NOTICE IS HEREBY GIVEN that an
Ordinary Meeting of the Council
will be held at Council Chamber
Level 6, 31 Victor Street, Chatswood

on 1 December 2014
commencing at 7:00pm

The Meeting is open to the Public
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>TABLE OF CONTENTS</td>
<td>2</td>
</tr>
<tr>
<td>1  PRESENT</td>
<td>6</td>
</tr>
<tr>
<td>2  DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF</td>
<td>6</td>
</tr>
<tr>
<td>3  CONFIRMATION OF MINUTES</td>
<td>6</td>
</tr>
<tr>
<td>4  APOLOGIES AND LEAVE OF ABSENCE</td>
<td>6</td>
</tr>
<tr>
<td>5  PETITIONS</td>
<td>6</td>
</tr>
<tr>
<td>6  OPEN FORUM</td>
<td>6</td>
</tr>
<tr>
<td>7  MAYORAL MINUTE</td>
<td>6</td>
</tr>
<tr>
<td>8  GENERAL MANAGER’S LATE REPORT</td>
<td>6</td>
</tr>
<tr>
<td>9  MATTERS FOR DEFERRAL, REFERRAL TO INSPECTION AND/OR PROCEDURAL PRIORITY</td>
<td>6</td>
</tr>
<tr>
<td>10 MATTERS BROUGHT FORWARD BY THE PUBLIC</td>
<td>6</td>
</tr>
<tr>
<td>11 MATTERS NOT REQUIRING ELABORATION OR DEBATE</td>
<td>6</td>
</tr>
<tr>
<td>12 REPORTS FROM COMMITTEES</td>
<td>7</td>
</tr>
<tr>
<td>12.1 7 CAWARRAH ROAD, MIDDLE COVE - MIDDLE HARBOUR WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 27 NOVEMBER 2014</td>
<td>7</td>
</tr>
<tr>
<td>13 DEFERRED MATTERS</td>
<td>8</td>
</tr>
<tr>
<td>14 CORRESPONDENCE</td>
<td>9</td>
</tr>
<tr>
<td>14.1 COUNCILLORS INFORMATION BOOKLET - 27 NOVEMBER 2014</td>
<td>9</td>
</tr>
<tr>
<td>15 REPORTS FROM OFFICERS - GENERAL MANAGER</td>
<td>10</td>
</tr>
<tr>
<td>16 REPORTS FROM OFFICERS - CORPORATE SERVICES DIRECTOR</td>
<td>11</td>
</tr>
<tr>
<td>16.1 PUBLIC EXHIBITION OF UPDATED DELIVERY PROGRAM AND LONG TERM FINANCIAL PLAN</td>
<td>11</td>
</tr>
<tr>
<td>16.2 COUNCIL MEETING DATES AND CHRISTMAS/NEW YEAR RECESS</td>
<td>12</td>
</tr>
<tr>
<td>17 REPORTS FROM OFFICERS - COMMUNITY SERVICES DIRECTOR</td>
<td>14</td>
</tr>
<tr>
<td>17.1 CONCOURSE PERFORMING ARTS SUBSIDY</td>
<td>14</td>
</tr>
<tr>
<td>17.2 CIVIL HERITAGE COMMEMORATIVE PLAQUES PROJECT - PLAQUE SITES IN CHATSWOOD CBD TO CELEBRATE THE WILLOUGHBY SESQUICENTENARY</td>
<td>23</td>
</tr>
<tr>
<td>18 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR</td>
<td>25</td>
</tr>
<tr>
<td>18.1 DELEGATIONS FOR LOCAL ENVIRONMENTAL PLANS</td>
<td>25</td>
</tr>
<tr>
<td>19 REPORTS FROM OFFICERS - INFRASTRUCTURE SERVICES DIRECTOR</td>
<td>36</td>
</tr>
<tr>
<td>20 NOTICE OF MOTION</td>
<td>37</td>
</tr>
<tr>
<td>20.1 NOTICE OF MOTION: MARINE PROTECTED AREAS</td>
<td>37</td>
</tr>
<tr>
<td>20.2 NOTICE OF MOTION: CENTURY VENUES THE CONCOURSE UPDATED REPORTS</td>
<td>39</td>
</tr>
<tr>
<td>20.3 NOTICE OF MOTION: NAMING OF PARK AFTER DR ELSIE WEARN</td>
<td>40</td>
</tr>
</tbody>
</table>
21 CONFIDENTIAL ITEMS.................................................................................................................42
  21.1 VERBAL UPDATE ON THE GORE HILL TECHNOLOGY PARK VPA ...............42
  21.2 CHANNEL 9 SITE, ARTARMON ROAD, WILLOUGHBY..........................43
  21.3 3 ABBOTT ROAD CHILDCARE DEVELOPMENT.................................44
  21.4 32-34 NORTHCOTE STREET, NAREMBURN - PROSPECTS ADVICE ......45
22 QUESTIONS ........................................................................................................................................46
ORDINARY COUNCIL MEETING

1 DECEMBER 2014

COUNCIL CHAMBERS

<table>
<thead>
<tr>
<th>ACTING GENERAL MANAGER</th>
<th>MAYOR</th>
<th>ACTING ENVIRONMENTAL SERVICES DIRECTOR</th>
<th>ACTING INFRASTRUCTURE SERVICES DIRECTOR</th>
<th>COMMUNITY SERVICES DIRECTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>T Crouch</td>
<td>CLR Giles-Gidney</td>
<td>J Ellis</td>
<td>P Collings</td>
<td>M Smith</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SAILORS BAY</th>
<th>MIDDLE HARBOUR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clr R Hill</td>
<td>Clr J Rutherford</td>
</tr>
<tr>
<td>Clr J Hooper</td>
<td>Clr A Rozos</td>
</tr>
<tr>
<td>Clr H Eriksson</td>
<td>Clr W Norton</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAREMBURN</th>
<th>WEST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clr N Wright</td>
<td>Clr M Stevens</td>
</tr>
<tr>
<td>Clr M Sloane</td>
<td>Clr L Saville</td>
</tr>
<tr>
<td>Clr S Coppock</td>
<td>Clr T Mustaca</td>
</tr>
<tr>
<td></td>
<td>Deputy Mayor</td>
</tr>
</tbody>
</table>

No additional materials will be distributed to the meeting after 5.00pm.

After Mayoral Minutes in the Order of Business, the Mayor will invite persons in the Gallery to nominate items listed on the Agenda that they wish to be considered by Council and those items will be dealt with immediately, in the order so nominated, for the convenience of those present.
1 PRESENT

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

3 CONFIRMATION OF MINUTES

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

4 APOLOGIES AND LEAVE OF ABSENCE

5 PETITIONS

6 OPEN FORUM

Open Forum allows members of the public to address Council for a maximum of three (3) minutes on any issues (but not on an item either on the Agenda or already subject to address by applicant and/or correspondent). A maximum period of 30 minutes will be set aside.

7 MAYORAL MINUTE

8 GENERAL MANAGER’S LATE REPORT

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

10 MATTERS BROUGHT FORWARD BY THE PUBLIC

11 MATTERS NOT REQUIRING ELABORATION OR DEBATE

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

12.1  7 CAWARRAH ROAD, MIDDLE COVE - MIDDLE HARBOUR WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 27 NOVEMBER 2014

ATTACHMENTS:

RESPONSIBLE OFFICER:  IAN ARNOTT - DEVELOPMENT PLANNING MANAGER

AUTHOR:  ANNIE LEUNG - DEVELOPMENT PLANNER

MEETING DATE:  1 DECEMBER 2014

Purpose of Report

To list on the agenda the minutes of the Middle Harbour Ward Councillors Inspection Committee Meeting held 27 November 2014.

OFFICER'S RECOMMENDATION

(Report to be tabled.)
13 DEFERRED MATTERS

NIL
14 CORRESPONDENCE

14.1 COUNCILLORS INFORMATION BOOKLET - 27 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: 1 DECEMBER 2014

Purpose of Report
To list on the Council Agenda the weekly Councillors Information Booklet, circulated to all Councillors on 27 November 2014.

OFFICER’S RECOMMENDATION
That the Councillors Information Booklet be received.
15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL
16  REPORTS FROM OFFICERS - CORPORATE SERVICES DIRECTOR

16.1 PUBLIC EXHIBITION OF UPDATED DELIVERY PROGRAM AND LONG TERM FINANCIAL PLAN

ATTACHMENTS: DELIVERY PROGRAM 2013-2017 (DISTRIBUTED SEPARATELY)
LONG TERM FINANCIAL PLAN (DISTRIBUTED SEPARATELY)

RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR
TONY PIZZUTO - FINANCIAL SERVICES DIRECTOR

AUTHOR: DARIUS TURNER – CORPORATE PLANNING AND GOVERNANCE CO-ORDINATOR

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

MEETING DATE: 1 DECEMBER 2014

Purpose of Report

Background
At the Council Meeting held on 10 November 2014 Council resolved to apply to the Independent Regulatory Tribunal (IPART) for an Infrastructure Levy (Special Rate Variation) to commence in 2015/16.

Discussion
Council officers have updated both the Delivery Program and Long Term Financial Plan to reflect this recommendation. Legislation requires these documents be placed on public exhibition for a period of 28 days before being presented to Council for adoption with any updates to reflect community feedback received during the exhibition period.

