



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chambers, 31 Victor Street, Chatswood

11 August 2014

commencing at 7:00pm

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1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors S Coppock, H Eriksson, R Hill, J Hooper, T Mustaca, W Norton, A Rozos, L Saville, J Rutherford, M Stevens and N Wright.

Officers

Mr G Woodhams (Acting General Manager), Ms M Smith (Community Services Director), Mr P Collings (Acting Infrastructure Services Director), Mr Mark McDonald (Financial Services Manager), Mr V Grepl (Acting Administrative Services Manager) and Ms B Jeffries (Executive Assistant).

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

NIL

3 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 28 July 2014, copies of which have been circulated to each member of Council, be confirmed, subject to the following correction:

- *Item 14.2 - Inspection Committee Meeting - 26 July 2014 1) Edinburgh Road/Easter Valley Way - Right Turn Phase
The Minutes be corrected to show the Mayor, Councillor G Giles-Gidney as supporting the 2nd Motion*

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor M Sloane submitted an apology for non-attendance and requested Leave of Absence.
- Councillor L Saville requested Leave of Absence from 13 August 2014 to 16 August 2014.

RESOLUTION

That:

1. **The apology from Councillor Sloane be accepted and Leave of Absence be granted.**
2. **Councillor Saville be granted Leave of Absence from 13 to 16 August 2014.**

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, 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 11 AUGUST 2014

TUESDAY 29 JULY			
Mayor	10.30 am	Welcome to Fukushima Orphans prior to Indigenous performance & bushwalk	Warners Park
Crs Norton, Sloane, Wright, Saville	6 pm	Public Briefing re: Artarmon Railway Station Upgrade	Banksia Room
THURSDAY 30 JULY			
Mayor	5 pm	"End of Era" Cocktails to mark closing of Chatswood Community Nursing Home	256 Victoria Avenue
FRIDAY 1 AUGUST			
Mayor	10.30 am	Opening of Café Chloris	Ground Floor, 31 Victor Street
Mayor	11.45 am	Ground-breaking Ceremony for Civic Plaza Development	88 Archer Street
SATURDAY 2 AUGUST			
Mayor	4.30 pm	Presentation of Patron's Trophy	Northbridge Golf Club
SUNDAY 3 AUGUST			
Mayor	11.30 am	First Pitch of the Season	Flat Rock Diamond
Cr Saville		Anglo Street Bushcare: 10 Year Celebration	
TUESDAY 5 AUGUST			
Mayor	3.45 pm	WCRA Inspection & Board Meeting	36 Douglas Avenue
WEDNESDAY 6 AUGUST			
Mayor Crs Eriksson, Hill, Mustaca, Rozos, Saville	6.30 pm	Rotary Dinner- Fundraiser for Timor L'Este Dental Program	The Concourse
THURSDAY 7 AUGUST			
Mayor Crs Hill, Mustaca, Norton, Rozos, Rutherford, Sloane, Wright	6.30 pm	Launch of Spring Festival	The Concourse
FRIDAY 8 AUGUST			
Mayor	4.30 pm	Official Opening - GEA Lawyers' Practice	47 Neridah Street
SATURDAY 9 AUGUST			
Cr Hooper - representing the Mayor Cr Hill	11.30 am	KU Castlecrag 60 th Anniversary	10 the Postern, Castlecrag

Cr Norton	2 pm	WSO Concert: <i>Pictures at an Exhibition</i>	The Concourse
Crs Norton, Saville	8pm	WSO Concert: <i>The Russian Masters</i>	The Concourse
SUNDAY 10 AUGUST			
Mayor Crs Norton, Rutherford	4 pm	Launch of WSO 2015 Season	The Concourse

RESOLUTION

That the Mayoral report be received.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

9 MAYORAL MINUTE

9.1 THE LATE PROFESSOR DR JOHN CLEVERLEY

Councillor Rutherford read the following tribute on behalf of Councillor Mustaca.

