



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chambers, 31 Victor Street, Chatswood

2 February 2015

commencing at 7:00pm

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1 PRESENT

Councillors

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

Officers

Ms D Just (General Manager), Mr P Collings (Acting Infrastructure Services Director), Mrs M Smith (Community Services Director), Mr J Ellis (Acting Environmental Services Director), Mr T Pizzuto, (Financial Services Director), Ms T Crouch (Corporate Support & Performance Director), Mr M McDonald (Financial Services Manager), Mr V Grepl (Acting Administrative Services Manager) and Ms B Jeffries (Executive Assistant).

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Councillor R Hill declared a Substantial Non-pecuniary Interest in Item 18.2 Sale of Land – Adjoining 1 Hallstrom Close & 3 Coolawin Road, Northbridge.
- Councillor J Hooper declared a Substantial Non-pecuniary Interest in Item 18.2 Sale of Land – Adjoining 1 Hallstrom Close & 3 Coolawin Road, Northbridge.
- Councillor J Hooper declared a Less than Substantial Non-pecuniary Interest, in Item 21.2 Confidential Report – Legal Prospect – 135 Sailors Bay Road, Northbridge.

3 CONFIRMATION OF MINUTES

That the Minutes of the

- *Ordinary Meeting of Council held 1 December 2014,*
- *Extraordinary Meeting held on 2 December 2014 and*
- *Extraordinary Meeting held on 22 December 2014*

copies of which have been circulated to each member of Council, be confirmed, subject to the following changes:

- *It be noted on Item 23.4 Talus Street Reserve Trust, 1 December 2014 meeting, that the Mayor Councillor Giles-Gidney did not vote as she was absent from the Chambers*
- *That Councillor T Mustaca be noted as having declared a non-significant, non-pecuniary interest in Item 21.4 – Talus Street Reserve Trust, 1 December 2014 meeting.*
- *That Councillor Norton be noted as having voted against the motion in Item 20.2 Notice of Motion: Century Venues The Concourse updated reports, 1 December 2014 meeting.*

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor H Eriksson submitted an apology for non-attendance and requested Leave of Absence from 31 January 2015 to 22 February 2015.
- Councillor S Coppock submitted an apology for non-attendance and requested Leave of Absence from 2 February 2015 to 26 February 2015.
- Councillor R Hill requested Leave of Absence for 9 February 2015, inclusive.

RESOLUTION

That:

1. Council note the absence of Councillor Eriksson and grant Leave of Absence from 31 January 2015 to 22 February 2015.
2. Council note the absence of Councillor Coppock and grant Leave of Absence from 2 February 2015 to 26 February 2015.
3. Council grant Leave of Absence to Councillor Hill for the 9 February 2015 inclusively.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

5 PETITIONS**5.1 PETITION REGARDING 153 VICTORIA AVENUE, CHATSWOOD – DA
2013/135**

Councillor Norton presented a petition from residents, expressing concern about the right-of-way along the rear of the residents' properties and the developer using the right-of-way.

RESOLUTION

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

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

6 OPEN FORUM

Mrs Lynn Eames spoke with respect to the planting of trees in front of 14 – 16 Talus Street.

7 MAYORAL MINUTE

MEETING DATE: 2 FEBRUARY 2015

DEATH OF LINDEN GULSON

I am saddened to advise of the passing of the Northbridge Progress Association Treasurer, Linden Gulson, on 4 January 2015.

Linden had been Treasurer of the Northbridge Progress Association for the past 12 months and had served on several other community organisations in recent years.

Linden was nominated and awarded a Rotary Community Service Award last year in appreciation for his work within the community. His citation for nomination read:

Linden is a chartered accountant and worked as an audit partner with KPMG before he retired 2007. Since then, as a volunteer he has used his expertise and experience to help numerous community organisations. Since 1990, at various times, he has acted as accountant, Finance Committee member or Treasurer for St Marks Kindergarten, 1st Northbridge Scouts and Northbridge Public School Tennis Committee. He is currently Treasurer of Northbridge Progress Association.

Over a six-year period until 2013, he was a member of the Finance Committee of Northbridge Golf Club whilst serving as Vice-President and then President of the Club.

Linden has been Chair of the Audit Committee of The Shore Foundation for 12 years and a Director since 2009. He was a mainstay of the Northbridge Branch of the Liberal Party, being a member of the Committee for 12 years and President for four years until 2013.

In all these volunteer roles, Linden has brought professional and managerial capacity to community organisations – large and tiny – that needed him. He has helped them to grow and prosper and kept them financially sound.

Linden died peacefully in Greenwich Hospital. He dealt with the 4 years of his illness amazingly well. His presence will be greatly missed in the community in general.

RESOLUTION

That a letter of condolence be sent to the family of the late Linden Gulson.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

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

Against: Nil

Council observed a minute's silence in memory of the late Linden Gulson.

7.2 2015 AUSTRALIA DAY HONOURS AWARDS**MEETING DATE: 2 FEBRUARY 2015**

Purpose of Report

To inform Council of the residents in Willoughby who received awards in the 2015 Australia Day Honours List.

MOTION

I am pleased to inform Council that the following residents were recognised in the 2015 Australia Day Honours Awards.

Member of the Order of Australia (AM)**BERAN, Professor Roy Gary**

Chatswood

For significant service to medicine, particularly neurology as a clinician, author and administrator, and to professional medical legal organisations.

CANFIELD, Emeritus Professor Paul John

Willoughby East

For significant service to veterinary science education, particularly in the field of morbid and anatomy and clinical pathology and to professional associations.

WATSON, Professor John Douglas

Castlecrag

For significant service to medicine in the field of neurology, to medical education and administration, and through mentoring roles.

Medal or the Order of Australia (OAM)**ANTELLA, Barry John**

Naremburn

For service to the surf lifesaving movement and a recipient of 100 surf lifesaving awards. Barry has been a volunteer surf life saver for over 20 years.

MILLAR, Mrs Alice June

Turrumurra

For service to the Anglican Church of Australia and to the community. Alice is a life member of the Willoughby Musical Society and was Willoughby Citizen of the Year in 2008. She has also served as a 'Pink Lady' at Hornsby Hospital for 20 years.

MILLAR, Keith Campbell

Turrumurra

For service to the Anglican Church of Australia and to the community. Keith is also a life member of the Willoughby Musical Society and he has been a volunteer for 2MBS-FM since 1980.

