



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chambers
31 Victor Street, Chatswood

24 November 2014
commencing at 7:00pm

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1 PRESENT

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

Officers

Mr G Woodhams (Acting General Manager), Ms M Smith (Community Services Director), Ms T Crouch (Corporate Support and Performance Director), Mr P Collings (Acting Infrastructure Services Director), Mr T Pizzuto (Financial Services Director), Mr Jeff Ellis (Economic & Property Development Director), Mr V Grepl (Acting Administration Services Manager), and Ms B Jeffries (Executive Assistant).

Councillor Coppock left the meeting at 7:50 pm.

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Councillor Hill declared a non-significant, non-pecuniary interest in Item 20.2 – Notice of Motion: Royal North Shore Hospital Divestment.

3 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 10 November 2014, copies of which have been circulated to each member of Council, be confirmed.

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor N Wright submitted an apology for non-attendance and requested leave of absence.
- Councillor T Mustaca submitted an apology for non-attendance and requested leave of absence.
- Councillor M Stevens submitted an apology for non-attendance and requested leave of absence.
- Councillor L Saville requested leave of absence on 30th November to 31st November 2014.
- Councillor G Giles-Gidney requested leave of absence from 27th December 2014 to 6th January 2015.
- Councillor S Coppock requested leave of absence from 20th November 2014 to 20th December 2014.

RESOLUTION

That:

1. The apology from Councillor Wright be accepted and Leave of Absence be granted.
2. The apology from Councillor Mustaca be accepted and Leave of Absence be granted.
3. The apology from Councillor Stevens be accepted and Leave of Absence be granted.
4. Councillor Saville be granted Leave of Absence from 30th November to 31st November 2014.
5. Councillor Giles-Gidney be granted Leave of Absence from 27th December 2014 to 6th January 2015.
6. Councillor Coppock be granted Leave of Absence from 20th November 2014 to 20th December 2014.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

5 PETITIONS

5.1 PETITION: WILLOUGHBY LEISURE CENTRE SWIMMING POOL OPENING TIME

ATTACHMENTS:	1. PETITION
RESPONSIBLE OFFICER:	GREG WOODHAMS - ACTING GENERAL MANAGER
AUTHOR:	GREG WOODHAMS - ACTING GENERAL MANAGER
MEETING DATE:	24 NOVEMBER 2014

Purpose of Report

A petition has been sent to Council requesting an earlier opening time of the pool at the Willoughby Leisure Centre.

RESOLUTION

That the petition be received and referred to the Acting Infrastructure Services Director for consideration.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

5.2 PETITION - ARTARMON RESERVE**ATTACHMENTS: 1. PETITION****RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR****AUTHOR: TRISHA DUFFY****MEETING DATE: 24 NOVEMBER 2014**

Purpose of Report

To present a petition that has been received from dog owners requesting that the drinking water facilities at Artarmon Reserve be improved.

RESOLUTION

That the petition be received and referred to the Acting Infrastructure Services Director for consideration.

MOVED COUNCILLOR ERIKSSON**SECONDED COUNCILLOR SLOANE****CARRIED****Voting**

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

Against: Nil

6 OPEN FORUM

NIL

7 MAYORAL MINUTE

7.1 MAYOR'S DIARY - COUNCIL MEETING NOTES FOR 24 NOVEMBER 2014

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

TUESDAY 11 NOVEMBER			
Mayor Crs Hill, Hooper, Norton	9.30 am	Unveiling of Northbridge Memorial Clock	Cnr Cliff & Strathallen Avenues, Northbridge
Mayor	10.45 am	Remembrance Day Ceremony	Club Willoughby
WEDNESDAY 12 NOVEMBER			
Mayor	10 am	Installation of native stingless bee hive	<i>Puddleducks</i> Preschool, Artarmon
Deputy Mayor: Cr Mustaca	11 am	Launch of Wishing Tree Appeal	K-Mart, Chatswood Chase
Mayor Deputy Mayor: Cr Mustaca Cr Rutherford	11.30 am	Citizenship Ceremony	Council Chambers
Crs Hooper, Norton, Rutherford	12.30 pm	Meals on Wheels - 50 th Anniversary Lunch	Dougherty Centre
Mayor	3 pm	<i>Fit for the Future</i> Meeting	Lane Cove Library
THURSDAY 13 NOVEMBER			
Mayor Deputy Mayor: Cr Mustaca	6 pm	NSROC Board Meeting & AGM	Ku-ring-gai Council
FRIDAY 14 NOVEMBER			
Mayor	11 am	Launch of <i>Community Engagement Project</i>	Radio Station FM99.3, 112 Victoria Avenue
Mayor Deputy Mayor: Cr Mustaca	12 pm	Northern Metropolitan Council of Mayors Meeting	Coachwood Room
SATURDAY 15 NOVEMBER			
Mayor	11.30 am	Opening Ceremony of 2014 Taiwan Collection: Fun Paper Art	The Civic Pavilion

