



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chambers
Level 6, 31 Victor Street, Chatswood

8 September 2014

commencing at 7:00pm

TABLE OF CONTENTS

TABLE OF CONTENTS	2
1 PRESENT	5
2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF	5
3 CONFIRMATION OF MINUTES	5
4 APOLOGIES AND LEAVE OF ABSENCE	5
5 INTERVIEWS	7
6 PETITIONS	7
7 OPEN FORUM	7
8 MAYORAL REPORT	8
9 MAYORAL MINUTE	10
10 GENERAL MANAGER'S LATE REPORT	10
11 MATTERS FOR DEFERRAL, REFERRAL TO INSPECTION AND/OR PROCEDURAL PRIORITY	10
12 MATTERS BROUGHT FORWARD BY THE PUBLIC	10
13 MATTERS NOT REQUIRING ELABORATION OR DEBATE	10
14 REPORTS FROM COMMITTEES	12
14.1 TRANSPORT, ACCESS & ENVIRONMENT COMMITTEE MEETING - 1 SEPTEMBER 2014	12
14.1.1 (8.3) NATURAL HERITAGE & BUSHLAND ADVISORY COMMITTEE MEETING - MINUTES - AUGUST 7, 2014	13
14.1.2 (9.1) MOWBRAY ROAD TRAFFIC STUDY	14
14.1.3 (9.2) PRESENTATION ON A PROPOSED PLANNING PROPOSAL FOR LAND BOUND BY VICTORIA AVENUE, OSCAR STREET, HERCULES STREET AND ALBERT AVENUE, CHATSWOOD	16
14.1.4 (9.3) 2014 - 2018 SUSTAINABILITY ACTION PLAN	18
14.1.6 (9.6) NOTICE OF MOTION: OPEN SPACE.....	19
15 DEFERRED MATTERS	20
16 CORRESPONDENCE	21
16.1 COUNCILLORS INFORMATION BOOKLETS - 28 AUGUST & 4 SEPTEMBER 2014	21
17 REPORTS FROM OFFICERS - GENERAL MANAGER	22
17.1 OUTSTANDING RESOLUTIONS REPORT - TO 30 JUNE 2014.....	22
18 REPORTS FROM OFFICERS - CORPORATE SERVICES DIRECTOR	23
18.1 DELIVERY PROGRAM SIX MONTHLY PROGRESS REPORT JANUARY - JUNE 2014	23
18.2 PROVISION OF LEGAL SERVICES TENDER 082171	24
18.3 TENDER FOR PROVISION OF ELECTRICAL, VOICE & DATA SERVICES - TENDER NO. 082820.....	26
18.4 TENDER FOR PROVISION OF PAINTING SERVICES - TENDER NO. 082821	27
19 REPORTS FROM OFFICERS - COMMUNITY SERVICES DIRECTOR	28
20 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR	29

20.1	CHATSWOOD HIGH SCHOOL, 24 CENTENNIAL AVENUE, CHATSWOOD - DA 2014/237	29
20.2	WASTE DISPOSAL CONTRACT - VARIATION TO CLAUSE 11.2	31
20.3	APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY FOR THE MONTH OF AUGUST 2014	32
20.4	DEVELOPMENT APPLICATION REPORT TO 1 SEPTEMBER 2014	33
21	REPORTS FROM OFFICERS - INFRASTRUCTURE SERVICES DIRECTOR.....	34
21.1	10/50 CODE OF PRACTICE - VEGETATION CLEARING ENTITLEMENT.....	34
22	NOTICE OF MOTION	35
22.1	NOTICE OF RESCISSION MOTION: HIGH STREET SCHOOL PEDESTRIAN CROSSING.....	35
22.2	NOTICE OF MOTION - COUNCILLOR S COPPOCK - DROP OFF ZONE - SERGEANTS LANE, ST. LEONARDS	37
23	CONFIDENTIAL ITEMS.....	38
23.1	ADDITIONAL INFORMATION: PROVISION OF LEGAL SERVICES TENDER 082171	38
23.2	THE NORTHBRIDGE PROPERTY PLAN, WILLOUGHBY LEISURE CENTRE MASTERPLAN & GORE HILL FACILITY	38
23.3	TALUS STREET RESERVE TRUST	39
24	QUESTIONS	42

1 PRESENT

Councillors

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

Officers

Mr N Tobin (General Manager), Mr G Woodhams (Environmental Services Director), Ms M Smith (Community Services Director), Ms T Crouch (Corporate Support and Performance Director), Mr P Collings (Acting Infrastructure Services Director), Mr J Ellis (Economic and Property Development Director), Mr V Grepl (Acting Administrative Services Manager) and Ms B Jeffries (Executive Assistant).