It is recommended that Council place the Delivery Program and Long Term Financial Plan on public exhibition commencing 10 December 2014 until 16 January 2015.

OFFICER'S RECOMMENDATION
16.2 COUNCIL MEETING DATES AND CHRISTMAS/NEW YEAR RECESS

RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR

AUTHOR: VLADIMRI GREPL - ACTING ADMINISTRATIVE SERVICES MANAGER

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

MEETING DATE: 1 DECEMBER 2014

Purpose of Report
To consider the Council recess for the Christmas / New Year period and to delegate authority to the Mayor and General Manager to deal with any urgent matters that arise during the recess.

Discussion
In previous years Council has gone into recess over the Christmas/New Year period and it is recommended that a similar action be taken this year with the last Council Meeting being held on 1 December 2014 and the first meeting for 2015 on 2 February.

It should be noted that the Extraordinary Council meeting set for 2 December 2014 is specifically on the subject of Fit for the Future – Local Government Reform Package.

The meetings in February 2015 will be:

- 2nd - Ordinary Council
- 9th - Transport, Access & Environment Committee
- 16th - Cultural & Civic Committee
- 23rd - Ordinary Council

Meetings will then revert to the normal monthly sequence.

Council, in previous years, has resolved that the Mayor and the General Manager be authorised to deal with matters considered by them to be urgent during the Christmas/New Year recess. A list of such matters will be presented to Council at its first meeting in February 2015.

Community Notification
Notices will be placed in the North Shore Times and on Council’s website advising the public of the arrangements.
OFFICER'S RECOMMENDATION

That:


2. the Mayor and the General Manager be delegated authority to deal with matters considered by them to be urgent during the Christmas/New Year recess, subject to:
   
   a) the relevant legislation with the Local Government Act, 1993;
   
   b) matters that are considered urgent in nature or would cause undue delays to stakeholders;
   
   c) consultation with Ward Councillors for decisions involving development applications;
   
   d) decision being deferred where Council policy provides no clear guidelines; and
   
   e) a list of matters dealt with under delegated authority to be presented to Council at its first meeting in 2015.
17 REPORTS FROM OFFICERS - COMMUNITY SERVICES DIRECTOR

17.1 CONCOURSE PERFORMING ARTS SUBSIDY

ATTACHMENTS: OVERVIEW & OFFICER RECOMMENDATIONS FOR THE DISTRIBUTION OF FUNDS – THE CONCOURSE PERFORMING ARTS SUBSIDY

RESPONSIBLE OFFICER: MELANIE SMITH - COMMUNITY SERVICES DIRECTOR

AUTHOR: MELANIE SMITH - COMMUNITY SERVICES DIRECTOR

CITY STRATEGY LINK: 1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY

MEETING DATE: 1 DECEMBER 2014

Purpose of Report
To seek Council’s endorsement of the officer recommendations for the distribution of grant funds through Council’s Concourse Performing Arts Subsidy – Round I.

Background
In September 2014, Council endorsed for the implementation of a grant programme to make the venues and facilities of The Concourse financially accessible to community users consistent with the Centre’s own budgetary constraints.

The Concourse performing arts subsidy programme was promoted in the North Short Times, on Council’s website and via Council’s distribution and mailing lists.

Council received a total of 5 applications for Round 1 of the 2014 Concourse Performing Arts Subsidy grants program.

The total funds requested were $13,000. There is $100,000 available for distribution in the two 14/15 funding rounds. Officers have assessed the applications against the Funding Program Guidelines and assessment criteria, and have recommended the following distribution

Round 1: Chatswood Cantonese Opera Association $2000

Financial Implications
The total of grant funds to be distributed as per officer recommendations is $2000

If grant funds are distributed as per officer recommendations, a total of $98,000 unexpended funds will remain in the Concourse Performing Arts Subsidy budget line and can be allocated in round two of 2014/15 grants programme which will open in April 2015.
OFFICER'S RECOMMENDATION

That Council endorse Officer recommendations for the distribution of grant funds for Round One of the 2014/15 Concourse Performing Arts Subsidy programme.
## Overview, Recommendations and Officer Comments - Small Grants Program 2014/15 - Category 1 - Community Development

<table>
<thead>
<tr>
<th>App ID</th>
<th>Organization Name</th>
<th>Name of Project</th>
<th>BRIEF overview of the project</th>
<th>Brief explanation on how the project will benefit the wider Willoughby community</th>
<th>Amount being sought from WCC in the past 6 years if so provide details</th>
<th>Willoughby City Council Officer Recommendation</th>
<th>Willoughby City Council Officer Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>CommDev00001</td>
<td>Willoughby Community Men’s shed Inc.</td>
<td>Member Health and Safety</td>
<td>Purchase of 2 St Johns Ambulance Defibrillator.</td>
<td>Yes - Purchase and installation of a defibrillator and AED machine</td>
<td>$2,400</td>
<td>$2,400</td>
<td>The purchase of the defibrillator will provide an additional safety mechanism for men attending the Shed.</td>
</tr>
<tr>
<td>CommDev00002</td>
<td>Lower North Shore Multicultural Network</td>
<td>Accessing Community Care for Culturally And Linguistically Diverse (CALD) Communities</td>
<td>The project consists of a seminar conducted in six languages and a half day expo. The seminar will be the first of its kind in the region.</td>
<td>Yes. 2006 to 2007 $22,000 - Refugee Week Forum - 2007 to 2008 $13,000 - Stopping the Wind - Your Teenagers! World CALD Mental Health Forum - 2008 to 2009 $3,000 - CALD Childrens Services Expo 2010 to 2011 $3,600 - CALD Childrens Services Expo 2012 to 2013 $3,900 - Multicultural Expo - Health and Safety</td>
<td>$4,011</td>
<td>$4,000</td>
<td>This project is designed to assist CALD communities accessing care services in a timely and efficient manner. The applicant has a track record of delivering successful projects from previous funding rounds.</td>
</tr>
<tr>
<td>CommDev00003</td>
<td>Scouts Australia NSW Branch 2nd Willoughby Scout Group</td>
<td>Scout Hall Upgrade</td>
<td>To replace rotten wooden windows with aluminium and painting of scout hall. The scout hall is in a state of disrepair and is in need of an update.</td>
<td>Yes. 2006 to 2007 $22,000 - Refugee Week Forum - 2007 to 2008 $13,000 - Stopping the Wind - Your Teenagers! World CALD Mental Health Forum - 2008 to 2009 $3,000 - CALD Childrens Services Expo 2010 to 2011 $3,600 - CALD Childrens Services Expo 2012 to 2013 $3,900 - Multicultural Expo - Health and Safety</td>
<td>$15,700</td>
<td>declined</td>
<td>The project applied for is not eligible as it is over $4,000 in value.</td>
</tr>
<tr>
<td>CommDev00004</td>
<td>Headspace Chatswood</td>
<td>Same same but different</td>
<td>The same but different, a new youth support group, held in the Lower North Shore for young people 12-25 yrs who are homosexual, bisexual, transgender or a little confused.</td>
<td>Yes. 2006 to 2007 $22,000 - Refugee Week Forum - 2007 to 2008 $13,000 - Stopping the Wind - Your Teenagers! World CALD Mental Health Forum - 2008 to 2009 $3,000 - CALD Childrens Services Expo 2010 to 2011 $3,600 - CALD Childrens Services Expo 2012 to 2013 $3,900 - Multicultural Expo - Health and Safety</td>
<td>$4,000</td>
<td>declined</td>
<td>The service already receives ongoing funding through the National Long Term Plan to run these courses.</td>
</tr>
<tr>
<td>CommDev00006</td>
<td>Willoughby District Historical Society Inc.</td>
<td>Video component of Museum Display Upgrading Project</td>
<td>Video component of the upgrading permanent displays at Willoughby Museum Project (launched by M &amp; G NSW). It will update a video film produced for the museum in 2010 to promote the museum more widely AND produce short video clips on the use of traditional tools.</td>
<td>Yes. 2012 Community Grant for purchase of archive materials, $2500</td>
<td>$1,250</td>
<td>$1,250</td>
<td>Grant of $1,250 approved on the condition that Willoughby Historical Society have Council’s Letter of Intent to ensure the video material is aware of the required quality specifications for the film to enable it to be played on the Urban Screen.</td>
</tr>
</tbody>
</table>

**ITEM - 17.1 Concourse Performing Arts Subsidy**
### Overview, Recommendations and Officer Comments - Small Grants Program 2014/15 - Category 1 - Community Development

