



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chambers, 31 Victor Street, Chatswood

26 May 2014

commencing at 7:00pm

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1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors H Eriksson, T Mustaca, W Norton, L Saville, M Sloane, M Stevens and N Wright.

Officers

Mr N Tobin (General Manager), Mr G Woodhams (Environmental Services Director), Ms T Crouch (Corporate Support and Performance Director), Mr T Pizzuto (Financial Services Director), Mr J Ellis (Economic Property & Development Director), Mr P Collings (Acting Infrastructure Services Director), Mr J Knight (Administrative Services Manager), Mr V Grepl (Corporate Planning and Governance Officer) and Ms B Jeffries (Executive Assistant).

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Councillor Giles-Gidney declared a non-significant, non-pecuniary interest in Item 22.1 - Notice of Rescission Motion: - Inspection Committee Meeting held 3 May 2014 - 2/77A Edinburgh Road, Castlecrag and in Item 14.1.2 (9.4) Street Trees - Park Road, Naremburn - Community Consultation
- Councillor Wright declared a non-significant, non-pecuniary interest in Item 22.1 - Notice of Rescission Motion: - Inspection Committee Meeting held 3 May 2014 - 2/77A Edinburgh Road, Castlecrag
- Councillor Eriksson declared a significant, non-pecuniary interest in Item 22.1 - Notice of Rescission Motion: - Inspection Committee Meeting held 3 May 2014 - 2/77A Edinburgh Road, Castlecrag
- Councillor Sloane declared a non-significant, non-pecuniary interest in Item 14.1.2 (9.4) Street Trees - Park Road, Naremburn - Community Consultation

3 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 12 May 2014, copies of which have been circulated to each member of Council, be confirmed.

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillors J Hooper and J Rutherford were on leave previously granted.
- Councillors S Coppock and A Rozos submitted apologies for non-attendance and requested Leave of Absence.
- Councillor L Saville requested Leave of Absence for the period 3 June 2014 to 4 June 2014 inclusive.

RESOLUTION

That:

1. Council note of the absence of Councillors Rutherford and Hooper on leave previously granted.
2. The apologies from Councillors Coppock and Rozos be accepted and Leave of Absence be granted.
2. Council grant Leave of Absence to Councillor Saville for the period 3 June 2014 to 4 June 2014 inclusive.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

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.

MAYOR'S DIARY – COUNCIL MEETING NOTES FOR 26 MAY 2014

WEDNESDAY 14 MAY			
Mayor	1.15 pm	Chatswood High School Band Concert	Concert Hall, The Concourse
Mayor Cr Eriksson, Norton, Rutherford	6 pm	Opening of Forsyth's New Offices	236 Penshurst Street & 10 Clanwilliam Street
Mayor	7 pm	Chatswood High School Band Concert (2)	Concert Hall, The Concourse
Cr Rutherford	7.30 pm	Opening Night – "Phantom of the Opera"	The Concourse Theatre
Mayor	7.45 pm	Northbridge Car Park Consultation Mtg	Shore School : Emery Room
Mayor	c. 9 pm	Opening Night – "Phantom of the Opera"	The Concourse Theatre
THURSDAY 15 MAY			
Mayor	7.30 am	St George Bank Budget Breakfast	The Chatswood Club
Mayor Cr Saville	11.30 am	JRPP Meeting re 635 Mowbray Road	Christie's Conference Centre
Mayor Cr Eriksson	7 pm	Northbridge Car Park Consultation Mtg	Northbridge Golf Club
FRIDAY 16 MAY			
Mayor	10.30 am	Taldumande "Thank You Morning Tea"	124 Ben Boyd Road
Cr Rutherford	6.30 pm	Opening of Intelligentsia Café	Northbridge Plaza
WEDNESDAY 21 MAY			
Mayor	8 am	Urban Taskforce Breakfast	Hilton: 488 George Street
Mayor	10.30 am	Simultaneous Storytime: read story	The Chatswood Library
Mayor Cr Wright	11.30 am	Citizenship Ceremony	Council Chambers
Mayor	12.30 pm	Sydney Writers' Festival: Jang Jin-sung	The Chatswood Library
Cr Norton	12 noon	"Live at Lunch" Concert	The Concourse Concert Hall
Mayor	1.30 pm	Look in after Concert - with Jane Rutter	Terrazza Restaurant
Mayor Cr Norton	2.15 pm	Lower North Shore Volunteer Expo	The Dougherty Centre
Mayor	2.15 pm	Northbridge Car Park Consultation Mtg	Shore School : Emery Room
FRIDAY 23 MAY			
Mayor Cr Saville	10.30 am	Launch of "Fatality Free Friday"	Chatswood Mall