Clr Saville		Willoughby Symphony Orchestra and Choir	Concourse
SUNDAY 16 NOVEMBER			
Mayor	10.30 am	Commemoration of Salvation Army's 125 th Anniversary	The Citadel, Cnr Johnson & Archer
Mayor	1.15 pm	Willoughby Shield Presentation	Northbridge Golf Club
Mayor Cr Norton	2.15 pm	WSO Concert & Presentation of Award	The Concourse
Cr Norton	4 pm	Prize-Giving at Taiwan Collection	The Civic Pavilion
Cr Norton	6.30 pm	Gala Dinner for Taiwan Collection	Star Capital Seafood Restaurant, Chatswood
Cr Saville		Stand Up for Nature	City Recital Hall
MONDAY 17 NOVEMBER			
Deputy Mayor: Cr Mustaca	2.30pm	Presentation of NAIDOC Medal	Castle Cove Public School, Kendall Road
TUESDAY 18 NOVEMBER			
Deputy Mayor: Cr Mustaca	5.30 pm	Reception for Mr John Tsang, Financial Secretary, Hong Kong Special Administrative Region	Hong Kong House, Druiitt Street, Sydney
WEDNESDAY 19 NOVEMBER			
Clr Eriksson		State Government Press Gallery Christmas Drinks	Parliament House
Deputy Mayor: Cr Mustaca	11.30 am	Citizenship Ceremony	Council Chambers
Cr Rutherford		District Bushfire Management Committee	Lane Cove Fire Station
THURSDAY 20 NOVEMBER			
Deputy Mayor: Cr Mustaca Crs Rutherford, Saville and Eriksson	6.30 pm	"Light Up" – Launch of Festive Season & Flag Competition	The Concourse Amphitheatre
Cr Hooper		CEO and Business Leaders Summit	Green World City Organisation
FRIDAY 20 NOVEMBER			
Cr Hooper		Retreat and workshop	Green World City Organisation

- Councillor Giles-Gidney presented to Council an award that has been received by Council for 50 years' service to Meals on Wheels.

RESOLUTION

That the Mayoral report be received.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

7.2 DEATH OF BARBARA MCCARTHY OAM

It is with sadness that I inform Council of the passing of Ms Barbara McCarthy OAM, formerly of Willoughby, who died on 17th November 2014, following a long illness.

Barbara is particularly remembered for her work with the Chatswood Chamber of Commerce which she joined in 1988 and became a Director in 1990. She subsequently became Vice-President and President, a position she held from 1994-1996 and from 1998 until she retired in 2002.

In 2001 Barbara was honoured with a Premier's Award for Outstanding Citizenship in the International Year of the Volunteer. Only two awards are awarded for each local government area.

Also in 2001, Barbara received Willoughby's Citizen of the Year Award.

On Australia Day 2008, Barbara was awarded The Medal of the Order of Australia - for services to the community of Chatswood, through business, arts and charitable organisations.

Barbara prided herself on her association and work with Willoughby Council, especially with former Mayors Noel Reidy and Pat Reilly.

Barbara is survived by her partner Brian, sister Jacki, children Sue and Steven and their 5 children.

RESOLUTION

That a letter of condolence be sent to the family of the late Barbara McCarthy OAM.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

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

Against: Nil

Council observed a minute's silence in the memory of the late Barbara McCarthy OAM.

8 GENERAL MANAGER'S LATE REPORT

8.1 ENVIRONMENTAL SERVICE DIRECTOR

It was with great sadness that the Mayor wished to thank the Environmental Services Director, Greg Woodhams, who is leaving Council on 27 November for his tremendous and invaluable contribution to Council over 21 years. The Mayor expressed Council's sincere best wishes for Greg's future endeavours.

RESOLUTION

Council moved a formal vote of thanks to the Environmental Services Director, Greg Woodhams for his contribution to Council over 21 years.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

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

Against: Nil

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

- Item 13.1 Notice of Motion: Opportunity to reduced Gridlock and make housing more affordable

10 MATTERS BROUGHT FORWARD BY THE PUBLIC

- Item 18.1 Planning Proposal for 654 – 666 Pacific Highway, 2A Oliver Road and 1 Freeman Road, Chatswood

- Item 20.1 Notice of Rescission Motion: Infrastructure Levy

11 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 16.1 Code of Conduct – Annual Report
Item 18.2 Development Application Report to 17 November 2014
Item 19.1 Proposed Shopping Precinct Improvement Program
Item 20.2 Notice of Motion: Royal North Shore Hospital Divestment

RESOLUTION

That the remaining items, viz:

