fields have not been booked for sport.

Councillor Bennison asked Councillor Taylor whether it was his understanding (from the discussions at the Sporting Club advisory committee), that that there is no PFAS in the synthetic field at Blackman Oval?

Response

Councillor Taylor advised that Yes, that is his understanding based on what he has heard and his background investigations.

Councillor Bennison asked what is the best approach to get answers and clarity on some of the information presented at the Public Forum? Should it be submitting questions via email so the answers are made public.

Response

The General Manager advised that where there are questions relating to Notices of Motion, they are best put to the Councillors, rather than the Council officer. Additionally, some of the questions may be better raised at the Council meeting to the Councillor/s moving the NOM, to be addressed during debate.

ITEM 12.1 – POST EXHIBITION DRAFT PLANNING AGREEMENT FOR 177-183 GREENWICH ROAD, GREENWICH

Councillor Kennedy sought clarification on the multiple adjoining sites that were referred to during the Public Forum?

Response

The details will be provided in writing following the General Manager's review of the site addresses.

Councillor Bryla asked whether the VPA motion is separate from the Planning Proposal?

Response

It was confirmed that the two items stand alone. A decision relating to the Planning Proposal may proceed without the Planning Agreement (VPA) being agreed to.

Councillor Flood asked whether the boatshed may be repurposed?

Response

This does not form part of the VPA, but if Council wished this to be explored, investigation could occur on the condition of the boatshed etc after the land comes into Council's ownership.

**Responses to Councillor questions related to Council Meeting Agenda Items Meeting 21
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PUBLIC FORUM MEETING - COUNCILLOR INFORMATION SEGMENT**

Councillor Kennedy asked who would be responsible for the removal of the boatshed/s – the developer or Council staff?

The VPA includes that the landowner will remove the boatshed prior to handing over the land to Council.

13.2 DELIVERY PROGRAM AND OPERATIONAL PLAN – 2025/26 THIRD QUARTER REVIEW

Councillor Bennison asked about the costings to engage a consultant to conduct a comprehensive carbon inventory?

Response

The funds have been allocated in the budget, and details will be supplied to Councillors.

13.3 QUARTERLY BUDGET REVIEW STATEMENTS – MARCH 2025/26

Councillor Bennison raised that capital expenditure forecast has decreased and that there has been a reduction in the developer contributions. He asked whether these declines are likely to continue, and is one a greater concern than the other moving forward?

Response

In this particular case, the variation in the developer contributions is a timing issue. When the budget was prepared 12 months ago, staff anticipated two large developments commencing that did not occur, so the income forecast needs to be reviewed.

Developer contribution forecasting is always challenging as applicants have five years to take up that consent.

If Council is not seeing development activity into the future, then Council will be quite conservative in its forecasting.

13.5 COUNCIL POLICIES REVIEW

Councillor Southwood asked when a need for minor changes to a policy are identified, is it correct that currently there is no delegation for the GM to make these minor administrative alterations?

Response

That is correct. Moving forward should Councillors wish to give discretion to the General Manager to make these administrative / typographical changes, a separate resolution could be added to give clarity to this.

14.4 COMMUNITY FACILITY SUPPORT FOR ORGANIC BUYERS GROUP PILOT INITIATIVE

Councillor Bennison sought clarity on this proposal?

Response

This report asks Council to provide space and to waive the lease fee for the trial period. Council's fees and charges do not provide any discretion for the General Manager to waive this fee, therefore consideration of a waiver needs to be reported to Council.

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It is an organisation that supports community members to come together as a collective to share the purchase of seasonal organic fruit and vegetables. They take it in turns to collect the produce, box it up and distribute between member families.

Councillor Kennedy asked whether membership is open to the public or is it a private group, ie how is it structured?

Response

There is an auspicing group and collectives in North Sydney and Randwick. It is expected that a similar collective would be created in Lane Cove.

15.1 POST EXHIBITION – PLANNING PROPOSAL RELATED TO 177-183 GREENWICH ROAD, GREENWICH

Councillor Southwood noted that there is an extension of the deadline until August, and asked what happens if the decision is not made by August?

Response

Council can seek a further extension if Council is still considering the proposal. If this did not occur the Planning Proposal would lapse.

15.3 – DRAFT SUBMISSION – NSW STATEWIDE COMMUNITY PARTICIPATION PLAN

Councillor Bennison queried the removal of ‘change of use’ from development notifications.

Response

The Community Participation Plan is only in relation to how development applications get notified and publicly exhibited. It does not change whether a DA is a complying development or a DA is required. It is currently up to individual councils to determine the exhibition requirements in their CPP.

The State Government is seeking to fast track developments by removing some public exhibition requirements. Council’s submission is that the community should be consulted on local developments.

ATTACHMENTS:

There are no supporting documents for this report.