<table>
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<tr>
<th>App ID</th>
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<th>Brief overview of the project</th>
<th>Amount being sought from Willoughby City Council</th>
<th>Willoughby City Council Officer Recommendations</th>
<th>Willoughby City Council Officer Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>CommDev00001</td>
<td>The Combined Probis Club of Northmead Inc</td>
<td>Update PA System</td>
<td>Update PA system to comply with new government regulations which state that after 1 January 2015 it will be against the law to use an existing system.</td>
<td>N/A</td>
<td>$642</td>
<td>Previous grant money was dependent on a system that was not compliant with the legislation coming into effect next January.</td>
</tr>
<tr>
<td>CommDev00005</td>
<td>KYDS Youth Development Service Incorporated</td>
<td>Counselling and Mental Health Support service for Youth residing in Willoughby LGA</td>
<td>Mentally healthy adolescents are healthy, active, responsible members of the broader community.</td>
<td>Mentally healthy adolescents are healthy, active, responsible members of the broader community.</td>
<td>$4,000</td>
<td>$4,000 towards the cost of a $14000 program that targets mental health issues in youth in collaboration with schools, hospitals and agencies such as BCC.</td>
</tr>
<tr>
<td>CommDev00010</td>
<td>St Vincent de Paul Society NSW</td>
<td>NILS No Interest Loan Scheme</td>
<td>NILS aims to: Make cash available as a loan not as a charity. Shows respect for clients by entering into a formal loan agreement. Educate clients about debt. Charge no interest and encourage people to return the money so that their friends and neighbours may also benefit.</td>
<td>NILS aims to: Make cash available as a loan not as a charity. Shows respect for clients by entering into a formal loan agreement. Educate clients about debt. Charge no interest and encourage people to return the money so that their friends and neighbours may also benefit.</td>
<td>$4,000</td>
<td>declined</td>
</tr>
<tr>
<td>CommDev00013</td>
<td>Chatswood Occasional Childcare Centre Incorporated</td>
<td>General Refurbishment - Furniture, Play Equipment and Toys</td>
<td>Replace indoor and outdoor furniture due to wear and tear. Many of the pieces have been at the Centre since it opened for business (1989). The visual appearance of the tables and outdoor play equipment is rundown, sun damaged etc. Kids would love more interactive toys, especially costumes and science play.</td>
<td>Willoughby benefits from the program as clients will continue to be engaged due to access to: Employment; Accommodation; Improved health; Improved hygiene and nutrition.</td>
<td>$5,900</td>
<td>$2,000</td>
</tr>
<tr>
<td>CommDev00014</td>
<td>Hills Schools Industry Partnership Inc (trading as Zeebra)</td>
<td>Youth Mental Health Forum</td>
<td>A forum for young people that is interactive and addresses the rising rates of mental health issues through use of lived experiences, expert panels, useful strategies and most importantly a workshop giving young people a platform to brainstorm strategies to implement in their school to create a positive/supportive school community.</td>
<td>Through the increased wellbeing of young people in the community and also through the stronger connections between local service providers, schools and community members.</td>
<td>$4,000</td>
<td>$1,000</td>
</tr>
<tr>
<td>CommDev00015</td>
<td>Victorian Local Governance Association (VLGA)</td>
<td>Working Together with Timor Leste - The next 10 years</td>
<td>The project is the running of a major international conference focusing on major issues confronting Timor-Leste in the next 10 years. There will be a particular emphasis on decentralisation and the introduction of a democratically elected system of local government. Major speakers are from both countries.</td>
<td>This conference recognises the contribution that Willoughby and other local governments have made and provides a pathway for the next 10 years.</td>
<td>$2,000</td>
<td>declined</td>
</tr>
</tbody>
</table>
## Overview, Recommendations and Officer Comments - Small Grants Program 2014/15 - Category 1 - Community Development

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<tr>
<th>App ID</th>
<th>Organisation Name</th>
<th>Name of Project</th>
<th>Brief overview of the project</th>
<th>Brief explanation on how the project will benefit the wider Willoughby community</th>
<th>Has your organisation received a grant from WCC in the past 5 years if so provide details</th>
<th>Amount being sought from Willoughby City Council</th>
<th>Willoughby City Council Officer Recommendations</th>
<th>Willoughby City Council Officer Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>CommDev00317</td>
<td>Lower North Shore Domestic Violence Network</td>
<td>17.1 Concourse Performing Arts Subsidy</td>
<td>Printing of DV booklet - &quot;Chained and Dangerous. A Woman's Guide to Reclaiming a Healthy Relationship&quot;</td>
<td>Levels of DV in Willoughby are disturbingly high. Many in Willoughby will be touched by DV/1 and will benefit from learning about developing healthy relationships.</td>
<td>Yes - 2013/2014: $1,888 for the re-printing of the booklet DV is a Crime - 2013/2014: $2000 for the printing of a Domestic Violence Brochure for family and friends - 2011/2012: $2,000 for a Domestic Violence workshop conducted by Greg.</td>
<td>$1,888</td>
<td>$1,888</td>
<td>This project will provide access to information for victims of DV. As Council does not provide any direct services to DV victims, providing a grant would be an effective way of improving affected residents' access to information.</td>
</tr>
<tr>
<td>CommDev00316</td>
<td>Chatwood Occasional Childcare Centre</td>
<td>Centre Security and Safety</td>
<td>The Centre door operates on key lock, and its doors are left open during the morning, afternoon and evening hours. There is a safety issue for staff and children as anybody can walk in. A recent incident has been reported to Police. Proposes that a camera and buzzer be installed.</td>
<td>A recent incident has indicated that prevention is a priority. Providing a safe environment is a key benefit for the community as a whole.</td>
<td>Yes - 2013 $1,900 Gardening Project 2012/13 - $2,000 Furniture Projects (shelves) - 2010/11 $2,000 to update the information in the DV 's A Crime' booklet and print on USB sticks.</td>
<td>$4,090</td>
<td>Declined</td>
<td>This service operates out of a Council owned facility and as such this project is not eligible to be funded by the Small Grants program.</td>
</tr>
<tr>
<td>CommDev00319</td>
<td>Talkumade Youth Services</td>
<td>Youth and Family Early Intervention</td>
<td>To prevent youth homelessness by helping to resolve family relationships which are in crisis. We provide direct &amp; intensive support to teenagers and families to enable the young person to remain and/or return to the family home. We also educate parents on how to achieve more positive outcomes with their teenager.</td>
<td>Reconnected families engage/contribute more to their community - eg schools; socially, recreationally, employment - and live independently relying less on welfare; support and services.</td>
<td>Yes - 2013/14: $5,000 - Youth and Family Early Intervention program 2012/13: $2,800 2011/12: none 2010/11: $2,800 - Brokerage (financial support for young people).</td>
<td>$7,000</td>
<td>$4,000</td>
<td>This program is designed to prevent youth homelessness by working with families in establishing, building and maintaining family relationships. It will provide direct support to youth within the Willoughby LGA.</td>
</tr>
<tr>
<td>CommDev00320</td>
<td>Headspace Chatwood</td>
<td>Happy Minds = Bodily Healthy Minds</td>
<td>The program will consist of a 4 day workshop in the school holidays. It will be a unique combination of Positive Psychology, Mindfulness Training, Yoga and Guided Meditation. The program is demographical and open to all young people aged 12-15 yrs old.</td>
<td>The program will enable isolated young people in the Willoughby Community to explore different ways of managing anxiety/depression.</td>
<td>No</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>CommDev00321</td>
<td>Willoughby Senior Italian Social Group</td>
<td>Annual Senior’s Gala Day Trip and Christmas Celebration</td>
<td>A day trip on a small coach will provide 45 Italians an opportunity to travel together as a group and participate in an annual lunchtime celebration. A musician will allow the senior Italians to celebrate community spirit through traditional Italian carols and piano accordion accompaniment.</td>
<td>The wider Willoughby community benefits by having a senior Italian group who is still visible and active in the Willoughby area.</td>
<td>Yes - The grants were community development grants received for this Senior Italian Social Group and they were as follows: $750 received for a bus trip in 2013/2014 $2500 received for culturally appropriate celebrations in 2013 $500 was received for a bus trip in 2009 $2500 received for culturally appropriate celebrations in 2008 $500 was received for a bus trip in 2007.</td>
<td>$950</td>
<td>$565</td>
<td>The applicant is a local Italian seniors social group meeting once a week at the WPC. The funding application for a coach trip and a musician entertainment for Christmas celebration is fully supported in view these activities provide socialisation opportunities and strengthen the relationship and network between the older people in their community.</td>
</tr>
<tr>
<td>App ID</td>
<td>Organisation Name</td>
<td>Name of Project</td>
<td>BRIEF overview of the project</td>
<td>Brief explanation on how the project will benefit the wider Willoughby community</td>
<td>Has your organisation received a grant from WCG in the past 5 years if so, provide details</td>
<td>Amount being sought from Willoughby City Council</td>
<td>Willoughby City Council Officer Comments</td>
<td>Willoughby City Council Officer Comments</td>
</tr>
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</tr>
<tr>
<td>CommDev00024</td>
<td>Willoughby Kids House</td>
<td>Outdoor Tables</td>
<td>Purchase additional tables for outdoor craft and activities to replace current tables (which are old and need replacing for safety reasons)</td>
<td>Will provide a safe environment to the children, staff and any external contractors who participate in activities at Kids House</td>
<td>Yes - 2013 - $460 Gardening Supplies 2013- $440 Outdoor Table 2012 - $760 Data Projector 2011 - $760 00 replacement of fridge 2010 - $2000.00; purchase of new gymnastics mats and padded stools for the cushion room. 2009 - $1000.00; garden shed</td>
<td>$400</td>
<td>$400</td>
<td>The capacity for this service to increase to cash earning is minimal. Operational costs are kept to a minimum and as such, no additional equipment is needed to help the business remain sustainable into the future, supporting the needs of working families.</td>
</tr>
<tr>
<td>CommDev00025</td>
<td>Lane Cove &amp; North Harbour Community Services - Recreation Rendezvous</td>
<td>Different Degrees of Music</td>
<td>The project will engage musicians/composers to develop a music piece with the adults with disability. The music will compliment the Theatre Ensemble “Different Degrees” performance giving the group an opportunity to contribute further to the creation process. The group will perform at the International Day of People with Disability at Concord, Chatswood.</td>
<td>Through partnership and participation the project will raise awareness of people with disability and will focus on their talents and abilities promoting stronger communities</td>
<td>Yes - 2013/14; Dance to the Nines $4,000 2012/13; Dance to the Nines $4,000 2011/12; Dance to the Nines $4,000</td>
<td>$4,000</td>
<td>$1,500</td>
<td>A grant of $1500 is recommended as participants in the program are drawn from Willoughby and the surrounding LGAs. It is recommended that the applicant apply for funding from neighbouring Council’s grants programs to increase the available budget and acknowledge attendance by residents of other LGAs.</td>
</tr>
<tr>
<td>CommDev00026</td>
<td>Life Education NSW</td>
<td>Life Education - Improving Children’s Health in the Willoughby Area</td>
<td>The Life Education Mobile Learning Centre visits approximately 2,300 children in 4 schools in the Willoughby LGA each year. We are seeking a assistance with our visit and to provide a take-home workbook for each child we visit in the Willoughby LGA.</td>
<td>Life Education aims to improve health of the community by influence the way young people make choices about alcohol, drugs and healthy lifestyles.</td>
<td>No</td>
<td>$2,300</td>
<td>$2,300</td>
<td>This program is directed to all children in the LGA who attend school. Each child will have access to a printed booklet on Life Education.</td>
</tr>
<tr>
<td>CommDev00027</td>
<td>Action Foundation for Mental Health Inc</td>
<td>Subsidised weekly lunches and outings</td>
<td>Subsidised weekly lunches and outings for men and women of all ages who suffer from a mental illness.</td>
<td>Assists people with cutting social isolation and the flow on effects to the community. It assists with the integration of participants in the wider community.</td>
<td>Yes - 2013-2014; $2500; Weight Management 2012-2013; $2500; Outgoing Lunches 2013-2011; $3000; Music therapy 2009-2010; $3000; Contribution to Art and Music therapy programs</td>
<td>$2,500</td>
<td>$2,500</td>
<td>Program is addressing an identified gap in mental health services and healthy food and exercise are essential components of this.</td>
</tr>
<tr>
<td>CommDev00030</td>
<td>BSS Childcare Centre</td>
<td>Supporting families with parenting</td>
<td>Supporting families in the childcare centre and the community to have access to up-to-date and practical information about child development and parenting.</td>
<td>The project will establish community links and provide parents with knowledge and practical tips for caring for children. It is a community event.</td>
<td>No</td>
<td>$4,400</td>
<td>Declined</td>
<td>This application is for four parent education sessions and IT equipment. Attendees of the service are BSS staff and the service is funded by BSS and fees.</td>
</tr>
<tr>
<td>Handspan 2</td>
<td>Chatswood Rugby Junior Football Club</td>
<td>Rugby Tour 2014</td>
<td>To assist Jordan Richards, who is currently on a scholarship, attend the tour. He may not otherwise be able to experience such an event.</td>
<td>Jordan Richards’ life can be greatly impacted by such an experience. A report will be handed to the Willoughby CFC on return from the tour.</td>
<td>No</td>
<td>$1,707</td>
<td>$1,707</td>
<td>Full funding approved - Global Friendship Consideration Community Club consideration and individual consideration. Meet with Will in 2014 for 2015 application process online review.</td>
</tr>
</tbody>
</table>