- Item 12.1 Cultural and Civic Committee Meeting – 17 November 2014
Item 12.1.1 (9.2) Operational Plan and Financial Performance Report – September 2014
Item 12.1.2 (12.1) Confidential Report: Cultural & civic Committee Meeting 17 November 2014
Item 12.1.3 (12.2) Confidential Report – Century Venues the Concourse Updated Reports.
Item 12.2 43 Wilfred Avenue, Chatswood – West Ward Councillors Inspection Committee Meeting – 13 November 2014
Item 12.3 54-56 Strathallan Avenue, Northbridge – Sailors Bay Ward Councillors Inspection Committee Meeting – 18 November 2014
Item 14.1 Councillors Information Booklets – 13 & 20 November 2014
Item 16.2 Lease and Deed of Licence for the use land accessed via Keary Street at Willoughby Girls High School
Item 16.3 Investments and Loan Borrowings as at October 2014
Item 16.4 Tender 084862 – Event Staging and Equipment Hire
Item 19.2 Tender Summary – Assessment of SHOROC Tender for the Supply and delivery of Ready Mixed Concrete – Tender No. T15/13

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

12 REPORTS FROM COMMITTEES

12.1 CULTURAL & CIVIC COMMITTEE MEETING - 17 NOVEMBER 2014

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	MELANIE SMITH - COMMUNITY SERVICES DIRECTOR
AUTHOR:	MELANIE SMITH – COMMUNITY SERVICES DIRECTOR
MEETING DATE:	24 NOVEMBER 2014

Purpose of Report

To list on the agenda the minutes of the Cultural & Civic Committee Meeting held 17 November 2014.

RESOLUTION

That:

- 1. The Minutes be received.**
- 2. Council note the resolutions adopted by the Committee.**
- 3. Council adopt the Committee's recommendations.**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

**12.2 43 WILFRED AVENUE, CHATSWOOD - WEST WARD COUNCILLORS
INSPECTION COMMITTEE MEETING - 13 NOVEMBER 2014**

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	IAN ARNOTT - DEVELOPMENT PLANNING MANAGER
AUTHOR:	SIMON SMITH - DEVELOPMENT PLANNER
MEETING DATE:	24 NOVEMBER 2014

Purpose of Report

To present the minutes of the West Ward Councillors Inspection Committee Meeting held 13 November 2014.

RESOLUTION

That:

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

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

A. Condition 80 is to be modified as follows:

Protection of Natural Resources on No. 41 Wilfred Avenue

The exposed natural rock outcrops, stone steps and significant trees on No. 41 Wilfred Avenue are to be protected and maintained at all times during construction. No exposed natural rock or stone steps are to be damaged and no trees are to be removed during the establishment of the drainage easement across 41 Wilfred Avenue. Thrust boring or alternative solutions are to be employed in the event that the drainage easement is likely to impact on these features.
(Reason: Protection of environment and built form)

B. The following additional conditions:

Glazing – Solar Absorbance

The external glazing to the northern elevation of the proposed dwelling is to be of minimal reflectance (solar absorbance of at least 0.70) so as to avoid nuisance in the form of glare or reflections to the occupants of nearby buildings. Details demonstrating compliance are to be submitted with the Construction Certificate.
(Reason: Visual amenity)

Tree Protection

The applicant is encouraged to undertake all appropriate measures to retain if possible the Sydney Red Gum annotated as 11b on the landscape site plan (Drawing number 14/1738, Issue A, 10.04.2014).
(Reason: Tree protection).

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock.

**12.3 54-56 STRATHALLEN AVENUE, NORTHBRIDGE - SAILORS BAY WARD
COUNCILLORS INSPECTION COMMITTEE MEETING - 18 NOVEMBER
2014****RESPONSIBLE OFFICER: IAN ARNOTT - DEVELOPMENT PLANNING
MANAGER****AUTHOR: ARTHUR TSEMBIS - DEVELOPMENT PLANNER****MEETING DATE: 24 NOVEMBER 2014**

Purpose of Report

To list on the agenda the minutes of the Sailors Bay Ward Councillors Inspection Committee Meeting held 18 November 2014.

RESOLUTION**That:**

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

MOVED COUNCILLOR HOOPER**SECONDED COUNCILLOR HILL****CARRIED****Voting****For the Resolution:** Councillors Giles-Gidney, Eriksson, Hill, Hooper, Norton, Rozos, Rutherford, Saville and Sloane.**Against:** Nil**Absent:** Councillor Coppock.

13 DEFERRED MATTERS

13.1 NOTICE OF MOTION: OPPORTUNITY TO REDUCE GRIDLOCK AND MAKE HOUSING MORE AFFORDABLE

RESPONSIBLE OFFICER: GREG WOODHAMS - ACTING GENERAL MANAGER

AUTHOR: GREG WOODHAMS- ACTING GENERAL MANAGER

MEETING DATE: 10 NOVEMBER 2014

Purpose of Report

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

“That Willoughby City Council approaches the Premier, local MPs, Leaser of the Opposition, Shooters and Fishers and Greens to support the state government proposal to reduce parking requirements in multi-unit developments near transport hubs on condition that:

- A) there is substantial increase in provision of public transport across the Sydney region. Increased public transport would include expansion of existing transport services, routes and modes (rail, bus, tram, ferry), with longer hours of operation;
- B) provision be made in legislation for car share spaces in multi-unit developments;
- C) provision be made for plug ins for electric cars in all new multi-unit developments;
- D) adequate numbers of disabled car spaces and bikes be maintained.”

