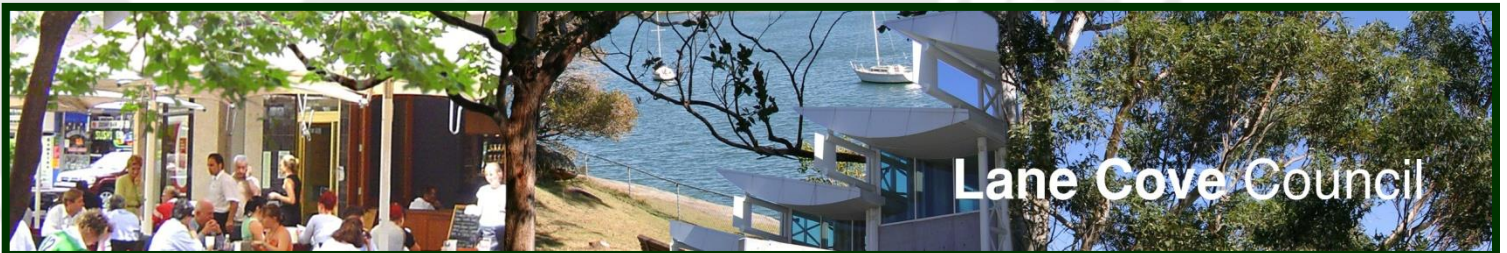


Minutes Ordinary Council Meeting 7 December 2023 at 7.04pm

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



**Ordinary Council 7 December 2023
MINUTES**

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

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

APOLOGIES

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

248 RESOLVED on a Motion moved by Councillor Brooks-Horn and seconded by Councillor Southwood that the request to virtually attend the meeting be granted due to exceptional circumstances.

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

Against the Motion was Nil (Total 0).

DECLARATIONS OF INTEREST:

Councillor Brooks-Horn previously declared a non-pecuniary significant conflict of interest in relation to the proposed construction of the new Lane Cove Sport and Recreation Centre. In relation to Item 3 '*Sport And Recreation Facility - Management And Operating Model*'. Councillor Brooks-Horn has satisfied himself that he does not have the same significant conflict in relation to this item. Councillor Brooks-Horn indicated he would, for the sake of consistency, declare a non-pecuniary significant conflict of interest and leave the meeting and would not debate nor vote on the matter.

Councillor Southwood declared a non-significant non-pecuniary interest in Items 3 '*Sport and Recreation Facility – Management and Operating Model*', 5 '*Greenwich Baths Lease Arrangements – Community Consultation Outcomes*', and 10 '*Traffic Committee – November 2023*'. Prior to her oath of office as Councillor in January 2022, Councillor Southwood was President of the Greenwich Community Association Inc (GCA). Councillor Southwood has had no subsequent involvement with the GCA other than to attend bi-monthly general meetings. Councillor Southwood's husband was a former Treasurer of the GCA but has no committee position now. Councillor Southwood has satisfied herself that she has a non-pecuniary, non-significant conflict of interest in Items 3, 5, and 10, and indicated that she would debate and vote on these matters.

Councillor Southwood declared a non-pecuniary conflict of interest that is not significant in relation to Item 10 '*Traffic Committee – November 2023*' as two St Leonards South residents were on Councillor Southwood's ticket for the 2021 election. Councillor Southwood indicated she would not leave the meeting and would debate and vote on the matter.

Councillor Kennedy declared a significant non-pecuniary conflict of interest in Item 3 '*Sport And Recreation Facility - Management And Operating Model*' as she has a friend who lives adjacent to the golf course but not near the development. Councillor Kennedy indicated that she would not leave the meeting and would debate and vote on the matter.

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 FORUM

PROCEDURAL MOTION

249 RESOLVED on the motion moved by Councillor Roenfeldt and seconded by Councillor Flood that Standing Orders be temporarily suspended to allow the meeting to move into Public Forum.

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).