RESOLUTION

That Council congratulate the recipients on their awards in the 2015 Australia Day Honours List.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

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

Against: Nil

7.1 MAYOR'S DIARY - COUNCIL MEETING NOTES FOR 2 FEBRUARY 2015

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

TUESDAY 2 DECEMBER			
Mayor Crs Norton, Saville, Rutherford	11.15 am	Funeral for Dr Peter Kenny	Palm Chapel , Macquarie Park
Mayor Crs Norton, Rutherford	1 pm	Chatswood Ladies Probus Club Christmas Lunch	Chatswood RSL Club
WEDNESDAY 3 DECEMBER			
Mayor Crs Norton, Rutherford	1.30 pm	Volunteers Appreciation Day	The Concourse
Mayor	6.30 pm	Friendship Dinner – Republic of Korea	Consul-General's Residence
Mayor	8.30 pm	Orchid Society Christmas Party	Dougherty Centre
FRIDAY 5 DECEMBER			
Mayor	6 pm	ACCA Christmas Reception	The Eight Restaurant
SATURDAY 6 DECEMBER			
Cr Norton	9 am	FPA Meeting	Dougherty Centre
Mayor Cr Hill	9.45 am	Northbridge ASC Open Day	Northbridge Baths
Mayor Crs Hooper, Norton	11 am	Korean Open Door Event	28 Smith Street
Crs Norton, Saville		SCCG Meeting	Council Chambers
Mayor	4 pm	AAA Launch	Bonds Corner
Mayor Crs Norton, Saville	5.30 pm	Bushcare Christmas Party	Warners Park
Mayor Crs Norton, Rozos, Rutherford, Hooper	6.30 pm	Carols in the Park	Willoughby Park
MONDAY 8 DECEMBER			
Mayor	10.30 am	Tree of Joy Launch (Rotary)	Chatswood Chase

Mayor	12 noon	Chatswood Bowls Club Lunch	Chatswood Bowls Club
Mayor	5 pm	Chatswood Public School Presentation Evening	The Concourse
TUESDAY 9 DECEMBER			
Mayor	9 am	Willoughby Public School Presentation Day	WGHS Hall
Mayor	11.30 am	WCRA Site Visit and Party	Willoughby Hostel
Mayor	6.30 pm	Mowbray Public School Presentation Evening	School Hall
THURSDAY 11 DECEMBER			
Mayor	4.30 pm	Chatswood High School Presentation Evening	School Hall
FRIDAY 12 DECEMBER			
Mayor	12.30 pm	WGHS Presentation Day	The Concourse
Cr Norton	evening	Dance to the Nines	Dougherty Centre
SUNDAY 14 DECEMBER			
Mayor Crns Norton, Saville, Hooper	3 pm	WDHS Christmas Party	The Museum
MONDAY 15 DECEMBER			
Mayor Cr Hill	6 pm	Book Launch: <i>Northbridge ...</i>	Northbridge Library
TUESDAY 16 DECEMBER			
Mayor	10.30 am	Keenagers Christmas Party	Wby Uniting Church
Mayor Deputy Mayor: Cr Mustaca Crns Eriksson, Hill, Hooper, Rozos, Rutherford	6 pm	Corporate Christmas Reception: <i>Jingle and Mingle</i>	The Concourse
WEDNESDAY 17 DECEMBER			
Mayor Crns Hill, Hooper	5.30 pm	Minister Hockey's Christmas Drinks	Cammeray Golf Club
THURSDAY 18 DECEMBER			
Mayor	12.15 pm	RSL Christmas Lunch	Chatswood RSL Club

THURSDAY 18 DECEMBER (continued)			
Mayor Deputy Mayor: Cr Mustaca Crs Eriksson, Hill, Hooper, Norton, Rozos, Rutherford, Saville, Sloane, Stevens, Wright	5.30 pm	Community Christmas Reception	Chatswood Bowls Club
FRIDAY 19 DECEMBER			
Mayor Crs Hooper, Rozos	12 noon	WCC Staff Party	The Depot
FRIDAY 9 JANUARY			
Mayor		<i>Joseph and the Amazing Technicolor Dreamcoat</i>	The Concourse
WEDNESDAY 21 JANUARY			
Cr Norton	Morning	WSO performance of <i>Baby Prom</i>	The Concourse Pavilion
THURSDAY 22 JANUARY			
Mayor	2.15 pm	Children's Summer Reading Presentations	Library
SATURDAY 24 JANUARY			
Cr Norton	Evening	WSO: <i>Verdi's Requiem</i>	The Concourse
MONDAY 26 JANUARY			
Mayor Deputy Mayor: Cr Mustaca Crs Coppock, Eriksson, Hooper, Norton, Rozos, Rutherford, Saville, Sloane	9 am	Australia Day Celebrations	The Concourse Pavilion
Cr Saville	12.30 pm	Yabun Festival	City
TUESDAY 27 JANUARY			
Mayor	2.30 pm	Mayoral Round Table – Greater Sydney Commission	Park Royal Hotel, Parramatta

SATURDAY 31 JANUARY			
Crs Norton, Saville	9 am	FPA Meeting	Dougherty Centre

RESOLUTION

That the Mayoral report be received.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

8 GENERAL MANAGER'S LATE REPORT

The General Manager will present her Report in the Confidential Section of the Meeting.

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

NIL

10 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 12.4 Planning Proposal for 654 – 666 Pacific Highway, 2A Oliver Road and 1 Freeman Road, Chatswood

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 12.5 Traffic Committee Minutes – 26 November 2014
- Item 16.1 Delivery Program 2013-2017 and Long Term Financial Plan
- Item 16.2 Investments and Loan Borrowings as at November 2014
- Item 16.5 Provision of Legal Services – Planning – Tender 085754
- Item 16.7 Administering Council's 2016 Ordinary Elections
- Item 17.1 Willoughby Commemorative Activities – 150 Years
- Item 18.1 191 Penshurst Street, North Willoughby – DA 2014/434
- Item 18.2 Sale of Land – Adjoining 1 Hallstrom Close & 3 Coolawin Road, Northbridge
- Item 18.3 Development Application Report to 26 January 2015
- Item 18.4 Applications Determined Under Delegated Authority for the Month of December 2014
- Item 20.1 Notice of Motion: Fossil Fuel Aligned Financial Institutions
- Item 20.2 Notice of Motion: Chatswood CBD Christmas Trading Hours

RESOLUTION

That the remaining items, viz:

- Item 12.1 Companion Animals Advisory Committee Meeting
- Item 12.2 Global Friendship Committee Meeting held 27 November 2014
- Item 12.3 Audit Committee Meeting Minutes – 19 November 2014
- Item 12.6 Ward Councillor Meetings held during Recess
- Item 14.1 Councillor Information Booklets 15, 22 & 29 January 2015
- Item 15.1 Matters Dealt with under Delegated Authority
- Item 16.3 Tender Summary – Thomson Park Design and Construction of Synthetic Sportsground Surfacing and Associated Works – Tender No. 083286
- Item 16.4 Legal Services Tender – Planning Category – Tender No. 085754
- Item 16.6 Supply, Installation and Commissioning of CCTV Systems – Tender No. 085056
- Item 18.5 Gore Hill Park Recreation Development Architectural Services – Tender No. 087157

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

12 REPORTS FROM COMMITTEES

12.1 COMPANION ANIMALS ADVISORY COMMITTEE MEETING - MINUTES

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR
AUTHOR:	DARIUS TURNER - CORPORATE PLANNING COORDINATOR
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

To list on the agenda the minutes of the Companion Animals Advisory Committee Meeting held 9 December 2014.

RESOLUTION

That:

- 1. The Minutes be received.**
- 2. Council adopt the Committee's recommendations.**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

12.2 GLOBAL FRIENDSHIP COMMITTEE MEETING HELD 27 NOVEMBER 2014

ATTACHMENTS:	1. MINUTES - GLOBAL FRIENDSHIP COMMITTEE MEETING - 27 NOVEMBER 2014
RESPONSIBLE OFFICER:	MELANIE SMITH - COMMUNITY SERVICES DIRECTOR
AUTHOR:	MELANIE SMITH - COMMUNITY SERVICES DIRECTOR
CITY STRATEGY LINK:	1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED
MEETING DATE:	02 FEBRUARY 2015

Purpose of Report

To present Council with the minutes of the Global Friendship Committee meeting held 27 November 2014.