THIS ITEM WAS DEFERRED TO A FUTURE MEETING OF THE COUNCIL.

14 CORRESPONDENCE

14.1 COUNCILLORS INFORMATION BOOKLETS - 13 & 20 NOVEMBER 2014

RESPONSIBLE OFFICER: GREG WOODHAMS - ACTING GENERAL MANAGER

AUTHOR: TRISHA DUFFY

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

MEETING DATE: 24 NOVEMBER 2014

Purpose of Report

To list on the Council Agenda the weekly Councillors Information Booklet, circulated to all Councillors on 13 & 20 November 2014.

RESOLUTION

That the Councillors Information Booklets be received.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock.

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS - CORPORATE SERVICES DIRECTOR

16.1 CODE OF CONDUCT - ANNUAL REPORT

ATTACHMENTS:	1. ANNUAL REPORT TO THE OFFICE OF LOCAL GOVERNMENT
RESPONSIBLE OFFICER:	TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR
AUTHOR:	VLADIMIR GREPL - ACTING MANAGER ADMINISTRATIVE SERVICES
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	24 NOVEMBER 2014

Purpose of Report

To report on the annual Code of Conduct complaints to Council and the Office of Local Government.

RESOLUTION

That Council acknowledges the 2013-2014 annual report on Code of Conduct complaints relating to Councillors and the General Manager.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

16.2 LEASE AND DEED OF LICENCE FOR THE USE OF LAND ACCESSED VIA KEARY STREET AT WILLOUGHBY GIRLS HIGH SCHOOL

RESPONSIBLE OFFICER:	JEFF ELLIS - ECONOMIC AND PROPERTY DEVELOPMENT DIRECTOR
AUTHOR:	SALLY KIPIC, PROJECT OFFICER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	24 NOVEMBER 2014

Purpose of Report

To seek Council's consent to enter into a Lease and a Deed of Licence with The Minister for Education & Communities for the use of land accessed via Keary Street at Willoughby Girls High School, Eaton Street, Willoughby.

RESOLUTION

- 1. That the General Manager be granted delegation to negotiate and finalise the Lease and Deed of Licence negotiations.**
- 2. That following the statutory period for advertising of the Lease and subject to no objections being received, the Mayor and General Manager be authorised to execute the Lease and Deed of Licence agreements between The Department of Education & Communities and Willoughby City Council under the Common Seal of Council.**

MOVED COUNCILLOR HOOPER**SECONDED COUNCILLOR HILL****CARRIED****Voting**

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

Against: Nil

Absent: Councillor Coppock.

16.3 INVESTMENTS AND LOAN BORROWINGS AS AT OCTOBER 2014

ATTACHMENTS:	1. STATEMENT OF BANK BALANCES 2. COUNCILS INVESTMENT HOLDINGS 3. COUNTERPARTY CHART
RESPONSIBLE OFFICER:	TONY PIZZUTO - FINANCIAL SERVICES DIRECTOR
AUTHOR:	BILL LOFTHOUSE - FINANCIAL ACCOUNTANT
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	24 NOVEMBER 2014

Purpose of Report

To advise Council of the Bank Balances and Investment performance for October 2014 and update Council on the current investment portfolio.

RESOLUTION

That the Statement of Bank Balances, Loan Borrowings and Investment Holdings for October 2014 be received.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock.

16.4 TENDER 084862 - EVENT STAGING AND EQUIPMENT HIRE

RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR

AUTHOR: TAMI MILLER – FESTIVAL AND EVENT SENIOR COORDINATOR

MEETING DATE: MONDAY 24 NOVEMBER 2014

Purpose of Report

To seek Council's approval for the engagement of suitably qualified and experienced contractors to provide event staging and equipment hire. Work will include the provision of event equipment for use at Council's major events for a two year period commencing January 2015. This generally includes the supply, delivery and installation of the following equipment:

- Marquees
- Fete stalls
- Stages
- Draping
- Seating
- General event supplies

The previous tender was contracted until September 2014 and has now expired. The previous tender was awarded to Pillingers Hiring Service.

RESOLUTION

That Council accept tender number five from The Trading Unit Trust to provide event and staging equipment for a period of two years commencing January 2015.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock.