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Councillor Giles-Gidney declared a significant, non-pecuniary interest in Item 23.3 - Talus Street Reserve Trust.
- Councillor Sloane declared a non-significant, non-pecuniary interest in Items 18.2 Provision of Legal Services Tender 082171 and Item 23.1 Additional Information: Provision of Legal Services Tender 082171
- Councillor Wright declared a non-significant, non-pecuniary interest in Item 23.3 - Talus Street Reserve Trust.
- Councillor Saville declared a non-significant, non-pecuniary interest in Items 20.1 Chatswood High School, 24 Centennial Avenue, Chatswood - DA 2014/237 and Item 23.3 - Talus Street Reserve Trust.
- Councillor Eriksson declared a non-significant, non-pecuniary interest in Item 23.3 - Talus Street Reserve Trust.
- Councillor Mustaca declared a non-significant, non-pecuniary interest in Item 23.3 - Talus Street Reserve Trust.

3 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 25 August 2014, copies of which have been circulated to each member of Council, be confirmed.

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor S Coppock is on leave previously granted.
- Councillor J Rutherford is on leave previously granted.
- Councillor W Norton is on leave previously granted.
- Councillor M Stevens submitted an apology for non-attendance and requested leave of absence.

- Councillor A Rozos requested leave of absence for the 15 September 2014.

RESOLUTION

That:

1. Council note the absence of Councillor Coppock on leave previously granted.
2. Council note the absence of Councillor Rutherford on leave previously granted.
3. Council note the absence of Councillor Norton on leave previously granted.
4. The apology from Councillors Stevens be accepted and leave of absence be granted.
5. Councillor Rozos be granted leave of absence for the 15 September 2014.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

5 INTERVIEWS

NIL

6 PETITIONS

NIL

7 OPEN FORUM

Suzie Gold addressed Council on issues pertaining to her residential property.

8 MAYORAL REPORT**MAYOR'S DIARY – COUNCIL MEETING NOTES FOR 8 SEPTEMBER 2014**

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

WEDNESDAY 27 AUGUST			
Mayor	6 pm	Opening of Expo: "Home Grown"	The Concourse ArtSpace
Cr Saville		Home Grown Printmakers	The Concourse Art Space
THURSDAY 28 AUGUST			
Mayor	10 am	Launch of New Store	Chatswood Chase
Mayor Cr Rozos	1 pm	Presentation of Club Grants	Chatswood RSL Club
Mayor	6 pm	Opening of "Meet the Artists"	Ground Floor Foyer
FRIDAY 29 AUGUST			
Mayor	11.30 am	View Club Zone Luncheon	Chatswood RSL Club
Cr Saville	9:30 - 4pm	Sydney Coastal Council Group 25 Year Anniversary Conference & Gala Dinner	Customs House Sydney
SATURDAY 30 AUGUST			
Cr Eriksson	Evening	Youth Off The Street" Gala Dinner	Ivy Ballroom, Sydney CBD
SUNDAY 31 AUGUST			
MONDAY 1 SEPTEMBER			
Mayor	10 am	Guest at ACETCA Program	Harbour Plaza 25 Dixon Street, Sydney
TUESDAY 2 SEPTEMBER			
Mayor Crs	12.30 pm	Chatswood Chamber Luncheon	The Chatswood Club
WEDNESDAY 3 SEPTEMBER			
Mayor	11.30 am	Citizenship Ceremony	Council Chambers
Cr Saville		SCCG Executive Meeting	Sydney Town Hall
THURSDAY 4 SEPTEMBER			
Mayor	6.30 pm	Opening of Photo Expo	Home HQ, Artarmon
Cr Saville	8pm	Face to Face	The Concourse Theatre
FRIDAY 5 SEPTEMBER			
Mayor Crs Eriksson, Hooper, Saville, Rozos, Wright	4.30 pm	Welcome Dinner for Bingara Visitors	Mayor's Residence

SATURDAY 6 SEPTEMBER			
Mayor Crs Saville, Hooper, Mustaca, Eriksson & Sloane	All Day	Spring Fair Opening and Events	
Mayor Cr Rozos		Cantonese Opera Concert	Chatswood RSL Club
SUNDAY 7 SEPTEMBER			
Mayor	12.30 – 5 pm	One Planet – Urban Screen Event	The Urban Screen

- Councillor Saville highlighted Council's involvement in the Sydney Coastal Councils of which Willoughby Council is a founding member. Sydney Coast Councils is celebrating its 25th year in operation.
- Councillor Sloane thanked the staff for their tremendous effort in the organisation and running of the Spring Festival and Street Parade on Saturday 6 September. The day was very successful despite the difficult weather.
- The Mayor thanked Councillor Sloane for doing a wonderful job in being the MC for the Parade on the 6th September.

RESOLUTION

That the Mayoral report be received.