Online

1. Stuart Piper of St Leonards in relation to Item 10, Traffic Committee - November 2023,
2. Chandramouli Sonti of Ruse, in relation to traffic lights at the intersection of Longueville Road and Epping Road, Lane Cove,
3. Sue Yelland of St Leonards in relation to Item 10, Traffic Committee - November 2023, Canberra Avenue Closure,
4. Charles Lovecraft of Lane Cove, in relation to Item 6, Council Policies Review - Part 2

In Person

5. Susan Gould of Riverview, in relation to Lane Cove Bushland Under Attack, including C2 and RE1 foreshore at Tambourine Bay,
6. Anthony Dalla Fontana of St Leonards in relation to Item 10, Traffic Committee - November 2023, Canberra Avenue Closure,
7. John Fegan of Northwood in relation to Item 3, Sport and Recreation Facility - Management and Operating,
8. Chris Lisha of Lane Cove in relation to seeking reimbursement of costs from Council relating to the EPA's changes required based on the determination of land contamination at 315 Burns Bay Road, Lane Cove,
9. Shauna Forrest of Lane Cove Bushland & Conservation Society in relation to Item 3, Sport and Recreation Facility - Management and Operating Model, Item 9, Tree Vandalism in Longueville and Item 18, Planning Reforms, Housing Targets and Regulatory Enforcement,
10. Penny Cook, Vice President of the Live Music Zone in relation to The Live Music Zone's First Birthday Busker's Bash,
11. John Southwood of Greenwich, in relation to Item 3, Sport and Recreation Facility - Management and Operating Model,
12. Stephen Curley of Northwood in relation to Item 3, Sport and Recreation Facility - Management and Operating Model,
13. Jacky Barker of Lane Cove in relation to Item 7 'Notice of Motion – Bus Forum For Lane Cove', Item 11 'Update on Electric Vehicle Charging Infrastructure and Sustainability Upgrades', Item 6 'Council Policies Review – part 2', Item 18 'Planning Reforms, Housing Targets and Regulatory Enforcement', and Item 2 'Mayoral Minute – Dogs on Sports fields'.
14. Frances Vissel of Lane Cove North thanked Mark Brisby for his work on addressing sediment control and asked for Mr Brisby to look at Park Road prior to excavation and Item 3, Sport and Recreation Facility - Management and Operating Model.
15. Norma Stuart regarding Item 9 'Tree Vandalism In Longueville'.

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16. Alan King from Osborne Park regarding Item 3, Sport and Recreation Facility - Management and Operating Model.

Written Submissions

Two (2) written submission were received, those being from;

1. Sharon Coley of St Leonards, in relation to Canberra Avenue Closure (Traffic Committee Recommendations), and
2. Stuart Piper of St Leonards in relation to to Item 10, Traffic Committee - November 2023.

ADJOURNMENT

- 250 RESOLVED** on the motion moved by Councillor Roenfeldt and seconded by Councillor Brooks-Horn that a 5 minute adjournment be granted at 8:10pm.

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 8.17pm.

PROCEDURAL MOTION

- 251 RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Roenfeldt that Item 10 '*Traffic Committee - November 2023*' be moved forward as the next item for consideration by Council.

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).

TRAFFIC COMMITTEE - NOVEMBER 2023

PROCEDURAL MOTION

- 252 RESOLVED** on the motion moved by Councillor Bennison and seconded by Councillor Brooks-Horn that Council deal with point 1 of the Report Recommendation 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).

- 253 RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Roenfeldt that Council adopt all the recommendations of the Lane Cove Traffic Committee Meeting held on Tuesday, 21 November 2023, excluding the Traffic Committee Recommendation for *Item 7, Closure of Canberra Avenue – Approval of TMP*.

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).

MOTION

A Motion was moved by Councillor Southwood and seconded by Councillor Bryla that Council defers consideration of the Traffic Committee Recommendation for *Item 7, Closure of Canberra Avenue - Approval of TMP* to a later meeting of Council after community consultation and a further round of notification under Section 38B of the Roads Act have been completed and if a Council Resolution in respect of the closure of Canberra Avenue

has been passed to facilitate a referral to the Traffic Committee.

