

COMMENCEMENT

The meeting opened with Acknowledgement of Country and Prayer at 6.01pm.

IN ATTENDANCE

The Mayor Zac Miles, Deputy Mayor Julia Prieston (arrived 6.14pm), Councillors Carla Kassab, Marc Lane, Carol Tannous Sleiman, Tatyana Virgara and Ross Williams.

ALSO PRESENT

Director Infrastructure and Environmental Sustainability Samantha Urquhart, Director Finance and Corporate Strategy Maria Kenny, Director Town Planning Steve Kourepis, Manager Communications and Events Shery Demian and Recording Steve Spagnolo.

External Auditor - Alex Hardy, Director Prosperity Audit (for Agenda Item 4.1) – via Zoom.

APOLOGIES

General Manager Mitchell Murphy, Director Community and Customer Services Annie Goodman, Director People and Culture Rosanna Guerra.

DECLARATIONS OF INTEREST

The Mayor called for Declarations of Interest without response.

CONFIRMATION OF MINUTES

- 102/24** RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Williams That the Minutes of Ordinary Meeting No. 4536 held 29 July 2024 be confirmed with the required amendment to Item 8.3 to include the record of voting.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously.

Noting that Deputy Mayor Prieston was not present.

- 103/24** RESOLVED on the MOTION of Councillor Williams, seconded Councillor Virgara That the Minutes of Extraordinary Meeting No. 4537 held 14 October 2024 be confirmed.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously.

Noting that Deputy Mayor Prieston was not present.

TABLING OF PETITIONS

PROCEEDINGS IN BRIEF

Nil

ADDRESSES FROM THE PUBLIC

PROCEEDINGS IN BRIEF

Refer to Items 4.2 and 4.5.

NOTICES OF MOTION INCLUDING RESCISSION MOTIONS

3.1 AUTHORISATION TO EXERCISE THE POWER OF EXPULSION

PROCEEDINGS IN BRIEF

- 104/24** RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Kassab

1. That Hunter's Hill Council resolve that:
 - a. Pursuant to section 10(2)(b) of the Local Government Act 1993 (NSW), the Mayor or other person presiding at a meeting of council or a committee of a council, be authorised to exercise the power of expulsion on the following grounds:
 - i. in relation to a Councillor, where the Councillor fails to comply with a requirement under regulation 233(1) of the Local Government (General) Regulations 2021;

- ii. in relation to a person (other than a Councillor) where the person has, in the reasonably opinion of the Mayor or the person presiding at the meeting, engaged in disorderly conduct at the meeting.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Marc Lane
Councillor Carla Kassab	Councillor Ross Williams
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED

Noting that Deputy Mayor Prieston was not present.

Deputy Mayor Prieston entered the meeting at 6.14pm.

3.2 COMMUNITY FEEDBACK

PROCEEDINGS IN BRIEF

105/24 RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Tannous Sleiman

1. That Council resolve:
 - a. To have the relevant Council Officers consider the community feedback set out in this paper and report back to Council on the viability, options and timing for the suggested actions on a rolling basis as the options are considered.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Marc Lane
Deputy Mayor Julia Prieston	Councillor Ross Williams
Councillor Carla Kassab	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED

3.3 SPATIAL STRATEGY

PROCEEDINGS IN BRIEF

Cr Lane moved the motion with the addition of points 4 and 5 below.

Cr Williams suggested a further amendment, point 6 below, which was accepted by the mover, Cr Lane.

MOVED on the MOTION of Councillor Lane, seconded Councillor Williams

1. That Council prepare a spatial strategy for public open space in the Municipality of Hunter's Hill that:
 - a. sets out aim of public ownership, use and access to the land and waters of the Municipality of Hunter's Hill, in specific, measurable and actionable terms, including:
 - i. to meet the strategic objectives of the Local Strategic Planning Statement (LSPS), particularly the recreational open space identified in Map 13 and the green grid identified in Map 14 of the LSPS
 - ii. to deliver continuous walking and routes along the foreshore and provide suitable alternatives to busy roads for walking and cycling
 - iii. to meet the recreational needs of the residents of Hunters Hill, and
 - iv. to deliver for the current and future open space needs of the community.
 - b. identifies the key open space networks and areas required to meet that aim,
 - c. identifies land:
 - i. vested in or under the control of council (within the meaning of s53 of the Local Government Act) that is required to be retained in public ownership, or easements to be retained for public access, as applicable
 - ii. owned by others for which acquisition, use or a right of access is sought to achieve the aims, and
 - d. provides a delivery plan for realising the aims of the spatial strategy.
2. That Council does not dispose of:
 - a. 16C Vernon Street, Hunters Hill and the easements associated with it; nor
 - b. any other publicly owned land or easements,until the strategy referred to in 1 has been adopted by Council.
3. That Council writes to the Minister for Planning and Public Spaces to request that any sale of 7 - 11 Nelson Street is conditional on public foreshore