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

9 MAYORAL MINUTE

NIL

10 GENERAL MANAGER'S LATE REPORT

NIL

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

Item 22.2 Notice of Motion - Councillor Coppock - Drop off Zone - Sergeants Lane, St Leonards

12 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 14.1.2 (9.1) Mowbray Road Traffic Study

Item 20.1 Chatswood High School, 24 Centennial Avenue, Chatswood - DA 2014/237

Item 22.1 Notice of Rescission Motion : High Street School Pedestrian Crossing

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 (8.3) Natural Heritage & Bushland Advisory Committee Meeting - Minutes - August 7, 2014

Item 14.1.3 (9.2) Presentation on a Proposed Planning Proposal for Land bound by Victoria Avenue, Oscar Street, Hercules Street and Albert Avenue, Chatswood

Item 14.1.4 (9.3) 2014 - 2018 Sustainability Action Plan

Item 15.1.6 (9.6) Notice of Motion - Open Space

Item 18.1 Delivery Program Six Monthly Progress Report January - June 2014

Item 20.2 Waste Disposal Contract - Variation to Clause 11.2

Item 21.1 10/50 Code of Practice - Vegetation Clearing Entitlement

RESOLUTION

That the remaining items, viz:

Item 14.1 Transport, Access & Environment Committee Meeting - 1 September 2014

Item 14.1.5 (9.4) Flood Plain Risk Management

Item 16.1 Councillors Information Booklets - 28 August 2014 and 4 September 2014

Item 17.1 Outstanding Resolutions Report to 30 June 2014

Item 18.2 Provision of Legal Services Tender 081171

Item 18.3 Tender for Provision of Electrical Voice & Data Services - Tender No. 082820

Item 18.4 Tender for Provision of Painting Services - Tender No. 082821

- Item 20.3 Applications Determined under Delegated Authority for the Month of August 2014
Item 20.4 Development Application Report to 1 September 2014

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

14 REPORTS FROM COMMITTEES

14.1 TRANSPORT, ACCESS & ENVIRONMENT COMMITTEE MEETING - 1 SEPTEMBER 2014

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR
AUTHOR:	GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR
MEETING DATE:	8 SEPTEMBER 2014

Purpose of Report

To present the minutes of the Transport, Access & Environment Committee Meeting held 1 September 2014.

RESOLUTION

That:

1. **The Minutes be received subject to:**
 - **It be recorded in the Minutes that Councillor J Rutherford was on Leave Previously granted.**
2. **Council note the resolutions adopted by the Committee.**
3. **Council adopt the Committee's recommendations with the exception of:**
 - Item 14.1.1 (8.3) Natural Heritage & Bushland Advisory Committee Meeting - Minutes - August 7, 2014**
 - Item 14.1.3 (9.2) Presentation on a Proposed Planning Proposal for Land bound by Victoria Avenue, Oscar Street, Hercules Street and Albert Avenue, Chatswood**
 - Item 14.1.4 (9.3) 2014 - 2018 Sustainability Action Plan**
 - Item 15.1.6 (9.6) Notice of Motion - Open Space**

MOVED COUNCILLOR GILES-GIDNEY

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

**14.1.1 (8.3) NATURAL HERITAGE & BUSHLAND ADVISORY COMMITTEE
MEETING - MINUTES - AUGUST 7, 2014**

ATTACHMENTS:	1. MINUTES OF MEETING AUGUST 7, 2014
RESPONSIBLE OFFICER:	PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR
AUTHOR:	JULIE WHITFIELD - OPEN SPACE MANAGER
CITY STRATEGY LINK:	2.1.1 CONSERVE AND MAINTAIN WILLOUGHBY'S NATURAL ECOSYSTEMS
MEETING DATE:	1 SEPTEMBER 2014

Purpose of Report

To present to Council the Minutes of the Natural Heritage and Bushland Advisory Committee meeting as of 7 August 2014.

RESOLUTION

That:

1. The minutes be accepted.
2. The Watergate Reserve Action Plan and the Urban Bushland Plan of Management 2014 be adopted.
3. The Member for Willoughby be informed of Council's concerns relating to the State Government's 10/50 Vegetation Clearing Code of Practice.
4. It be noted that Councillor Wright supports Points 1 and 2, but objects to point 3. Point 3 will be dealt with at Item 21.1, 10/50 Code of Practice - Vegetation Clearing Entitlement.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

14.1.2 (9.1) MOWBRAY ROAD TRAFFIC STUDY

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:	1 SEPTEMBER 2014

Purpose of Report

To inform Council that consultants PeopleTrans have completed a traffic study reviewing the impacts of the traffic signals at the intersection of Mowbray Road West/Beaconsfield Rd and reviewing the traffic changes for Mowbray Road proposed by Lane Cove Council in conjunction with redevelopment activity on their side of Mowbray Road. The report also seeks Council support to consult with the community in regard to the changes recommended by PeopleTrans study.