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

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

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

FORESHADOWED MOTION

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

1. Adopt the recommendation of the *Traffic Committee in relation to Item 7, Closure of Canberra Avenue – Approval of TMP* of the Lane Cove Traffic Committee Meeting held on Tuesday, 21 November 2023;
2. Notes that it has considered all submissions that have been duly made with respect to the road closure proposal following public notification and consultation with respect to the road closure proposal; and
3. Formally resolves to close that part of Canberra Avenue between its intersection with Duntroon Avenue and its intersection with River Road and integrate the land into Newlands Park as Community Land, with public vehicle access to be retained until at least 1 November 2025 and near completion of the adjacent development.

AMENDMENT

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

1. Adopt the recommendation of the Traffic Committee in relation to Item 7 – Proposed Partial Closure of Canberra Avenue of the Lane Cove Traffic Committee Meeting held on Tuesday, 21 November 2023;
2. Notes that it has considered all submissions that have been duly made with respect to the road closure proposal following public notification and consultation with respect to the road closure proposal; and
3. Formally resolves to reserve road space on Canberra Avenue on a temporary basis to allow a testing and trial period after construction is complete to allow for an assessment of the impact of traffic flows from the road changes.

PROCEDURAL MOTION

- 254** A Motion was moved by Councillor Brooks-Horn and seconded by Councillor Mort that the Amendment be put to the vote.

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 Amendment was put to the vote and was declared lost.

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

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

- 255** The Foreshadowed Motion became the Motion, was put to the vote and was declared carried.

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).

CONFIRMATION OF MINUTES OF ORDINARY COUNCIL - 23 NOVEMBER 2023

256 RESOLVED on the motion moved by Councillor Brooks-Horn and seconded by Councillor Mort that the minutes of the Ordinary Council meeting held on the 23 November 2023 be accepted.

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).

257 RESOLVED on the motion moved by Councillor Brooks-Horn and seconded by Councillor Mort that the minutes of the Ordinary Council meeting held on the 23 November 2023 be confirmed.

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

PROCEDURAL MOTION

258 RESOLVED on the motion moved by Councillor Bennison and seconded by Councillor Flood that the report items deferred from the 23 November 2023 Ordinary Council Meeting be dealt with as the next items of business.

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 David Brooks-Horn left the meeting, the time being 9:09 PM

SPORT AND RECREATION FACILITY - MANAGEMENT AND OPERATING MODEL

MOTION

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

1. Receive and note the report;
2. Resolves, per the recommended process outlined in section 14 of the ARV report (attachment 4) to:
 - a) Facilitate a workshop between Councillors and staff regarding the fundamental purpose of the sport and recreation facility to help determine our core goals in providing this facility (is it primarily a service to the community, or is profitability the core goal?)
 - b) Finalise an operational review of other sport and recreation facilities in our LGA ("This review process should examine historical trends (i.e. number of memberships over the last 3-5 years) and forecast future performance based on available data. The legalities of existing contracts must also be assessed if council is currently outsourcing the management of their facilities. Internal consultation with staff involved in the day-to-day operations should occur.")
 - c) Develop a set of principles and evaluation criteria and assign a weighting to each to help support the assessment and comparison of the various management models. ("Councillors and representatives from all relevant

**Ordinary Council 7 December 2023
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council departments (i.e., procurement, asset management, finance, risk and safety, etc.) should be encouraged to participate in the design of the evaluation criteria.)"

- d) Determine at a future meeting based on the outcomes of a-c, whether to call for an in-house tender from Lane Cove Council (to be prepared by external consultants) as part of the request for key operator process.
 - e) Contract experts to prepare an in-house bid for council to operate the function spaces and sporting facilities in house.
3. Undertake a process with potential community users of the facility to understand their proposed utilisation rates for utilisation of the facility, prior to the acceptance of any tender; and
 4. Undertake a separate process to identify an operator for the Bistro activities as a priority to facilitate fit-out prior to the opening of the facility.