RESOLUTION

That the minutes of the Global Friendship Committee meeting held 27 November 2014 be received and noted.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

12.3 AUDIT COMMITTEE MEETING MINUTES - 19 NOVEMBER 2014

ATTACHMENTS:	1. MINUTES OF AUDIT COMMITTEE MEETING HELD 19 NOVEMBER 2014
RESPONSIBLE OFFICER:	TONY PIZZUTO - FINANCIAL SERVICES DIRECTOR
AUTHOR:	TONY PIZZUTO - FINANCIAL SERVICES DIRECTOR
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

To provide Council with the Minutes of the Audit Committee meeting held on 19 November 2014.

RESOLUTION

That the Minutes of the Audit Committee Meeting held on 19 November 2014 be received and noted.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

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

ATTACHMENTS:	<ol style="list-style-type: none">1. PREVIOUS REPORT TO COUNCIL DATED 24 NOVEMBER 20142. SUMMARY OF SUBMISSIONS WITH COMMENTS3. DRAFT VOLUNTARY PLANNING AGREEMENT AND EXPLANATORY NOTE4. DRAFT WILLOUGHBY DEVELOPMENT CONTROL PLAN SECTION E3.45. ELEVATION SHADOW DIAGRAMS SHOWING OVERSHADOWING ON EASTERN ELEVATION OF 3-5 FREEMAN ROAD6. MINUTES OF WEST WARD COUNCILLORS INSPECTION COMMITTEE MEETING DATED 10 DECEMBER 20147. SUMMARY OF ADDITIONAL SUBMISSIONS WITH COMMENTS
RESPONSIBLE OFFICER:	LINDA MCCLURE – STRATEGIC PLANNING MANAGER
AUTHOR:	CRAIG O'BRIEN – STRATEGIC PLANNER
CITY STRATEGY LINK:	3.1.1 PLAN FOR HOUSING CHOICE
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

The purpose of this report is to refer to Council for consideration the Planning Proposal, draft Voluntary Planning Agreement and draft amendments to Willoughby Local Environmental Plan 2012 and to Willoughby Development Control Plan Section E3.4, 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 follows the referral by Council of the matter to a Ward Committee Meeting, prior to its referral back to Council for consideration of the recommendation of the officer's report to the Council Meeting of 24 November 2014.

It is recommended that Council consider and adopt the recommendation of the report of 24 November 2014 to support the Planning Proposal, and the planning instruments accordingly and support the Voluntary Planning Agreement.

AMENDMENT

That:

- 1. The Minutes of the West Ward Councillors Inspection Committee Meeting dated 10 December 2014 be received.**

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.
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 and adopt draft Willoughby Development Control Plan Section E3.4 for the site at Attachment 4 to the officer’s report, subject to the following amendments:
 - (a) Proposed awnings and verandas fronting the Pacific Highway be setback a minimum of 1.5 metres from the future kerb (associated with the proposed road widening affectation).
 - (b) Proposed awnings and verandas fronting Oliver Road be setback a minimum of 1.5 metres from the future kerb (associated with the proposed road widening affectation).
 - (c) Jenkins Street is not to be used by trucks accessing or exiting the site.
 - (d) A development application will require an updated assessment of traffic controls and truck routes at the time of lodgement.

5. Council support the draft Voluntary Planning Agreement accompanying the Planning Proposal for the site.
6. That delegated authority be granted to the General Manager and the Mayor to finalise and enter into the planning agreement offered by the applicant.
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 MUSTACA

SECONDED COUNCILLOR STEVENS

LOST

Voting

For the Amendment: Councillors Giles-Gidney, Hooper, Mustaca, Rozos and Stevens

Against: Councillors Hill, Norton, Rutherford, Saville, Sloane and Wright.

MOTION

That the matter be deferred to the next Transport, Traffic and Environment Committee Meeting.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Councillors Mustaca, Rozos and Stevens.

12.5 TRAFFIC COMMITTEE MINUTES - 26 NOVEMBER 2014

ATTACHMENTS:	1. TRAFFIC COMMITTEE MINUTES OF 26 NOVEMBER 2014
RESPONSIBLE OFFICER:	PAUL COLLINGS - ACTING DIRECTOR INFRASTRUCTURE SERVICES
AUTHOR:	MICHAEL FOSKETT - ACTING GROUP LEADER TRAFFIC & TRANSPORT
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

To advise Council of the outcome of the latest Traffic Committee Meeting held on 26 November 2014.

RESOLUTION

- 1. That the recommendations arising from the November 2014 Traffic Committee Meeting be received and adopted.**
- 2. With respect to Item 4.1 that a review of traffic be undertaken in Dulwich Road and Tessa Street after the child care centre at Morrisons has opened for operation.**

MOVED COUNCILLOR SAVILLE**SECONDED COUNCILLOR STEVENS****CARRIED****Voting**

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

Against: Nil

12.6 WARD COUNCILLOR MEETINGS HELD DURING RECESS

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR
AUTHOR:	TRISHA DUFFY
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

To list the minutes of the Ward Councillor Meetings held during the recess of Council.

The following properties were the subject of a Ward Meeting:

- 14 The Rampart, Castlecrag 4 December 2014
- 654-666 Pacific Highway, 1 Freeman & 2A Oliver Roads, Chatswood 10 December 2014
- 8 Cove Circuit, Castle Cove 11 December 2014
- 12 Plunkett Street, Naremburn 15 December 2014
- 56 Tyneside Avenue, N Willoughby 19 December 2014

RESOLUTION

That:

- 1. The Minutes be received.**
- 2. Council note the resolutions of the Committees.**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

14.1 COUNCILLOR INFORMATION BOOKLETS - 15, 22 & 29 JANUARY 2015

RESPONSIBLE OFFICER: TRACEY CROUCH - ACTING GENERAL MANAGER

AUTHOR: TRISHA DUFFY

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

MEETING DATE: 2 FEBRUARY 2015

Purpose of Report

To list on the Council Agenda the weekly Councillors Information Booklet, circulated to all Councillors on 15, 22 and 29 January 2015.

RESOLUTION

That the Councillors Information Booklets be received.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

15 REPORTS FROM OFFICERS - GENERAL MANAGER

15.1 MATTERS DEALT WITH UNDER DELEGATED AUTHORITY

RESPONSIBLE OFFICER:	TRACEY CROUCH – CORPORATE SUPPORT AND PERFORMANCE DIRECTOR
AUTHOR:	VLADIMIR GREPL – ACTING ADMINISTRATIVE SERVICES MANAGER
CITY STRATEGY LINK:	6.2.1 A COMMUNITY THAT IS INFORMED OF KEY COUNCIL POLICIES, SERVICES AND ACTIVITIES AND CAN PARTICIPATE IN THE DECISION MAKING PROCESS
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

To report to Council on matters dealt with by the Mayor and General Manager under delegated authority during the Christmas/New Year period.

RESOLUTION

That Council receives the report.