It is with great sadness and a heavy heart, that I inform Council of the passing of my very dear friend and colleague Professor Dr John Cleverley of Sydney University.

Professor Dr John Cleverley was diagnosed with cancer some ten years ago and was operated on by one of his close university colleagues. The cancer went into remission, but recently had returned in a most aggressive manner and he finally succumbed to its aggression 10 days ago.

Professor Dr John Cleverley migrated to Australia from England as a young man and lived in this area. In recent times he lived in Newtown near the university. But initially he and his wife lived and raised a family of 4 in Longueville. He was a Willoughby ratepayer as he owned property here in the Chatswood CBD. One of his daughters and her family also live in Chatswood and his family's association with this area continues.

Professor Dr John Cleverley was the former Pro Dean of the Faculty of Education at the University of Sydney.

I was fortunate to meet him some 40 years ago, when I first joined the In-Service Education Section of the Department.

We were specifically chosen to deliver staff development programs to improve educational standards in Australian schools. John was an inspiration to me and to others. His knowledge of Education theory and practice was profound.

He was a scholar and a philosopher of considerable international standing. He was a prolific writer of books on Education Philosophy and was a world renowned authority on Comparative Education.

He was an authority on China, first recognizing the enormous potential of China as a nation from as far back as the 1970's. He visited China extensively and had great knowledge of Chinese education and culture. He founded the China Australia Education Society as well as the China Australia education Centre at Sydney University.

Back in 1996/7, in association with the university, and as part of the China Australia Education society, John organized a Chinese delegation of highly ranked Chinese educationists to visit Willoughby City Council. The then Mayor, Eunice Raymond and I as Deputy Mayor, received that delegation here in this very Chamber.

Sadly we didn't recognize the potential of that highly professional association and didn't really know how to capitalize on the relationship presented to this Council at that time.

Professor Dr John Cleverley had a compassionate benevolence for Aboriginal Australians and the advancement of Aboriginal people through education. Recognising this compassion, the University hierarchy made him responsible for the construction and establishment of the Koori Aboriginal Centre at the University.

After his retirement as pro-Dean of Education, he was retained by Sydney University as the foremost authority on recruiting students to Australian universities from all over the world.

Apart from being highly intelligent and highly educated, John was one of the most beautiful people I have known in my lifetime.

He was an incredibly good man; he lived and breathed education. He was a pacifist and regarded war as a barbaric act forced on humanity by immoral individuals, masquerading as leaders and guardians.

He was a champion of anti-discrimination, he helped students from all races and backgrounds; he especially helped the poor and the disadvantaged and believed that education was the means to advance mankind and ultimately to save humanity.

John lived by the educationists' motto: "Lumina Mundi", - carry your light to the world. He was an enlightened person that brought his "light" to all those with whom he came in contact.

With his passing we have lost a great Australian and the World has lost a great human being.

9.2 PASSING OF DAVID CURTIN

Councillor Stuart Coppock spoke of the passing of Mr David Curtin who died in June 2014.

RESOLUTION

That letters of condolence be forwarded to the families of the late Professor Dr John Cleverley and David Curtin.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

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

Against: Nil

Council observed a minute's silence in the memory of the late Professor Dr John Cleverley and Mr David Curtin.

10 GENERAL MANAGER'S LATE REPORT

NIL

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

Item 20.1 17 Rhodes Avenue, Naremburn - DA 2014/42

Item 22.4 Notice of Motion - Pacific Highway Streetscape

12 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 15.1 26 Kendall Road, Castle Cove - DA 2013/544

Item 14.3 35 Centennial Avenue, Chatswood - West Ward Councillors Inspection Committee Meeting - 7 August 2014

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) Workshop Outcomes and Infrastructure Levy
Item 21.1 Edinburgh road / Eastern Valley Way - Right Turn Phase
Item 21.2 High Street - School Pedestrian Crossing
Item 21.3 Traffic Hot Spots
Item 21.4 Northbridge Additional Playground - Bonds Corner Site
Item 21.5 Management Deed for 41 and 43 Oakville Road Car Park
Item 22.1 Notice of Motion: Proposed Medicare Co-Payment
Item 22.3 Notice of Motion: Open Space

