



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, 31 Victor Street, Chatswood

10 March 2014

commencing at 7:00pm

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1 PRESENT

Councillors

The Deputy Mayor, Councillor G Giles-Gidney, Councillors S Coppock, H Eriksson, J Hooper, T Mustaca, W Norton, A Rozos, J Rutherford, L Saville, M Sloane, M Stevens and N Wright.

Officers

Mr N Tobin (General Manager), Mr G Woodhams (Environmental Services Director), Mr P Collings (Acting Infrastructure Services Director), Mr T Pizzuto (Financial Services Director), Ms M Smith (Community Services Director), Ms T Crouch (Corporate Support and Performance Director), Mr J Knight (Administration Manager) and Ms B Jeffries (Executive Assistant).

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Councillor S Coppock declared a non-significant, non-pecuniary interest in Item 20.2 Planning Proposal for Gore Hill Technology Park (Previous ABC Site), Pacific Highway, Artarmon.
- Councillor W Norton declared a non-significant, non-pecuniary interest in Item 9.1 Mayoral Minute - Out Of School Hours (OOSH) Care Provision
- Councillor Giles-Gidney declared a significant, non-pecuniary interest in Item 23.1 - Talus Street Reserve Trust.

3 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 24 February 2014, copies of which have been circulated to each member of Council, be confirmed.

4 APOLOGIES AND LEAVE OF ABSENCE

Councillor M Sloane requested leave of absence from the 11th March 2014 to 21st March 2014.

RESOLUTION

That leave of Absence is granted to Councillor Sloane from 11th March 2014 to 21st March 2014.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillor Stevens

5 INTERVIEWS

NIL

6 PETITIONS

NIL

7 OPEN FORUM

NIL

8 MAYORAL REPORT

The Mayoral Report was circulated to all Councillors listing the Mayor's activities.

ACTING MAYOR'S DIARY – COUNCIL MEETING NOTES FOR 10 MARCH 2014

| TUESDAY 25 FEBRUARY | | | |
|--|---------|---|------------------------|
| Acting Mayor: Cr Giles-Gidney Crs Hooper, Wright | 5 pm | Mayoral By-Election Seminar | Flannel Flower Room |
| Cr Rutherford | 6 pm | Willoughby Park Meeting | Willoughby Park Centre |
| Acting Mayor: Cr Giles-Gidney Crs Norton, Rozos, Rutherford | 7.30 pm | Castle Cove Progress Association Meeting | Castle Cove Library |
| WEDNESDAY 26 FEBRUARY | | | |
| Acting Mayor: Cr Giles-Gidney | 2 pm | Chatswood CBD Safety & Security Meeting | Banksia Room |
| THURSDAY 27 FEBRUARY | | | |
| Acting Mayor: Cr Giles-Gidney | 10 am | Meeting of <i>Australians in Retirement</i> Group | Dougherty Centre |
| Acting Mayor: Cr Giles-Gidney | 7.30 pm | Presentation of Scouting Awards | Roseville Scout Hall |
| Cr Saville | | Launch of the SCCG Coastal Vulnerability and Inundation Project | Sydney City |
| SATURDAY 1 MARCH | | | |
| Acting Mayor: Cr Giles-Gidney Cr Eriksson | | <i>Paint the Town Purple</i> : Cancer Council Event | Chatswood Mall |
| Acting Mayor: Cr Giles-Gidney Crs Hooper, Norton | 3 pm | <i>Woofastic</i> Event & Movie Screening | The Urban Screen |
| Crs Norton, Saville | evening | WSOC Concert : <i>A Night at the Opera</i> | The Concourse |
| SUNDAY 2 MARCH | | | |
| Acting Mayor: Cr Giles-Gidney | 2 pm | WSOC Concert : <i>A Night at the Opera</i> | The Concourse |

| | | | |
|---|---------|---|--------------------------|
| Acting Mayor: Cr Giles-Gidney Crs Norton, Rozos | 4 pm | <i>Meet the Orchestra</i> | The Concourse |
| TUESDAY 4 MARCH | | | |
| Acting Mayor: Cr Giles-Gidney Crs Norton, Rutherford | | Chatswood Probus Club: 25 th Anniversary Luncheon | Chatswood RSL Club |
| THURSDAY 6 MARCH | | | |
| Acting Mayor: Cr Giles-Gidney Crs Coppock, Norton, Rutherford, Sloane | 7.30 am | International Women's Day Breakfast | The Concourse - Pavilion |
| Acting Mayor: Cr Giles-Gidney | 10 am | Leaders Forum: Revitalising Local Govt. | Sydney Town Hall |
| Cr Saville | 12 noon | Oxfam City International Women's Day | |
| Acting Mayor: Cr Giles-Gidney | 12.30pm | Mayoral Meeting re: Local Govt Reforms | Parramatta Council |
| Acting Mayor: Cr Giles-Gidney Crs Hooper, Mustaca | 6 pm | NSROC Board Meeting | Willoughby Council |
| FRIDAY 7 MARCH | | | |
| Cr Norton | | Dance to the Nines | Dougherty Centre |

- The Deputy Mayor, Councillor Giles-Gidney, spoke about the tremendous result of the determination by the Planning Assessment Commission on the Channel 9 site. The PAC determined that there would be 350 units with buildings restricted to 8 storeys, changes to control traffic from the new dwellings and a new park on Artarmon Road.