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

16 REPORTS FROM OFFICERS - CORPORATE SERVICES DIRECTOR

16.1 DELIVERY PROGRAM 2013-2017 AND LONG TERM FINANCIAL PLAN

ATTACHMENTS:	1. DELIVERY PROGRAM 2013-2017 (PAGES 22 & 26 ONLY) 2. LONG TERM FINANCIAL PLAN 3. SUMMARY OF SUBMISSIONS (ALL DISTRIBUTED UNDER SEPARATE COVER)
RESPONSIBLE OFFICER:	TONY PIZZUTO - FINANCIAL SERVICES DIRECTOR
AUTHOR:	MARK MCDONALD - FINANCIAL SERVICES MANAGER AND DARIUS TURNER – CORPORATE PLANNING & GOVERNANCE CO-ORDINATOR
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

To adopt the Delivery Program 2013-2017 and Long Term Financial Plan that were updated in November 2014 to reflect the Council's decision on 10 November 2014, to apply to the Independent Regulatory Tribunal (IPART) for an Infrastructure Levy (Special Rate Variation) to commence in 2015/2016.

RESOLUTION

That Council adopts the Delivery Program 2013-2017 and Long Term Financial Plan.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

16.2 INVESTMENTS AND LOAN BORROWINGS AS AT NOVEMBER 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:	2 FEBRUARY 2015

Purpose of Report

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

RESOLUTION

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

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

16.3 TENDER SUMMARY - THOMSON PARK DESIGN AND CONSTRUCTION OF SYNTHETIC SPORTSGROUND SURFACING AND ASSOCIATED WORKS - TENDER NO. 083286

RESPONSIBLE OFFICER:	PAUL COLLINGS - ACTING INFRASTRUCTURE SERVICES DIRECTOR
AUTHOR:	MELANIE COWLES - RECREATION PROJECTS OFFICER
CITY STRATEGY LINK:	1.3.2 HEALTHY LIVING AND WELLBEING ARE ENCOURAGED
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

To consider the tender proposals for the design and construction of the Thomson Park synthetic surfacing and associated works and to recommend a successful tenderer.

RESOLUTION

That:

- 1. Council accept Polytan Asia Pacific Pty Ltd as the preferred tenderer for the Design and Construction of the Thomson Park Synthetic Sportsground Surfacing and Associated Works.**
- 2. Council commence negotiation with Polytan Asia Pacific Pty Ltd for the purpose of refining the design and to provide finalised prices to a maximum project cost of \$1.2 million.**
- 3. The Mayor and General Manager be authorised to enter into contract should negotiations be satisfactorily completed.**
- 4. Tenderers be informed of Council's decision.**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

**16.4 LEGAL SERVICES TENDER - PLANNING CATEGORY - TENDER NO.
085754****RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND
PERFORMANCE DIRECTOR****AUTHOR: DAVID PAGE****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE
AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 2 FEBRUARY 2015**

Purpose of Report

To advise Council of the tenders received for the Legal Services – Planning Category Tender.

RESOLUTION

That the information be noted.

MOVED COUNCILLOR HOOPER**SECONDED COUNCILLOR SLOANE****CARRIED****Voting**

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

Against: Nil

16.5 PROVISION OF LEGAL SERVICES - PLANNING - TENDER 085754**RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR****AUTHOR: TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 2 FEBRUARY 2015**

Purpose of Report

To seek Councils approval to enter into a Contract for an additional legal firm to join Council's Planning Panel.

RESOLUTION**That Council:**

- 1. Accepts the Tender of Wilshire Webb Staunton Beattie Lawyers to provide Legal Services - Planning (together with HWL Ebsworth Lawyers) for the period to 30 September 2017 with an option for a further two years in accordance with Clause 178 of the Local Government (General) Regulation 2005.**
- 2. Authorise the Mayor and General Manager to sign and execute the necessary documents.**

MOVED COUNCILLOR MUSTACA**SECONDED COUNCILLOR SAVILLE****CARRIED****Voting****For the Resolution:** Councillors Giles-Gidney, Hill, Hooper, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane, Stevens and Wright.**Against:** Nil

**16.6 SUPPLY, INSTALLATION & COMMISSIONING OF CCTV SYSTEMS -
TENDER NO. 085056****RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND
PERFORMANCE DIRECTOR****AUTHOR: DAVID PAGE****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE
AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 2 FEBRUARY 2015**

Purpose of Report

To advise Council of the tenders received for the Supply, Installation and Commissioning of CCTV Systems.

RESOLUTION

That the information be noted.

MOVED COUNCILLOR HOOPER**SECONDED COUNCILLOR SLOANE****CARRIED****Voting**

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

Against: Nil

16.7 ADMINISTERING COUNCIL'S 2016 ORDINARY ELECTIONS

RESPONSIBLE OFFICER:	TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR
AUTHOR:	VLADIMIR GREPL - ACTING ADMINISTRATIVE SERVICES MANAGER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

To engage the New South Wales Electoral Commission to administer Council elections, council polls and constitutional referenda.

RESOLUTION**That Council:**

- 1. Enters into an election arrangement by contract for the Electoral Commissioner to administer all elections of the Council pursuant to s. 296(2) and (3) of the *Local Government Act 1993 (NSW)* (“the Act”);**
- 2. Enters into a poll arrangement by contract for the Electoral Commissioner to administer all council polls of the Council, pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, and**
- 3. Enters into a constitutional referendum arrangement by contract for the Electoral Commissioner to administer all constitutional referenda of the Council. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18.**

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

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

Against: Nil

17 REPORTS FROM OFFICERS - COMMUNITY SERVICES DIRECTOR

17.1 WILLOUGHBY COMMEMORATIVE ACTIVITIES - 150 YEARS

RESPONSIBLE OFFICER: MELANIE SMITH - COMMUNITY SERVICES DIRECTOR

AUTHOR: MELANIE SMITH - COMMUNITY SERVICES DIRECTOR

CITY STRATEGY LINK: 1.1.1 COMMUNITY SPIRIT & A SENSE OF BELONGING ARE FOSTERED

MEETING DATE: 2 FEBRUARY 2015

Purpose of Report

To provide an update on Council's plans to commemorate the 150 year anniversary of the City of Willoughby.

RESOLUTION

That Council endorses the proposed program of activities.

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

18 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR

18.1 191 PENSHURST STREET, NORTH WILLOUGHBY - DA 2014/434

ATTACHMENTS: 1. NOTIFICATION MAP
2. PLANS AND ELEVATIONS

MEETING DATE: 2 FEBRUARY 2015

RECOMMENDATION: APPROVAL

LOCATION: 191 PENSHURST STREET, NORTH WILLOUGHBY

APPLICANT: WILLOUGHBY CITY COUNCIL

OWNER: WILLOUGHBY CITY COUNCIL

PROPOSAL: CHANGE OF USE TO RESIDENTIAL DWELLING AND ALTERATIONS & ADDITIONS TO REAR OF EXISTING HERITAGE LISTED BUILDING.

DATE OF LODGEMENT: 10 OCTOBER 2014

VALID APPLICATION DATE: 31 OCTOBER 2014 (END OF NOTIFICATION)

REPORTING OFFICER: ANA VISSARION – DEVELOPMENT PLANNER

RESPONSIBLE OFFICER: IAN ARNOTT - DEVELOPMENT PLANNING MANAGER

DESCRIPTION OF PROPOSAL

The development application proposes internal alterations and rear additions to the existing building at 191 Penshurst Street along with a change of use of the premises into a residential dwelling. The dwelling will remain single storey and will comprise of entry, combined lounge, dining and family room with open kitchen, bathroom and laundry, three (3) bedrooms (main with en-suite), rear decks. The proposal also includes a new two space car stand with rear vehicular access from Legion Way.