That the remaining items, viz:

Item 14.1 Transport, Access & Environment Committee Meeting - 4 August 2014
Item 14.2 23 Upper Cliff Avenue, Northbridge Sailors Bay Ward Councillors Inspection Committee Meeting - 29 July 2014
Item 16.1 Councillor Information Booklets - 31 July & 7 August 2014
Item 20.2 Applications Determined under Delegated Authority for the Month of July 2014
Item 20.3 Development Application Report to 4 August 2014
Item 22.2 Notice of Motion: Crown Land

be adopted in accordance with the recommendations in the reports.**MOVED COUNCILLOR ERIKSSON****SECONDED COUNCILLOR HOOPER****CARRIED****Voting****For the Resolution:** Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Stevens and Wright.**Against:** Nil

14 REPORTS FROM COMMITTEES

14.1 TRANSPORT, ACCESS & ENVIRONMENT COMMITTEE MEETING - 4 AUGUST 2014

ATTACHMENTS: 1. MINUTES

RESPONSIBLE OFFICER: GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR

MEETING DATE: 11 AUGUST 2014

Purpose of Report

To list on the agenda the minutes of the Transport, Access & Environment Committee Meeting held 4 August 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) Workshop Outcomes and Infrastructure Levy

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

14.1.1 (9.1) WORKSHOP OUTCOMES AND INFRASTRUCTURE LEVY

- ATTACHMENTS:**
- 1. 19 JULY COUNCILLOR WORKSHOP OUTCOMES**
 - 2. IMPACT ON RATEPAYER CAPACITY TO PAY REPORT**
 - 3. INFRASTRUCTURE LEVY SCENARIOS SUMMARY**
 - 4. 2014/2015 IPART RATE VARIATION APPROVALS**
 - 5. INFRASTRUCTURE WORKS LISTINGS**
 - 6. RATES OUSTANDING COMPARISONS**
 - 7. COMMUNITY CONSULTATION SUMMARY 2014/2015 SRV ENGAGEMENT PROCESS – COUNCIL REPORT 24 FEBRUARY 2014**
 - 8. INFRASTRUCTURE LEVY SCENARIOS - DETAILED**

NOTE: ALL ATTACHMENTS DISTRIBUTED SEPARATELY

RESPONSIBLE OFFICER: EXECUTIVE LEADERSHIP TEAM

AUTHOR: EXECUTIVE LEADERSHIP TEAM

CITY STRATEGY LINK: 6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION

MEETING DATE: 4 AUGUST 2014

Purpose of Report

To:

1. Present Council with the report on the outcomes from the Workshop held 19 July 2014;
2. Inform Council of options for consideration to fund the renewal gap identified in the recently adopted Asset Management Strategy;
3. Seek a resolution to apply for an Infrastructure Levy to commence in 2015/2016;
4. Outline timeframes related to an application to IPART (Independent Pricing and Regulatory Tribunal) for an infrastructure levy commencing in the 2015/16 financial year.

RESOLUTION

That:

1. Council commence consultation to inform the community about the proposed Infrastructure Levy including:
 - a. holding public meetings;
 - b. all the members of the Citizens' Panel be invited to provide their written input to the proposal;

- c. efficiencies to be achieved in Council operations;
 - d. What the levy is proposed to be spent on in each year.
 - e. The cost savings review and the outcome.
2. Subject to the Community Consultation, Council will apply to IPART, for an Infrastructure Levy to commence in 2015/2016 for a fixed term to fund the annual gap in infrastructure renewal works.
 3. The Officers investigate ways to introduce a voluntary donation arrangement whereby ratepayers can make a contribution in addition to their rates in order to fund specific projects.
 4. A report be brought back to Council in October 2014, providing the outcomes of the community consultation for a decision by Council to notify IPART of an intention to apply for the infrastructure levy.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