The Deputy Mayor said that the Council and community moved as one to achieve such a tremendous result for Willoughby. She also commented on the extraordinary success of the local community and the Council working together.

The Deputy Mayor congratulated the Environmental Services Director and his team on a job well done.

Councillor Coppock supported the Deputy Mayor's comments and noted that it was important that the Council was unanimous in its support of the residents.

RESOLUTION

That the Mayoral report be received.

MOVED COUNCILLOR GILES-GIDNEY

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillor Stevens

9 MAYORAL MINUTE

9.1 OUT OF SCHOOL HOURS (OOSH) CARE PROVISION

MEETING DATE: 10 MARCH 2014

Following a request by the Acting President of the Northern Sydney Council for Parents and Citizens Associations for assistance on issues facing OOSH service provision and the results of inadequacies in services including the following:

- Resistance of schools to allow potential service providers access to the school hall or other appropriate space for the operation of a service.
- Where schools do offer on-site OOSH programs, there can be reluctance from the school to open to the service up to nearby schools to assist in meeting community demand.
- Department of Education's resistance to providing OOSH programs when master planning sites.
- Limited facilities are identified for service provision in relatively close proximity to the school to allow for collection of children. This is often difficult with some services choosing to collect children by bus, either private or commercial. This can add to the cost of the daily fee for the service.

As a result of these issues, the following risks have been identified:

- Anecdotal evidence indicates that more children are going home to an unsupervised home, either via bus or walking home at an earlier age than parents would otherwise have allowed.
- A trend is emerging of other 'After School' recreational activities, such as art class or dance class extending the hours of their programs to care for children. However these are not regulated services, leaving potential for children to be placed at risk.
- Anecdotal evidence suggests that parents are using their "lunch break" to collect children from school and take them to an after school care service out of area, or to an after school recreational activity which impacts on their employment.
- Parents are relying on other parents to 'mind their children' after school. Whilst this can be an effective way of the community working together, it can also place children at increased risk of harm.

I Move that Council writes to the relevant Ministers asking that:

- 1. the State Government give a direction to public primary school principals to give first priority on the use of school infrastructure assets for the provision of out of hours school care if requested by their community, in accordance with national priorities; and**
- 2. the Federal Government ensures that the National Quality Framework requirements for Out of School Hours care are revised and that appropriate OOSH specific requirements are developed that still maintain a high standard of care, but also enable communities to meet current and future OOSH demand.**

RESOLUTION

That Council write to the relevant Ministers asking that:

1. the State Government give a direction to public primary school principals to give first priority on the use of school infrastructure assets for the provision of out of hours school care if requested by their community, in accordance with national priorities; and
2. the Federal Government ensures that the National Quality Framework requirements for Out of School Hours care are revised and that appropriate OOSH specific requirements are developed that still maintain a high standard of care, but also enable communities to meet current and future OOSH demand.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillor Stevens

Councillor Norton declared a non-significant, non-pecuniary interest in the above matter.

10 GENERAL MANAGER'S LATE REPORT

NIL

11 MATTERS FOR DEFERRAL, REFERRAL TO INSPECTION AND/OR PROCEDURAL PRIORITY

NIL

12 MATTERS BROUGHT FORWARD BY THE PUBLIC

At this stage, the Deputy Mayor invited members of the public to nominate the items they wished Council to deal with immediately, and these matters were then dealt with in the order so nominated.

Item 14.2 270 Boundary Street, Castle Cove - Middle Harbour Ward Councillors Inspection Committee Meeting

Item 20.1 43 Donnelly Road, Naremburn - DA 2011/493/A

13 MATTERS NOT REQUIRING ELABORATION OR DEBATE

The Mayor invited Councillors to indicate the items not brought forward by the public that they wished to deal with separately.