PROCEDURAL MOTION

That the following people address the meeting:

- **Mr Craig Campbell**

Mr Campbell addressed the meeting and answered questions of the Councillors.

MOTION

That:

- 1. The PeopleTrans Study and the recommendations outlined in the report be placed on exhibition on Council's website for community feedback for a period of 1 month.**
- 2. Residents within the study area and Goodchap Road be 'letterbox dropped' to inform them of the availability of the report and opportunity to comment.**
- 3. Further traffic counts be undertaken within the study area and Goodchap road to obtain current data before the end of 2014, avoiding public and school holidays.**
- 4. Council engage a road safety audit of Coolaroo Road to assess the current road speed conditions, road safety risks, and provide recommendations in regard to traffic speeds.**
- 5. The consultants be requested to provide further advice on options for traffic management in the area that can be considered to proactively address the projected traffic volumes on the local road network now and protect the amenity of the local residents.**
- 6. A community meeting be held during the exhibition period to inform local residents of the report and recommendations.**

7. Lane Cove Council be advised that Willoughby Council gives qualified support to the recommendations made in the SMEC study along the lines of the commentary in this report with further feedback to be provided following the exhibition period.
8. Lane Cove Council be advised that Willoughby Council is not willing to contribute to the cost of installation of works recommended in the SMEC study as the works should be funded by Section 94 funds collected from development activity on the Lane Cove side of Mowbray Road or from RMS (in the case of the signals at Mowbray Road/Centennial Avenue).
9. Lane Cove Council be provided with a copy of the PeopleTrans study and advised of the additional recommendations made in that report regarding Felton Avenue, Dalrymple Avenue and Pacific Highway and their support requested for the implementation of those measures.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

14.1.3 (9.2) PRESENTATION ON A PROPOSED PLANNING PROPOSAL FOR LAND BOUND BY VICTORIA AVENUE, OSCAR STREET, HERCULES STREET AND ALBERT AVENUE, CHATSWOOD

ATTACHMENTS:	1. SUMMARY OF PROPOSAL
RESPONSIBLE OFFICER:	LINDA MCCLURE - STRATEGIC PLANNING MANAGER
AUTHOR:	LINDA MCCLURE - STRATEGIC PLANNING MANAGER
MEETING DATE:	1 SEPTEMBER 2014

Purpose of Report

To inform Council of a proposed Planning Proposal prior to its finalisation and submission to Council for land in the block bounded by Victoria Avenue, Oscar Street, Hercules Street and Albert Avenue, Chatswood.

MOTION

- 1. That Council note the presentation by Platino Properties in respect of a proposed Planning Proposal for land bound by Hercules Street, Victoria Avenue, Oscar Street and Albert Avenue Chatswood.**
- 2. That Council disapproves of the Planning Proposal.**

MOVED COUNCILLOR WRIGHT**SECONDED COUNCILLOR SAVILLE****LOST****Voting****For the Motion:** Councillors Saville and Wright.**Against:** Councillors Giles-Gidney, Eriksson, Hooper Mustaca and Sloane.**Absent:** Councillors Rozos and Hill.**AMENDMENT**

That Council note the presentation by Platino Properties in respect of a proposed Planning Proposal for land bound by Hercules Street, Victoria Avenue, Oscar Street and Albert Avenue Chatswood.

MOVED COUNCILLOR ERIKSSON**SECONDED COUNCILLOR SLOANE****CARRIED****Voting****For the Amendment:** Councillors Giles-Gidney, Eriksson, Hooper and Sloane.**Against:** Councillors Mustaca, Saville and Wright.**Absent:** Councillors Rozos and Hill.

THE AMENDMENT BECAME THE MOTION AND THE MOTION WAS CARRIED.

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Eriksson, Hooper, Mustaca, Sloane and Wright.

Against: Councillor Saville

Absent: Councillors Rozos and Hill

14.1.4 (9.3) 2014 - 2018 SUSTAINABILITY ACTION PLAN

ATTACHMENTS:	1. SUBMISSION SUMMARY AND RESPONSES 2. COPIES OF SUBMISSIONS 3. FINAL SUSTAINABILITY ACTION PLAN (2014-2018)
RESPONSIBLE OFFICER:	GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR
AUTHOR:	SALLY HAMILTON - SUSTAINABILITY PROJECTS MANAGER
CITY STRATEGY LINK:	2.1.2 THE COMMUNITY VALUES THE NATURAL ENVIRONMENT
MEETING DATE:	1ST SEPTEMBER 2014

Purpose of Report

The purpose of this report is to seek endorsement of the final 2014 -2018 Sustainability Action Plan (SAP).