access, to enable the Parramatta River and Sydney Harbour Foreshore Walk opportunity set out in the LSPS.

4. That Council enforces the easement over 16A Vernon Street Hunters Hill to enable access from Mornington Reserve to 16C Vernon Street; and
5. That Council removes illegal fencing over the foreshore access path at the west of Mornington Reserve.
6. Council allocates funds from general reserves to fund this strategy.

RECORD OF VOTING	
For	Against
Councillor Ross Williams	Mayor Zac Miles
	Deputy Mayor Julia Prieston
	Councillor Carla Kassab
	Councillor Tatyana Virgara
	Councillor Marc Lane
	Councillor Carol Tannous Sleiman

The MOTION on being put to the meeting was LOST.

COUNCIL REPORTS

- 4.1 EXTERNAL AUDIT & ADOPTION OF GENERAL PURPOSE FINANCIAL STATEMENTS FOR YEAR ENDING 30 JUNE, 2024

PROCEEDINGS IN BRIEF

Alex Hardy addressed the meeting regarding the audit of the financial statements and responded to questions from Council.

- 106/24** RESOLVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Tannous Sleiman

1. That the financial statements for the year ending 30 June 2024 be adopted and placed on public exhibition in accordance with the requirements of section 420 of the Local Government Act.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.2 COMMITTEES OF COUNCIL; COUNCILLOR REPRESENTATION ON INTERNAL AND EXTERNAL COMMITTEES; AND REPRESENTATION BY COMMUNITY MEMBERS

PROCEEDINGS IN BRIEF

Mr Jim Sanderson addressed the meeting with particular attention to the proposed abolishment of the Movement and Transport Advisory Committee. Mr Sanderson was granted an extension of time (moved by Cr Williams, seconded by Cr Lane and carried). Mr Sanderson was granted a further extension of time (moved by Cr Williams, seconded by Cr Lane and carried on the casting vote of the Mayor).

Director Urquhart read a statement by Ms Elizabeth Krasso regarding stronger intergenerational engagement with Council decision making. Ms Krasso provided a Council Resolution from 2021 which was not actioned due to caretaker period and post-covid recovery. It sought to provide council with a conduit to hear younger voices.

MOVED on the MOTION of Deputy Mayor Prieston, seconded Cr Virgara the recommendation in the report with a slight amendment to point 5 and the addition of point 6, as follows:

1. That Council receive and note the report.
2. That Council adopt the Advisory Committees and Steering Committees of Council for the full term of the Council as outlined in this report.
3. That Council nominates elected members as delegates to all committees as outlined in this report.
4. That Council determines number of community representatives as outlined in this report.
5. That nominations for community representatives including a youth representative be invited and advertised for Advisory Committees and Steering Committees and that a further report be brought to Council's Ordinary Meeting in December 2024 regarding recommended appointments.
6. That the information on the advisory and steering committees of Council (excluding technical committees, CAP and LTC, and for the avoidance of doubt, ARIC) be provided to local high schools to promote the opportunity to nominate a youth representative for consideration as a delegate on all committees.

An AMENDMENT was moved by Clr Marc Lane seconded by Clr Ross Williams that:

1. That Council receive and note the report.
2. That Council adopt the Advisory Committees and Steering Committees of Council for the full term of the Council as outlined in this report and include that:
 - the Conservation Advisory Panel is also to include the Hunters Hill Trust, a heritage landscape architect and the two community representatives are not to be alternating but sit together,

- the Movement and Transport Committee which is to be retained on its previous terms.
- 3. That Council nominates elected members as delegates to all committees as outlined in this report.
- 4. That Council determines number of community representatives as outlined in this report.
- 5. That nominations for community representatives including a youth representative be invited and advertised for Advisory Committees and Steering Committees and that a further report be brought to Council’s Ordinary Meeting in December 2024 regarding recommended appointments.
- 6. That the information on the advisory and steering committees of Council (excluding technical committees, CAP and LTC, and for the avoidance of doubt, ARIC) be provided to local high schools to promote the opportunity to nominate a youth representative for consideration as a delegate on all committees.