Item 14.1.1 (9.1) Asset Management Policy, Improvement Strategy

Item 19.1 Willoughby Friends of Ossu - Application for out of Term Community Grant

Item 20.2 Planning Proposal for Gore Hill Technology Park (Previous ABC site), Pacific Highway, Artarmon

Item 21.1 Street Parking Strategy

That the remaining items, viz:

Item 14.1 Transport, Access and Environment Committee Meeting - 3 March 2014

Item 14.3 54 Strathallen Avenue, Northbridge - Sailors Bay Ward Councillors Inspection Committee Meeting

Item 14.4 201 High Street, North Willoughby - Middle Harbour Ward Councillors Inspection Committee Meeting

Item 16.1 Councillors Information Booklet - 27 February 2014

Item 20.3 Development Application Report to 3 March 2014

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR WRIGHT**SECONDED COUNCILLOR HOOPER****CARRIED****Voting**

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillor Stevens

14 REPORTS FROM COMMITTEES

14.1 TRANSPORT, ACCESS & ENVIRONMENT COMMITTEE MEETING - 3 MARCH 2014

| | |
|----------------------|---|
| ATTACHMENTS: | 1. MINUTES |
| RESPONSIBLE OFFICER: | GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR |
| AUTHOR: | GREG WOODHAMS |
| MEETING DATE: | 10 MARCH 2014 |

Purpose of Report

To list on the agenda the minutes of the Transport, Access & Environment Committee Meeting held 3 March 2014.

RESOLUTION

That:

1. The Minutes be received.
2. Council note the resolutions adopted by the Committee.
3. Council adopt the Committee's recommendations with the exception of:
Item 14.1.1 (9.1) Asset Management Policy, Improvement Strategy and Plans

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillor Stevens

14.1.1 (9.1) ASSET MANAGEMENT POLICY, IMPROVEMENT STRATEGY AND PLANS

| | |
|-----------------------------|---|
| ATTACHMENTS: | <ol style="list-style-type: none">1. ASSET MANAGEMENT POLICY & IMPROVEMENT STRATEGY2. ROAD PAVEMENTS ASSET MANAGEMENT PLAN3. FOOTPATHS ASSET MANAGEMENT PLAN4. KERB & GUTTER ASSET MANAGEMENT PLAN5. STORMWATER ASSET MANAGEMENT PLAN6. BRIDGES ASSET MANAGEMENT PLAN7. BUILDINGS ASSET MANAGEMENT PLAN8. PARKS ASSET MANAGEMENT PLAN9. SPORTSGROUNDS ASSET MANAGEMENT PLAN10. PLAYGROUNDS ASSET MANAGEMENT PLAN <p><i>NOTE: ATTACHMENTS NO. 2-10 DISTRIBUTED UNDER SEPARATE COVER</i></p> |
| RESPONSIBLE OFFICER: | TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR TONY PIZZUTO - FINANCIAL SERVICES DIRECTOR PAUL COLLINGS – ACTING INFRASTRUCTURE SERVICES DIRECTOR |
| AUTHOR: | KELLIE ADLAM |
| CITY STRATEGY LINK: | 4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE |
| MEETING DATE: | 24 FEBRUARY 2014 |

Purpose of Report

To present the 2013/14 Asset Management Policy, Improvement Strategy and Plans to Council for adoption

MOTION

That Council refer the Asset Management Policy, Improvement Strategy and Plans to a Councillor Workshop prior to 30 June 2014, to develop a long-term financial plan, to address the backlog identified (ie. the sustainable case).

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Coppock, Hooper, Mustaca, Norton, Rutherford and Wright.

Against the Motion: Councillors Eriksson, Rozos, Saville and Sloane.

Absent: Councillor Stevens

AMENDMENT

That Council adopt the Asset Management Policy, Improvement Strategy and Plans and refer them to a Councillor Workshop prior to 30 June 2014, to develop a long term financial plan, to address the backlog identified (ie. the sustainable case).

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR SLOANE

LOST

Voting

For the Resolution: Councillors Eriksson, Rozos, Saville and Sloane.

Against the Resolution: Councillors Giles-Gidney, Coppock, Hooper, Mustaca, Norton, Rutherford and Wright.

Absent: Councillor Stevens

**14.2 270 BOUNDARY STREET, CASTLE COVE - MIDDLE HARBOUR WARD
COUNCILLORS INSPECTION COMMITTEE MEETING**

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. MINUTES |
| RESPONSIBLE OFFICER: | IAN ARNOTT - DEVELOPMENT PLANNING MANAGER |
| AUTHOR: | KATE DRINAN - DEVELOPMENT PLANNER |
| MEETING DATE: | 10 MARCH 2014 |

Purpose of Report

To present the minutes of the Middle Harbour Ward Councillors Inspection Committee Meeting held 27 February 2014.

