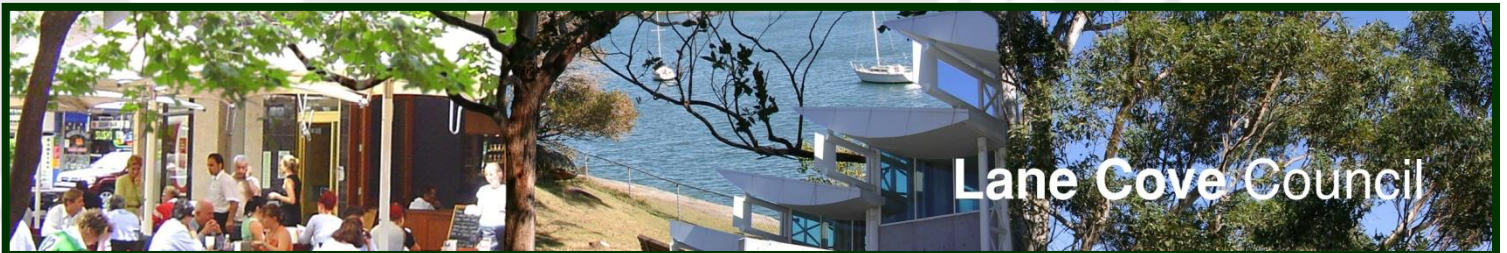


Minutes Ordinary Council Meeting 21 June 2021, 7:00pm

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



**Ordinary Council 21 June 2021
MINUTES**

PRESENT: Councillor P. Palmer (Chair), Councillor S. Bennison, Councillor K. Brent, Councillor D. Brooks-Horn, Councillor K. Morris, Councillor D. Strassberg Councillor F. Vissel and Councillor A. Zbik.

ALSO PRESENT: General Manager, Executive Manager – Corporate Services, Executive Manager – Environmental Services, Executive Manager – Open Space & Urban Services, Executive Manager – Human Services.

DECLARATIONS OF INTEREST:

Nil

APOLOGIES

Nil

OPENING OF MEETING WITH PRAYER

The meeting was opened with a prayer by the General Manager.

ACKNOWLEDGEMENT OF COUNTRY

The Mayor gave an acknowledgement of Country.

WEBCASTING OF COUNCIL MEETING

The Mayor advised those present that the Meeting was being webcast.

SUSPENSION OF STANDING ORDERS

87 RESOLVED on the motion of Councillors Strassberg and Zbik that Standing Orders be suspended and that members of the public who wish to address Council be allowed to do so for a maximum of three minutes.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

PUBLIC FORUM

Anthony (Tony) Nolan of Lane Cove regarding Councils special award to Lane Cove Public School. His school age children, would like to tell the Council of the space science program the school is involved in.

John Southwood of Greenwich regarding Bob Campbell Oval

Merri Southwood of Greenwich regarding the Council Website and the Flow of Information from Council to residents

Martin Cunningham of Greenwich regarding Bob Campbell Oval REF and Part 5 Assessment and "Council's desire to sign up construction contracts"

Sue Yelland of St Leonards regarding the Proposed VPA 29 -57 Christie Street St Leonards

Don Murchison of Greenwich regarding Plastic Free July

Jacky Barker of Lane Cove regarding the Budget Papers

Ray Ross regarding "fraudulent conduct of certain council officers"

The Mayor advised the meeting that:-

1. Mr Ross made an application to address Council to speak on matters concerning the alleged “fraudulent conduct of certain Council officers”, and should not be permitted to speak as it will result in a breach of Council’s Code of Meeting Practice;
2. the Courts have previously dealt with Mr Ross’s matters;
3. there are no orders issued by the Court that impugn Council; and
4. Mr Ross was advised prior to the meeting by the General Manager that his concerns should be raised with an appropriate State Agency, such as the NSW Ombudsman or he take action in the court system.

PROCEDURAL MOTION

- 88** **RESOLVED** on the motion of Councillor Palmer and Strassberg that Council reaffirms that the public forum is not an appropriate forum in which to raise matters of a legal nature and that Council will not permit Mr Ross to address Council given his previous remarks and allegations.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

RESUMPTION OF STANDING ORDERS

- 89** **RESOLVED** on the motion of Councillors Strassberg and Brent that Standing Orders be resumed.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

PROCEDURAL MOTION

- 90** **RESOLVED** on the motion of Councillors Palmer and Strassberg that the meeting be adjourned for 5 minutes.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

The meeting adjourned at 7:44pm.

RESUMPTION

The meeting reconvened at 7:49pm with all Councillors present.

CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING - 17 MAY 2021

- 91** **RESOLVED** on the motion of Councillors Brooks-Horn and Brent that the minutes of the Ordinary Council meeting held on the 17 May 2021 be received.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

92 RESOLVED on the motion of Councillors Strassberg and Brooks-Horn that the minutes of the Ordinary Council meeting held on the 17 May 2021 be confirmed.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

ORDERS OF THE DAY

Councillor Bennison advised Council of the passing of a long-time Lane Cove resident, Alan Ecob.

NOTICES OF MOTION

NOTICE OF MOTION - ACCESSIBLE PARKING

93 RESOLVED on the motion of Councillors Zbik and Bennison that Council:-

1. Support change to the schedule of parking offences and/or an education program in NSW to permit a taxi or share ride to pick-up or drop-off a fare paying passenger in a disabled persons parking space or area who is in possession of Mobility Parking Scheme Permit.
2. Write to the following Ministers and Shadow Ministers seeking their support for this change:-
 - NSW Minister for Families, Communities and Disability Services – Alister Henskens
 - NSW Minister for Transport and Roads – Andrew Constance
 - Shadow Minister for Disability Inclusion - Kate Washington
 - NSW Shadow Minister for Roads – John Graham
3. The motion be lodged with Local Government NSW for the Annual Conference.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

OFFICER REPORTS FOR DETERMINATION

Councillor Scott Bennison left the meeting, the time being 07:58 pm

Councillor Scott Bennison returned to the meeting, the time being 07:59 pm

CONSULTATION RESULTS ON THE 2021/22 DRAFT BUDGET, FEES & CHARGES, DELIVERY PROGRAM AND OPERATIONAL PLAN

94 RESOLVED on the motion of Councillors Palmer and Strassberg that:-

1. Council receive and note the submissions received from the community, shown attached as **AT-1**.
2. Council adopt the Draft 2021-22 Delivery Program and Operational Plan shown attached as **AT-2**, Draft Budget 2021-22 shown attached as **AT-3**, Draft Fees and Charges 2021-22 shown attached as **AT-4** and updated Long Term Financial Plan 2021 shown attached as **AT-5** subject to:-
 - (a) The inclusion of an action in the Delivery Plan, that Council investigate an improved pedestrian connection from Fleming St Northwood (opposite

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MINUTES**

Endeavour Park) to River Rd;

- (b) Allocate \$10K by reallocated funding within the Sustainability Levy Program Budget for bushland priority projects; and
- (c) The addition of the celebration of Pride Day in the action within the Delivery Program relating to acknowledge awareness days/weeks/months.

3. Council fix the Ordinary Rates and Charges for 2021/22 as:-

a) Ordinary Rates

- (i) An Ordinary Residential Rate of 0.109188 cents in the dollar, on the Land Value of all Rateable Land categorised as Residential in accordance with S.516 of the Local Government Act, (with the exception of heritage properties which are rated on their heritage value), with a Minimum Rate of \$931, to yield \$20,792,006.
- (ii) An Ordinary Business Rate of 0.576540 cents in the dollar, on the Land Value of all Rateable Land categorised as Business in accordance with S.516 of the Local Government Act, with a Minimum Rate of \$951 to yield \$5,945,525.
- (iii) Council being of the opinion that works related to the construction and maintenance of car parking facilities will be of benefit to the Lane Cove Village Commercial Area, (as defined by the meet's and bounds description advertised in the North Shore Times on 13 June, 1979), that a Parking Special Rate, of 0.200299 cents in the dollar be made for 2021/22 on the Land Value of all rateable land within that part, in accordance with S.538 of the Local Government Act 1993, with a Minimum Rate of \$2.00, to yield \$176,478.

b) Domestic Waste Management Charges

- (i) In accordance with S.496 of the Local Government Act 1993, that an annual charge of \$465.60 per annum be made for the year 2021/22, for domestic waste management services rendered to all properties categorised residential or non-rateable residential, for each once weekly 80 litre MGB (or equivalent) service;
- (ii) In accordance with S.496 of the Local Government Act 1993, that an annual charge of \$125.40 per annum be made for the year 2021/22, for Domestic Waste Management Services for all properties categorised residential vacant land;
- (iii) In accordance with S.502 of the Local Government Act 1993, that a pay-for-use charge of \$6.80 per service be made for the year 2021/22, for each additional weekly 80 litre domestic waste management service rendered to owner occupied single occupancy residential dwellings (excluding green waste and recycling service);
- (iv) In accordance with S.502 of the Local Government Act 1993, that a pay-for-use charge of \$9.00 per service be made for the year 2021/22, for each extra weekly 80 litre (or equivalent) domestic waste management service rendered to residential properties other than single occupancy residential properties;
- (v) In accordance with S.502 of the Local Government Act 1993, that a pay-for-use charge of \$9.00 per service be made for the year 2021/22, for each once weekly 80 litre (or equivalent) domestic waste management service rendered to non-rateable properties;
- (vi) In accordance with S.502 of the Local Government Act 1993, that a pay-for-use charge of \$9.00 per service be made for the year 2021/22, for

each once weekly 80 litre (or equivalent) domestic waste management service rendered to residential units above business category premises.