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

NIL

18 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR

18.1 PLANNING PROPOSAL FOR 654 - 666 PACIFIC HIGHWAY, 2A OLIVER ROAD AND 1 FREEMAN ROAD, CHATSWOOD

- ATTACHMENTS:**
- 1. PREVIOUS REPORT TO COUNCIL DATED 2 JUNE 2014**
 - 2. DRAFT VOLUNTARY PLANNING AGREEMENT AND EXPLANATORY NOTE**
 - 3. GATEWAY DETERMINATION DATED 18 JULY 2014**
 - 4. SUMMARY OF SUBMISSIONS WITH COMMENTS**
 - 5. DRAFT WILLOUGHBY DEVELOPMENT CONTROL PLAN SECTION E3.4**

RESPONSIBLE OFFICER: GREG WOODHAMS - ENVIRONMENTAL SERVICES DIRECTOR

AUTHOR: CRAIG O'BRIEN – STRATEGIC PLANNER

CITY STRATEGY LINK: 3.1.1 PLAN FOR HOUSING CHOICE

MEETING DATE: 24 NOVEMBER 2014

PROCEDURAL MOTION

That the following people address the meeting:

- Brent Clark**
- Nick Juradowitch**

Mr Clark and Mr Juradowitch addressed the meeting and answered questions of the Councillors.

Purpose of Report

The purpose of this report is to advise Council of the public exhibition for the Planning Proposal and draft Voluntary Planning Agreement and Explanatory Note submitted by Ingham Planning on behalf of Daraki Holdings, as well as the draft Willoughby Development Control Plan Section E3.4 prepared by council officers, relating to Lot 1 DP 1068007, Lot 1 DP 121830, Lot 1 DP 839309 and Lot 2 DP 839309 at 654 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood.

This report summarises and provides comment on the issues raised by the submissions received during the exhibition. It recommends that Council support the Planning Proposal and that the Minister be advised to make the amendment to Willoughby Local Environmental Plan 2012 (WLEP 2012). The recommendation also proposes that prior to the Planning Proposal being referred to the Minister, a meeting of the West Ward Councillors Committee be convened in accordance with the request by the West Ward Councillors.

RESOLUTION

That:

1. The Planning Proposal be referred to the West Ward Councillors Inspection Committee Meeting with correspondents to the Proposal invited to attend and address the meeting; following the Ward Meeting the matter be referred back to Council for consideration of the following recommendation.
2. Council supports the Planning Proposal for the land Lot 1 DP 1068007, Lot 1 DP 121830, Lot 1 DP 839309 and Lot 2 DP 839309, known as 654 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood, subject to prior to the lodgement of any development application:
 - a) The Amended Concept being amended as follows in accordance with RMS requirements:
 - i) Proposed awnings and verandas fronting the Pacific Highway should be setback a minimum of 1.5 metres from the future kerb (associated with the proposed road widening affectation).
 - ii) Proposed awnings and verandas fronting Oliver Road should also be setback a minimum of 1.5 metres from the future kerb (associated with the proposed road widening affectation).
 - b) The Traffic and Parking Assessment Report prepared by Transport and Traffic Planning Associates being amended as follows:
 - i) Figure 5 is to clearly show that trucks will not be turning right from Pacific Highway into Centennial Avenue.
 - ii) Jenkins Street is not to be used by trucks accessing or exiting the site.
 - iii) An updated assessment of traffic controls and truck routes.
3. Council adopt and make the amendment to Willoughby Local Environmental Plan 2012 in accordance with Section 59 of the Environmental Planning and Assessment Act 1979, so as to change Willoughby Local Environmental Plan 2012 for the land known as Lot 1 DP 1068007, Lot 1 DP 121830, Lot 1 DP 839309 and Lot 2 DP 839309, known as 654 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood, and give effect to the Planning Proposal in the following manner:
 - (a) Increase height for the site to RL 137.8 for Tower A and RL 128.8 for Tower B and identify the site as 'Area 4' on the Height of Buildings Map.
 - (b) Add the following sub clause 4.3A(9):

"The height of a building on land at 654 – 666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood, that is identified as 'Area 4' on the Height of Buildings Map must not exceed 18 metres except:

Where the site area exceeds 2,400 square metres, the height must not exceed the height shown on the Height of Buildings Map."
 - (c) Identify the site as 'Area 15' on the Floor Space Ratio Map.

- (d) Add the following sub clause 4.4A (20):
- “(20) The maximum floor space ratio for a building on land identified as ‘Area 15’ on the Floor Space Ratio Map may exceed 2:1 if:
- (a) The site area exceeds 2,400 square metres
(b) The floor space ratio will not exceed 3:1
(c) The floor space ratio of any shop top housing will not exceed 2.14:1”
- (e) Identify the site as ‘Area 3’ on the Special Provisions Area Map for the purposes of affordable housing in accordance with Clause 6.8.
4. Council support the draft Voluntary Planning Agreement and Explanatory Note accompanying the Planning Proposal for the site.
 5. That delegated authority be granted to the General Manager and the Mayor to finalise and enter into the planning agreement offered by the applicant.
 6. Council support and adopt draft Willoughby Development Control Plan Section E3.4 for the site, subject to the amendments in Point (1) (a) above.
 7. Council advise NSW Planning and Environment that the Strategic Planning Manager, Linda McClure be nominated to be delegate to process and finalise the Planning Proposal.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock.