MOTION

That the application be approved and delegated authority be granted to the General Manager to issue the Deferred Commencement consent notice, subject to the conditions attached to the Schedule in the Environmental Services Directors report and with the following modifications:

Schedule 1

Condition 1 of Schedule 1 modified to read as follows:

1. Architectural Plans

The architectural plans are to be modified as follows:

- (a) The privacy screen along the western side of the roof top terrace is to be deleted and replaced with frameless glass balustrading to a maximum height of 1.2 metres above deck level.**
- (b) The planter boxes on the northern and western edges of the roof deck are to be deleted and replaced with non-trafficable roof.
(Reason: Visual bulk and amenity)**

Schedule 2

Conditions 5 and 12 of Schedule 2 modified to read as follows:

5. Amendments

The proposal is to be amended in the following manner:

- (a) The BASIX commitments are to be illustrated on plans.**
- (b) *(Item (b) deleted)***

Plans detailing these amendments are required to be shown on the Construction Certificate plans.
(Reason: Ensure compliance)

12. Geotechnical Report

The site is to be inspected by an independent Geotechnical Engineer and a comprehensive report shall be submitted to the accredited certifier indicating how the work is to be undertaken with safety, and identifying the stages at which the engineer's personal supervision is to occur during the works.
(Reason: Protection of adjoining properties)

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR NORTON

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against the Motion: Nil.

Absent: Councillor Stevens

**14.3 54 STRATHALLEN AVENUE, NORTHBRIDGE - SAILORS BAY WARD
COUNCILLORS INSPECTION COMMITTEE MEETING**

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. MINUTES |
| RESPONSIBLE OFFICER: | IAN ARNOTT - DEVELOPMENT PLANNING MANAGER |
| AUTHOR: | ARTHUR TSEMBIS - DEVELOPMENT PLANNER |
| MEETING DATE: | 10 MARCH 2014 |

Purpose of Report

To present the minutes of the Sailors Bay Ward Councillors Inspection Committee Meeting held 28 February 2014.

RESOLUTION

That:

1. The Minutes be received.
2. Council note the resolution adopted by the Committee.

"That the application be approved in accordance with the Officer's recommendation, subject to the following amendments to the draft conditions:

1. ***Amend condition 3(a) by adding:
"The stairwell enclosure shall not exceed dimensions of 4m x 4m."***
2. ***Amend condition 10 by adding the following sub-clause:***
 - e) ***The terms of the Right of Way are to be adhered to at all times. In this respect no storage of goods, loading/unloading shall take place within the ROW at any time, or parking or standing of vehicles.***
3. ***Amend condition 19 by adding the following sentence after the first sentence:***

"The photographic survey and report shall include the ROW and the western façade of 60-62 Strathallen Avenue and 120-124 Sailors Bay Road."

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillor Stevens

**14.4 201 HIGH STREET, NORTH WILLOUGHBY - MIDDLE HARBOUR WARD
COUNCILLORS INSPECTION COMMITTEE MEETING**

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. MINUTES |
| RESPONSIBLE OFFICER: | PETER ROWAN - BUILDING SERVICES MANAGER |
| AUTHOR: | LAWRENCE BENTLEY - DEVELOPMENT OFFICER (BUILDING SURVEYOR) |
| MEETING DATE: | 10 MARCH 2014 |

Purpose of Report

To list on the agenda the minutes of the Middle Harbour Ward Councillors Inspection Committee Meeting held 5 March 2014.

RESOLUTION

That:

1. The Minutes be received.
2. Council note the resolution adopted by the Committee.

"That the application be deferred subject to the applicant conferring with Council Officers regarding an amended landscape proposal, with consideration of the line of sight, streetscape and high pedestrian traffic. Further, that the current location of the street garbage bins be referred to Council's Engineering Services for consideration."

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillor Stevens

15 DEFERRED MATTERS

NIL

16 CORRESPONDENCE

16.1 COUNCILLORS INFORMATION BOOKLET - 27 FEBRUARY 2014

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | NICK TOBIN - GENERAL MANAGER |
| AUTHOR: | SUE SCHURMAN - EXECUTIVE ASSISTANT |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 10 MARCH 2014 |

Purpose of Report

To list on the Council Agenda the weekly Councillors Information Booklet which was circulated to all Councillors on 27 February 2014.

RESOLUTION

That the Councillors Information Booklet be received.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillor Stevens

17 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

**18 REPORTS FROM OFFICERS - CORPORATE SERVICES
DIRECTOR**

NIL

19 REPORTS FROM OFFICERS - COMMUNITY SERVICES DIRECTOR

19.1 WILLOUGHBY FRIENDS OF OSSU - APPLICATION FOR OUT OF TERM COMMUNITY GRANT

| | |
|----------------------|---|
| ATTACHMENTS: | 1. APPLICATION LETTER |
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY SERVICES DIRECTOR |
| AUTHOR: | MELANIE SMITH – COMMUNITY SERVICES DIRECTOR |
| CITY STRATEGY LINK: | 1.2.7 COMMUNITY VOLUNTEERS ARE ACKNOWLEDGED AND SUPPORTED |
| MEETING DATE: | 10 MARCH 2014 |

Purpose of Report

To seek Council's endorsement of the allocation of funds from 2013/14 Community (Small) Grants Program for WFOO Out of Term application.