Mayor	3 pm	Contract Signing Ceremony: Healthpac	Park Royal, Darling Harbour
SATURDAY 24 MAY			
Mayor	10.30 am	Opening of Expo: Art of Wenli Huang	Chinese Cultural Centre
Mayor	3.30 pm	Chatswood Croquet Club Tournament Day	Chatswood Croquet Club
SUNDAY 25 MAY			
Mayor	12.30 pm	Willoughby Roos Ladies Day	Willoughby Park
Mayor	2 pm	Opening of "Musicus Medicus" Concert	The Concourse Concert Hall
MONDAY 26 MAY			
Mayor	9 am	Opening of "Pathways to Recovery"	The Concourse
Mayor Clr Saville	5.30 pm	Guringai Festival Launch	The Concourse

RESOLUTION

That the Mayoral report be received.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

9 MAYORAL MINUTE

9.1 MAYORAL MINUTE - THE LATE IAN AFFLECK

RESPONSIBLE OFFICER: NICK TOBIN – GENERAL MANAGER

AUTHOR: JEFF KNIGHT

MEETING DATE: 26 MAY 2014

Purpose of Report

To list the following Mayoral Minute for Council's consideration.

Motion

"Ian Affleck, from Beaconsfield Road Chatswood passed away on 6th May in RNSH after an illness over the last 2 years

Ian leaves behind his wife Libby and 3 sons, David, Michael and John. The Affleck family have lived in Chatswood for over 50 years, and the children attended local schools.

Ian had a long professional career as Sales Manager with a pharmaceutical company, and because of his extensive knowledge in the field, he had a great numbers of contacts across the industry including at RNSH, and was highly respected.

Ian was passionate about, and actively engaged with the local community, the historical society, Chatswood Golf Club, and the Men's Shed.

Ian was not afraid to speak out about matters he cared about, including protection of local heritage, safety and increasing traffic on our local streets. He often came to council meetings and got on very well with Pat.

Proud of his Scottish heritage, Ian was a strong vocal man, an impressive character who greatly enriched our lives and who will be missed."

I move that Council send a letter of condolence to the family of the late Ian Affleck.

RESOLUTION

That a letter of condolence be forwarded to the family of the late Ian Affleck.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

Council observed a minute's silence in the memory of the late Ian Affleck.

9.2 MAYORAL MINUTE - DELHI ROAD TRAFFIC CONDITIONS**RESPONSIBLE OFFICER: NICK TOBIN – GENERAL MANAGER****AUTHOR: NICK TOBIN****MEETING DATE: 26 MAY 2014**

Purpose of Report

To consider the following Mayoral Minute.

Motion

"That Council write to Roads and Maritime Services formally requesting advice on its plans for the future widening of Delhi Road"

RESOLUTION

That Council write to Roads and Maritime Services formally requesting advice on its plans for the future widening of Delhi Road.

MOVED COUNCILLOR GILES-GIDNEY**CARRIED****Voting**

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

9.3 MAYORAL MINUTE - GREENWICH HOSPITAL REHABILITATION SERVICES

MEETING DATE: 26 MAY 2014

Purpose of Report

I have received the following advice:

1. Funding for 25 publicly-funded rehabilitation beds at Greenwich Hospital will be transferred to the new Graythwaite Rehabilitation Centre, Ryde, at the end of September 2014.
2. There will be no publicly-funded rehabilitation beds on the North Shore after that date.
3. 87% of clients who use the GWH service (inpatient and outpatient) come from the North Shore. Of these 70% do not have private health insurance.
4. Greenwich Hospital is close to RNSH. Many clients attend this hospital for ongoing outpatient care e.g. renal dialysis.

Motion

In light of the above I Move that Willoughby City Council write to the NSW Minister for Health, The Hon Jillian Skinner MP, requesting that funding be reinstated for the 25 publicly-funded rehabilitation beds currently at Greenwich Hospital.