FORESHADOWED MOTION

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

1. Receive and note the report;
2. Undertake an open Request for a Key Operator which will include the option of subletting of the Management of Golf Operations including coaching and Bistro / Event disciplines;
3. Undertake a process with potential community users of the facility to understand their proposed utilisation rates for utilisation of the facility prior to the acceptance of any tender;
4. Undertake a separate process to identify an operator for the Bistro / Event activities as a priority to facilitate fit-out prior to the opening of the facility;
5. Receive a report on the outcome of the tender process at the appropriate time for consideration and determination by the Council. In line with Parts 15 and 16 of Council's resolution of 29 August 2022, the report is to include how the operation of the facility will provide all stakeholders with balanced access to both the sporting and recreation facilities; and
5. Confirms that the core goal of the facility is to operate as a service to the community.

The Motion was put to the vote.

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

Against the Motion were Councillors Bennison, Roenfeldt, Mort and Zbik (Total 4).

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

AMENDMENT

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

1. Receive and note the report;
2. Undertake an open Request for a Key Operator which will include the option of subletting of the Management of Golf Operations including coaching and Bistro / Event disciplines;
3. Undertake a process with potential community users of the facility to understand

- their proposed utilisation rates for utilisation of the facility prior to the acceptance of any tender; and give a report back to Council if there is any risk that we are not going to meet the principles outlined on page 11 of the Community Strategic Plan,
4. Undertake a separate process to identify an operator for the Bistro / Event activities as a priority to facilitate fit-out prior to the opening of the facility;
 5. Receive a report on the outcome of the tender process at the appropriate time for consideration and determination by the Council. In line with Parts 15 and 16 of Council's resolution of 29 August 2022, the report is to include how the operation of the facility will provide all stakeholders with balanced access to both the sporting and recreation facilities; and
 6. Confirms that the core goal of the facility is to operate as a service to the community.

The Amendment was put to the vote.

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

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

The Foreshadowed Motion then became the Motion and was put to the vote.

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

- 259** The voting being equal the Mayor exercised a casting vote in favour of the Motion and the Motion was declared Carried.

Councillor David Brooks-Horn returned to the meeting, the time being 10.15 PM

ADJOURNMENT

- 260** **RESOLVED** on the motion moved by Councillor Bennison and seconded by Councillor Zbik that Item 19 be moved forward and a five minute adjournment be granted.

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

RESUMPTION

The meeting resumed at 10.23pm.

PROCEDURAL MOTION

- 261** **RESOLVED** on the motion of moved by Councillor Brooks-Horn and seconded by Councillor Mort that Council deal with the Closed Committee Item as the next item of business.

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:

**MAYORAL MINUTE - GENERAL MANAGER'S PERFORMANCE PLAN
2023/24**

It is recommended that the Council close so much of the meeting to the public as provided for under Section 10A(2) (a) of the Local Government Act, 1993, on the grounds that the matter will involve the discussion of personnel matters concerning a particular individual; it further being considered that discussion of the matter in open meeting would be, on balance, contrary to public interest by reason of the foregoing.

No members of the public made representations with respect to the item in the Closed Committee.

262 RESOLVED on the motion of moved by Councillor Brooks-Horn and seconded by Councillor Mort that Council resolve into Closed Committee.

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 Closed Committee commenced at 10.25pm. The public and media left the chamber.

RESUMPTION

The Open Council Meeting resumed at 10:45pm.

The public and media were invited into the chamber.

The General Manger read the recommendations arising from the Closed Committee prior to Council's consideration of the item in Open Committee.

CLOSED COMMITTEE

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

1. Endorse the General Manager's Performance Agreement 2023/24
2. Notes the General Manager's Performance Plan 2023/2024 was not considered in October 2023 and November 2023 due to running out of time during these two Council meetings.
3. In accordance with the General Manager's performance measures, Lane Cove Council's Code of Conduct, and Safe Work NSW's Code of Practice (Managing Psychosocial Hazards at Work), and in consideration of recent staff resignations, to ensure ongoing compliance with Work Health and Safety requirements, the Council endorses the following actions:-
 - a. All future Councillor requests for information should temporarily be directed solely to the General Manager until further notice.
 - b. Engage the services of a clinical psychologist to provide training to staff and Councillors in identifying, managing, and eliminating (are far as possible) workplace Psychosocial hazards.
 - c. Obtain legal advice and other professional advice if required, to draft policies that complement the training and advice provided by the clinical psychologist to improve Councillor and Staff interactions.
 - d. The cost be funded from Council's Councillor Education 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).