RESOLUTION

That Council endorse the allocation of \$3,600 to the Willoughby Friends Of Ossu under the 2013/14 Willoughby City Council Community (Small) Grants Program.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillors Stevens.

20 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR

20.1 43 DONNELLY ROAD, NAREMBURN - DA 2011/493/A

ATTACHMENTS: 1. NOTIFICATION MAP
 2. ORIGINAL CONSENT
 3. AERIAL PHOTO

MEETING DATE: 10 MARCH 2014

RECOMMENDATION: PARTIAL APPROVAL

LOCATION: 43 DONNELLY ROAD, NAREMBURN

APPLICANT: FR REX CURRY

OWNER: ROMAN CATHOLIC CHURCH TRUSTEES

PROPOSAL: S96 - MODIFY MAXIMUM ALLOWABLE VOLUME,
RINGING TIMES AND PRACTICE RINGING TIMES OF
INSTALLED BELLS AT ST LEONARD'S CHURCH.

DATE OF LODGEMENT: 13 DECEMBER 2013

VALID APPLICATION DATE: 14 FEBRUARY 2014

REPORTING OFFICER: ANA VISSARION (DEVELOPMENT PLANNER)

RESPONSIBLE OFFICER: IAN ARNOTT - DEVELOPMENT PLANNING
MANAGER

DESCRIPTION OF PROPOSAL

The S96 Modification Application seeks approval for an increase in noise level and in ringing times of the recently installed bells at St Leonard's Church Naremburn.

PROCEDURAL MOTION

That the following people address the meeting

Mr B Chapman
Ms V Van Honrigh
Mr G Goucher
Ms T Gemmell
Ms P Fitzgerald
Mr R Promnitz
Mr G Gemmell

Mr Chapman, Ms Van Honright, Mr Goucher, Ms Gemmell, Ms P Fitzgerald, and Mr Promnitz and Mr Gemmell addressed the meeting and answered questions of the Councillors.

MOTION

That the modification application be approved and delegated authority be granted to the General Manager to issue the consent notice subject to the attached conditions.

A. Condition 15 is modified as follows:

The maximum noise level of the bells shall not exceed background noise level plus **17dB(A)** at the boundary of the most affected residential property (most sensitive receiver) at the time of use.

Certification from a suitably qualified acoustic consultant shall be provided to Council prior to commencement of the bell ringing at the maximum noise level on the first 2event permitted under Condition 20 of this consent to demonstrate that a noise level of less than background noise plus **17dB(A)** has been achieved. The equivalent continuous energy-average A weighted level of noise from the bells (represented by the LAeq descriptor), measured over a period of a bell ringing event shall not exceed the background noise level measured in the absence of the source by more than **17dB(A)** at the boundary of the most affected residential property (most sensitive receiver). **(For the purposes of this condition the most affected residential property is 30 Donnelly Road)**

Where compliance is not achieved the acoustic consultant is to make further recommendations on what further attenuation is necessary to achieve this criteria. Such attenuation is to be implemented prior to any further bellringing. If compliance cannot be achieved then use of the bells, other than for closed practice sessions, is to cease.

(Reason: Compliance)

B. Condition No 20 and 21 are modified to read as follows:

20. Bell ringing hours

The hours of operation of the bells (other than for bell ringing practice) will be restricted to the following:

Sundays: A maximum of 15 minutes ringing between 10:10am to 10:30am and a maximum of 15 minutes ringing between 5:40pm to 6:00pm;

For weddings: between 3:30pm and 6:00pm Friday, 10:30am to 6:00pm Saturday, and 12 noon to 5:30pm Sunday. Maximum of 2 weddings with bell ringing per week. Maximum bell ringing time per wedding- 15 minutes beforehand **and 20 minutes** afterwards. In the event a wedding takes place on a Sunday then there is to be bellringing before only one of the Masses.

For funerals: between 10:30am to 2:30pm Monday to Saturday. Maximum of 2 funerals with bell ringing per week. Maximum bell ringing time per funeral- half muffled ringing beforehand for a maximum of 15 minutes beforehand and a single bell for a maximum of 5 minutes afterwards.

Special Religious Occasions (when not occurring on a Sunday including Good Friday, Easter Vigil and Christmas): Ringing after 10am or prior to 6pm for a maximum of 20 minutes prior to one service on the day of the occasion.