RESOLUTION

- 1. That Council endorses the final 2014-2018 Sustainability Action Plan.**
- 2. That the Sustainability Action Plan be amended to indicate under the section on Resource Recovery and Waste Avoidance "Key Activities" the following:
"keep a watching brief on food waste technology"**

MOVED COUNCILLOR SAVILLE**SECONDED COUNCILLOR WRIGHT****CARRIED****Voting**

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

Against: Nil

Absent: Councillor Rozos

14.1.6 (9.6) 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.

Council resolved on 4 November:

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.*

MOTION

That Council continues to monitor ways in which to provide adequate open space including quiet contemplative spaces, passive and active recreation to meet current and future local community needs, and to work with NSROC and SHOROC to meet regional open space needs.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Eriksson, Hill, Hooper, Mustaca, Saville, Sloane, and Wright.

Against: Nil

Absent: Councillor Rozos

15 DEFERRED MATTERS

NIL

16 CORRESPONDENCE

16.1 COUNCILLORS INFORMATION BOOKLETS - 28 AUGUST & 4 SEPTEMBER 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: 8 SEPTEMBER 2014

Purpose of Report

To list on the Council Agenda the weekly Councillors Information Booklet, circulated to all Councillors on 28 August and 4 September 2014.

RESOLUTION

That the Councillors Information Booklets be received.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS - GENERAL MANAGER**17.1 OUTSTANDING RESOLUTIONS REPORT - TO 30 JUNE 2014**

ATTACHMENT:	1. REPORT
RESPONSIBLE OFFICER:	NICK TOBIN - GENERAL MANAGER
AUTHOR:	MARGARET HARTE - EXECUTIVE ASSISTANT
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	8 SEPTEMBER 2014

Purpose of Report

To refer to Council the Outstanding Resolutions Report.

RESOLUTION

That the report be received.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

**18 REPORTS FROM OFFICERS - CORPORATE SERVICES
DIRECTOR****18.1 DELIVERY PROGRAM SIX MONTHLY PROGRESS REPORT JANUARY -
JUNE 2014****RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND
PERFORMANCE DIRECTOR****AUTHOR: DARIUS TURNER - CORPORATE PLANNING AND
GOVERNANCE CO-ORDINATOR****DELIVERY PROGRAM ITEM: 6.1.1 A COUNCIL THAT IS OPEN AND HONEST AND
REPRESENTS ITS CONSTITUENTS****MEETING DATE: 8 SEPTEMBER 2014**

Purpose of Report

To update Council on the progress of the Delivery Program 2013 to 2017.

RESOLUTION

That Council receive the Delivery Program Progress Report for the period January to June 2014.

MOVED COUNCILLOR MUSTACA**SECONDED COUNCILLOR SLOANE****CARRIED****Voting**

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

Against: Nil

Absent: Councillor Rozos

18.2 PROVISION OF LEGAL SERVICES TENDER 082171

ATTACHMENTS:	1. COUNCIL'S GUIDELINES ON THE EQUITABLE DISTRIBUTION OF WORK
RESPONSIBLE OFFICER:	TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR
AUTHOR:	VLADIMIR GREPL - ACTING ADMINISTRATIVE SERVICES MANAGER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	8 SEPTEMBER 2014

Purpose of Report

To seek Council's concurrence to enter into a contract for the provision of legal services to Council for a period of three years with an option of a further two years.

RESOLUTION

That Council:

1. **Accepts Tenders to provide Legal Services for a period of three years from 1 October 2014 with an option of a further two years in accordance with Clause 178 of the Local Government (General) Regulation 2005, as follows:**
 - **Planning** - **HWL Ebsworth Lawyers**
 - **Local Court** - **Chatswood Law**
- **Wilshire Webb Staunton Beattie Lawyers**
 - **Local Government and Administrative**
- **Pikes and Verekers Lawyers**
- **HWL Ebsworth Lawyers**
 - **Commercial and General**
- **HWL Ebsworth Lawyers**
- **Pikes and Verekers Lawyers**
 - **Property**
- **Pikes and Verekers Lawyers**
- **HWL Ebsworth Lawyers**
2. **Authorises the Mayor and the General Manager to sign and execute the necessary documents.**
3. **Requests the General Manager to call for Tenders for one additional panel member for the Planning category to align with the term outlined in 1 above.**

4. Adopts the Draft “Guidelines on the equitable distribution of work by the General Manager between the legal services panel members”, as circulated.
5. Acknowledges that the General Manager will have discretion in the allocation of work to the legal services panel, subject to Council's “Guidelines on the equitable distribution of work by the General Manager between the legal services panel members”.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

**18.3 TENDER FOR PROVISION OF ELECTRICAL, VOICE & DATA SERVICES -
TENDER NO. 082820****RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND
PERFORMANCE DIRECTOR****AUTHOR: DAVID PAGE****CITY STRATEGY LINK: 4.1.1 PLANNING, MAINTENANCE AND OPERATION
OF INFRASTRUCTURE****MEETING DATE: 8 SEPTEMBER 2014**

Purpose of Report

To advise Council of the tenders received for the Provision of Electrical, Voice & Data Services.