RESOLUTION

That Council write to the NSW Minister for Health, The Hon Jillian Skinner MP, requesting that funding be reinstated for the 25 publicly-funded rehabilitation beds currently at Greenwich Hospital.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

10 GENERAL MANAGER'S LATE REPORT

The General Manager mentioned the following matters:

- Item 14.1 - Minutes of the Cultural and Civic Committee - Item 9.1 - Operational Plan and Financial Performance Report - March 2014 needs to be resolved by Council.
- Item 14.1.2 - (9.4) Street Trees - Park Road, Naremburn - there is a request to address Council on this matter.

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

Item 14.1.2 (9.4) Street Trees - Park Road, Naremburn - Community Consultation

12 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 15.1 Notice of Motion: Trans Pacific Partnership Agreement (TPP)

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 (9.3) Options on Pre-Polling at Council Elections
- Item 18.2 Renewal of Air Space Lease for Pedestrian Overhead Bridge at Endeavour Street
- Item 21.1 Tender Summary - Castlecrag Village Public Domain Street Scaping - Tender No. 065478
- Item 22.1 Notice of Rescission Motion: - Inspection Committee Meeting held 3 May 2014 - 2/77A Edinburgh Road, Castlecrag

That the remaining items, viz:

- Item 14.1 Cultural & Civic Committee Meeting - 19 May 2014
- Item 14.2 19 Lucknow Street, Willoughby - Sailors Bay Ward Councillors Inspection Committee Meeting
- Item 14.3 58 The Bulwark, Castlecrag - Sailors Bay Ward Councillors Inspection Committee
- Item 16.1 Councillors Information Booklets - 15 & 22 May 2014
- Item 18.1 Recording of Council Meeting 12 May 2014
- Item 18.3 Disclosure of Interest Return - Angela Casey
- Item 20.1 Development Application Report to 19 May 2014

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

14 REPORTS FROM COMMITTEES

14.1 CULTURAL & CIVIC COMMITTEE MEETING - 19 MAY 2014

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	MELANIE SMITH - COMMUNITY SERVICES DIRECTOR
AUTHOR:	MELANIE SMITH - COMMUNITY SERVICES DIRECTOR
MEETING DATE:	26 MAY 2014

Purpose of Report

To list on the agenda the minutes of the Cultural & Civic Committee Meeting held 19 May 2014.

RESOLUTION

That:

1. The Minutes be received subject to:
 - a) it being noted that Councillor Stevens Seconded Item 9.1 not Councillor Saville as recorded;
 - b) the Committee Recommendation in Item 9.4 - Street Trees - Park Road, Naremburn - Community Consultation be amended to read:

" That:

 1. *The nine (9) Brushbox street trees be removed and replaced with suitable species as recommended by Council's arboricultural staff.*
 2. *New tree planting of Lagerstroemia 'Natchez' (Crepe Myrtle) outside No. 75 be undertaken as recommended.*
 3. *The Watergum outside 77 Park Road be removed and replaced with Lagerstroemia 'Natchez' (Crepe Myrtle)."*
2. Council note the Operational Plan and Financial Report - March 2014 and vote an increase in expenditure of \$11,870,600 and vote an increase in income of \$11,972,100.
3. Council note the remaining resolutions adopted by the Committee.
4. Council adopt the Committee's recommendations with the exception of:
 - Item 14.1.1 (9.3) Options on Pre-Polling at Council Elections
 - Item 14.1.2 (9.4) Street Trees - Park Road, Naremburn - Community Consultation

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

14.1.1 (9.3) OPTIONS ON PRE-POLLING AT COUNCIL ELECTIONS

RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR

AUTHOR: VLADIMIR GREPL - GOVERNANCE AND CORPORATE PLANNING OFFICER

CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS

MEETING DATE: 19 MAY 2014

Purpose of Report

To outline options on the length of pre-polling at Council elections arising from a recent petition to the Council

RESOLUTION

That:

- 1. Council act towards greater flexibility in the voting system to enable greater voter participation and elector accessibility.**
- 2. Council make representations to the NSW Government and the Joint Standing Committee on Electoral Matters and the Local Government Acts Taskforce, such representations to include:**
 - a) iVote to be an alternative option for voting.**
 - b) a reduction in the pre-poll voting period to one week.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

CONSEQUENTIAL MOTION

That Council make representations to the relevant authorities advocating that once non-resident voters have been included on the electoral roll their names be retained without the necessity to apply at each election.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

For the Consequential Motion: Councillors Giles-Gidney, Eriksson, Mustaca and Stevens.

Against: Councillors Norton, Saville, Sloane and Wright.

The vote being equal, the Mayor exercised her casting vote in Favour of the Motion.