The subject site is identified under WLEP 2012 as a local heritage item. It was formally a Baby Health Centre designed by Eric Nicholls, a renowned local architect. The application is reported to Council as Willoughby Council is both owner and the applicant of the development.

RESOLUTION

1. That the application be **APPROVED** and delegated authority be granted to the General Manager to issue the consent notice subject to the attached conditions.

2. That a report be brought back to Council on the sale or lease of the property.

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

SCHEDULE OF CONDITIONS

Conditions of Consent: (Including reasons for such conditions)

CONSENT IDENTIFICATION

The following condition provides information on what forms part of the Consent.

1. Approved Plan/Details

The development must be in accordance with the following plans:

Type	Plan No.	Revision / Issue No	Plan Date (as Amended)	Date Stamped by Council	Prepared by
arch	A01, A02, A03,	A	10 Dec 2013	10 Oct 2014	BDT Design
arch	A02, A03, A04	B	25 Feb 2014	10 Oct 2014	BDT Design
arch	A02	C	18 Sept 2014	10 Oct 2014	BDT Design
Land.	L-CD-01 (P1)	A	2 Oct 2014	10 Oct 2014	ARTERRA Design Pty Ltd
Land. Calc.	L-CD-03	C	15 Jan 2015	22 Jan 2015	ARTERRA Design Pty Ltd

the application form and any other supporting documentation submitted as part of the application, except for:

- a) any modifications which are "Exempt Development" as defined under S76(2) of the Environmental Planning and Assessment Act 1979;
- b) otherwise provided by the conditions of this consent.
(Reason: Information and ensure compliance)

PRIOR TO MAKING AN APPLICATION FOR A CONSTRUCTION CERTIFICATE

The following conditions are to be complied with before any Construction Certificate Application is made to the Certifying Authority.

2. Submit the Following Information to Willoughby City Council - Heritage

Prior to the lodgement of an application for a construction certificate, the applicant shall submit plans and specifications satisfying the following requirements to Willoughby City Council for approval.

- (a) New doors and windows on the eastern elevation are to be redesigned such that the style, proportions and grouping closely matches those of existing fenestration.

Details incorporating these changes are to be submitted to and approved by Council's Heritage Architect.

- (b) The corrugated plastic inside perforated rendered screen to Entry is to be removed.
- (c) Air conditioning vents and associated equipment are to be resited to reduce visual impact from public domain.
- (d) Remove exterior exposed wiring and conduits. In this regard new services must be designed and constructed to cause minimum damage to significant fabric and to be able to be removable at a later date.
- (e) The building name on west (front) elevation shall be retained.

Details incorporating the changes above are to be shown on the construction certificate plans; all changes above must be submitted to and approved in writing by Council's Heritage Architect.

A letter confirming that the documentation is approved by Willoughby City Council, shall then be submitted to the certifying authority for the application of a construction certificate.

(Reason: Heritage conservation and Ensure compliance)

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate.

3. Additional Details and/or Information for Construction Certificate

Any requirements outlined by conditions of this consent requiring changes to be noted on plans and/or information to be submitted including compliance with the Building Code of Australia are to be incorporated within the Construction Certificate plans and/or documentation.

(Reason: Ensure compliance)

4. External Finishes – Heritage Character

All external building material shall be in colours and textures, which are compatible with the heritage character of the dwelling and of the locality.

In this regard a schedule of these colours and textures shall be submitted to the Principal Certifying Authority. The brickwork to infill of doorway on northern elevation either to match or be similar to existing brickwork and new tiling to entry stairs and landings to be based on design and colours of existing tiling.

(Reason: Visual amenity)

5. Revised Architectural Plans

Prior to issue of any Construction Certificate, the applicant shall submit, for approval by the Accredited Certifier, revised architectural plans showing the following:

1. The proposed double parking spaces shall be setback 1 metre from the property boundary in Legion Way.
2. The proposed swing gates shall be replaced with sliding gate. The overall height of the gates shall not be greater than 1 metre.

(Reason: Ensure compliance)

6. Damage Deposit

The applicant shall lodge a Damage Deposit of \$5,000 (GST Exempt) as cash, cheque or an unconditional bank guarantee, to Council against possible damage to Council's asset during the course of the building works. The deposit will be refundable subject to inspection by Council after the completion of all works relating to the proposed development. For the purpose of inspections carried out by Council Engineers, an inspection fee of \$66 (GST Exempt) is payable to Council. Any damages identified by Council shall be restored by the applicant prior to release of the Damage Deposit.

(Reason: Protection of public asset)

PRIOR TO COMMENCEMENT

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. All of these conditions are to be complied with prior to the commencement of any works on site.

7. Waste Management Plan

A Construction and Demolition Waste Management Plan which provides details of specific strategies to salvage and recycle a minimum of 85% of used and unused demolition and construction materials shall be submitted to the Principal Certifying Authority.

(Reason: Environment protection/waste reduction)

8. Report Existing Damages on Council's Property

Prior to commencement of any works on site, the applicant shall notify Council in writing with digital photographs of any existing damages to Council's assets fronting the property and the immediate adjoining properties. Failure to do so will result in the applicant being liable for any construction related damages to these assets. In this respect, the damage deposit lodged by the applicant may be used by Council to repair such damages.

(Reasons: Protection of Council's Infrastructure)

9. Permits and Approvals Required

Application is to be made to Council's Infrastructure Services Division for the following approvals and permits as appropriate:-

- a) Permit to erect Builder's hoarding where buildings are to be erected or demolished within 3.50m of the street alignment. Applications are to include current fees and are to be received at least 21 days before commencement of the construction.
- b) Permit to stand mobile cranes and/or other major plant on public roads. Applications are to include current fees and security deposits and are to be received at least seven days before the proposed use. It should be noted that the issue of such permits may also involve approval from the NSW Police

Force and the RTA. A separate written application to work outside normal hours must be submitted for approval.

It should also be noted that, in some cases, the above Permits may be refused and temporary road closures required instead which may lead to longer delays due to statutory advertisement requirements.

- c) Permit to open public roads, including footpaths, nature strip, vehicular crossing or for any purpose whatsoever. All applications are to include current fees.
- d) Permit to place skip/waste bin on footpath and/or nature strip. (Maximum three (3) days).
- e) Permit to work and/or place building materials on footpath and/or nature strip. (Maximum two (2) weeks).
- f) Permit to establish Works Zone on Public Roads adjacent to the Development including use of footpath area. Applications must be received by Council at least twenty-one days prior to the zone being required.

The application will then be referred to the Council's Local Traffic Committee for approval, which may include special conditions.

- g) Permit to construct vehicular crossings over Council's footpath, road or nature strip.
(Reason: Legal requirements)

10. Application for Vehicle crossing

Submit an application with fees to Council for the construction of a plain concrete vehicular crossing.

(Reason: Protection of public asset)

DURING DEMOLITION, EXCAVATION AND CONSTRUCTION

The following conditions are to be complied with throughout the course of site works including demolition, excavation and construction.