PROCEDURAL MOTION

264 RESOLVED on the motion moved by Councillor Zbik and seconded by Councillor Brooks-Horn that Report Item 9 – *'Tree Vandalism in Longueville'*, Item 11 – *'Update on Electric Vehicle Charging Infrastructure and Sustainability Upgrades'*, Item 12 – *'Report into Proposed Free Period Product Trial'*, Item 13 – *'Annual Community Satisfaction Survey results'*, Item 14 – *'IPART – Final Report on the Rate Peg Methodology Review'*, Item 15 – *'Delegation of Authority During Christmas and Ordinary Council Meeting Recess'*, Item 16 – *'Schedule of Ordinary Council Meetings for 2024'*, and Item 17 – *'Council Snapshot – November 2023'* be considered by Council In Globo.

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).

TREE VANDALISM IN LONGUEVILLE

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

1. the report be received and noted; and
2. Council keep the community informed at the appropriate time as advised by Council's legal team.

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).

UPDATE ON ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND SUSTAINABILITY UPGRADES

266 RESOLVED on the motion moved by Councillor Zbik and seconded by Councillor Brooks-Horn 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).

REPORT INTO PROPOSED FREE PERIOD PRODUCT TRIAL

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

1. Pilot a 12-month free period product program with at least one dispenser and that this dispenser be located at Lane Cove Library with funding to be included in the budget for the 2024-2025 financial year;
2. Ensure that any other dispensers included in the pilot program are installed at venues that are owned or managed by Council, open for extended hours, easily accessible and used by people of all ages, cultures, and socio-economic background; and
3. Reviews the pilot program after 12 months to determine the ongoing need for dispensers.

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).

ANNUAL COMMUNITY SATISFACTION SURVEY RESULTS

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

1. Receives and notes this report; and
2. Publish the results of the 2023 Annual Community Satisfaction Survey on Council's website.

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).

IPART - FINAL REPORT ON THE RATE PEG METHODOLOGY REVIEW

269 **RESOLVED** on the motion moved by Councillor Zbik and seconded by Councillor Brooks-Horn 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).

DELEGATION OF AUTHORITY DURING CHRISTMAS AND ORDINARY COUNCIL MEETING RECESS

270 **RESOLVED** on the motion moved by Councillor Zbik and seconded by Councillor Brooks-Horn that Council in accordance with Section 377 of the Local Government Act 1993, appoint a Committee comprising of the Mayor and the General Manager, or in their absence a delegate of the Mayor and/or the person acting as General Manager, to deal with and determine, urgent matters arising during the Christmas and Ordinary Council Meeting recess until 22 February 2024, in such cases applying Council's policies, or where no such policies exist, exercising appropriate caution.

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).

SCHEDULE OF ORDINARY COUNCIL MEETINGS FOR 2024

271 **RESOLVED** on the motion moved by Councillor Zbik and seconded by Councillor Brooks-Horn that Council adopt the proposed Ordinary Council Meeting Schedule for 2024, as outlined in this 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 - NOVEMBER 2023

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

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

EXTENSION OF TIME

273 **RESOLVED** on the motion of moved by Councillor Flood and seconded by Councillor Bennison that the Council Meeting be extended by 10 minutes until 11.10pm.

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).

REFERRED REPORTS

DRAFT SWIMMING POOL INSPECTION PROGRAM

274 **RESOLVED** on the motion moved by Councillor Brooks-Horn and seconded by Councillor Flood that Council:-

1. endorses the draft Swimming Pool Inspection Program for the purposes of public exhibition subject to the following amendments:-
 - a. that the Program be referred throughout the document as the Swimming Pool Inspection Program and that this term replaces references to Swimming Pool Barrier Inspection Program
 - b. amend Part 5.4 to separately identify mandatory and pro-active components of the inspection program, and
 - c. include in Part 5.4 the timeframes prescribed in Part 5 of the Swimming Pools Regulation 2018 for carrying out inspections and for entering information on the NSW Register of Swimming Pools

2. subject to 1 above, places the draft Swimming Pool Inspection Program on exhibition for 42 days in accordance with the consultation strategy outlined in 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).