Absent: Councillor Mustaca

**14.2 23 UPPER CLIFF AVENUE, NORTHBRIDGE - SAILORS BAY WARD
COUNCILLORS INSPECTION COMMITTEE MEETING - 29 JULY 2014**

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	IAN ARNOTT - DEVELOPMENT PLANNING MANAGER
AUTHOR:	CHI WAI KONG, DEVELOPMENT PLANNER
MEETING DATE:	11 AUGUST 2014

Purpose of Report

To list on the agenda the minutes of the Sailors Bay Ward Councillors Inspection Committee Meeting held 29 July 2014.

RESOLUTION

That:

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

"That the Officer's recommendation be adopted, with an amendment that the en-suite ceiling height be lowered from 2.4 metres to a minimum of 2.1 metres to achieve corresponding lowered roof and eaves over the western part of the bedroom and en-suite."

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

**14.3 35 CENTENNIAL AVENUE, CHATSWOOD - WEST WARD COUNCILLORS
INSPECTION COMMITTEE MEETING - 7 AUGUST 2014****RESPONSIBLE OFFICER: PETER ROWAN - BUILDING SERVICES MANAGER****AUTHOR: DIPAK RAM - DEVELOPMENT OFFICER (BUILDING
SURVEYOR)****MEETING DATE: 11 AUGUST 2014**

Purpose of Report

To list on the agenda the minutes of the West Ward Councillors Inspection Committee Meeting held 7 August 2014.

RESOLUTION

That the item be deferred for 2 weeks so the Ward Councillors can confer with the Officers to have the Minutes corrected.

MOVED COUNCILLOR MUSTACA**SECONDED COUNCILLOR HOOPER****CARRIED****Voting**

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

Against: Nil

15 DEFERRED MATTERS

15.1 26 KENDALL ROAD, CASTLE COVE - DA 2013/544

ATTACHMENTS:	1. NOTIFICATION MAP
	2. SUMMARY OF ISSUES
	3. PLANS & ELEVATIONS
	4. APPLICANT'S RESPONSE LETTER (16 MAY 2014)
	5. RECOMMENDED CONDITIONS

MEETING DATE: 28 JULY 2014

RECOMMENDATION:	DEFERRED COMMENCEMENT APPROVAL
LOCATION:	SOUTHERN SIDE OF KENDALL ROAD BETWEEN HEADLAND ROAD AND COVE CIRCUIT
APPLICANT:	MR DAMON PAUL AUSLING
PROPOSAL:	DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF TWO STOREY RESIDENTIAL BUILDING FOR SENIORS AND DISABILITY LIVING COMPRISING OF 4 X 2 BEDROOM UNITS, 1 X 3 BEDROOM UNIT, BASEMENT CARPARKING, LANDSCAPING AND ASSOCIATED WORKS.
DATE OF LODGEMENT:	13 DEC 2013
REPORTING OFFICER:	ANNIE LEUNG - DEVELOPMENT PLANNER
RESPONSIBLE OFFICER:	IAN ARNOTT - MANAGER DEVELOPMENT PLANNING

DESCRIPTION OF PROPOSAL

The development application seeks approval for the demolition of the existing dwelling onsite and the construction of a new 2 storey housing development for seniors or people with a disability, comprising 5 self-contained dwellings with a basement level car park for 6 vehicles.

The development is detailed below:

Basement (Ground level at rear of the site)

- Basement level car park for 6 cars.
- Storage located behind the car parking spaces.
- 1 x 3 bedroom dwelling with outdoor terrace area.

Level 01

- Street entrance from Kendall Road and lift lobby.
- 2 x 2 bedroom dwellings with outdoor terrace/balconies.

Level 02

- 2 x 2 bedroom dwellings with balconies.