11. Hours of Work

All construction/demolition work relating to this Development Consent within the City must be carried out only between the hours of 7 am to 5 pm Mondays to Fridays and 7 am to 12 noon on Saturdays. No work is permitted on Sundays or Public Holidays.

An application under Section 96 of the Environmental Planning and Assessment Act for a variation to these approved hours must be lodged with Council at least 3 working days in advance of the proposed work. The application must include a statement regarding the reasons for the variation sought and must be accompanied by the required fee.

Note: This S96 application may require re-notification in some circumstances.
(Reason: Ensure compliance and amenity)

12. Construction Information Sign

A clearly visible all weather sign is required to be erected in a prominent position on the site detailing:

- (a) that unauthorised entry to the work site is prohibited;
- (b) the excavator's and / or the demolisher's and / or the builder's name;
- (c) contact phone number/after-hours emergency number;
- (d) licence number;
- (e) approved hours of site work; and
- (f) name, address and contact phone number of the Principal Certifying Authority (if other than Council)

ANY SUCH SIGN IS TO BE REMOVED WHEN THE WORK HAS BEEN COMPLETED.

Council may allow exceptions where normal use of the building/s concerned will continue with ongoing occupation, or the works approved are contained wholly within the building.

(Reason: Ensure compliance)

13. Building Site Fencing

Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary safety fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5m). Temporary fences are to have a minimum height of 1.8m and be constructed of cyclone wire or similar with fabric attached to the inside of the fence to provide dust control.

Fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place and be maintained throughout construction.

(Reason: Safety)

14. Provide Erosion and Sediment Control

Erosion and sediment control devices shall be provided whilst work is being carried out in order to prevent sediment and silt from site works (including demolition and/or excavation) being conveyed by stormwater into Council's stormwater system natural watercourses, bushland and neighbouring properties. In this regard, all stormwater discharge from the site shall meet the requirements of the Protection of Environment Operations Act 1997 and the Department of Environment, Climate Change and Water guidelines. The control devices are to be maintained in a serviceable condition AT ALL TIMES.

(Reason: Environmental protection)

15. Suitable Screens

Suitable screens and/or barricades shall be erected during demolition and building work and where required by the principal certifying authority to reduce the emission of noise, dust, water effluent or other matter from the site.

(Reason: Maintain amenity to adjoining properties)

16. Demolition Work AS 2601

Demolition works being carried out in accordance with the requirements of AS 2601 "The demolition of structures".

(Reason: Safety)

17. Suitable Footpath Crossing Provided

Adequate provision is to be made to ensure that a suitable footpath crossing is provided to the site so as to allow safe pedestrian access along the footpath area at all times.

(Reason: Protection of public safety)

18. Access to Site

During Demolition, Excavation and Construction, access to the site is to be available in all weather conditions, and stabilised to prevent vehicles tracking soil materials onto public roads.

(Reason: Environmental protection)

19. Asbestos Sign to be Erected

On sites involving demolition or alterations and additions to building where asbestos cement is being repaired, removed or disposed of a standard commercially manufactured sign not less than 400mm x 300mm containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" is to be erected in a prominent visible position on the site. The sign is to be erected prior to the commencement of works and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility.

(Reason: Public Health and safety/Ensure compliance)

20. Neighbour Notification of Asbestos Removal

The applicant/builder is to notify the adjoining residents five working days prior to demolition works involving removal of asbestos. Such notification is to be clearly written, giving the date work will commence, Work Cover NSW phone number 131 050, Councils phone number 9777 1000.

This notification is to be placed in the letterbox of every property (including every residential flat or unit) either side and immediately at the rear of the site.

(Reason: Public health)

21. Asbestos Removal

Works involving the removal of asbestos must comply with Councils Policy on handling and disposal of asbestos, and must also comply with the Code of Practice for Safe Removal of Asbestos (National Occupational Health and Safety Commission 2012 (1994)).

Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS 2601 – The Demolition of Structures.
(Reason: Public health and safety/Ensure compliance)

22. Asbestos Disposal

All asbestos laden waste, including bonded or friable asbestos must be disposed of at a waste disposal site approved by the NSW Department of Environment, Climate Change and Water.

Upon completion of the asbestos removal and disposal the applicant must furnish the Principal Certifying Authority with a copy of all receipts issued by the waste disposal site as evidence of proper disposal.
(Reason: Environmental protection/Public health and safety)

23. Survey Certificate

Certification of the following shall be submitted to the Principal Certifying Authority by a registered surveyor:

- a) At completion indicating the relation of the building and any projections to the boundaries, and that the building has been erected to the levels approved in the Development Application.

(Reason: Ensure compliance)

24. Road and Footpath

Council's footpath, nature strip or roadway not being damaged and shall be kept clear at all times.

(Reason: Maintain public safety)

25. No Storage on Foot/Roadway

Building materials, plant and equipment and builder's waste, are not to be placed or stored at any time on Council's footpath, nature strip or roadway adjacent to building sites unless prior written approval has been granted by Council.

(Reason: Safety)

26. Skips and Bins

Rubbish skips or bins are not to be placed on Council's footpath, nature strip or roadway unless prior written approval has been granted by Council.

(Reason: Safety)

27. Temporary Toilet Facilities

Temporary toilet facilities shall be provided to the satisfaction of the Principal Certifying Authority.

The provision of toilet facilities must be completed before any other work is commenced on site. NOTE: Portable toilet facilities are not permitted to be placed on public areas without prior approval having been obtained from Council.

(Reason: Health and amenity)

28. Sweep & Clean Pavement

Sweep and clean pavement surface adjacent to the ingress and egress points of earth, mud and other materials at all times and in particular at the end of each working day or as directed by Council.

(Reason: Legal requirement)

29. Street Signs

The applicant is responsible for the protection of all regulatory / parking / street signs fronting the property. Any damaged or missing street signs as a consequence of the development and associated construction works are to be replaced at full cost to the applicant.

(Reason: Protection of public assets)

30. Tree Protection

- i) Retain and protect the following trees and vegetation throughout the demolition and construction period: All trees not indicated as removed on the approved plans.
- ii) The above trees must be clearly marked and protection devices in place to prevent soil compaction and machinery damage.
- iii) Tree roots greater than 50mm diameter from protected trees are not to be removed unless approved by a qualified Arborist on site. All structures are to bridge roots unless directed by a qualified Arborist on site.
- iv) Tree protection measures must comply with the AS 4970-2009 Protection of trees on development sites.

(Reason: Tree management)

31. Public Tree Protection

Unless identified by the development consent, no tree roots over 50mm diameter are to be damaged or cut and all structures are to be bridged over such roots.

Should any problems arise with regard to the existing or proposed trees on public land during the construction or bond period, the applicant is to immediately Contact Council's Open Space section and resolve the matter to Council's satisfaction.

(Reason: Tree management)

32. Storage of Materials on Council Land Prohibited

The dumping or storage of building materials, spoil, vegetation, green waste, or any other material in the Council reserve is prohibited.

(Reason: Safety, environmental protection)

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an occupation certificate.