18.2 DEVELOPMENT APPLICATION REPORT TO 17 NOVEMBER 2014

ATTACHMENTS:	1. LIST OF APPLICATOINS
RESPONSIBLE OFFICER:	IAN ARNOTT – DEVELOPMENT PLANNING MANAGER, PETER ROWAN – BUILDING SERVICES MANAGER
AUTHOR:	BUILDING SURVEYORS, DEVELOPMENT PLANNERS
MEETING DATE:	24 NOVEMBER 2014

Purpose of Report

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

RESOLUTION

1. That the information in the Development Application Report be noted.
- 2, That DA 2014/430 126 Greville Street, Chatswood be brought to a full Council Meeting.

MOVED COUNCILLOR ROZOS**SECONDED COUNCILLOR SAVILLE****CARRIED****Voting**

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

Against: Nil

Absent: Councillor Coppock

19 REPORTS FROM OFFICERS - INFRASTRUCTURE SERVICES DIRECTOR

19.1 PROPOSED SHOPPING PRECINCT IMPROVEMENT PROGRAM

ATTACHMENTS:	1. COMPLETED SHOPPING STRIP PROJECTS 2. SHOPPING PRECINCT IMPROVEMENTS
RESPONSIBLE OFFICER:	PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR
AUTHOR:	DAVID SUNG - ENGINEERING SERVICES MANAGER
CITY STRATEGY LINK:	5.1.1 LOCAL BUSINESS
MEETING DATE:	24 NOVEMBER 2014

Purpose of Report

To inform Council of the proposed priority for streetscape improvements for *shopping precincts* within the Willoughby Local Government Area (LGA) and to seek Council's endorsement for the priority being allocated to each of the shopping precincts and that these priorities be used to develop a future works program.

MOTION

1. The report on shopping precinct improvements as listed in Attachment 2 be received and noted.
2. The Officers bring back a report on options for increased funding of the shopping precinct improvements program including additional precinct locations and the implications of funding, consultation and timing for a shorter improvements program timeframe on an equitable basis.
3. The proposed prioritised improvement program for shopping precincts as shown in Attachment 2 be further considered by Council in conjunction with the Officers report and the budget for 2015/16
4. Base plans for Penshurst Street from Patrick Street to McMahan Street; and Sydney Street to the boundary of Nos 300-306 be prepared for consultation with retailers fronting onto the proposed work.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

19.2 TENDER SUMMARY - ASSESSMENT OF SHOROC TENDER FOR THE SUPPLY AND DELIVERY OF READY MIXED CONCRETE - TENDER NO. T15/13

RESPONSIBLE OFFICER:	PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR
AUTHOR:	SUNIL GAMAGE - ACTING WORKS MANAGER
CITY STRATEGY LINK:	4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE
MEETING DATE:	24 NOVEMBER 2014

Purpose of Report

The purpose of this report is to inform Council of the prices submitted as part of the SHOROC supply group tender for the Supply and Delivery of Ready Mixed Concrete and to seek Council's approval for the engagement of suppliers for a two (2) year period ending 30 June 2016 with the option for an extension of one additional year.

RESOLUTION

That:

- 1. The Tender for the Supply and Delivery of Ready Mixed Concrete from Brookvale Mini-Crete be accepted subject to compliance with Council's specification.**
- 2. The Mayor and General Manager be authorised to affix the Common Seal of Willoughby City Council to the successful tender documents.**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock.

20 NOTICE OF MOTION

20.1 NOTICE OF RESCISSION MOTION: INFRASTRUCTURE LEVY

RESPONSIBLE OFFICER: GREG WOODHAMS - ACTING GENERAL MANAGER

AUTHOR: GREG WOODHAMS - ACTING GENERAL MANAGER

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

MEETING DATE: 24 NOVEMBER 2014

PROCEDURAL MOTION

That the following people address the meeting:

- Mr Steven Zabeti
- Glenda Gartrell
- John Owens
- John Steel
- Bob Taffel
- Barry Thompson

Mr Zabeti, Ms Gartrell, Mr Owens, Mr Steel, Mr Taffel and Mr Thompson addressed the meeting and answered questions of the Councillors.

Purpose of Report

Councillors Coppock, Hooper, Saville and Stevens have indicated their intention to move the following Rescission Motion.