RESOLUTION

That the information be noted.

MOVED COUNCILLOR SLOANE**SECONDED COUNCILLOR SAVILLE****CARRIED****Voting**

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

Against: Nil

**18.4 TENDER FOR PROVISION OF PAINTING SERVICES - TENDER NO.
082821****RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND
PERFORMANCE DIRECTOR****AUTHOR: DAVID PAGE****CITY STRATEGY LINK: 4.1.1 PLANNING, MAINTENANCE AND OPERATION
OF INFRASTRUCTURE****MEETING DATE: 8 SEPTEMBER 2014**

Purpose of Report

To advise council of the tenders received for the Provision of Painting Services.

RESOLUTION

That the information be noted.

MOVED COUNCILLOR SLOANE**SECONDED COUNCILLOR SAVILLE****CARRIED****Voting**

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

Against: Nil

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

NIL

20 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR

20.1 CHATSWOOD HIGH SCHOOL, 24 CENTENNIAL AVENUE, CHATSWOOD - DA 2014/237

ATTACHMENTS: 1. DA PLANS
2. NOTIFICATION PLAN

MEETING DATE: 8 SEPTEMBER 2014

RECOMMENDATION: APPROVAL

LOCATION: CHATSWOOD HIGH SCHOOL, 24 CENTENNIAL AVENUE, CHATSWOOD

APPLICANT: WILLOUGHBY CITY COUNCIL

OWNER: THE DEPARTMENT OF EDUCATION AND COMMUNITIES

PROPOSAL: UPGRADING OF THE EXISTING SPORTING FACILITIES, THE TEMPORRAY CARPARK AND ASSOCIATED ANCILLARY WORKS AT CHATSWOOD HIGH SCHOOL FOR THE USE OF THE SCHOOL AND LOCAL SPORTING GROUPS

DATE OF LODGEMENT: 3 JULY 2014

VALID APPLICATION DATE: 3 JULY 2014

REPORTING OFFICER: CONSULTANT PLANNER LEONIE DERWENT, INGHAM PLANNING

RESPONSIBLE OFFICER: IAN ARNOTT - MANAGER - DEVELOPMENT PLANNING

DESCRIPTION OF PROPOSAL

The proposal is for the replacement of the existing turf surface and asphalt courts with a synthetic surface, installation of 4 new high light poles to the sports fields to comply with Australian Standards for training and games, upgrading of the existing temporary car park and associated works.

The proposal includes the following elements:

- The replacement of the existing turf surface on the sports ground and asphalt courts with a synthetic surface to create improved sporting facilities including 1 x Senior soccer pitch with 4 x mini –pitches, 1 x full sized cricket wicket, 3 x full sized basketball/netball courts, 2 x cricket practice nets and a handball court/games court area. The proposed layout of the sports facilities will provide flexibility for future use;

- The replacement of the existing 15 metre lighting with the installation of four (4) new 22-24 metre high light poles and new luminaries for the sports ground and courts to comply with the Australian Standard; and
- The upgrading of the existing temporary car parking area (former tennis courts) including drainage and line marking of spaces and ancillary works.

The DA is supported by reports which have been prepared by independent consultants including:

1. A Playing Field Lighting Audit report prepared by GRA Electrical Engineers
2. A Traffic Impact and parking requirements study prepared by Traffic Engineering Centre
3. An Ecological Impact Assessment Report prepared by Biosphere Environmental Consultants Pty Ltd.
4. A Geotechnical Investigation report prepared by JK Geotechnics
5. A preliminary waste classification report prepared by EIS Environmental Investigation Services (carried out in conjunction with the Geotechnical report).
6. A Stormwater Drainage Strategy prepared by Dalton Consulting Engineers

PROCEDURAL MOTION

That the following people address the meeting:

- **Mr Peter Goudie**

Mr Goudie addressed the meeting and answered questions of the Councillors.

RESOLUTION

That the Application be deferred to the next meeting of Council for answers to the following questions:

1. **The use of the former tennis courts and options for alternative use;**
2. **The predicted number of users of the recreation facilities at any time.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

20.2 WASTE DISPOSAL CONTRACT - VARIATION TO CLAUSE 11.2**RESPONSIBLE OFFICER: NICK TOBIN - GENERAL MANAGER****AUTHOR: KRISTIAN WYNN - WASTE STRATEGY CO-ORDINATOR****DELIVERY PROGRAM ITEM: 2.2.5 WASTE IS REDUCED, REUSED AND DISPOSED OF IN A SUSTAINABLE MANNER****MEETING DATE: 08 SEPTEMBER 2014**

Purpose of Report

To delegate authority to the Mayor and General Manager to approve a variation to clause 11.2 of the current Waste Disposal Contract with SITA Australia.