Despite the above:

- c) Bellringing is not to occur more than twice on any day **or 5 times in any week**; and
- d) Bellringing may occur for an additional 15 minutes prior to or at the conclusion of any event to the specification above so long as the acoustic trapdoor and any other noise attenuation measures are in place (in practice mode- Condition 21) and the door at the rear and south side of the Church are closed.
(Reason: Amenity)

21. Bell ringing practice times

Bell ringing practice is restricted between the hours of **10:00am and 9:00pm on any day**. The acoustic trapdoor is to be closed at all times during bell ringing practice. During bellringing practice, the noise level is not to exceed 5dB(A) above background noise at the boundary of the most affected residential property (most sensitive receiver).

(Reason: Amenity)

- C Comply with all other Conditions of the Original Development Consent for DA-2011/493.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Eriksson, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Motion: Councillors Coppock, Hooper and Mustaca.

Absent: Councillor Stevens

AMENDMENT

That the modification application be approved and delegated authority be granted to the General Manager to issue the consent notice subject to the attached conditions.

- A. Condition 15 is modified as follows:

The maximum noise level of the bells shall not exceed **70dB(A)** at the boundary of the most affected residential property (most sensitive receiver) at the time of use.

Certification from a suitably qualified acoustic consultant shall be provided to Council prior to commencement of the bell ringing at the maximum noise level on the first event permitted under Condition 20 of this consent to demonstrate that a noise level of **70dB(A)** has been achieved. The equivalent continuous energy-average A weighted level of noise from the bells (represented by the LAeq descriptor), measured over a period of a bell ringing event shall not exceed, in the absence of the source, by more than **70dB(A)** at the boundary of the most affected residential

property (most sensitive receiver). ***(For the purposes of this condition the most affected residential property is 30 Donnelly Road)***

Where compliance is not achieved the acoustic consultant is to make further recommendations on what further attenuation is necessary to achieve this criteria. Such attenuation is to be implemented prior to any further bellringing. If compliance cannot be achieved then use of the bells, other than for closed practice sessions, is to cease.

(Reason: Compliance)

B. Condition No 20 and 21 are modified to read as follows:

20. Bell ringing hours

The hours of operation of the bells (other than for bell ringing practice) will be restricted to the following:

Sundays: A maximum of 15 minutes ringing between 10:10am to 10:30am and a maximum of 15 minutes ringing between 5:40pm to 6:00pm;

For weddings: between 3:30pm and 6:00pm Friday, 10:30am to 6:00pm Saturday, and 12 noon to 5:30pm Sunday. Maximum of 2 weddings with bell ringing per week. Maximum bell ringing time per wedding- 15 minutes beforehand **and 20 minutes** afterwards. In the event a wedding takes place on a Sunday then there is to be bellringing before only one of the Masses.

For funerals: between 10:30am to 2:30pm Monday to Saturday. Maximum of 2 funerals with bell ringing per week. Maximum bell ringing time per funeral- half muffled ringing beforehand for a maximum of 15 minutes beforehand and a single bell for a maximum of 5 minutes afterwards.

The Bells are permitted to be rung for up to 6 Civic occasions per year, as determined by the Church management.

Despite the above:

- c) Bellringing is not to occur more than twice on any day; and
- d) Bellringing may occur for an additional 15 minutes prior to or at the conclusion of any event to the specification above so long as the acoustic trapdoor and any other noise attenuation measures are in place (in practice mode- Condition 21) and the door at the rear and south side of the Church are closed.

(Reason: Amenity)

21. Bell ringing practice times

Bell ringing practice is restricted between the hours of **10:00am and 9:00pm on any day**. The acoustic trapdoor is to be closed at all times during bell ringing practice. During bellringing practice, the noise level is not to exceed 5dB(A) above background noise at the boundary of the most affected residential property (most sensitive receiver).

(Reason: Amenity)

- C Comply with all other Conditions of the Original Development Consent for DA-2011/493.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR HOOPER

LOST

Voting

For the Amendment: Councillors Coppock, Hooper, Mustaca and Rozos

Against the Amendment: Councillors Giles-Gidney, Eriksson, Norton, Rutherford, Saville, Sloane and Wright.

Absent: Councillor Stevens

Schedule of Conditions

CONDITIONS OF CONSENT:

Development Consent DA 2011/493 is modified as follows:

A. Condition 15 is modified as follows:

The maximum noise level of the bells shall not exceed background noise level plus **17dB(A)** at the boundary of the most affected residential property (most sensitive receiver) at the time of use.

Certification from a suitably qualified acoustic consultant shall be provided to Council prior to commencement of the bell ringing at the maximum noise level on the first event permitted under Condition 20 of this consent to demonstrate that a noise level of less than background noise plus **17dB(A)** has been achieved. The equivalent continuous energy-average A weighted level of noise from the bells (represented by the LAeq descriptor), measured over a period of a bell ringing event shall not exceed the background noise level measured in the absence of the source by more than **17dB(A)** at the boundary of the most affected residential property (most sensitive receiver). *(For the purposes of this condition the most affected residential property is 30 Donnelly Road)*

Where compliance is not achieved the acoustic consultant is to make further recommendations on what further attenuation is necessary to achieve this criteria. Such attenuation is to be implemented prior to any further bellringing. If compliance cannot be achieved then use of the bells, other than for closed practice sessions, is to cease.