RECORD OF VOTING	
For	Against
Councillor Marc Lane	Mayor Zac Miles
Councillor Ross Williams	Deputy Mayor Julia Prieston
	Councillor Tatyana Virgara
	Councillor Carla Kassab
	Councillor Cr Tannous-Sleiman

The AMENDED MOTION was LOST

Deputy Mayor Prieston amended the original motion to include point 7 and further clarify point 5. This was amendment was accepted by the seconder, Cr Virgara and reads as follows:

1. That Council receive and note the report.
2. That Council adopt the Advisory Committees and Steering Committees of Council for the full term of the Council as outlined in this report.
3. That Council nominates elected members as delegates to all committees as outlined in this report.
4. That Council determines number of community representatives as outlined in this report.
5. That nominations for community representatives and a youth representative be invited and advertised for Advisory Committees and Steering Committees and that a further report be brought to Council’s Ordinary Meeting in December 2024.
6. That the information on the advisory and steering committees of Council (excluding technical committees, CAP and LTC, and for the avoidance of doubt, ARIC) be provided to local high schools to promote the opportunity to nominate a youth representative for consideration as a delegate on all committees.
7. That Council increases the number of community representatives on the Arts Advisory Steering Committee to seven (7).

107/24 RESOLVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Virgara

1. That Council receive and note the report.
2. That Council adopt the Advisory Committees and Steering Committees of Council for the full term of the Council as outlined in this report.
3. That Council nominates elected members as delegates to all committees as outlined in this report.
4. That Council determines number of community representatives as outlined in this report.
5. That nominations for community representatives and a youth representative be invited and advertised for Advisory Committees and Steering Committees and that a further report be brought to Council's Ordinary Meeting in December 2024.
6. That the information on the advisory and steering committees of Council (excluding technical committees, CAP and LTC, and for the avoidance of doubt ARIC) be provided to local high schools to promote the opportunity to nominate a youth representative for consideration as a delegate on all committees.
7. That Council increases the number of community representatives on the Arts Advisory Steering Committee to seven (7).

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Marc Lane
Deputy Mayor Julia Prieston	Councillor Ross Williams
Councillor Carla Kassab	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED

The Council delegates to committees were endorsed as follows:

Advisory and Steering Committees	Councillor membership
Audit, Risk & Improvement Committee	No Councillor membership
Bushland Management Advisory Committee	Councillor Virgara Councillor Kassab
Conservation Advisory Panel	Mayor Miles (Chair) Councillor Virgara
Cultural and Events Advisory Committee	Deputy Mayor Prieston Councillor Kassab
Arts Advisory Committee	Deputy Mayor Prieston Councillor Williams
School Principals Liaison Committee	Mayor Zac Miles (Chair) Councillor Tannous-Sleiman
Sport and Recreation Advisory Committee	Mayor Miles (Chair) Councillor Virgara

Sustainability Advisory Committee	Councillor Tannous-Sleiman Councillor Williams
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External Committee/Organisation	Councillor membership
Local Government NSW Conference	Mayor Miles Deputy Mayor Prieston
Civic Risk Mutual	Mayor Miles Deputy Mayor Prieston
Parramatta River Catchment Group	Councillor Kassab
Northern Sydney Regional Organisation of Councils (NSROC)	Mayor Miles Deputy Mayor Prieston Councillor Tannous-Sleiman (alternate) Councillor Kassab (alternate)
Hunters Hill Le Vesinet Friendship Committee	Mayor Miles
Sydney North Regional Planning Panel	Mayor Miles Deputy Mayor Prieston
Local Traffic Committee	Councillor Kassab Councillor Lane (alternate)
Hunters Hill, Ryde, Lane Cove, Parramatta Bushfire Management Committee	Councillor Williams Councillor Lane (alternate)