(vii) In accordance with S.502 of the Local Government Act 1993 that a pay-for-use-charge of \$5.20 per fortnightly service be made for the year 2021/22 for each extra recycling service to single residential dwellings.

(viii) In accordance with S.502 of the Local Government Act 1993 that an annual charge of \$131.00 per annum be made for the year 2021/22 for each fortnightly green waste collection service to single residential dwellings.

(ix) In accordance with S.502 of the Local Government Act 1993, that a pay-for-use charge of \$20.40 per service be made for the year 2021/22, for each additional weekly 240 litre domestic waste management service rendered to unit blocks only (excluding green waste and recycling service);

c) Stormwater Management Service Charge

In accordance with clauses 125A and 125AA of the Local Government (General) Regulation 2005 and Section 496A of the Local Government Act 1993, annual charges for the year 2021/22 for Stormwater Management Services be made and levied as follows:

- | | |
|--|--------------------------------|
| - All parcels of vacant land | - Nil \$ charge |
| - All Residential Strata Units | - \$12.50 per unit |
| - All Residential Non Strata Properties | - \$25.00 per property |
| - All Business Strata Units and Properties | - \$25.00 per unit or property |

d) Interest on Overdue Rates and Charges

In accordance with the provisions of S.566(3) of the Local Government Act 1993, Council hereby resolves that the interest rate to apply for the period 1 July 2021 to 30 June 2022 to all outstanding rates and charges be calculated at the maximum interest rate of 6.0% as specified by the Minister for Local Government

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

DRAFT DOG STRATEGY

95 RESOLVED on the motion of Councillors Vissel and Brent that:-

1. Council adopt for the purpose of public exhibition, the Draft Dog Friendly Strategy;
2. Council undertake community consultation for a period of six (6) weeks as per the consultation strategy outlined in the report; and
3. Following the exhibition period, the Draft Dog Strategy, together with a report on any submissions received and any proposed amendments, be considered by Council.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

DRAFT CLIMATE RESILIENCE PLAN

96 **RESOLVED** on the motion of Councillors Zbik and Vissel that:-

1. The Draft CRP to be placed on public exhibition for six (6) weeks in accordance with the Consultation Strategy outlined in the report; and
2. A further report be submitted to Council following the public exhibition period.

For the Motion were Councillors Palmer, Strassberg, Brent, Vissel, Zbik and Morris (Total 6).

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

PROPOSED VOLUNTARY PLANNING AGREEMENT FOR 29 - 57 CHRISTIE STREET, ST LEONARDS

97 **RESOLVED** on the motion of Councillors Bennison and Strassberg that:-

1. Council receive and note the report;
2. Council enter into a Voluntary Planning Agreement with Arrow Capital Partners and Starwood Capital Group in respect of the development of 29 – 57 Christie Street, St Leonards; and
3. The General Manager be authorised to finalise the terms and conditions of the proposed Voluntary Planning Agreement and sign the Agreement on behalf of Council.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

"ELECTORAL MATTER" AND USE OF COUNCIL RESOURCES PRIOR TO THE 2021 LOCAL GOVERNMENT ELECTION

98 **RESOLVED** on the motion of Councillors Bennison and Brooks-Horn that the report be received and noted.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

NSW AUDIT OFFICE - REPORT ON LOCAL GOVERNMENT 2020

99 **RESOLVED** on the motion of Councillors Vissel and Bennison that the report be received and noted, and Council note that the amendment is immaterial as it is less than 1% of Council's total asset value.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

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COUNCIL SNAPSHOT MAY 2021

100 **RESOLVED** on the motion of Councillors Zbik and Brent that the report be received and noted.

For the Motion were Councillors Palmer, Strassberg, Bennison, Brent, Brooks-Horn, Vissel, Zbik and Morris (Total 8).

Against the Motion was Nil (Total 0).

_ CLOSE

The meeting closed at 8:29pm.

Confirmed at the Ordinary Council Meeting of 19 July 2021, at which meeting the signature herein is subscribed.

MAYOR

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