Procedural Motion

That the following people address the meeting:

1. David Ritchard
2. Daniel Younan
3. Ian Kilminster
4. Eddy Howard
5. Colin Girdler
6. Mark Tonga
7. Greg Moran
8. Greg Killeen (read by Colin Girdler)
9. Robert Manga
10. Soula Ausling
11. Damon Ausling
12. Emilio Ambrogio
13. Meg Levy
14. Paolo Salotto

Mr Ritchard, Mr Younan, Mr Kilminster, Mr Howard, Mr Girdler, Mr Tonga, Mr Moran, Mr Manga, Mrs Ausling, Mr Ausling, Mr Ambrogio, Ms Levy and Mr Salotto addressed the meeting and answered questions of the Councillors.

MOTION

That the application be refused and delegated authority be granted to the General Manager to issue the Refusal Notice subject to the attached Reasons for Refusal.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Norton, Rozos, Rutherford, Stevens and Wright.

Against: Councillors Saville and Mustaca.

Reasons for refusal

- a) Pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the Design principles contained in Clause 33 (a), (c)(i) and (c)(ii) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. In particular:
- i. The bulk and scale of the proposed development fails to recognise the current streetscape character of the locality, being predominately low density residential dwelling houses. The proposed built forms are visually dominating when viewed from the street and from adjoining properties.
 - ii. The proposed development fails to maintain reasonable neighbourhood amenity and appropriate residential character as it does not provide progressive building setback with the increase of building height, and presents unacceptable visual bulk when viewed from adjoining properties. The proposed development also fails to relate to the site's land form, and involves substantial excavation into the site to accommodate additional floorspace.
- b) Pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the Design Principles contained in Clause 34 (a) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. The siting, location and design of windows and balconies of the proposed development are inappropriate and will unreasonably affect the privacy of adjoining properties.
- c) Pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, having considered the provisions contained in the *Seniors Living Policy: Urban Design Guideline for Infill Development* published by the Department of Infrastructure, Planning and Natural Resources in March 2004 as required by Clause 31(a) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. In particular, the density of the proposed development is incompatible with surrounding developments and does not fit into the neighbourhood well.
- d) Pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with objectives for the R2 Low Density Residential Zone of the Willoughby Local Environmental Plan 2012 ("WLEP"). The proposed development is incompatible with the scale and character of the surrounding residential developments. The density and scale of the development is substantially higher than adjoining and surrounding developments as represented by the Floor Space Ratio of the proposed development.
- e) Pursuant to S.79C (1) (c) of the Environmental Planning and Assessment Act 1979, the development site currently has no suitable access to a bus stop that would satisfy Clause 26 of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
- f) Pursuant to S.79C (1) (d) of the Environmental Planning and Assessment Act 1979, the proposed development fails to address the relevant issues raised in the submissions.

- g) Pursuant to S.79C (1) (e) of the Environmental Planning and Assessment Act 1979, having regard to the adverse streetscape and amenity impacts of the proposed development to adjoining and surrounding properties, the approval of the application is not considered to be in the interest of the public. The approval of the development is considered to set an undesirable precedent for developments in the locality in terms of its overdevelopment, lack of conformity with the topography of the land with the proposed substantial excavation, visual and privacy impacts to adjoining properties and incompatibility with the existing streetscape.

16 CORRESPONDENCE

16.1 COUNCILLORS INFORMATION BOOKLETS - 31 JULY & 7 AUGUST 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: 11 AUGUST 2014

Purpose of Report

To list on the Council Agenda the weekly Councillors Information Booklet, circulated to all Councillors on 31 July and 7 August 2014.

RESOLUTION

That the Councillors Information Booklets be received.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

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

NIL

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

NIL

20 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR

20.1 17 RHODES AVENUE, NAREMBURN - DA 2014/42

ATTACHMENTS:

1. PHOTOS
2. NOTIFICATION MAP
3. PLANS (circulated separately)

MEETING DATE: 11 AUGUST 2014

RECOMMENDATION: REFUSAL

LOCATION: 17 RHODES AVENUE, NAREMBURN

APPLICANT: SUNSCREEN PATIOS & PERGOLAS

OWNER: MR J MICALLEF

PROPOSAL: S82A REVIEW - CONSTRUCTION OF NEW CARPORT AND ASSOCIATED WORKS.