4.3 STATE OF THE MUNICIPALITY REPORT

PROCEEDINGS IN BRIEF

108/24 RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Williams

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.4 DRAFT ELECTRIC VEHICLE CHARGING INFRASTRUCTURE (EVCI) POLICY

PROCEEDINGS IN BRIEF

109/24 RESOLVED on the MOTION of Councillor Williams, seconded Deputy Mayor Prieston

1. That Council endorse the Draft Electric Vehicle Charging Infrastructure (EVCI) Policy for public exhibition for 28 days.
2. That a further report be brought back to a future Council Meeting, for consideration and adoption of the updated Electric Vehicle Charging Infrastructure (EVCI) Policy.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.5 DRAFT SIGNIFICANT TREE REGISTER UPDATE

PROCEEDINGS IN BRIEF

Director Urquhart read a statement by Rev Michael requesting that Council does not proceed with the register listings at this time.

110/24 RESOLVED on the MOTION of Councillor Williams, seconded Deputy Mayor Prieston

1. That the report be received and noted.
2. That the new draft Significant Tree Register listings be placed on public exhibition for a period of 28 days.
3. That following the public exhibition phase a further report be brought back to the December Ordinary Meeting of Council with an analysis of community submissions received and a recommendation for adoption of the draft new Significant Tree Register listings for the Hunter’s Hill Council Significant Tree Register.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Marc Lane
Deputy Mayor Julia Prieston	

Councillor Carla Kassab	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED

4.6 CHRISTMAS CLOSURE AND 2025 COUNCIL MEETING DATES

PROCEEDINGS IN BRIEF

111/24 RESOLVED on the MOTION of Councillor Williams, seconded Councillor Kassab

1. That Council approves the Christmas New Year closure from midday Tuesday 24 December 2024 through to Wednesday 1 January 2025 (inclusive).
2. That the 2025 Council Meeting Schedule, once adopted, be advertised.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.7 CITIZEN OF THE YEAR AWARDS

PROCEEDINGS IN BRIEF

RECOMMENDATION

1. That the report be received and noted.
2. That Council nominate two (2) Councillors, in addition to the Mayor, Deputy Mayor and previous Citizen of the Year to sit on the Citizen of the Year Awards assessment panel.
3. That the Citizen of the Year Awards assessment panel's recommendations be brought back to Council's Ordinary Meeting in November 2024 (in Closed Session) to be endorsed.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	

Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

The two Councillors endorsed to join the Mayor and Deputy Mayor on the Citizen of the Year Panel were Councillors Tannous-Sleiman and Kassab.

4.8 COMMUNITY GRANTS

PROCEEDINGS IN BRIEF

112/24 RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Williams

1. That the report be received and noted.
2. That Council nominate two (2) Councillors to be appointed to the Community Grants Assessment Panel for the 2024-25 program, which is in addition to the Mayor and Deputy Mayor who will serve on the panel with the General Manager.
3. That a further report be brought back to Council’s Ordinary Meeting in November 2024 with a recommended list of projects to be funded.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

The two Councillors endorsed to join the Mayor and Deputy Mayor on the Citizen of the Year Panel were Councillors Virgara and Tannous-Sleiman.

4.9 PLANNED EVENTS - OCTOBER TO DECEMBER 2024

PROCEEDINGS IN BRIEF

113/24 RESOLVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Kassab

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

MOTION TO MOVE ITEMS AS A BLOCK

114/24 RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Lane
That Items 4.10, 4.11, 4.13, 4.14 and 4.15 be moved as a block.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.10 COUNCILLORS OATH/AFFIRMATION OF OFFICE

PROCEEDINGS IN BRIEF

115/24 RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Lane
1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

Councillor Ross Williams	
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The MOTION was CARRIED unanimously

4.11 DISCLOSURE OF INTEREST RETURNS - COUNCILLORS AND DESIGNATED PERSONS

PROCEEDINGS IN BRIEF

116/24 RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Lane
That the report and tabled disclosure of interest returns by councillors and designated persons for 2023-24 are received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.12 COUNCILLOR BRIEFINGS AND WORKSHOPS

PROCEEDINGS IN BRIEF

117/24 RESOLVED on the MOTION of Councillor Williams, seconded Councillor Lane
1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.13 SUMMARY OF COUNCIL INVESTMENTS AS AT 31 JULY 2024, 31 AUGUST 2024 AND 30 SEPTEMBER 2024

PROCEEDINGS IN BRIEF

118/24 RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Lane

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.14 FINANCE POLICIES - FINANCIAL HARDSHIP, PENSIONER RATES & CHARGES REDUCTION, AND PROCUREMENT & CONTRACT MANAGEMENT.