**RECOMMENDED TOTAL:** $32,520
### Item - 17.1

**Concourse Performing Arts Subsidy**

<table>
<thead>
<tr>
<th>App ID</th>
<th>Organisation Name</th>
<th>Name of Project</th>
<th>Brief overview of the project</th>
<th>Has the Applicant received a grant from WCC in the past 3 years?</th>
<th>If Yes please list the projects &amp; amounts received</th>
<th>Amount being sought</th>
<th>Willoughby City Council Officer Recommendation</th>
<th>Willoughby City Council Officer Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>ArtsCult00004</td>
<td>City of Sydney Wind Ensemble</td>
<td>Australian Youth Wind Ensemble Music Workshop</td>
<td>The aim of this project is to provide male students with an opportunity to explore Australian music by rehearsing and performing with the composer. Delivered through a workshop, which will include small group tutorials and ensemble work, the students will learn about the composer's inspiration, how this is captured in the composition and how to interpret and give expression to that intent. The group could also perform to pieces at Willoughby's Spring Fair the following September.</td>
<td>No</td>
<td>Not applicable</td>
<td>$1,720</td>
<td>declined</td>
<td>No confirmed links to Willoughby schools or details of Willoughby resident's participation in the event.</td>
</tr>
<tr>
<td>ArtsCult00006</td>
<td>Take Flight: An Exhibition of Drawings, Paintings and Paper Art</td>
<td></td>
<td>This is a collaborative project between artist, Kate Gladwell, and local business owner and art enthusiast, Edwin Hong, the aim of which is to develop artistic concepts, create original artworks and stage an exhibition in Edwin's Willoughby-based Plates studio. The artwork will draw on Asian cultural symbolism, including a strong focus on cranes, which symbolise health and longevity, and butterflies, which have symbolic references to rebirth, transformation and hope in Asian cultures. These themes also bear a strong synergy with the aims and benefits of the discipline of Pilates, thus adding significance to the setting of the exhibition.</td>
<td>No</td>
<td></td>
<td>$1,800</td>
<td>declined</td>
<td>The proposed venue is not suitable for art exhibitions.</td>
</tr>
<tr>
<td>ArtsCult00007</td>
<td>Workshop Arts Centre</td>
<td>Over Growth, An Evening of Performance Art</td>
<td>Over Growth will bring performance art - art created in front of an audience by the artist - to Willoughby. The programme will involve works by four artists and a task on performance art. The ability to see an artist in action and engage in real time with the production of their work is an ephemeral experience, like theatre but different.</td>
<td>Yes</td>
<td>Banks of silica event $1650</td>
<td>$1,900</td>
<td>$1,400.00</td>
<td></td>
</tr>
<tr>
<td>ArtsCult00008</td>
<td>Poetry by Australian women on International Women's Day</td>
<td></td>
<td>For three years the North Shore Poetry Project has run regular poetry nights. We would like to celebrate local and national Australian female poets in the week of International Women's Day by dedicating our March performance to their work.</td>
<td>No</td>
<td></td>
<td>$2,071</td>
<td>declined</td>
<td>Incomplete application and none of the required financial information was provided making it difficult to assess the application. It was recommended that the applicant be approached with a view to discussing how the event might be incorporated into Council's ITWA celebration.</td>
</tr>
<tr>
<td>ArtsCult00010</td>
<td>SIV2015</td>
<td></td>
<td>The project is a concert to showcase the efforts of the festival participants over the ten days that everyone will be in Sydney, reaping the benefits of the Chatswood Concourse with the Willoughby Symphony Orchestra and conducted by the renowned conductor Simon Kenway. The choir will be an assembly of all of the university choirs of Australia. The work performed will be Mendelssohn's Elijah, an oratorio in the baroque style for choir, symphony orchestra and four soloists.</td>
<td>No</td>
<td></td>
<td>$15,000</td>
<td>declined</td>
<td>This is a boosted event which will generate significant income.</td>
</tr>
<tr>
<td>ArtsCult00011</td>
<td>Willoughby Waste</td>
<td>Installations of waste - softies, T-shirts, vinyl, plastic bags and other detritus of our modern consumer lifestyle are explored in this series. The sheer volume of rubbish found on Council waste collections is overwhelming. But there is also beauty: the denim patterns, textures and colours of the rubbish are intriguing and attractive. In this collection I will collect objects from Council waste collections, sort it according to type and place it between two sheets of perspex, like an art form. A portrait of our consumerism and lifestyle. I plan to hold an exhibition of this work at the Concourse Art Gallery.</td>
<td>No</td>
<td></td>
<td>$1,000</td>
<td>declined</td>
<td>The applicant hadn't provided the necessary level of detail re how the waste is going be collected - in other words, privacy issues were not addressed. This project could potentially be supported by Council's Sustainability team, in the context of a wider environmental event.</td>
<td></td>
</tr>
</tbody>
</table>
### Overview, Recommendations & Officer Comments - Small Grants Program