DATE OF LODGEMENT: 26 MAY 2014

VALID APPLICATION DATE: 26 MAY 2014

REPORTING OFFICER: CHRIS GUY - TEAM LEADER BUILDING SURVEYOR

RESPONSIBLE OFFICER: PETER ROWAN - BUILDING SERVICES MANAGER

This matter is a S82a Review of a decision under given delegated authority on 6 March 2014, to refuse the Development Consent for a double carport with entry awning and associated works.

Due to the fact that two Councillors have a non-pecuniary interest in this matter, this Item is called to a full Council meeting.

DESCRIPTION OF PROPOSAL

The proposal is to build in place of a demolished single carport, a double carport with entry awning and includes the widening of the driveway over Councils nature strip leading to Rhodes Av Naremburn.

RESOLUTION

1. That it be noted that the applicant has withdrawn the application.
2. That Council waive the fees for the new single car part application, given the history of applications trying to seek the best solution for the site.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

20.2 APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY FOR THE MONTH OF JULY 2014

ATTACHMENTS:	1. LIST OF DETERMINED APPLICATIONS
RESPONSIBLE OFFICER:	IAN ARNOTT - DEVELOPMENT PLANNING MANAGER, PETER ROWAN - BUILDING SERVICES MANAGER
AUTHOR:	BUILDING SURVEYORS, DEVELOPMENT PLANNERS
MEETING DATE:	11 AUGUST 2014

Purpose of Report

The attached schedule lists all applications determined under delegated authority for the month of July 2014.

RESOLUTION

That the information be noted.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

20.3 DEVELOPMENT APPLICATION REPORT TO 4 AUGUST 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: 11 AUGUST 2014

Purpose of Report

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

RESOLUTION

That the information be noted.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

21 REPORTS FROM OFFICERS - INFRASTRUCTURE SERVICES DIRECTOR

21.1 EDINBURGH ROAD / EASTERN VALLEY WAY - RIGHT TURN PHASE

ATTACHMENTS:	1. COPY OF COUNCIL REPORT OF 12 MAY 2014
RESPONSIBLE OFFICER:	PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR
AUTHOR:	PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	11 AUGUST 2014

Purpose of Report

To seek a resolution from Council to provide the RMS with Council's views on the proposal to introduce a right turn phase for Edinburgh Road traffic entering Eastern Valley Way.

RESOLUTION

1. That the RMS be advised that, while Council supports the installation of the right turn phase, it cannot agree to the current proposal given the negative impacts on the community.
2. That the RMS provides a right turn phase that provides no loss of existing on-street parking because this section of Edinburgh Road is a significant community and retail centre.
3. That after a suitable trial period, the issue of on-street parking be reassessed as part of the ongoing operation of the intersection.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Mustaca.

21.2 HIGH STREET - SCHOOL PEDESTRIAN CROSSING

ATTACHMENTS:	1. TRAFFIC COMMITTEE ITEM – HIGH STREET
RESPONSIBLE OFFICER:	PAUL COLLINGS – ACTING INFRASTRUCTURE SERVICES DIRECTOR
AUTHOR:	JAMES BROCKLEBANK
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	11 AUGUST 2014

Purpose of Report

To respond to a petition seeking pedestrian safety improvements on High Street at the marked foot crossing to the south of Oakville Road and to seek Council support for the installation of a raised pedestrian crossing.

MOTION

That the item be deferred in order for the residents to be consulted and the matter be brought back to the Transport, Access and Environment Committee as soon as possible.

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Motion: Councillors Coppock, Eriksson, Hooper, Rozos, Rutherford, Stevens and Wright.

Against: Councillors Giles-Gidney, Hill, Mustaca, Norton and Saville.