PROCEEDINGS IN BRIEF

119/24 RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Lane

1. That Council adopt the proposed minor amendments to the Procurement and Contract Management Policy; Financial Hardship Policy; and Pensioner Rates and Reduction Policy.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.15 ENTERPRISE RISK MANAGEMENT POLICY

PROCEEDINGS IN BRIEF

120/24 RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Lane

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

CORRESPONDENCE

5.1 CORRESPONDENCE FROM NATIONAL EMERGENCY MANAGEMENT AGENCY’S (NEMA) COORDINATOR-GENERAL BRENDAN MOON AM RE: NEMA’S COORDINATION AND PLANNING OFFICER CAPABILITY

PROCEEDINGS IN BRIEF

121/24 RESOLVED on the MOTION of Councillor Williams, seconded Councillor Lane

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

5.2 CORRESPONDENCE FROM CROWN LANDS RE: AMENDMENTS TO LANDOWNER'S CONSENT REQUIREMENTS

PROCEEDINGS IN BRIEF

122/24 RESOLVED on the MOTION of Councillor Williams, seconded Councillor Lane

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Carla Kassab	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

QUESTIONS WITH OR WITHOUT NOTICE

7.1 CR TATYANA VIRGARA (SUBJECT: GLADESVILLE OCCASIONAL CHILD CARE CENTRE)

PROCEEDINGS IN BRIEF

QUESTION FROM CR VIRGARA:

SUBJECT: GLADESVILLE OCCASIONAL CHILD CARE CENTRE

Question or Service Requested:

Background

In the lead up to the September 2024 Local Government Election, the independent ticket of Marc Lane, Jim Sanderson, Jay Ryves and Chris Mutton published and distributed campaign material which stated under the heading:

“STOP LAND SALES”

“Don’t fill council budget black hole with \$2.5 million sale of Gladesville Occasional Child Care Centre”

(the **Land Sales Statement**).

The campaign material containing the Land Sales Statement was authorised by Marc Lane (now Councillor Lane).

As a Councillor during the previous term of Council, I was not aware of any briefing, proposal or decision by the previous Council in relation to selling the land on which the Gladesville Occasional Child Care Centre is situated.

While there are no laws in New South Wales that require truth in political advertising, it is reasonable to assume that the authorisation of the campaign material was undertaken with some care and, in relation to the Land Sales Statement, some real basis for making the Land Sales Statement.

Question

Was there any briefing to, discussion, proposal or decision by the previous Council in relation to selling the land on which the Gladesville Occasional Child Care Centre is situated?

RESPONSE:

There was no briefing to Councillors or business paper tabled at a formal meeting during the previous term of Hunter's Hill Council relating to the sale of land where the Gladesville Occasional Child Care Centre is located on Pittwater Road.

There is no financial provision in Council's 2024-25 budget or the current long-term financial plan pertaining to a land sale at that location.

Council has been transparent about a planning proposal it has lodged with the City of Ryde seeking to reclassify land at Pittwater Road from community land to operational land.

The planning proposal was placed on exhibition for community comment from Monday 2 September 2024 until Sunday 29 September 2024.

This rezoning application was lodged in alignment with a resolution of Hunter's Hill Council in 2021, see below:

Resolution 446/21 at Council Meeting held on 20 September 2021

4.9 RECLASSIFICATION OF LAND AT 4 PITTWATER ROAD
GLADESVILLE

PROCEEDINGS IN BRIEF

001/21 RESOLVED on the MOTION of Councillor Miles, seconded Deputy Mayor Sanderson

That Council approve the lodging of a Planning Proposal with Ryde City Council for the reclassification of 4 Pittwater Road Gladesville to Operational land.

CARRIED UNANIMOUSLY.