14.1.2 (9.4) STREET TREES - PARK ROAD, NAREMBURN - COMMUNITY CONSULTATION

RESPONSIBLE OFFICER: PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR

AUTHOR: JULIE WHITFIELD - OPEN SPACE MANAGER

CITY STRATEGY LINK: 3.1.2 QUALITY LIVING AMENITY FOR RESIDENTS

MEETING DATE: 19 MAY 2014

Purpose of Report

To advise the results of the community consultation for a request to remove 9 street trees in Park Road West, Naremburn.

RESOLUTION

That this matter be deferred to a Full Council Inspection to be held on 26 July 2014.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

Councillors Giles-Gidney and Sloane declared non-significant, non-pecuniary interests in the above matter.

**14.2 19 LUCKNOW STREET, WILLOUGHBY - SAILORS BAY WARD
COUNCILLORS INSPECTION COMMITTEE MEETING**

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	PETER ROWAN - BUILDING SERVICES MANAGER
AUTHOR:	JOHN FIELDING - DEVELOPMENT OFFICER (BUILDING SURVEYOR)
MEETING DATE:	26 MAY 2014

Purpose of Report

To present the minutes of the Sailors Bay Ward Councillors Inspection Committee Meeting held 14 May 2014.

RESOLUTION

That:

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

"That the Officer's recommendation of Refusal be adopted."

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

**14.3 58 THE BULWARK, CASTLECRAIG - SAILORS BAY WARD
COUNCILLORS INSPECTION COMMITTEE**

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR
AUTHOR:	IAN ARNOTT - DEVELOPMENT PLANNING MANAGER
MEETING DATE:	26 MAY 2014

Purpose of Report

To list on the agenda the minutes of the Sailors Bay Ward Councillors Inspection Committee Meeting held 14 May 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 Condition16 being amended to read as follows:

16. Tree Protection

- i) Retain and protect the following trees and vegetation throughout the demolition and construction period:
All trees not indicated for removal on the approved plans***
- ii) The above trees must be clearly marked and protection devices in place to prevent soil compaction and machinery damage.***
- iii) Tree roots greater than 50mm diameter are not to be removed unless approved by a qualified Arborist on site. All structures are to bridge roots unless directed by a qualified Arborist on site***
- iv) Tree protection measures must comply with the Development Impact Assessment Report prepared by RATA dated 10/12/13 and AS 4970-2009 Protection of trees on development sites.***
- v) The ground levels between the Foreshore Building Line and the rear boundary (other than the area of the pool) are to be consistent with that shown on the approved plans (L-01 C, L-02 and L-08 B). Under no circumstances is soil or other material excavated for the pool to be deposited or allowed to spill into this area.***

(Reason: Tree Management)

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

15 DEFERRED MATTERS

15.1 NOTICE OF MOTION: TRANS PACIFIC PARTNERSHIP AGREEMENT (TPP)

RESPONSIBLE OFFICER: NICK TOBIN - GENERAL MANAGER

CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS

MEETING DATE: 12 MAY 2014

Purpose of Report

Councillor L Saville has indicated her intention to move the following Notice of Motion.

Procedural Motion

That the following people address the meeting:

- **Dr P Ranald**

Dr Ranald addressed the meeting and answered questions of the Councillors.

Motion

It is resolved that Willoughby City Council:

- a. Note
 - i. that Australia is in the final months of negotiating the Trans Pacific Partnership Agreement (TPP) with the United States and ten other Pacific rim countries.
 - ii. that these negotiations happen in secret and that the public and the Australian Parliament will not see the contents of the agreement until after it has been signed.
 - iii. the final TPP agreement may have an impact on local government that will not be realised until after the Agreement is signed.
- b. Call on the Trade Minister to release the draft agreement for public consultation and parliamentary consideration prior to it being agreed to by Cabinet
- c. Request that the Trade Minister ensure that the agreement does not contain provisions which:
 - i. enable a foreign investor to sue governments for damages over policy, laws or regulations at local, state or national level;
 - ii. increase the period for copyright royalties and/or increases restrictions or penalties for temporary downloads from the internet;
 - iii. restrict local government policies which encourage local employment, support local economic and industry development and encourage good employment practices and initiatives;

- iv. restrict local government policies which encourage good environmental practices and initiatives;
- v. restrict local government supply and regulation of services or require the commercialisation of services;
- vi. prevent local government procurement policy from giving preference to local suppliers.