21.3 TRAFFIC HOT SPOTS

ATTACHMENTS:	1. HOT SPOTS SPREADSHEET
RESPONSIBLE OFFICER:	PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR
AUTHOR:	JAMES BROCKLEBANK - GROUP LEADER TRAFFIC & TRANSPORT
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	11 AUGUST 2014

Purpose of Report

To present to Council a prioritised list of traffic “hotspots” and proposed treatments as applicable and to report on the methodology used in the prioritisation process.

RESOLUTION

That:

1. Council note the priority projects for focus during the 2014/15 financial year.
2. A further report be presented to Council early in the 2015/16 financial year considering the prioritisation of traffic projects for 2015/16, completed works and outcomes achieved through these projects in 2014/15.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

21.4 NORTHBRIDGE ADDITIONAL PLAYGROUND - BONDS CORNER SITE

ATTACHMENTS:	1. DRAFT PLAN – BONDS CORNER, NORTHBRIDGE 2. COMMUNITY CONSULTATION SUMMARY REPORT 3. ISSUES AND RECOMMENDATIONS REPORT
RESPONSIBLE OFFICER:	PAUL COLLINGS - ACTING DIRECTOR INFRASTRUCTURE SERVICES
AUTHOR:	MELANIE COWLES - RECREATION PROJECTS OFFICER
CITY STRATEGY LINK:	1.3.1 ACCESSIBLE OPEN SPACE
MEETING DATE:	11 AUGUST 2014

Purpose of Report

To advise Council of the submissions received during the community consultation period for the proposed additional playground in Northbridge at Bonds Corner and to adopt the Draft Plan.

RESOLUTION

That:

- 1. The Plan for the new Bonds Corner playground, dated May 2014, be adopted.**
- 2. The Bonds Corner playground be added to a future Priority Improvement Program in Council's Playgrounds Asset Management Plan, rated against other programmed playground renewals and upgrades to determine appropriate timing of construction.**
- 3. Further investigation be carried out on the installation of a pedestrian crossing and other traffic calming devices on Sailors Bay Road to service Bonds Corner and a proposal be submitted to Council's Traffic Committee for consideration and, if approved, that the works be programmed for implementation alongside other traffic works.**

MOVED COUNCILLOR HILL

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

21.5 MANAGEMENT DEED FOR 41 AND 43 OAKVILLE ROAD CAR PARK

ATTACHMENTS:	1. CAR PARK MANAGEMENT DEED
RESPONSIBLE OFFICER:	GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR
AUTHOR:	PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR
CITY STRATEGY LINK:	4.2.1 EFFICIENTLY OPERATED AND MANAGED INFRASTRUCTURE ASSETS
MEETING DATE:	11 AUGUST 2014

Purpose of Report

This report is to seek Council's consent to enter into a Car Park Management Agreement with Fabcot Pty Ltd for proposed car park at 41-43 Oakville Rd Willoughby.

MOTION

That subject to final review of the deed document by Council's Solicitors, the General Manager and Mayor be authorised to execute, sign and affix Council's seal to the Car Park Management Deed.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Eriksson, Hill, Mustaca, Norton, Rozos, Rutherford and Stevens.

Against: Councillors Coppock, Hooper, Saville and Wright.

22 NOTICE OF MOTION

22.1 NOTICE OF MOTION: PROPOSED MEDICARE CO-PAYMENT

RESPONSIBLE OFFICER: NICK TOBIN – GENERAL MANAGER

MEETING DATE: 11 AUGUST 2014

Purpose of Report

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

That Willoughby City Council:

"Writes to the Prime Minister, to the Federal Minister for Health, the Local Member, the Federal Leader of the Opposition, the Federal Leader of the Greens and the Federal Leader of the Palmer United Party to express Council's opposition to the introduction of the proposed Medicare co-payment, for the reasons below.

Writes to the Save Medicare Campaign to indicate support for its ongoing campaign to stop the introduction of the Medicare co-payment.

Takes opportunities to inform the community of Council's opposition to the Medicare co-payment."