RECORD OF VOTING	
For	Against
Mayor Ross Williams	
Councillor Ben Collins	
Councillor Elizabeth Krasso	
Councillor Justine McLaughlin	
Councillor Zac Miles	
Deputy Mayor Jim Sanderson	

7.2 CR TATYANA VIRGARA (SUBJECT: HUNTERS HILL TRUST CAMPAIGN MATERIAL)

PROCEEDINGS IN BRIEF

QUESTION FROM CR VIRGARA:

SUBJECT: HUNTERS HILL TRUST CAMPAIGN MATERIAL

Question or Service Requested:

Background

In the lead up to the September 2024 Local Government Election, the Hunters Hill Trust distributed a document entitled "Council Elections 2024" (**HH Trust Campaign Material**) which contained numerous statements about the former Council which were either mischaracterisations or plainly wrong.

By way of example only, the HH Trust Campaign Material stated that:

"A decision to sell a 834sqm parcel of public waterfront land at Joubert Street South/Euthella Avenue for a "minimum consideration" was made in closed session".

The statement implies that Council had determined to accept a non-commercial amount of consideration. That is a mischaracterisation of the actual resolution made by Council on 27 November 2023 which was to:

- a) proceed with the sale of the Road Reserve *"provided no submissions are received"* from the public in response to the public notices required by legislation and by Council's own policy (which Council resolved to occur by numbered point 2 of Item 8.2 of Ordinary Meeting No. 4527); and
- b) not accept an amount less than the amount contained in the valuation report of a professional and independent valuer.

The Hunters Hill Trust holds itself out to be a conscientious community organisation and, through various Hunters Hill Trust committee members, regularly makes public representations at Council meetings.

The misleading nature of the statements made in the HH Trust Campaign gives rise to a concern about the reliability and accuracy of such representations going forward.

Question

1. Did Council take any steps to inform the Hunters Hill Trust about the factual mischaracterisations and plainly wrong statements in the HH Trust Campaign Material?
2. If Council did take such steps, what were they and what was the response of the Hunters Hill Trust?
3. What steps or measures can Council take to ensure that any future representations made on behalf of the Hunters Hill Trust at Council Meetings are accurate, reliable and authorised positions of the Hunters Hill Trust?

RESPONSE:

1. The General Manager sent detailed correspondence to Karyn Raisin (President, Hunters Hill Trust) on September 11 to address several misleading statements about Council, elected members, and senior staff pertaining to the distribution of a flyer (bearing the Trust's emblem) and content published on the Trust's web site.

Council sought legal advice from HWL Ebsworth before sending the correspondence.

Council provided the Trust with a draft corrective statement to be published on its web site.

There was no response from the Trust and consequently Council sent follow up correspondence to Karyn Raisin on September 24 reiterating the contents of the previous correspondence.

2. Council received correspondence from Pike and Verekers Lawyers, acting on behalf of the Trust, on September 30. The Trust generally rejected the allegation that it had published misleading and defamatory statements, subject to one minor concession, which it acknowledged on its website: <https://huntershilltrust.org.au/2024/09/update-on-councils-tender-for-the-construction-of-works-depot-boronia-park-hunters-hill/>.

HWL Ebsworth, acting on Council's behalf, replied to the legal correspondence on October 21, maintaining that the publications are misleading and defamatory.

While Council does not intend to take any further action with respect to the publications at this point in time, any publications released by the Trust will

continue to be closely monitored. Council has given notice that the flyer and website, as well as the surrounding correspondence, may be relied upon as evidence of the Trust's conduct in future.

3. Councillors may consider requesting the Hunters Hill Trust to provide Council with minutes of their committee meetings to demonstrate the Trust's position on specific issue/s and, secondly, to formally advise in writing the Council Meeting Chair that a member has been authorised to speak on the behalf of the Trust's membership at a Council meeting.

GENERAL BUSINESS

Councillor Lane raised an item of general business in relation to the Get Active Grant which is targeted at promoting school children to walk or cycle to school. Cr Lane recommended that Council advise schools in the area and support any applications made noting that the grant application period closes before the next scheduled Council meeting.

CONCLUSION

The meeting concluded at 8.36pm.

I confirm that these Minutes are a true and accurate record of Ordinary Meeting No. 4538 held on 28 October 2024.

.....
Councillor Zac Miles
MAYOR

.....
Mitchell Murphy
GENERAL MANAGER