RESOLUTION

That Willoughby City Council:

a. Note

- i. **that Australia is in the final months of negotiating the Trans Pacific Partnership Agreement (TPP) with the United States and ten other Pacific rim countries.**
- ii. **that these negotiations happen in secret and that the public and the Australian Parliament will not see the contents of the agreement until after it has been signed.**
- iii. **the final TPP agreement may have an impact on local government that will not be realised until after the Agreement is signed.**

b. Call on the Trade Minister to release the draft agreement for public consultation and parliamentary consideration prior to it being agreed to by Cabinet

c. Request that the Trade Minister ensure that the agreement does not contain provisions which:

- i. **enable a foreign investor to sue governments for damages over policy, laws or regulations at local, state or national level;**
- ii. **increase the period for copyright royalties and/or increases restrictions or penalties for temporary downloads from the internet;**
- iii. **restrict local government policies which encourage local employment, support local economic and industry development and encourage good employment practices and initiatives;**
- iv. **restrict local government policies which encourage good environmental practices and initiatives;**
- v. **restrict local government supply and regulation of services or require the commercialisation of services;**
- vi. **prevent local government procurement policy from giving preference to local suppliers.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

For the Resolution: Councillors Eriksson, Norton, Saville, Sloane and Wright.

Against: Councillors Giles-Gidney, Mustaca and Stevens

16 CORRESPONDENCE

16.1 COUNCILLORS INFORMATION BOOKLETS - 15 & 22 MAY 2014

RESPONSIBLE OFFICER: NICK TOBIN - GENERAL MANAGER

AUTHOR: TRISHA DUFFY

CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE
AND REPRESENTS ITS CONSTITUENTS

MEETING DATE: 12 MAY 2014

Purpose of Report

To list on the Agenda the Councillors Information Booklets, circulated to all Councillors on 15 & 22 May 2014.

RESOLUTION

That the Councillors Information Booklets be received.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

17 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

18 REPORTS FROM OFFICERS - CORPORATE SERVICES DIRECTOR

18.1 RECORDING OF COUNCIL MEETING 12 MAY 2014

RESPONSIBLE OFFICER:	NICK TOBIN - GENERAL MANAGER
AUTHOR:	TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	26 MAY 2014

Purpose of Report

To advise Council of some issues arising from the new technology implemented at the Council Meeting on May 12, 2014.

RESOLUTION

That the report be noted.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

18.2 RENEWAL OF AIR SPACE LEASE FOR PEDESTRIAN OVERHEAD BRIDGE AT ENDEAVOUR STREET

RESPONSIBLE OFFICER:	JEFF ELLIS - ECONOMIC AND PROPERTY DEVELOPMENT DIRECTOR
AUTHOR:	JEFF ELLIS - ECONOMIC AND PROPERTY DEVELOPMENT DIRECTOR
CITY STRATEGY LINK:	4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE
MEETING DATE:	26 MAY 2014

Purpose of Report

This report seeks Council's support to enter a new air space lease for the overhead pedestrian bridge in Endeavour Street which provides access between The Regency and Lemon Grove.

The new lease proposes that both The Regency and Lemon Grove will be the lessees.

RESOLUTION

That:

- 1. Council enter into a Lease for a term of 15 years with Lemon Grove Owners Corporation and The Regency Owners Corporation.**
- 2. Delegated authority be granted to the Mayor and General Manager to execute all documents relating to the lease under the Common Seal of Council.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

18.3 DISCLOSURE OF INTEREST RETURN - ANGELA CASEY**RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR****AUTHOR: VLADIMIR GREPL - GOVERNANCE AND CORPORATE PLANNING OFFICER****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 26 MAY 2014**

Purpose of Report

To advise Council that Angela Casey, Community Development Manager, has submitted her Primary Disclosure of Interests Return in accordance with Section 449 of the Local Government Act 1993.

RESOLUTION

That Council notes the Disclosure of Interest Return submitted by Angela Casey, Community Development Manager.