RESOLUTION

That the Mayor and General Manager be delegated authority to approve the contract variation to clause 11.2.

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

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

Against: Nil

Absent: Councillor Rozos

20.3 APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY FOR THE MONTH OF AUGUST 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:	8 SEPTEMBER 2014

Purpose of Report

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

RESOLUTION

That the information be noted.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

20.4 DEVELOPMENT APPLICATION REPORT TO 1 SEPTEMBER 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: 8 SEPTEMBER 2014

Purpose of Report

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

RESOLUTION

That the information be noted.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

21 REPORTS FROM OFFICERS - INFRASTRUCTURE SERVICES DIRECTOR

21.1 10/50 CODE OF PRACTICE - VEGETATION CLEARING ENTITLEMENT

RESPONSIBLE OFFICER: PAUL COLLINGS, ACTING INFRASTRUCTURE SERVICES DIRECTOR

AUTHOR: JULIE WHITFIELD - OPEN SPACE MANAGER
MEGAN COVEY - BUSHFIRE OFFICER

CITY STRATEGY LINK: 2.1.2 - COMMUNITY VALUES ENVIRONMENT

MEETING DATE: 8 SEPTEMBER 2014

Purpose of Report

To clarify the impacts of the Rural Fire Services - 10/50 Code of Practice for vegetation clearance entitlements on the Willoughby City Council area, to submit a request to the Rural Fire Services for the Willoughby City Council Area to be exempt from the 10/50 Code of Practice.

MOTION

That:

- 1. Council write to the Commissioner of the Rural Fire Service requesting that Willoughby City Council be granted immediate exemption from the 10/50 Code of Practice.**
- 2. Council write to the Premier and Local Member seeking their support for immediate suspension and review of the legislation as it applies to metropolitan areas having regard to the unforeseen consequences of the Code's application in those areas and lack of proper consultation about the Codes introduction.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Eriksson, Hill, Saville and Sloane.

Against: Councillor Mustaca, Hooper and Wright.

Absent: Councillor Rozos

22 NOTICE OF MOTION

22.1 NOTICE OF RESCISSION MOTION: HIGH STREET SCHOOL PEDESTRIAN CROSSING

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:	8 SEPTEMBER 2014

Purpose of Report

Councillors Eriksson, Hill and Rozos have indicated their intention to move the following Rescission Motion.

"That the resolution adopted at the Council Meeting held on 11 August 2014, viz:

"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."

BE RESCINDED.

Should the Rescission Motion be carried, notice is given that the following motion will be moved:

That the Officer's recommendation be approved and adopted and the construction of the raised pedestrian crossing commence as a matter of priority."

PROCEDURAL MOTION

That the following people address the meeting:

- Ms Rose Hazlewood ("lollipop lady" at the crossing)
- Ms Frances Chauncy

Ms Hazlewood and Ms Chauncy addressed the meeting and answered questions of the Councillors.

MOTION OF RESCISSION

"That the resolution adopted at the Council Meeting held on 11 August 2014, viz:

"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."

be rescinded.

MOVED COUNCILLOR ROZOS**SECONDED COUNCILLOR HILL****CARRIED****Voting****For the Motion:** Councillors Giles-Gidney, Eriksson, Hill, Hooper, Mustaca, Rozos, Saville and Sloane.**Against:** Councillor Wright**MOTION**

That the Officer's recommendation be approved and adopted and the construction of the raised pedestrian crossing commence as a matter of priority once approved by the Traffic Committee.

MOVED COUNCILLOR ROZOS**SECONDED COUNCILLOR HILL****CARRIED****Voting****For the Motion:** Councillors Giles-Gidney, Eriksson, Hill, Hooper, Mustaca, Rozos and Saville.**Against:** Councillor Sloane and Wright.**AMENDMENT****That:**

- 1. A design be prepared for a raised pedestrian crossing to replace the existing at grade crossing on High Street near Oakville Road.**
- 2. The design be submitted to Council's Traffic Committee for consideration and if approved that the work be programmed for implementation alongside other traffic works.**

MOVED COUNCILLOR WRIGHT**SECONDED COUNCILLOR SLOANE****LOST****Voting****For the Amendment:** Councillors Mustaca, Saville, Sloane and Wright.**Against:** Councillors Giles-Gidney, Eriksson, Hill, Hooper and Rozos.