#### 2014/15 - Cat. 2 - Arts & Culture

<table>
<thead>
<tr>
<th>App ID</th>
<th>Organization Name</th>
<th>Name of Project</th>
<th>BRIEF overview of the project</th>
<th>Has the Applicant received a grant from WCC in the past 3 years</th>
<th>Amount being sought</th>
<th>Willoughby City Council Officer Recommendation</th>
<th>Willoughby City Council Officer Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>ArtsCult00012</td>
<td>Northern Sydney Local Health District</td>
<td>Short Film Production</td>
<td>Our Youth Advisory Group would like to make a short 4 - 5 minute promotional video, which encompasses the Youth Services within Willoughby's Chatswood region. Young people would be a part of the film making and editing of the video. The video would then be shown when presenting at local schools and talks. This video will also be promoted on our website, to encourage young people to utilize our service.</td>
<td>No</td>
<td>$3,300</td>
<td>declined</td>
<td>The proposed video was more of a marketing/promotional nature rather than a cultural project.</td>
</tr>
<tr>
<td>ArtsCult00013</td>
<td>Willoughby Girls High School Parents &amp; Citizens Association</td>
<td>The Festival of Creative Arts</td>
<td>The Festival of Creative Arts is an art exhibition and music performance evening to celebrate the work produced by Muke, Photographic and Digital Media and Visual Arts students at WGS. The exhibition showcases the HSC body of work and artwork by students in Years 11 to 12 studying Visual Arts and Photographic and Digital Media. The music performance evening showcases the School's practical components in the various music courses. The HSC music students perform their practical components as preparation for the HSC examination and to showcase what happens in the course.</td>
<td>Yes</td>
<td>$1,000</td>
<td>declined</td>
<td>As the applicant has significant reserves (financial statements provided with application) it was felt they could cover the costs of this event which is being provided for the school community.</td>
</tr>
<tr>
<td>ArtsCult00014</td>
<td></td>
<td>The Lost Art - Art Song Recital Series</td>
<td>A collection of unique 1 hour concerts performed by key industry classical musicians. The works performed cover a diverse range of cultures, including French, German, Asian and Australian Art songs. This series of recitals is dedicated to breathing life into the soul of non-staged songs often incorporating well-known poems and seasonal themes, often with beautiful instrumental and piano lines accompanying them. The concerts also have an education stream for students and can also be incorporated into aged care facilities as well.</td>
<td>No</td>
<td>6,000</td>
<td>declined</td>
<td>Incomplete application and none of the required financial information was provided which deems it ineligible.</td>
</tr>
<tr>
<td>Event00008</td>
<td>Jewish Arts Incorporated</td>
<td>Tikun Olam: A Multimedia Exploration</td>
<td>To launch our new Visual Arts program with an exhibition on the North Shore, inviting artists from the Kuring-gai and Willoughby multicultural communities to share their interpretations of the concept of “Tikun Olam”, a Hebrew phrase that means “repairing the world”. It encompasses both the physical and emotional, therefore including themes of the environment, relationships and humanity’s shared responsibility to heal, repair and transform the world.</td>
<td>No</td>
<td>2,800.00</td>
<td>$1,400.00</td>
<td>Part funding to be provided subject to Ku-ring-gai Council matching funding. Applicant states they are applying to Ku-ring-gai.</td>
</tr>
</tbody>
</table>

**RECOMMENDED TOTAL:** $2,800.00
### Overview, Recommendations & Officer Comments - Small Grants Program 2014/15 - Sports / Individual

<table>
<thead>
<tr>
<th>App ID</th>
<th>Applicant’s name</th>
<th>Applicants chosen sport / interest</th>
<th>Information that demonstrates the applicants ability or level of interest in their chosen pursuit or interest</th>
<th>Level of involvement</th>
<th>Purpose of funding</th>
<th>Name of the Auspice Org</th>
<th>Amount being sought from WCC</th>
<th>Willoughby City Council Officer Recommendations</th>
<th>Willoughby City Council Officer Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sports000001</td>
<td>Tara Saling</td>
<td>Sailing</td>
<td>I am currently ranked 42 in the Women’s International Match Racing Rankings. I have competed at many international and local regattas highlighting including: 1st 2010 World University Match Racing Championships, Crete, Greece; 1st Summer Universiade 2011, 470 Class, Shenzhen, China; 19th 2012 World University Match Racing Championships, Noe, France; 2011 ISAF 470 World Championships, Perth; 2nd 2012 National Laser Championships, Victor Harbour, SA; 1st 2011 Harken International Women’s Match Racing Championships; 4th 2013 Australian Women’s Match Racing nationals; 1st 2012 Dennis Conner International Regatta, New York, USA; 1st 2006 Australian and NSW 470 championships</td>
<td>International</td>
<td>I have just been selected to attend the World University Women’s Match Racing Championships in Trentino, Italy, in June, in the sport of sailing. This is a high graded event recognised by the International Sailing Federation which will help me acquire training points to allow me select for further events. It is a fantastic opportunity for me and I would greatly appreciate any support you can afford.</td>
<td>Australian University Sport &amp; Sailing</td>
<td>$600</td>
<td>$600</td>
<td>Application reviewed &amp; meets assessment criteria</td>
</tr>
<tr>
<td>Sports000004</td>
<td>Jodie Sim</td>
<td>Acrobatic Gymnastics</td>
<td>Been competing since 2006. On the Australian team going to the 2014 World Championships. Part of current NSW and Australian Women’s Pair (11/16) champions. Runner-up in Australian Championships in 2012 and Winner in 2011. NSW champion in 2012.</td>
<td>International</td>
<td>To assist with paying the costs associated with traveling to the World Championships in France.</td>
<td>Sports Acrobatics Australia Pty Ltd</td>
<td>$500</td>
<td>$500</td>
<td>Application reviewed &amp; meets assessment criteria</td>
</tr>
<tr>
<td>Sports000005</td>
<td>Mei Hubnik</td>
<td>Acrobatic Gymnastics</td>
<td>State champion in 2013 and 2014 in the senior women’s group division 3rd place at the national championships in 2013* Selected for the 2014 World Championships in Paris by Gymnastics Australia in April 2014</td>
<td>International</td>
<td>To assist with funding to the 2014 World Championships in Paris</td>
<td>SKL, gymnastics</td>
<td>$500</td>
<td>$500</td>
<td>Application reviewed &amp; meets assessment criteria</td>
</tr>
<tr>
<td>Sports000006</td>
<td>Sophie Caflisch</td>
<td>Acrobatic Gymnastics</td>
<td>I have competed in Acrobatic Gymnastics at national level for 5 years and won Silver in 2006, 2010, 2011 and 2013. I have recently been selected to represent Australia at the Indo Pacific Championships in South Africa from 30 June to 4 July 2014. I currently train 4 days a week and also coach junior gymnasts.</td>
<td>International</td>
<td>I am applying for this grant to assist with funding for the 2014 Indo Pacific Gymnastics Championships in South Africa</td>
<td>Sports Acrobatics Australia Pty Limited</td>
<td>$500</td>
<td>$500</td>
<td>Application reviewed &amp; meets assessment criteria</td>
</tr>
<tr>
<td>Sports000007</td>
<td>Philip Gibson</td>
<td>Acrobatic Gymnastics</td>
<td>2013 Silver Medalist State Championships; 2013 Silver Medalist National Championships; Representing NSW at National Championships Melbourne May 2014; 2014 Selected to represent Australia at Indo-Pacific Championships South Africa in July 2014.</td>
<td>International</td>
<td>To assist with funding to attend the Indo-Pacific Games held in South Africa in July 2014. All athletes are self-funded and have to pay for their own airfares, accommodation, meals, Australian uniform and competition kits.</td>
<td>Sports Acrobatics Australia Pty Ltd</td>
<td>$500</td>
<td>$500</td>
<td>Application reviewed &amp; meets assessment criteria</td>
</tr>
</tbody>
</table>

**RECOMMENDED TOTAL:** $3,500
17.2 CIVIL HERITAGE COMMEMORATIVE PLAQUES PROJECT - PLAQUE SITES IN CHATSWOOD CBD TO CELEBRATE THE WILLOUGHBY SESQUICENTENARY

RESPONSIBLE OFFICER: MELANIE SMITH – COMMUNITY SERVICES DIRECTOR

AUTHOR: MICHELE BURTON – MANAGER, LIBRARY & COMMUNITY LEARNING SERVICES

CITY STRATEGY LINK: 1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED

MEETING DATE: 1 DECEMBER 2014

Purpose of Report

To provide an update on the Willoughby Civil Heritage Commemorative Plaques Project to Council for the placement of a Civil Heritage Commemorative Plaque as scheduled in FY 2014/15

Background

Planning for the Civil Heritage Commemorative Plaques Project started in 2000 to signify sites of historical significance in the Willoughby community. At this point in time there are 54 plaques in situ spread throughout the Willoughby LGA.

Financial Implications

There is a sufficient amount in the remainder of the Willoughby City Council PIP FY 2014/15 funds to provide for the production of one (1) Heritage plaque. Installation costs will be shared by the remaining amount in the PIP fund and the Library and Community Learning operating budget 2014/15. This will expend the PIP funds for FY 2014/15.

Discussion

The proposed plaque to be manufactured and installed is to identify and commemorate the Willoughby Tram Terminus established early in 1898 and was located near the junction of Victoria Avenue and Penshurst Street, North Willoughby at 230-252 Penshurst Street.

The inscription will read as follows:

**Willoughby Tram Terminus**

*On 25 April, 1898, the Willoughby tram service was officially opened as an extension of the North Sydney network that had operated since 1886. The new route ran from Falcon Street, Crows Nest, to the Terminus at 230-252 Penshurst Street near the junction with Victoria Avenue. Until the tracks were doubled in 1911, trams would loop around at the Terminus to begin the return journey. Public demand was great, and in 1908 the line was extended to Chatswood Railway Station, with trams travelling down Victoria Avenue from the Terminus every twenty minutes. In the 1950s Sydney’s tram network was gradually wound down, and the final tram arrived at the Terminus on June 28, 1958.*
Community Notification
The proposed plaque site and inscription to be listed on the Council Web site for a period of two (2) weeks to allow for public comment.

OFFICER'S RECOMMENDATION
That:

1. Council endorses the notification of the proposed plaque site and the inscription on Council's Website for public comment.