That the resolution adopted at the Council Meeting held on 10 November 2014, viz:

"That:

1. In December 2014 Council notifies the Independent Pricing and Regulatory Tribunal (IPART) of its intention to apply for an Infrastructure Levy (Special Rate Variation) to commence in 2015/16
2. Council apply to IPART in February 2015 for an Infrastructure Levy (Special Rate Variation) as outlined in Scenario 3. Assuming a rate peg of 2.6% over the 7 year period, the following cumulative increases to apply.

	Infrastructure Levy %	Rate Peg % (assumed)	SCENARIO 3	Cumulative %
Year 1	4.5	2.6	7.1%	7.1%
Year 2	2.0	2.6	4.6%	12.03%
Year 3	0.0	2.6	2.6%	14.94%
Year 4	0.0	2.6	2.6%	17.93%
Year 5	0.0	2.6	2.6%	20.99%
Year 6	0.0	2.6	2.6%	24.14%
Year 7	0.0	2.6	2.6%	27.37%

BE RESCINDED.

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

That the Infrastructure Levy be deferred until Council has:-

- a) Considered the Report of the Better Services Review currently being undertaken by Council Officers;
- b) Received the advice of the new General Manager (yet to be appointed in January 2015).

MOTION

That:

1. In December 2014 Council notifies the Independent Pricing and Regulatory Tribunal (IPART) of its intention to apply for an Infrastructure Levy (Special Rate Variation) to commence in 2015/16
2. Council apply to IPART in February 2015 for an Infrastructure Levy (Special Rate Variation) as outlined in Scenario 3. Assuming a rate peg of 2.6% over the 7 year period, the following cumulative increases to apply.

	Infrastructure Levy %	Rate Peg % (assumed)	SCENARIO 3	Cumulative %
Year 1	4.5	2.6	7.1%	7.1%
Year 2	2.0	2.6	4.6%	12.03%
Year 3	0.0	2.6	2.6%	14.94%
Year 4	0.0	2.6	2.6%	17.93%
Year 5	0.0	2.6	2.6%	20.99%
Year 6	0.0	2.6	2.6%	24.14%
Year 7	0.0	2.6	2.6%	27.37%

BE RESCINDED.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR RUTHERFORD

LOST

Voting

For the Resolution: Councillors Coppock, Hooper, Rutherford and Saville.

Against: Councillors Giles-Gidney, Eriksson, Hill, Norton, Rozos and Sloane.

On the basis that the Rescission Motion was LOST, the original Motion, adopted by Council at its meeting of 10 November 2014, stands.

20.2 NOTICE OF MOTION: ROYAL NORTH SHORE HOSPITAL DIVESTMENT**RESPONSIBLE OFFICER: GREG WOODHAMS - ACTING GENERAL MANAGER****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 24 NOVEMBER 2014**

Purpose of Report

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

1. That Willoughby City Council notes that:
 - a. In September 2014 Health Infrastructure announced an expression of interest process for the sale or long term (99 year) lease of the southern campus at Royal North Shore Hospital to a private developer.
 - b. The call for expressions of interest sought private developers and service providers to provide office space for NSW Health and operate the support services listed in the hospital redevelopment's masterplan including childcare and accommodation for patients, relatives and staff.
 - c. The hospital's Medical Staff Council was not informed of the expression of interest process
 - d. Land divestment was not discussed with doctors during the development of the masterplan.
 - e. The Local Health District Board was not informed of the timing of the EOI process, according to a Sydney Morning Herald article dated 5 September 2014.
 - f. Health Minister Jillian Skinner has indicated that:
 - i. the NSW government is seeking \$97 million from Royal North Shore Hospital to recoup some of the cost of the hospital's redevelopment, and
 - ii. the plan to sell or provide a 99-year lease for the hospitals' southern campus was approved in 2006 under the former Labor government.
 - g. This is the not the first time that the Medical Staff Council at RNSH has been sidelined by a state government intent on privatising a part of the site for short-term financial gain.
 - h. In 2011, RNSH staff, patients and relatives marched on NSW parliament and delivered a petition to the current Liberal Government with 14,962 signatures **requesting that there be no sale of land at RNSH.**

- i. The Minister responded to the 2011 petition by announcing a freeze on land sale until a campus plan at Royal North Shore Hospital had been developed”.
 - j. The Medical Staff Council at RNSH has objected to the latest proposed divestment and is calling for the EIO process to be stopped in order to keep all of the RNSH site in public hands now and into the future.
 - k. NSW Treasury’s requirement that the RNSH redevelopment be paid for by selling off or divesting a portion of the site to a private developer appears to be unique to RNSH. Other upgrades to NSW public teaching and referring hospitals including Westmead and Liverpool have not been subject to the same demand.
2. That council expresses its opposition to the proposed divestment because:
- a) The proposal hands over a significant portion of public hospital land and vital support services to the private sector;
 - b) The proposal will block any future expansion of the delivery of health services on this section of the site;
 - c) The NSW government has refused to listen to the community’s wishes that no land divestment take place at RNSH as expressed by the 14,962 signatures tabled in the NSW parliament in 2011; and
 - d) medical and other staff at RNSH have not been consulted about the EOI process.
3. That Willoughby Council calls on Health Minister Jillian Skinner to provide the opportunity for the community to be involved in the decision-making about the future of the provision of health services at RNSH by immediately halting all processes to sell or lease the southern campus.