GREENWICH BATHS LEASE ARRANGEMENTS - COMMUNITY CONSULTATION OUTCOMES

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

1. The report be received and noted;
2. Enters into a 5-year lease with Bluefit Pty Ltd of the land to the high water mark of Greenwich Baths based on Option 1 – Open Spring/Summer with school holiday and weekend lifeguards and entry fees charged only when the Baths are attended by a lifeguard at a rent of \$10,000 per annum.
3. Enters into a lease with TfNSW for the balance of the land comprising Greenwich Baths for a period matching the Bluefit Pty Ltd lease and to enter into a corresponding sub-lease with Bluefit Pty Ltd.
4. Request Bluefit to consider the introduction of a season pass.

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 2

276 **RESOLVED** on the motion moved by Councillor Bryla and seconded by Councillor Zbik that Council adopt the reviewed and updated policies subject to:-

1. Consideration of Draft – Policy ES-08 – Keeping Animals being deferred in order for the policy to be reviewed by the Dog Advisory Committee and the Sporting Club Advisory Committee at their first meeting of 2024. After which feedback can be noted and, if required, the policy be updated prior to adoption, and
2. The following amendments to AT-5 Draft- Policy OSUS-04 Street Parties: Traffic and Parking Arrangements as follows:-

i. General Terms

Paragraph 2 to read "In accordance with the TfNSW's Traffic and Transport Management of Special Events document July 1, 2018 v 3.5Special Events", and

ii. 4.5 Application for low traffic volume streets or a local road not connected with main roads

Paragraph 2 to read "Council can approve the street party without the need to refer the matter to the Traffic Committee or TFNSW. In this case (of a low trafficable or low volume local road) a Traffic Management Plan (TMP) will be supplied by Council..... as per Council's direction".

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 - DOGS ON SPORTSFIELDS

277 **RESOLVED** on the moved by Councillor Bennison that the General Manager:-

1. Make red flags mandatory for all seasonal sports field bookings; and
2. Install educational signage at all sports fields entrances.

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).

NOTICES OF MOTION

NOTICE OF MOTION - BUS FORUM FOR LANE COVE

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

1. Writes to the Bus Industry Taskforce:
 - a) Noting the impact of late and cancelled services on Lane Cove residents
 - b) Noting the reliance of Lane Cove residents on buses as their primary mode of public transport
 - c) Asking the Bus Industry Taskforce to host a local forum in Lane Cove to give local commuters the chance to have their say.
2. Uses the data submitted via Council's website to support a written submission to the Bus Industry Taskforce from Lane Cove Council, advocating for improved local services for residents, and calling for region 7 buses to return to public hands as soon as possible.

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 - DESTRUCTION OF ENDANGERED ECOLOGICAL COMMUNITIES

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

1. Council officers continue to investigate the matter and make a decision consistent with Council's Enforcement Policy as to the appropriate action to be taken upon completion of the investigation and in accordance with any legal advice received. Such enforcement action may include prosecution in the Land & Environment Court of NSW seeking the imposition of a fine along with orders for remediation and/or revegetation.
2. The General Manager engage with our local member, the Hon. Anthony Roberts, neighbouring Mayors, State Members of Parliament, and LGNSW to collectively lobby the State Government for increased penalties for these types of environmental crimes.
3. Council take appropriate action as soon as feasibly possible, following the receipt of legal advice, to obscure any view/harbour outlook that will have been gained by the destruction of the habitat.
4. Council note that our Federal Member, The Hon. Kylea Tink, MP has this week written to the Minister for Local Government in relation to amending the Local Government Act 1993 to protect tree canopy by including it as "natural capital" or "natural assets" under the act, and has written to the Minister for Planning, calling on the Government to initiate urgent legislative reform to protect our tree canopy.

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 meeting closed at 11:08pm.

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

MAYOR

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