2. Council endorses the production and installation of the plaque for Willoughby Tram Terminus at 230-252 Penshurst Street, North Willoughby
18 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR

18.1 DELEGATIONS FOR LOCAL ENVIRONMENTAL PLANS

ATTACHMENTS: 1. COUNCIL REPORT OF 12 NOVEMBER 2014
RESPONSIBLE OFFICER: LINDA MCCLURE – STRATEGIC PLANNING MANAGER
AUTHOR: JANE GIBSON – STRATEGIC PLANNER
MEETING DATE: 1 DECEMBER 2014

Purpose of Report
This report is to nominate the Acting Environmental Services Director to be a delegate to process and finalise Draft Local Environmental Plans.

Background
At the Council Meeting of 12 November 2012, a report was considered which detailed changes to Part 3 of the Environmental Planning and Assessment Act 1979 (see Attachment 1). The changes gave Councils delegation to undertake and finalise the processing of draft Local Environmental Plans (LEPs) for local matters where they receive authorisation to do so following the Gateway Determination to proceed to the public exhibition of the proposal. At the meeting, it was resolved:

“1. That Council write to the Department of Planning and Infrastructure accepting delegation for functions under Section 59 of the Environmental Planning and Assessment Act, 1979 as granted by the Minister.

2. That the Environmental Planning Services Director, Mr Greg Woodhams, and Strategic Planning Manager, Ms Linda McClure, be nominated to be delegate and sub-delegate to process and finalise Draft Local Environmental Plans where Council has considered submissions and determined the outcome of a Draft Local Environmental Plan”.

In light of the recent resignation of Mr Greg Woodhams, it is recommended that Mr Jeff Ellis, Acting Environmental Services Director be nominated as the new delegate. Ms Linda McClure, Strategic Planning Manager will continue to be the sub-delegate. This change should be notified to the NSW Department of Planning & Environment.

OFFICER’S RECOMMENDATION

That Council writes to the Department of Planning & Environment to nominate Acting Environmental Services Director, Mr Jeff Ellis, and Strategic Planning Manager, Ms Linda McClure be nominated to be delegate and sub delegate to process and finalise Draft Local Environmental Plans where Council has considered submissions and determined the outcome of a Draft Local Environmental Plan.
20.2 DELEGATIONS FOR LOCAL ENVIRONMENTAL PLANS

ATTACHMENTS:  
1. LETTER FROM THE MINISTER FOR PLANNING AND INFRASTRUCTURE  
2. PLANNING CIRCULAR: DELEGATIONS AND INDEPENDENT REVIEWS OF PLAN MAKING DECISIONS

RESPONSIBLE OFFICER: LINDA McCLURE – STRATEGIC PLANNING MANAGER

AUTHOR: JANE HOSIE – STRATEGIC PLANNER

MEETING DATE: 12 NOVEMBER 2012

Purpose of Report
This report is to inform Council of recent changes to Part 3 of the Environmental Planning and Assessment Act 1979 which came into effect on 2 November 2012 and to recommend that Council accept the delegations offered as outlined in the legislation.

Planning Proposals/Draft LEPs
A copy of a letter from the Minister, The Hon Brad Hazzard MP and an accompanying circular that explains the changes to the Act are attached. The changes give councils delegation to undertake and finalise the processing of draft Local Environmental Plans (LEPs) for local matters where they receive authorisation to do so following the Gateway Determination to proceed to the public exhibition of the proposal. The process for progression of a planning proposal once it is supported by Council for exhibition is to proceed to the local review panel (comprising The Director General or nominee, senior executives of the Department of Planning and Infrastructure and a nominee from the Local Government and Shires Association) who makes a Gateway Determination. The panel reviews all potential planning proposals and authorises the exhibition (or not) of the planning proposal which leads to the making of a draft LEP to amend the existing LEP.

The types of draft LEPs which will be delegated to Council include:

- Mapping alterations
- Section 73A matters (eg amending reference to documents/agencies, minor errors and anomalies)
- Reclassifications of land
- Heritage LEPs related to specific local heritage items supported by an Office of Environment and Heritage study
- Spot rezoning consistent with an endorsed strategy and/or surrounding zones, and
- Other matters of local significance as determined by the Gateway.

The attached correspondence advises that council must write to the Department to accept the delegation and nominate the officers of Council to be granted the delegation by 30 November 2012.

It is recommended that Council accept the delegation for these relatively minor LEPs and nominate the Environmental Services Director and Strategic Planning Manager as delegate
and sub delegate. This will mean that they will be authorised to process draft LEPs after a resolution of Council has been made regarding an exhibited draft LEP. This may involve supporting amending, not supporting or deferring all or part of a draft Plan as stipulated under Section 59(2) (3) and (4) of the Environmental Planning and Assessment Act 1979.

It is worth noting that the delegation is not giving councils extra power to make decisions but merely to process draft LEPs after they have been determined by the Gateway.

Review of Council’s Decisions regarding Planning Proposals.

The changes to the Act also include providing applicants with the opportunity, for two reviews within the Plan making process- at the pre and post Gateway Determination stage. Previously, unlike in the case of Development Applications, there was no right of appeal/review of a draft Local Environmental Plan once the Council or Department of Planning had made a resolution to refuse a Planning Proposal.

Council Officers have previously objected to such reviews of Council decisions regarding changes to planning controls in the LEP.

The changes provide that a proponent may request a pre Gateway review if:

a) the council has notified the proponent that the request to prepare a planning proposal is not supported, or
b) the council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information.

The relevant joint regional planning panel (JRPP) will review relevant proposals forwarded by the Department and provide advice to the Minister.

A proponent may also request the Minister or delegate to alter a Gateway determination, when a gateway determination is made that:

a) the planning proposal should not proceed
b) the planning proposal should be resubmitted to the Gateway, or
c) imposes requirements (other than consultation requirements) or makes variations to the proposal that the Council or proponent thinks should be reconsidered.

The Planning Assessment Commission (PAC) will undertake the post Gateway Review and provide advice to the Minister.

The use of JRPP or PAC to review zoning and other planning matters undermines Council’s ability to implement planning policy that reflects the Community’s Strategic objectives for the City.

OFFICER’S RECOMMENDATION

1. That Council write to the Department of Planning and Infrastructure accepting delegation for functions under Section 59 of the Environmental Planning and Assessment Act, 1979 as granted by the Minister.

2. That the Environmental Planning Services Director, Mr Greg Woodhams and Strategic Planning Manager, Ms Linda McClure be nominated to be delegate and sub delegate to process and finalise Draft Local Environmental Plans where
Council has considered submissions and determined the outcome of a Draft Local Environmental Plan.
Mr Nick Tobin  
General Manager  
Willoughby City Council  
PO Box 57  
CHATSWOOD NSW 2057  

Dear Mr Tobin,

In April 2012 the NSW Government called for public submissions on a draft policy statement to improve the local plan making process by returning local planning decisions to local councils and their communities, and by making the process more accountable. The proposed changes included formalising the existing statutory arrangements for two reviews within the plan making process (at both the pre and post Gateway determination stage) and introducing delegations to local government to make plans in certain circumstances.

Having considered the submissions received by the Department of Planning & Infrastructure, I now propose to introduce the changes. I note that in their reports released last month the Chairs of the Independent Review into the NSW planning system, the Hon Tim Moxre and the Hon Ron Dyer, recommended that the reviews be implemented. The changes will commence on 1 September 2012.

To implement the new policy I have delegated to councils all my functions under section 59 of the Environmental Planning and Assessment Act, 1979 for the making of Local Environmental Plans (LEPs). The delegations will operate in respect of draft LEPs for local matters where council receives an authorisation following the Gateway determination. For the first time councils will be fully empowered to complete the plan making process for these LEPs.

The Director General of the department has issued planning circular PS 12-006 about the two new reviews and the delegations. Delegations will routinely be issued for particular types of draft LEPs and these are specified in the circular. However, other types of draft LEPs will also be delegated to councils if the Gateway determines that the draft LEP is a local matter and that council should make the LEP.

To be able to exercise these delegations, your council must write to the department advising that they are accepted. Councils are also requested in their response to nominate the officers or employees of council who will be granted the proposed delegation. The name and position of the employee is required.

Council is reminded that the provisions of Section 381 of the Local Government Act, 1993 require that such functions cannot be delegated to:
a) The general manager, except with the approval of the council; or
b) An employee of the council, except with the approval of the council and the general manager.

Further information on the administrative procedures for the various stages of the plan making process for delegated draft LEPs are available on the department's website at: http://www.planning.nsw.gov.au/lep-practice-notes-and-planning-circulars

Council is asked to respond to this letter advising if it wishes to accept the delegation and identify the nominated council officers by Friday 30th November, 2012.

If you require any further information on this matter, I have arranged for Mr Neil Selmon, Director Planning Operations Coordination to respond. Mr Selmon may be contacted on (02) 9228 6258 or at Neil_Selmon@planning.nsw.gov.au.

Yours sincerely

Brad Hazzard MP
Minister
Delegations and independent reviews of plan-making decisions

The purpose of this circular is to advise councils and the public about new delegations and independent reviews related to plan-making under Part 3 of the Environmental Planning and Assessment Act 1979.

Introduction

Two changes have been put in place to improve plan-making processes under Part 3 of the Environmental Planning and Assessment Act 1979 (the Act). These changes come into effect on 2 November 2012 and will increase transparency, provide greater certainty, and increase councils’ roles and responsibilities in plan-making, by:

- delegating the making of some local environmental plans (LEPs) to councils, and
- allowing for independent reviews of some council and departmental decisions in the plan-making process.