33. Automatic Fire Detection

Provision of an automatic fire detection and alarm system complying with Part 3.7.2 of the Housing Provisions or smoke alarms complying with AS 3786 or listed in the SSL Register of Accredited Products, connected to the mains electricity and having a stand-by power supply. Smoke alarms must be interconnected and installed in a class 1 building on or near the ceiling in:

- a) any storey containing bedrooms
 - i) between each part of the dwelling containing bedrooms and the remainder of the dwelling.
 - ii) where the bedrooms are served by a hallway, in the hallway.
- b) any other storey not containing bedrooms.

(Reason: Safety)

34. BASIX Certificate

A completion certificate is to be submitted to the Principal Certifying Authority demonstrating the manner in which the measures committed to in the latest BASIX Certificate have been satisfied.

(Reason: Environmental sustainability)

35. Registration of Plan of Consolidation

All individual allotments involved in the development site being consolidated into a single allotment and evidence of the registration of the plan of consolidation to be submitted to Council.

(Reason: Ensure compliance)

36. Rainwater Re-use – Minor

The applicant shall supply and install rainwater re-use tanks with a minimum storage volume of 3m³ in accordance with Sydney Water's requirements and Council's DCP and Technical Standards. The rainwater reuse tank system shall be connected to supply non-potable use including landscape irrigation and car washing. The rainwater tank shall be located behind the front alignment of the building to which the tank is connected.

(Reason: Ensure compliance and conserve natural resources)

37. Vehicular Access

Construct a new vehicular access including the replacement of the existing kerb and gutter and associated 1.5 metres road restoration as directed by Council's Engineers. All works shall be carried out in accordance with Council's specification AUS-SPEC C271 and Council's Standard Drawing SD105 - Council Vehicular Footpath Crossing and Kerb and Gutter details and any approved longitudinal sections.

A separate application for the crossing including current fees and charges is to be submitted for approval by Council.

The new vehicular access is to be 4.8 metres wide with no splays and is to be constructed at right angles to the street kerb in plain concrete. The edge of the new

access shall be located at least 6 metres from the kerb return and no closer than 1 metre from the adjoining property boundary.

For the design levels of the vehicular crossing at the property boundary, the following shall be complied with:

- At back of layback – 100 mm above and parallel to the gutter invert.
- At property boundary – 120 mm above and parallel to the gutter invert.

The existing kerb and gutter and associated 1.5 metres wide road pavement on both sides of the new vehicular access shall be adjusted for a minimum distance of 2 metres. The suitability of the grade of driveway inside the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels.

All adjustments to the nature strip, footpath and/or public utilities' mains and services as a consequence of the development and any associated construction works shall be carried out at the full cost to the Applicant. All driveway grades and transitions must comply with AS/NZS 2890.1.

Vehicular Crossing Formwork Inspection Sheet shall be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.
(Reason: Public amenity)

38. Removal of Redundant Crossings

Remove all redundant crossings together with any necessary works and reinstate the footpath, nature strip and kerb and gutter accordingly. Such work shall be carried out in accordance with Council's specification.

Vehicular Crossing Formwork Inspection Sheet shall be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.
(Reason: Public amenity)

39. Tree Planting

Trees are to be planted in accordance with the following table:

No. Required	Species	Location	Min Pot Size
All trees	As indicated on Landscape Concept Plan Dwg No. L-CD-01 Rev.A dated 2/10/14 prepared by Arterra	As indicated on the Landscape Plan	As indicated on the Landscape Plan

(Reason: Landscape Amenity)

40. Completion of Landscape Works

The approved landscape works are to be consistent with the approved design, completed to a professional standard, consistent with industry best practice and published standards.

(Reason: Landscape amenity)

ADDITIONAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land, and relevant legislation.

41. Erection Wholly within the Boundaries

All works (with the exception of any works approved under S138 of the Roads Act 1993) including footings, shall be erected wholly within the boundaries of the property.

(Reason: Ensure compliance)

42. Heritage – Maintain Portion of Existing Building

Should any portion of the existing building which is indicated on the approved plans to be retained be damaged, all the works on-site are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained. **FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CONDITION OF CONSENT WILL RESULT IN THE CONSENT BECOMING VOID.**

(Reason: Heritage conservation and Ensure compliance)

43. Stormwater Kerb Outlet

New stormwater connection outlets at street kerb shall be made using 125x75x4 galvanised Rectangular Hollow Section (RHS). Where there are multiple outlets required, a minimum distance of 100mm shall separate these outlets. A grated drainage pit (min. 600mm x 600mm) shall be provided within and adjacent to the property boundary prior to discharging to the Council's drainage system.

(Reason: Protection of public asset)

44. Vehicular Access and Garaging

Driveways and vehicular access ramps shall be designed to provide adequate ground clearance to the underside of B85 vehicles. In all respects, the proposed vehicle access and/or parking spaces shall be designed and constructed to comply with the minimum requirements of AS/NZS 2890.1 and Council's standard specification.

(Reason: Vehicular access)

45. Underground Utility Services

Locate and establish the size and levels of all utility services in the footpath and road reserve. Contact "Dial Before You Dig" Service" prior to commencement of any works.

All adjustments to public utilities' mains and services as a consequence of the development and associated construction works shall be at the full cost to the applicant.

(Reason: Protection of utilities)

46. Public Infrastructure Restoration

Prior to the release of the Damage Deposit, any damaged public infrastructure caused as a result of the construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete delivery vehicles) must be fully repaired in accordance with Council's specification and AUS-SPEC at no cost to Council.

(Reason: Protection of public assets)

47. Trees on Adjoining Properties

No approval is given for the removal or pruning of trees on the nature strip, adjoining reserves, or neighbouring private land.

(Reason: Environmental protection)

PRESCRIBED CONDITIONS

The following conditions are prescribed by S80A of the Environmental Planning & Assessment Act for developments involving building work.

48. Compliance with Building Code of Australia

All building works must be carried out in accordance with the performance requirements of the Building Code of Australia.

(Reason: Compliance)

STATUTORY REQUIREMENTS

The following advisory notes are statutory requirements of the Environmental Planning & Assessment Act and the Environmental Planning & Assessment Regulations and are provided to assist applicants.

49. Construction Certificate Required

This consent IS NOT an approval to carry out any building works (with the exception of demolition work). A Construction Certificate is required PRIOR TO ANY BUILDING WORKS BEING COMMENCED.

Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 9777 1000.

(Reason: Ensure compliance and statutory requirement)

50. Notify Council of Intention to Commence Works

In accordance with the provisions of Clause 81A(2) of the Environmental Planning and Assessment Act 1979 the person having the benefit of the development consent shall appoint a Principal Certifying Authority and give at least 2 days' notice to Council, in writing, of the persons intention to commence the erection of the building.

(Reason: Information and ensure compliance)

51. Occupation Certificate

The building/structure or part thereof shall not be occupied or used until an interim occupation / final occupation certificate has been issued in respect of the building or part.

(Reason: Safety)

18.2 SALE OF LAND - ADJOINING 1 HALLSTROM CLOSE & 3 COOLAWIN ROAD NORTHBRIDGE

ATTACHMENTS:	1. AERIAL & CADASTRA PLAN
RESPONSIBLE OFFICER:	JEFF ELLIS – ACTING ENVIRONMENTAL SERVICES DIRECTOR
AUTHOR:	TRACEY LEE PROJECT OFFICER - LEASING
DELIVERY PROGRAM ITEM:	4.2.1 EFFICIENTLY OPERATED AND MANAGED INFRASTRUCTURE ASSETS
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

To seek Council's consent to the sale of the unused land situated between 1 Hallstrom Close and 3 Coolawin Road, Northbridge.