(Reason: Compliance)

B. Condition No 20 and 21 are modified to read as follows:

20. Bell ringing hours

The hours of operation of the bells (other than for bell ringing practice) will be restricted to the following:

Sundays: A maximum of 15 minutes ringing between 10:10am to 10:30am and a maximum of 15 minutes ringing between 5:40pm to 6:00pm;

For weddings: between 3:30pm and 6:00pm Friday, 10:30am to 6:00pm Saturday, and 12 noon to 5:30pm Sunday. Maximum of 2 weddings with bell ringing per week. Maximum bell ringing time per wedding- 15 minutes beforehand **and 20 minutes** afterwards. In the event a wedding takes place on a Sunday then there is to be bellringing before only one of the Masses.

For funerals: between 10:30am to 2:30pm Monday to Saturday. Maximum of 2 funerals with bell ringing per week. Maximum bell ringing time per funeral- half muffled ringing beforehand for a maximum of 15 minutes beforehand and a single bell for a maximum of 5 minutes afterwards.

Special Religious Occasions (when not occurring on a Sunday including Good Friday, Easter Vigil and Christmas): Ringing after 10am or prior to

6pm for a maximum of 20 minutes prior to one service on the day of the occasion.

Despite the above:

- c) Bellringing is not to occur more than twice on any day **or 5 times in any week**; and
- d) Bellringing may occur for an additional 15 minutes prior to or at the conclusion of any event to the specification above so long as the acoustic trapdoor and any other noise attenuation measures are in place (in practice mode- Condition 21) and the door at the rear and south side of the Church are closed.

(Reason: Amenity)

21. Bell ringing practice times

Bell ringing practice is restricted between the hours of **10:00am and 9:00pm on any day**. The acoustic trapdoor is to be closed at all times during bell ringing practice. During bellringing practice, the noise level is not to exceed 5dB(A) above background noise at the boundary of the most affected residential property (most sensitive receiver).

(Reason: Amenity)

- C Comply with all other Conditions of the Original Development Consent for DA-2011/493.

**20.2 PLANNING PROPOSAL FOR GORE HILL TECHNOLOGY PARK
(PREVIOUS ABC SITE), PACIFIC HIGHWAY, ARTARMON**

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. COUNCIL REPORT AND RESOLUTION DATED 24 FEBRUARY 2014 |
| RESPONSIBLE OFFICER: | LINDA MCCLURE, STRATEGIC PLANNING MANAGER |
| AUTHOR: | JANE HOSIE, STRATEGIC PLANNER |
| CITY STRATEGY LINK: | 5.1.1 LOCAL BUSINESS |
| MEETING DATE: | 10 MARCH 2014 |

Purpose of Report

The purpose of this report is to correct the wording of a previous Council resolution relating to the Planning Proposal for the Gore Hill Technology Park at 219 Pacific Highway (now known as 1-5 Broadcast Way).

RESOLUTION

That:

- 1. The Planning Proposal for the amendment of WLEP 2012 for lots 3, 5 and 6 DP 270714 known as 2,3 and 4 Broadcast Way and clause 4.6, as outlined in this report be forwarded to the Department of Planning and Infrastructure seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act,1979.**
- 2. Draft amendments to Willoughby Development Control Plan Part I.5 ABC Gore Hill Divestment Site Artarmon, be exhibited with the amendment to the WLEP 2012 for the Planning Proposal to reflect the changes to the WLEP 2012 relating to the site.**
- 3. The proposed new draft VPA outlined in the Economic Director's report be advertised concurrently with the Planning Proposal.**

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright

Against the Resolution: Nil.

Absent: Councillor Stevens

Councillor Coppock declared a non-significant, non-pecuniary interest in the above matter.

20.3 DEVELOPMENT APPLICATION REPORT TO 3 MARCH 2014

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. LIST OF APPLICATIONS |
| RESPONSIBLE OFFICER: | IAN ARNOTT - DEVELOPMENT PLANNING MANAGER, PETER ROWAN - BUILDING SERVICES MANAGER |
| AUTHOR: | BUILDING SURVEYORS, DEVELOPMENT PLANNERS |
| MEETING DATE: | 10 MARCH 2014 |

Purpose of Report

The attached schedule lists all current development applications grouped by suburb.

RESOLUTION

That the information be noted.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Resolution: Nil.