MOTION

1. That Willoughby City Council notes that:
- a. **In September 2014 Health Infrastructure announced an expression of interest process for the sale or long term (99 year) lease of the southern campus at Royal North Shore Hospital to a private developer.**
 - b. **The call for expressions of interest sought private developers and service providers to provide office space for NSW Health and operate the support services listed in the hospital redevelopment’s masterplan including childcare and accommodation for patients, relatives and staff.**
 - c. **The hospital’s Medical Staff Council was not informed of the expression of interest process**
 - d. **Land divestment was not discussed with doctors during the development of the masterplan.**

- e. **The Local Health District Board was not informed of the timing of the EOI process, according to a Sydney Morning Herald article dated 5 September 2014.**
 - f. **Health Minister Jillian Skinner has indicated that:**
 - i. **the NSW government is seeking \$97 million from Royal North Shore Hospital to recoup some of the cost of the hospital's redevelopment, and**
 - ii. **the plan to sell or provide a 99-year lease for the hospitals' southern campus was approved in 2006 under the former Labor government.**
 - g. **This is the not the first time that the Medical Staff Council at RNSH has been sidelined by a state government intent on privatising a part of the site for short-term financial gain.**
 - h. **In 2011, RNSH staff, patients and relatives marched on NSW parliament and delivered a petition to the current Liberal Government with 14,962 signatures requesting that there be no sale of land at RNSH.**
 - i. **The Minister responded to the 2011 petition by announcing a freeze on land sale until a campus plan at Royal North Shore Hospital had been developed”.**
 - j. **The Medical Staff Council at RNSH has objected to the latest proposed divestment and is calling for the EIO process to be stopped in order to keep all of the RNSH site in public hands now and into the future.**
 - k. **NSW Treasury's requirement that the RNSH redevelopment be paid for by selling off or divesting a portion of the site to a private developer appears to be unique to RNSH. Other upgrades to NSW public teaching and referring hospitals including Westmead and Liverpool have not been subject to the same demand.**
- 2. That council expresses its opposition to the proposed divestment because:**
- a) **The proposal hands over a significant portion of public hospital land and vital support services to the private sector;**
 - b) **The proposal will block any future expansion of the delivery of health services on this section of the site;**
 - c) **The NSW government has refused to listen to the community's wishes that no land divestment take place at RNSH as expressed by the 14,962 signatures tabled in the NSW parliament in 2011; and**
 - d) **medical and other staff at RNSH have not been consulted about the EOI process.**
- 3. That Willoughby Council calls on Health Minister Jillian Skinner to provide the opportunity for the community to be involved in the decision-making about the future of the provision of health services at RNSH by immediately halting all processes to sell or lease the southern campus.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

For the Motion: Councillors Sloane, Saville, Rozos, Norton and Hill.

Against: Councillors Giles-Gidney, Eriksson, Hooper and Rutherford.

Absent: Councillor Coppock.

21 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.

21.1 ADDITIONAL INFORMATION – PROVISION OF WEB SERVICES TENDER

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

21.2 TENDER 084862 – EVENT STAGING AND EQUIPMENT – COUNCIL REPORT – CONFIDENTIAL

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

21.3 ADDITIONAL INFORMATION – ASSESSMENT OF SHOROC TENDER FOR THE SUPPLY AND DELIVERY OF READY MIXED CONCRETE – TENDER NO T15/13

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

21.1 ADDITIONAL INFORMATION – PROVISION OF WEB SERVICES TENDER

Recommendation Summary

That a new tender be called.

21.2 TENDER 084862 – EVENT STAGING AND EQUIPMENT – COUNCIL REPORT – CONFIDENTIAL

Recommendation Summary

That Council accept tender number five from The Trading Unit Trust to provide event and staging equipment for a period of two years commencing January 2015.

21.3 ADDITIONAL INFORMATION – ASSESSMENT OF SHOROC TENDER FOR THE SUPPLY AND DELIVERY OF READY MIXED CONCRETE – TENDER NO T15/13

Recommendation Summary

That:

- 1. The Tender for the Supply and Delivery of Ready Mixed Concrete from Brookvale Mini-Crete be accepted subject to compliance with Council's specification.**
- 2. The Mayor and General Manager be authorised to affix the Common Seal of Willoughby City Council to the successful tender documents.**

RESOLUTION

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

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

22 QUESTIONS

NIL

The meeting concluded at 9.05pm.

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council held on 24 November 2014. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.