MOTION

That Council consider the Notice of Motion of Councillor Saville.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR WRIGHT

LOST

Voting

For the Motion: Councillors Norton, Saville and Wright.

Against: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Rozos, Rutherford and Stevens.

22.2 NOTICE OF MOTION: CROWN LAND**RESPONSIBLE OFFICER: NICK TOBIN – GENERAL MANAGER****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE
AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 11 AUGUST 2014**

Purpose of Report

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

"That Council provides Councillors with a list of all Crown Lands within WCC, and that the list details size, use, leases and whether a Trust oversees that parcel. Information should include rationale or criteria for the establishment of a Trust to oversee that parcel of land."

RESOLUTION

That Council provides Councillors with a list of all Crown Lands within WCC, and that the list details size, use, leases and whether a Trust oversees that parcel. Information should include rationale or criteria for the establishment of a Trust to oversee that parcel of land.

MOVED COUNCILLOR ERIKSSON**SECONDED COUNCILLOR HOOPER****CARRIED****Voting**

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

Against: Nil

22.3 NOTICE OF MOTION: OPEN SPACE

RESPONSIBLE OFFICER:	GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR
AUTHOR:	GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR
CITY STRATEGY LINK:	1.3.1 ACCESSIBLE OPEN SPACE AND RECREATIONAL FACILITIES FOR THE COMMUNITY ARE PROVIDED
MEETING DATE:	11 AUGUST 2014

Purpose of Report

A Notice of Motion was presented to Council by Councillor L Saville at its meeting of 4 November 2013. This Report responds to that Notice of Motion.

"That Willoughby City Council:

1. Notes with concern that over the last decade the amount of public open space held by local councils across NSW is reported to have fallen by 18.3%.
2. That a report is provided by staff which includes quantification of the amount of open space per head in the CBD currently available and compared with data previously provided in WCC S94 Plan."

RESOLUTION

That the item be deferred for discussion at the next Transport, Access and Environment Committee.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

22.4 NOTICE OF MOTION: PACIFIC HIGHWAY STREETSCAPE

RESPONSIBLE OFFICER: NICK TOBIN – GENERAL MANAGER
AUTHOR: NICK TOBIN – GENERAL MANAGER
CITY STRATEGY LINK: 2.1.2 THE COMMUNITY VALUES THE NATURAL ENVIRONMENT
MEETING DATE: 11 AUGUST 2014

Purpose of Report

Councillor Saville has indicated her intention to resubmit for Councils consideration the Notice of Motion that she moved at the Council Meeting on 24 February, 2014. The terms of the Motion now resubmitted are as follows:

Motion

"THAT Willoughby City Council develops a strategy for, and provides funding to improve the amenity, streetscapes and footpaths, with tree planting and vegetation, within WCC, along Pacific Highway between Boundary Road and St. Leonards."

RESOLUTION

That this item be deferred until the next meeting of Council.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

23 CONFIDENTIAL ITEMS

NIL

24 QUESTIONS

Councillor L Saville asked the following questions:

1. Can you please outline the implications of the new 10/50 vegetation clearing legislation within the WCC?
2. Can you please identify the 10/50 clearing areas within WCC?
3. To what extent will the 10/50 have implications for tree preservation on private land, if landowners will now be able to remove trees within 10m of their dwelling without Council consent?
4. What does this mean for critically endangered Blue Gum High Forest remnants in Chatswood?
5. I understand that in addition there is the potential for the RFS to require Council to clear trees and shrubs in reserves for up to 10 metres from dwellings (trees) and up to 50 metres from dwellings (shrubs). Can you comment please?
6. There may be extreme consequences for our bushland as many of the reserves are less than 100 metres in width and surrounded by houses on both sides
<http://www.rfs.nsw.gov.au/news-and-media/general-news/1050-vegetation-clearing>

Perhaps we could propose that LGA lobby to change the impact in Metro areas?

The meeting concluded at 10.07pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council held on 11 August 2014. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.