LEP delegations

The making of some LEPs will now be delegated back to councils, in keeping with the government’s commitment to return local planning powers to local councils and their communities.

The Minister has delegated the following plan-making powers to councils:

- to make – and determine not to make – an LEP under section 59(2), and (3) of the EP&A Act;
- to defer inclusion of certain matters in an LEP under section 58(3) and;
- to identify which matters must be considered and which stages of the plan-making process must be carried out again prior to resubmission (section 56(4), if the council defers the proposal or if a matter is deferred from the LEP.

The changes will give local councils responsibility for LEPs of local significance and streamline the processing of their LEPs by removing duplicative steps in the making of these LEPs.

The delegations will operate in respect of a draft LEP on receipt by council of a Written Authorisation to Exercise Delegation (the Authorisation). The Authorisation will be issued to councils as part of the Gateway determination.

When submitting a planning proposal, councils will be required to identify whether they wish to exercise the Authorisation for each planning proposal.

Delegation will be routinely issued for particular types of LEPs (see below). However, any other draft LEP that the Gateway determines is of local significance will also be delegated to councils.

LEPs to be routinely delegated

The following types of draft LEPs will routinely be delegated to councils to prepare and make following a Gateway determination that the planning proposal can proceed:

- mapping alterations
- section 73A matters (e.g. amending references to documents/agencies, minor errors and anomalies)
- reclassifications of land
- heritage LEPs related to specific local heritage items supported by an Office of Environment and Heritage endorsed study
- spot rezoning consistent with an endorsed strategy and/or surrounding zones, and
- other matters of local significance as determined by the Gateway.

Issue of delegations

Section 23 of the Act allows the Minister and the Director-General to delegate functions to a council and/or an officer or employees of a council. The department has written to all councils advising that...
plan making powers are to be delegated under section 23 of the Act. A council is to formally accept the delegation before the department will issue an Authorisation in respect of any individual LEP.

If a council chooses to accept the delegation, it may sub-delegate the function to an officer within council (usually the general manager or planning director) who will exercise the delegation. If a council chooses to sub-delegate the function, the council should advise the department at the same time it accepts the delegation. When submitting a planning proposal to the gateway a council should advise the department whether the council or an officer will be exercising the delegated function.

Section 381 of the Local Government Act 1993 requires that such functions cannot be delegated to:

a) the general manager, except with the approval of the council, or
b) an employee of the council, except with the approval of the council and the general manager.

Councils must comply with the conditions of the Authorisation in exercising their delegation. If a council or the Authorisation cannot be complied with council must therefore exercise the delegation and must advise the department immediately.

Drafting and notifying delegated LEPs

Under section 69(1) of the Act the department currently requires the Office of the Parliamentary Counsel (PCO) to draft the legal instrument that gives effect to a planning proposal. However, when a planning proposal is delegated, the council will now deliver its instructions directly to PCO electronically. The council will concurrently copy the instructions to the department for monitoring and reporting only. The council will then deal directly with PCO to negotiate and agree the final wording of the instrument, prior to notifying the LEP.

When a plan is made, the department currently requests PCO to notify the plan on the NSW Legislation website. The day the plan is notified is the day the LEP becomes effective. This process will continue. When a council has made an LEP it will be forwarded to the department. The department will request notification through PCO and will record the dates of making by the council and notification on the NSW Legislation website.

Reporting requirements

Councils will be required to report to the department on processing times for delegated LEPs (e.g. exhibition dates, dates of council resolution and/or delegated decisions to proceed with the planning proposal after exhibition, request for drafting, making of plan, and forwarding to department to arrange notification).

A template for the reporting of this information has been prepared and is provided on the department’s website at http://www.planning.nsw.gov.au/gateway-process. Councils will be required to submit this completed template with each LEP at the time it is made to the department to notify the plan. Councils are also required to provide written advice to the relevant regional office of the dates as they occur to ensure that the department’s publicly accessible LEP Tracking System remains up to date.

Independent Reviews

To increase transparency and accountability in the Part 3 plan-making process, the government has formalised two existing administrative review processes:

- Pre-gateway reviews – which may be requested by a proponent before a planning proposal has been submitted to the department for a Gateway determination. These reviews are informed by advice from joint regional planning panels (regional panels) or the Planning Assessment Commission (PAC), and
- Gateway reviews – which may be requested by a council or proponent following a Gateway determination, but before community consultation on the planning proposal has commenced. These reviews are informed by advice from the PAC.

These reviews will allow councils and proponents to have decisions in relation to proposed amendments to LEPs reconsidered, by providing an opportunity for an independent body to give advice on such proposals.

An amendment to the Environmental Planning and Assessment Regulation 2000 (the Regulation) has been made to require councils to notify proponents of certain matters and to charge proponents fees for reviews.

This circular provides a summary of the review mechanisms. Detailed guidance for councils and proponents is provided within A guide to preparing local environmental plans.

Pre-Gateway reviews

When a review may be requested

If a proponent (e.g. developer, landowner) has requested that a council prepare a planning proposal for a proposed instrument, the proponent may ask for a pre-Gateway review if:

a) the council has notified the proponent that the request to prepare a planning proposal is not supported, or
b) the council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information.

The Regulation requires councils to notify a proponent when the council determines that it will not prepare a planning proposal. The proponent of the proposed instrument then has 40 days to request that the
relevant regional panel review the proposal. Where a council has not made a determination after 90 days, the proponent may request a review any time after the 90 days has lapsed.

A guide to preparing local environmental plans sets out lodgement requirements, including fees and information a proponent must provide to the department in order for a review to be undertaken. It also sets out strategic and site-specific eligibility criteria that must be met in order for a proposal to be eligible for review by the regional panel.

Review and determination
The relevant regional panel will review all eligible proposals forwarded to it by the department. In the City of Sydney local government area, the PAC will undertake the review.

A guide to preparing local environmental plans sets out what matters the regional panel/PAC will take into consideration when reviewing the proposal.

The regional panel/PAC will provide advice on whether it would recommend to the Minister that the proposed instrument should be submitted for a determination under section 56 of the Act (Gateway determination).

The Minister’s final decision will be informed by the regional panel’s or PAC’s advice, and the views of the department, council and proponent.

For proposals that are to proceed, further work may still be required by the proponent before the proposal complies with section 56 of the Act in relation to submitting a planning proposal for Gateway determination.

Further details on these procedures are outlined in A guide to preparing local environmental plans.

Exclusions – Pre-Gateway Reviews
A proponent who has requested council to prepare a planning proposal prior to the date this circular was issued may seek a review if the supporting information accompanying the request is still current (i.e. less than two years old).

A review request accompanied by information that is more than two years old will not normally be considered.

Gateway reviews
When a review may be requested
A council or proponent may request the Minister (or delegate) to alter a Gateway determination, when a Gateway determination is made that:

a) the planning proposal should not proceed
b) the planning proposal should be resubmitted to the Gateway, or
c) imposes requirements (other than consultation requirements) or makes variations to the proposal that the council or proponent thinks should be reconsidered.

If the Gateway determination is either to not proceed or to resubmit the planning proposal, the council or proponent has 40 days from being notified by the department to request a review.

If the Gateway determination is to proceed with the planning proposal but imposes conditions that the council or proponent considers inappropriate, the council or proponent has 14 days from being notified by the department to indicate their intent to request a review. The council or proponent would then have 40 days to formally apply for a Gateway review.

A guide to preparing local environmental plans sets out lodgement requirements, including information the council or proponent must provide for a Gateway review to be undertaken.

Review and determination
The PAC will provide advice on whether or not the original Gateway determination should be altered, giving consideration to the council or proponent’s submission and the reasons given for the original Gateway determination.

The Minister’s final decision on whether to alter the Gateway determination will be informed by the PAC’s advice, and the views of the council and proponent.

Further details on these procedures are outlined in A guide to preparing local environmental plans.

Further information
The Environmental Planning and Assessment Regulation 2000 has been amended to require councils to notify proponents of certain plan-making matters and to charge proponents fees for reviews. The regulation is called the Environmental Planning and Assessment Amendment (Reviews) Regulation 2012.

A guide to preparing local environmental plans provides advice on the various stages in the plan-making process including details of the stages for pre-Gateway reviews, the review of Gateway determinations and the delegations of plan-making functions to councils. The guide has been updated throughout with the main changes relating to:

- delegation procedures
- guidance on the plan making process
- guidance on the procedures for independent review.

A guide to preparing planning proposals, issued under section 56(3) of the Act, provides advice on the preparation and content of planning proposals. The guide has been updated throughout with the main changes relating to:

- guidance on the level of information to be required for planning proposals together with the inclusion of an information checklist for planning proposals
- advice regarding pre-lodgement meetings

3/5
ITEM - 18.1 Delegations For Local Environmental Plans

- the introduction of 'part 6 - project timeline' and discussion of requirements and procedures
- guidance on mapping requirements and procedures

Copies of the Environmental Planning and Assessment Regulation 2000 are available online at http://www.lawlink.nsw.gov.au.


The department has developed a number of template documents to assist councils preparing delegated LEPs. Councils will be able to access these templates and use them to ensure that the key statutory requirements of the plan-making process have been complied with. These templates are available for download from the department's website at http://www.planning.nsw.gov.au/gateway/process

For further information please contact the Department of Planning & Infrastructure's information centre on 1300 306 585.