Absent: Councillor Stevens

21 REPORTS FROM OFFICERS - INFRASTRUCTURE SERVICES DIRECTOR

21.1 STREET PARKING STRATEGY

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. DRAFT STREET PARKING STRATEGY VOL 1 & 2 2. CLR.WORKSHOP PRESENTATION – 26/2/2014 |
| RESPONSIBLE OFFICER: | GREG WOODHAMS – ENVIRONMENTAL SERVICES DIRECTOR |
| AUTHOR: | STEPHANIE BULLOCK – TRANSPORT PLANNER JAMES BROCKLEBANK – GROUP LEADER TRAFFIC & TRANSPORT DAVID SUNG – ENGINEERING SERVICES MANAGER |
| CITY STRATEGY LINK: | 4.2.2 BALANCE TRAFFIC MANAGEMENT |
| MEETING DATE: | 10 MARCH 2014 |

Purpose of Report

1. To present to Council Willoughby City's Draft Street Parking Strategy, which has been developed through undertaking parking beat surveys, research into current parking management practices, and feedback gathered from Councillor workshops, and
2. To seek Council authorisation for the Draft Street Parking Strategy to be placed on public exhibition for community feedback.

MOTION

1. **The draft Willoughby Street Parking Strategy be received and endorsed for public exhibition/community engagement to commence in May 2014, with the exception of reference to parking meters operating after 6pm in the CBD.**
2. **That the public exhibition/community engagement strategy include seeking community feedback on the merits of:**
 - a) **The Residents Permit Parking scheme to incorporate different rates for different sized vehicles, so that energy efficient cars and smaller sized cars have a significantly reduced parking permit fee (ref North Sydney Council)**
 - b) **That Parking Meters have a message inscribed or attached stating that WCC collects fees for parking to enable community transport projects such as the Loop bus, and active transport.**
3. **Subject to Council endorsement of the Strategy under 2 above, the implementation of the program of works as outlined in Appendix 5 - Program of Works be commenced as soon as practicable; and quarterly implementation progress reports be provided to Council.**

4. The quarterly progress reports are to also include feedback from the community and staff's response to any concerns raised in the feedback.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ROZOS

NOT PUT TO THE VOTE

AMENDMENT

That:

1. The draft Willoughby Street Parking Strategy be received and endorsed for public exhibition/community engagement to commence in May 2014.
2. At the completion of the stakeholder engagement period, a further report be presented to Council seeking endorsement of a final street parking strategy.
3. Subject to Council endorsement of the Strategy under 2 above, the implementation of the program of works as outlined in Appendix 5 - Program of Works be commenced as soon as practicable; and quarterly implementation progress reports be provided to Council.
4. The quarterly progress reports are to also include feedback from the community and staff's response to any concerns raised in the feedback.
5. Councillors provide the Officers with a list of the Street Parking Strategy matters they wish to highlight in the Public Exhibition/community engagement.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

For the Amendment: Councillors Coppock, Giles-Gidney, Hooper, Mustaca, Norton, Rutherford Sloane and Wright

Against the Amendment: Councillors Eriksson, Rozos and Saville.

Absent: Councillor Stevens

The Amendment became the Motion. The Motion was put to the vote and Carried.

Voting

For the Motion: Councillors Coppock, Eriksson, Giles-Gidney, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Motion

Absent: Councillor Stevens

CONSEQUENTIAL MOTION

That at the conclusion of the On Street Parking Strategy Public Exhibition, Officers undertake a review of off-street parking for all future residential developments and a Councillors' workshop be held to consider the issue.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Consequential Motion: Councillors Giles-Gidney, Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane and Wright.

Against the Consequential Motion: Nil.

Absent: Councillor Stevens

22 NOTICE OF MOTION

NIL

23 CONFIDENTIAL ITEMS

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, the following business is confidential as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

Pursuant to Section 10A(4) of the *Local Government Act 1993*, the Deputy Mayor informed the Meeting that no written representations had been received from members of the public.

Procedural Motion

That:

1. Council resolve itself into Closed Session with the Press and Public excluded from the meeting to deal with the following confidential items.
2. Council resolve into Committee of the Whole in order to deal with these confidential items.

The Deputy Mayor, Councillor Giles-Gidney declared a significant non-pecuniary interest in the following matter and vacated the Chair. Councillor Coppock assumed the Chair.

23.1 VERBAL REPORT BY THE GENERAL MANAGER ON THE TALUS STREET MATTER

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

23.1 VERBAL REPORT BY THE GENERAL MANAGER ON THE TALUS STREET MATTER

Recommendation Summary

That the update be noted.

RESOLUTION

That the recommendations from the Committee of the Whole be adopted.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Coppock, Eriksson, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville and Sloane.

Against the Resolution: Nil.

Absent: Councillors Giles-Gidney, Stevens and Wright

24 QUESTIONS

NIL

- Councillor M Stevens left the meeting at 7.45pm.
- Councillor N Wright left the meeting at 9.30pm.

The meeting concluded at 10:20 p.m.