MOVED COUNCILLOR MUSTACA**SECONDED COUNCILLOR SAVILLE****CARRIED****Voting**

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

**19 REPORTS FROM OFFICERS - COMMUNITY SERVICES
DIRECTOR**

NIL

20 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR

20.1 DEVELOPMENT APPLICATION REPORT TO 19 MAY 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:	26 MAY2014

Purpose of Report

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

RESOLUTION

That the information be noted.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

21 REPORTS FROM OFFICERS - INFRASTRUCTURE SERVICES DIRECTOR

21.1 TENDER SUMMARY - CASTLECRAG VILLAGE PUBLIC DOMAIN STREETSCAPING - TENDER NO. 065478

RESPONSIBLE OFFICER: PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR

AUTHOR: AGNES TAN - ASSET ENGINEER
WILLIAM WEBB - DESIGN/DRAINAGE ENGINEER
DAVID SUNG - ENGINEERING SERVICES MANAGER

CITY STRATEGY LINK: 5.1.1 LOCAL BUSINESS

MEETING DATE: 26 MAY 2014

Purpose of Report

To advise Council of the outcome of the evaluation of tender submissions for the Castlecrag Village Public Domain Streetscaping project and to seek Council's approval to engage a contractor to complete the works.

RESOLUTION

That:

1. the tender from Mansour Paving (Aust.) Pty Limited be accepted for Tender No. 065478 Castlecrag Village Public Domain Streetscaping.
2. the Mayor and the General Manager be authorised to affix the Common Seal of Council to the successful tender documents.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Norton, Saville, Sloane, Stevens and Wright.

Against: Nil

22 NOTICE OF MOTION

22.1 NOTICE OF RESCISSION MOTION: INSPECTION COMMITTEE MEETING HELD 3 MAY 2014 - 2/77A EDINBURGH ROAD, CASTLECRAG

RESPONSIBLE OFFICER:	NICK TOBIN – GENERAL MANAGER
AUTHOR:	NICK TOBIN – GENERAL MANAGER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	26 MAY 2014

Purpose of Report

Councillors Hooper, Coppock and Rutherford have indicated they wish to move the following Rescission Motion:

Motion

That the resolution adopted at the Council Meeting held on 12 May 2014, viz:

"That the application be approved and delegated authority be granted to the General Manager to issue the development consent notice, subject to the attached conditions, noting the special circumstances for the variation of the side boundary setback, recreational area, car parking, width of planter boxes and communal area requirements under WDCP, and subject to the eastern wall on the boundary extending *no further than one metre beyond* the existing wall and then the wall of the proposed extension being setback 1.0m from the eastern boundary."

BE RESCINDED.

Subject to the Rescission Motion being carried, the following Motion will be moved:

That the application be approved and delegated authority be granted to the General Manager to issue the development consent notice, subject to the attached conditions, noting the special circumstances for the variation of the side boundary setback, recreational area, car parking, width of planter boxes and communal area requirements under WDCP, and subject to the eastern wall on the boundary extending no further than the existing wall and then the wall of the proposed extension being setback 1.0m from the eastern boundary.

OFFICER'S RECOMMENDATION

That Council consider the Notice of Rescission Motion.

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

Councillor Eriksson declared a significant, non-pecuniary interest in the above item and withdrew from the Chamber taking no part in the discussion or voting.

Councillor Norton retired from the meeting at 7:46pm.

The General Manager informed the Mayor that, with Councillor Norton retiring and Councillor Eriksson withdrawing due to a declared interest, the meeting lacked a quorum.

The Councillors present for the item were: Her Worship the Mayor, Councillor Giles-Gidney, Councillors Mustaca, Saville, Sloane, Stevens and Wright

Accordingly, the matter was not dealt with and will be re-listed on the next Council Agenda.

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 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.

23.1 ADDITIONAL INFORMATION - CASTLECRAG VILLAGE PUBLIC DOMAIN STREETSCAPING - TENDER NO. 065478

Reason for Confidentiality

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Upon resumption of the Open Council Meeting, the General Manager referred to the matter considered in Committee of the Whole.

23.1 ADDITIONAL INFORMATION - CASTLECRAG VILLAGE PUBLIC DOMAIN STREETSCAPING - TENDER NO. 065478

Recommendation Summary

1. That the tender from Mansour Paving (Aust.) Pty Limited be accepted for Tender No. 065478 Castlecrag Village Public Domain Streetscaping.
2. That the Mayor and the General Manager be authorised to affix the Common Seal of Council to the successful tender documents.

RESOLUTION

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

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Eriksson, Mustaca, Saville, Sloane, Stevens and Wright.

Against: Nil

Absent: Councillor Norton

24 QUESTIONS

NIL

- Councillor W Norton retired from the meeting at 7.46pm

The Meeting concluded at 7.50pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 26 May 2014. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.