Department of Planning & Infrastructure circulars are available from http://www.planning.nsw.gov.au/circulars

Authorised by:

Sam Haddad
Director-General

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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Brad Hazzard MP
Minister for Planning & Infrastructure
Minister assisting the Premier on Infrastructure NSW

MEDIA RELEASE

28 October 2012

LOCAL COUNCILS GIVEN REZONING POWERS

Minister for Planning and Infrastructure, Brad Hazzard today announced local councils will have the power to sign-off on various rezoning plans for the first time in 30 years.

"The O'Farrell Government is committed to returning local planning powers to local councils and their communities," Mr Hazzard said speaking at the Local Government and Shires Associations' NSW Annual Conference in Dubbo.

"Councils can finalise a range of Local Environmental Plan amendments, including spot rezonings, heritage proposals and the reclassification of some public land.

"Most importantly, councils will still be required to undertake community consultation for planning proposals that are delegated to them," Mr Hazzard said.

Additionally, proponents seeking a rezoning can now request an independent review of decisions through the local Joint Regional Planning Panel if a council has refused or failed to respond to their rezoning request.

Also a council or a proponent can ask the Minister for Planning and Infrastructure to alter a decision made by the Department of Planning and Infrastructure. In these cases, the Minister would seek advice from the Planning Assessment Commission before making a decision.

"Currently, a person requesting a rezoning isn't recognised at all by the planning system and has no rights to seek a review of any final decisions," Mr Hazzard said.

"This means rezoning proposals which have merit – for instance those which are well-located, planned and will assist housing supply – may be supported after an independent review."

The changes are explained in a Planning Circular to be issued to local councils today, as well as in two online publications – 'A guide to preparing local environmental plans' and 'A guide to preparing planning proposals'.

More information is available at www.planning.nsw.gov.au

MEDIA: Adam Raskall 0409 565 083
19 REPORTS FROM OFFICERS - INFRASTRUCTURE SERVICES DIRECTOR

NIL
20 NOTICE OF MOTION

20.1 NOTICE OF MOTION: MARINE PROTECTED AREAS

RESPONSIBLE OFFICER: GREG WOODHAMS - ACTING GENERAL MANAGER

CITY STRATEGY LINK: 2.1.1 CONSERVE AND MAINTAIN WILLOUGHBY’S NATURAL ECOSYSTEEMS

MEETING DATE: 1 DECEMBER 2014

Purpose of Report

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

Motion

That Willoughby City Council:

a. Notes that NSW currently has six Marine Protected Areas (MPAs) which provide vital protection to Australia’s fish stocks and sensitive marine environments.

b. Notes that within these Marine Protected Areas, no-take sanctuary zones are one of the most critical components providing our precious marine ecosystems with protection from all forms of fishing.

c. Notes that the NSW Coalition Government currently has an amnesty in place allowing recreational fishing within no-take sanctuary zones in an overwhelming majority of NSW MPAs and that this amnesty has been in place since March 2013 originally intended as a 12 month trial.

d. Further notes that the NSW Coalition Government’s delay in lifting the amnesty continues to undermine the precious marine ecology of NSW’s Marine Parks’ system.

e. Recognises that a study by the University of Tasmania’s Institute for Marine and Antarctic Studies has found that the most effective MPAs are those with well enforced no-take sanctuary zones with “on average eight times more large fishes, nine times more gropers and 14 times more sharks than fished areas”

f. Notes that approximately 222 marine scientists from around Australia and the world have written to the current Coalition Government to convey the importance of Sanctuary Zones within NSW’s Marine Parks’ system.

g. Further notes that in addition to the broad scientific support for Sanctuary Zones, 93% of the NSW public think marine sanctuaries are a good idea, including 91% support from recreational fishers.

h. Also notes that hundreds of businesses have spoken out in support of marine park sanctuary zones as an integral part of effective marine conservation, including tourism and related businesses, diving associations and local chambers of commerce.

i. Requests that Premier Baird and Minister Stokes:
1. Acknowledge scientific evidence as well as listen to the overwhelming public support for an immediate end to the amnesty allowing recreational fishing in no-take sanctuary zones.

2. Ensure that no-take sanctuary zones are well enforced allowing for a revitalisation of marine life in those areas.

3. Ensure that there will be no further risks to the scientific integrity of sanctuary zones and NSW's Marine Parks' system.


**General Manager's Comments**

The General Manager has no comment on this matter.

**OFFICER'S RECOMMENDATION**

The Council consider the Notice of Motion of Councillor Saville.
20.2 NOTICE OF MOTION: CENTURY VENUES THE CONCOURSE UPDATED REPORTS

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: 1 DECEMBER 2014

Purpose of Report
Councillor N Wright has indicated his intention to move the following Notice of Motion.

Motion
That:

Whilst acknowledging the important role of Council in contributing to the strategic direction of the significant Willoughby City community asset that is The Concourse, Council notes that:

1. The General Manager (or their delegate) is responsible for addressing operational concerns as raised by Councillors or the community, with the venue manager(s);
2. The General Manager will report as appropriate to Council on any matters involving the operation of The Concourse that require consideration and determination by the Council as part of the Quarterly and Annual Reports;
3. The confidential report to the Cultural and Civic Committee meeting, including attendance by the Venue Manager, no longer be required as a standing item on the agenda.

Background
This motion is intended to clarify the arrangements regarding Councillors and The Concourse management team. As elected officials, Councillors are responsible for strategic vision, not operational programs. As with other external contractors and staff, the Local Government Act makes it clear that it is inappropriate for Councillors to comment on day-to-day operations, and this motion is intended to formalise a way to capture input from Council in a standardised format.

General Manager’s Comments
This motion is supported in so far as it applies to the operational matters concerning the Concourse as a venue. Other matters relating to the policy, financial and strategic consideration involving the Concourse and Venue Manager will continue to be reported to Council.

OFFICER’S RECOMMENDATION
That Council consider the Notice of Motion by Councillor Wright regarding the standing report on the Concourse operations to the Cultural and Civic Committee.
20.3 NOTICE OF MOTION: NAMING OF PARK AFTER DR ELSIE WEARN

RESPONSIBLE OFFICER: TRACEY CROUCH - ACTING GENERAL MANAGER

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

MEETING DATE: 1 DECEMBER 2014

Purpose of Report
Councillor Sloane has indicated her intention to move the following Notice of Motion:

Motion
That Council:

1. Endorses the nomination of Dr Elsie Wearn as the name for the current Robert Street Park as proposed by the Artarmon Progress Association, and

2. Nominates Dr Elsie Wearn’s name as the final name of the current Robert Street Park in the forthcoming community consultation on the upgrade and naming of the park.

Background
In August 2014 the Council wrote to the Artarmon Progress Association (APA) seeking suggestions for naming the Robert Street Park and Marlow Road Reserve.

The APA has submitted the name Dr Elsie Okey (nee Wearn), Artarmon dentist from 1945 to 1974, for the Robert Street Park.

The APA has been in touch with the Okey Family who have consented to putting Elsie’s name forward for consideration but would prefer to see her recognised as Dr Elsie Wearn (her maiden name).

The APA considers that Elsie’s community activities over her whole professional career makes her a worthy candidate for recognition in this manner.

General Manager's Comments
The proposal is consistent with the request made to the Artarmon Progress Association for suggestions for naming the Robert Street Park.

Council has received community feedback from the first round of community consultation for improvements to the current Robert Street Park. On the basis of this feedback, officers are currently preparing a draft plan for the park. The draft plan and the nominated naming after Dr Elsie Wearn will be the subject of public consultation early in the new year following the completion of the draft plan. Council will then consider the consultation outcomes in the adoption of the final park improvements and naming.
OFFICER’S RECOMMENDATION
That Council considers the Notice of Motion of Councillor Sloane.
21 CONFIDENTIAL ITEMS

21.1 VERBAL UPDATE ON THE GORE HILL TECHNOLOGY PARK VPA

RESPONSIBLE OFFICER: JEFF ELLIS - ECONOMIC AND PROPERTY DEVELOPMENT DIRECTOR

Author: JEFF ELLIS - ECONOMIC AND PROPERTY DEVELOPMENT DIRECTOR

MEETING DATE: 1 DECEMBER 2014

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
21.2 CHANNEL 9 SITE, ARTARMON ROAD, WILLOUGHBY

ATTACHMENTS:
1. ADVICE FROM SOLICITORS
2. STATEMENT OF FACTS AND CONTENTIONS
3. CONCEPT PLAN APPROVAL

RESPONSIBLE OFFICER: LINDA MCCLURE – STRATEGIC PLANNING MANAGER

AUTHOR: LARA NGUYEN – STRATEGIC PLANNER

MEETING DATE: 1 DECEMBER 2014

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
21.3 3 ABBOTT ROAD CHILDCARE DEVELOPMENT

RESPONSIBLE OFFICER: JEFF ELLIS - ECONOMIC AND PROPERTY DEVELOPMENT PROJECT DIRECTOR

AUTHOR: GARY PARSONS - MAJOR PROJECTS DELIVERY MANAGER

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

MEETING DATE: 1 DECEMBER 2014

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
21.4  32-34 NORTHCOTE STREET, NAREMBURN - PROSPECTS ADVICE

AUTHOR: IAN ARNOTT - DEVELOPMENT PLANNING MANAGER

MEETING DATE: 1 DECEMBER 2014

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

(REPORT TO BE TABLED)
22 QUESTIONS

NIL

23 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 1 December 2014 be confirmed.