MOTION

That the matter be deferred so further information can be gathered.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Councillor Wright.

Not present: Councillors Hill and Hooper.

Councillors Hill and Hooper declared a substantial non-pecuniary interest in the above matter and vacated the Chambers.

18.3 DEVELOPMENT APPLICATION REPORT TO 26 JANUARY 2015

ATTACHMENTS:	1. LIST OF APPLICATIONS
RESPONSIBLE OFFICER:	IAN ARNOTT – DEVELOPMENT PLANNING MANAGER, PETER ROWAN – BUILDING SERVICES MANAGER
AUTHOR:	DEVELOPMENT PLANNERS, BUILDING SURVEYORS
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

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

RESOLUTION

That the information be noted.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Nil

18.4 APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY FOR THE MONTH OF DECEMBER 2014

ATTACHMENTS:	1. LIST OF DETERMINED APPLICATIONS
RESPONSIBLE OFFICER:	IAN ARNOTT – DEVELOPMENT PLANNING MANAGER, PETER ROWAN – BUILDING SERVICES MANAGER
AUTHOR:	DEVELOPMENT PLANNERS, BUILDING SURVEYORS
MEETING DATE:	2 FEBRUARY 2015

Purpose of Report

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

RESOLUTION

That the information be noted.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

18.5 GORE HILL PARK RECREATION DEVELOPMENT ARCHITECTURAL SERVICES - TENDER NO. 087157**RESPONSIBLE OFFICER: TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR****AUTHOR: DAVID PAGE****CITY STRATEGY LINK: 4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE****MEETING DATE: 2 FEBRUARY 2015**

Purpose of Report

To advise Council of the tenders received for the Gore Hill Park Recreation Development - Architectural Services.

RESOLUTION

That the information be noted.

MOVED COUNCILLOR HOOPER**SECONDED COUNCILLOR SLOANE****CARRIED****Voting**

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

Against: Nil

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

NIL

20 NOTICE OF MOTION

20.1 NOTICE OF MOTION : FOSSIL FUEL ALIGNED FINANCIAL INSTITUTIONS

RESPONSIBLE OFFICER: TRACEY CROUCH - ACTING GENERAL MANAGER

AUTHOR: MARK MCDONALD – FINANCIAL SERVICES MANAGER

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

MEETING DATE: 2 FEBRUARY 2015

Purpose of Report

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

“That Willoughby City Council investigates ways in which to divest a proportion of its investments with financial institutions to non-fossil aligned financial institutions, such as smaller banks and credit unions.

That a report be provided to Council detailing:

- (a) Willoughby Council's current investments in both fossil fuel aligned financial institutions and non-fossil fuel aligned financial institutions
- (b) Ways in which Willoughby Council could divest a larger proportion of its investments to a great proportion of non-fossil fuel aligned financial institutions

This action is consistent with WCC Sustainability policies to conserve resources, and promote energy conservation. Such a motion enables implementation of realistic strategies to further energy conservation. It aims to avoid future perceived risk from fossil fuel investments.”

MOTION

1. That Council reports in its Monthly Financial Report on the percentage of non-fossil fuel associated industries that Council has invested in.
2. The Council Officers be thanked for their work on the report.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

LOST

Voting

For the Motion: Councillors Hill, Mustaca and Saville.

Against: Councillors Giles-Gidney, Hooper, Norton, Rozos, Rutherford, Sloane, Stevens and Wright.

20.2 NOTICE OF MOTION: CHATSWOOD CBD CHRISTMAS TRADING HOURS**RESPONSIBLE OFFICER: TRACEY CROUCH - ACTING GENERAL MANAGER****AUTHOR: TRACEY CROUCH - ACTING GENERAL MANAGER****MEETING DATE: 2 FEBRUARY 2015**

Purpose of Report

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

“The officers consult with the NSW State Government and Chatswood retail stake holders and bring back a report to Council on the proposal that Willoughby City Council make a formal application to the NSW State Government to create a Chatswood trading precinct in the same way the Sydney Trading Precinct operates on Boxing Day under the Retail Trading Regulation 2009.”

MOTION

The officers consult with the NSW State Government and Chatswood retail stakeholders and bring back a report to Council on the proposal that Willoughby City Council make a formal application to the NSW State Government to create a Chatswood trading precinct in the same way the Sydney Trading Precinct operates on Boxing Day under the Retail Trading Regulation 2009.

MOVED COUNCILLOR HOOPER**SECONDED COUNCILLOR ROZOS****CARRIED****Voting**

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

Against: Councillors Hill, Saville, Sloane and Wright.

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 Deputy 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 GENERAL MANAGER'S CONFIDENTIAL REPORT

Fit for the Future Symposium of Councils in the NSCROC region will be held on Thursday, 5 February at The Concourse. It is a meeting of Councillors, Mayors and General Managers.

21.2 ADDITIONAL INFORMATION – THOMSON PARK DESIGN AND CONSTRUCTION OF SYNTHETIC SPORTSGROUND SURFACING AND ASSOCIATED WORKS – TENDER NO. 083286

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 LEGAL PROSPECT – 135 SAILORS BAY ROAD NORTHBRIDGE (DA2012/363/A)

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

**21.4 ADDITIONAL INFORMATION – PROVISION OF LEGAL SERVICES –
PLANNING – TENDER 085754****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 ADDITIONAL INFORMATION – THOMSON PARK DESIGN AND
CONSTRUCTION OF SYNTHETIC SPORTSGROUND SURFACING AND
ASSOCIATED WORKS – TENDER NO. 083286****Recommendation Summary**

That:

1. Council accept Polytan Asia Pacific Pty Ltd as the preferred tenderer for the Design and Construction of the Thomson Park Synthetic Sportsground Surfacing and Associated Works.
2. Council commence negotiation with Polytan Asia Pacific Pty Ltd for the purpose of refining the design and to provide finalised prices to a maximum project cost of \$1.2 million.
3. The Mayor and General Manager be authorised to enter into contract should negotiations be satisfactorily completed.
4. Tenderers be informed of Council's decision.

**21.3 LEGAL PROSPECT – 135 SAILORS BAY ROAD NORTHBRIDGE
(DA2012/363/A)****Recommendation Summary**

That Council note the Solicitor's Advice and the General Manager be authorised to manage the litigation in accordance with the General Manager's general delegations.

Councillor J Hooper declared a Less than Substantial Non-pecuniary Interest in this Item.

**21.4 ADDITIONAL INFORMATION – PROVISION OF LEGAL SERVICES –
PLANNING – TENDER 085754****Recommendation Summary**

That Council:

1. Accepts the Tender of Wilshire Webb Staunton Beattie Lawyers to provide Legal Services - Planning (together with HWL Ebsworth Lawyers) for the period to 30 September 2017 with an option for a further two years in accordance with Clause 178 of the Local Government (General) Regulation 2005.
2. Authorise the Mayor and General Manager to sign and execute the necessary documents.

RESOLUTION

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

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

Not voting (declared an interest in an item): Councillor Hooper

22 QUESTIONS

NIL

- Councillor M Stevens retired from the meeting at 9.36 pm.

The Meeting concluded at 10:15pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council Meeting held on 2 February 2014. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.