22.2 NOTICE OF MOTION - COUNCILLOR S COPPOCK - DROP OFF ZONE - SERGEANTS LANE, ST. LEONARDS

RESPONSIBLE OFFICER: NICK TOBIN - GENERAL MANAGER
AUTHOR: NICK TOBIN - GENERAL MANAGER
CITY STRATEGY LINK: 4.2.2. BALANCE TRAFFIC MANAGEMENT
MEETING DATE: 8 SEPTEMBER 2014

Purpose of Report

Councillor S Coppock has indicated his intention to move the following Notice of Motion:

"That a report be provided to Council after 15 September and before 15 October on the possibility of providing a drop off zone in Sergeants Lane, St Leonard's, or the vicinity to that Lane, to allow commuters to be dropped off with safety.

That the zone be available during the period 6.00am to 9.30am and 3.30pm to 6.00pm, or advice on other standard times and that the drop off zone revert to normal parking of the area at other times."

THIS ITEM WAS DEFERRED UNTIL THE COUNCIL MEETING ON 22 SEPTEMBER 2014.

23 CONFIDENTIAL ITEMS

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: PROVISION OF LEGAL SERVICES TENDER 082171

Reason for Confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

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

23.2 THE NORTHBRIDGE PROPERTY PLAN, WILLOUGHBY LEISURE CENTRE MASTERPLAN & GORE HILL FACILITY

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, the General Manager referred to the matter considered in Committee of the Whole.

23.3 TALUS STREET RESERVE TRUST

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

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

Councillor Giles-Gidney declared a significant, non-pecuniary interest in Item 23.3 - Talus Street Reserve Trust.

Councillor Mustaca assumed the Chair in the absence of Councillor Giles-Gidney.

Councillors Eriksson, Mustaca, Saville and Wright declared a non-significant, non-pecuniary interest in Item 23.3 - Talus Street Reserve Trust.

Upon resumption of the open Council Meeting, the General Manager referred to the recommendations from the Committee of the Whole.

23.1 ADDITIONAL INFORMATION: PROVISION OF LEGAL SERVICES TENDER 082171

Recommendation Summary

That Council:

1. **Accepts Tenders to provide Legal Services for a period of three years from 1 October 2014 with an option of a further two years in accordance with Clause 178 of the Local Government (General) Regulation 2005, as follows:**
 - **Planning** - **HWL Ebsworth Lawyers**
 - **Local Court** - **Chatswood Law**
- **Wilshire Webb Staunton Beattie Lawyers**
 - **Local Government and Administrative**
- **Pikes and Verekers Lawyers**
- **HWL Ebsworth Lawyers**
 - **Commercial and General**
- **HWL Ebsworth Lawyers**
- **Pikes and Verekers Lawyers**
 - **Property**
- **Pikes and Verekers Lawyers**

- HWL Ebsworth Lawyers

2. Authorises the Mayor and the General Manager to sign and execute the necessary documents.
3. Requests the General Manager to call for Tenders for one additional panel member for the Planning category to align with the term outlined in 1 above.
4. Adopts the Draft “Guidelines on the equitable distribution of work by the General Manager between the legal services panel members”, as circulated.
5. Acknowledges that the General Manager will have discretion in the allocation of work to the legal services panel, subject to Council's “Guidelines on the equitable distribution of work by the General Manager between the legal services panel members”.

23.2 THE NORTHBRIDGE PROPERTY PLAN, WILLOUGHBY LEISURE CENTRE MASTERPLAN & GORE HILL FACILITY

Recommendation Summary

1. Retain 13 Eastern Valley Way, Northbridge as a strategic property holding.
2. A more detailed report be brought back to Council’s Cultural and Civic Committee to inform further discussion on Councils arrangements with the NSW Department of Health to provide early childhood health services.
3. Seek Development Consent for residential use of 191 Penshurst St in accordance with the Heritage Management Plan.
4. Develop a design for 258 Sailors Bay Road and seek expressions of interest from organisations to lease the balance of the space on a commercial basis.
5. Upon possession, inspect the Northbridge Bowling Club for community use.
6. Provide owner's consent to enable the Men’s Shed to lodge the necessary Development Application documentation for the extension of the existing facility, with Council to consider a contribution to the extension following fundraising efforts.
7. Consider a redesign of the Willoughby Leisure Centre Master Plan concept plans taking into account the Gore Hill Park facility and potential for secondary income streams.
8. Pursue design solutions for Gore Hill Park with costings to be presented to Council by November 2014.
9. Council Officers be authorised to enter into discussions with Lindsey Bennelong Developments to revise the Voluntary Agreement.
10. That specific items within the Officer's Recommendations remain confidential to ensure that a commercial advantage is not conveyed to a person or organisation with whom Council is conducting (or proposes to conduct) business.

23.3 TALUS STREET RESERVE TRUST

Recommendation Summary

That the report be noted and a further report be brought back prior to application for judicial advice being made.

RESOLUTION

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

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Rozos

24 QUESTIONS

NIL

Councillor A Rozos retired from the meeting at 9.35pm.

The Meeting concluded at 10.20pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 8 September 2014. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.