



# **Willoughby City Council**

## **ORDINARY COUNCIL**

### **MINUTES**

Council Chamber, 31 Victor Street, Chatswood

27 April 2015

commencing at 7:00pm

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## 1 PRESENT

### Councillors

**Her Worship the Mayor Councillor G Giles-Gidney, Councillors S Coppock, H Eriksson, R Hill, J Hooper, T Mustaca, W Norton, A Rozos, 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), 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 J Hooper declared, via a Disclosures of Interest form, a substantial interest in Item 16.4 Sale of Land 1 Hallstrom Close and 3 Coolawin Road, Northbridge.  
*(Nature of Interest: A party in this matter contributed to my election campaign in 2012.)*
- Councillor J Hill declared, via a Disclosures of Interest form, a substantial interest in Item 16.4 Sale of Land 1 Hallstrom Close and 3 Coolawin Road, Northbridge.  
*(Nature of Interest: I know the applicant well.)*
- Councillor J Hooper declared, via a Disclosures of Interest form, a substantial interest in Item 18.1 86 Macquarie Street, Roseville – DA 2004/270/D.  
*(Nature of Interest: Co-owner.)*
- Councillor H Eriksson declared, via a Disclosures of Interest form, a less than substantial, non-pecuniary interest in Item 18.2 Supplementary Report – 131 Sailors Bay Road, Northbridge – DA 2014/241.  
*(Nature of Interest: I live in the building next door to the above. I don't believe the DA has any effect on the unit I reside in. Please note I do not have a financial interest in the unit.)*
- Councillor J Hooper declared, via a Disclosures of Interest form, a less than substantial, non-pecuniary interest in Item 18.2 Supplementary Report – 131 Sailors Bay Road, Northbridge – DA 2014/241.  
*(Nature of Interest: A correspondent in support of the applicant has summoned me to disclose the name of a resident who contacted me in an unrelated matter being the 24 hour gym in Northbridge.)*
- Economic and Property Development Director declared, via a Disclosures of Interest form, a less than substantial, non-pecuniary interest in Item 18.2 Supplementary Report – 131 Sailors Bay Road, Northbridge – DA 2014/241.  
*(Nature of Interest: 1. Director of Council's property portfolio – responsible for management of adjoining commercial tenancy. 2. Applicant was builder of the Concourse, for which I was heavily involved with during construction.)*

### 3 CONFIRMATION OF MINUTES

*That the Minutes of the Ordinary Meeting of Council held 13 April 2015, copies of which have been circulated to each member of Council, be confirmed except for:*

*Cultural and Civic Committee Meeting on 20 April 2015*

*Item 12.1 Century Venues the Concourse Updated Reports  
It be noted that The Mayor, Councillor Giles-Gidney was absent for this item.*

*Item 12.2 Century Venues the Concourse Annual Audited Report and 2014 Annual Report  
It be noted that The Mayor, Councillor Giles-Gidney was absent for this item.*

### 4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor H Eriksson requested Leave of Absence from 11 May to 13 May 2015.

#### RESOLUTION

That Council grants leave of Absence to Councillor Eriksson from 11 May 2015 to 13 May 2015.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR HILL

**CARRIED**

#### Voting

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

**Against:** Nil

## 5 PETITIONS

### 5.1 PETITION: 173 VICTORIA AVENUE, CHATSWOOD DA 2015/81

<b>ATTACHMENTS:</b>	<b>1. PETITION</b>
<b>RESPONSIBLE OFFICER:</b>	<b>TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR</b>
<b>AUTHOR:</b>	<b>TRISHA DUFFY</b>
<b>MEETING DATE:</b>	<b>27 APRIL 2015</b>

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#### **Purpose of Report**

To list on the agenda a petition received from the Owners Corporation of 7-13 Kooringa Road, Chatswood. The 25 signatories to the petition oppose the application from Officeworks that they be allowed to trade from 07:00 to midnight, 7 days a week.

#### **RESOLUTION**

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

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR STEVENS**

**CARRIED**

#### **Voting**

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

**Against:** Nil

**5.2 PETITION: PROPOSED CONCRETE PATHWAY ALONG COOLAWIN ROAD & BOURMAC AVENUE, NORTHBRIDGE****MEETING DATE: 27 APRIL 2015**

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**Purpose of Report**

Councillor R Hill presented a petition from residents opposing the construction of concrete pathways along Coolawin Road and Bourmac Avenue, Northbridge.

**RESOLUTION**

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

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

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

**Against:** Nil



**6 OPEN FORUM**

NIL

**7 MAYORAL MINUTE****MAYOR'S DIARY- COUNCIL MEETING NOTES – 27 APRIL 2015**

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

<b>WEDNESDAY 15 APRIL</b>			
Mayor Cr Norton	12 noon	Live at Lunch – Concert	The Concourse
Mayor	6.30 pm	Northern Suburbs Basketball Board Meeting	Hume Street, Crow's Nest
Mayor Cr Eriksson	8 pm	Castlecrag Progress Association Meeting	Glenaeon School
<b>THURSDAY 16 APRIL</b>			
Mayor	9.30 am	Official Opening of NAB Branch	Chatswood Interchange
Mayor Cr Stevens, Rozos	12.30 pm	ANZAC Day Commemoration Luncheon	Chatswood RSL Club
Mayor Cr Norton, Saville	6 pm	Presentation of Heritage Photo Competition Awards	Foyer – 31 Victor Street
Cr Saville	7.30 pm	West Ward Progress Association Meeting & AGM	Dougherty Centre
<b>SATURDAY 18 MARCH</b>			
Mayor Cr Crippock, Norton, Rozos, Rutherford	10.30 am	ANZAC Service and March	Laurelbank
Cr Norton		30 <sup>th</sup> Anniversary of North Shore Christian Centre	Gibbes Street, Chatswood
Cr Norton, Rutherford	8 pm	<i>Tikkun Olam</i> - Multicultural Exhibition of Jewish Arts	North Shore Temple Emanuel
<b>SUNDAY 19 APRIL</b>			
Mayor	9 am	Service to commemorate 30 <sup>th</sup> Anniversary of North Shore Christian Centre	Gibbes Street, Chatswood
Mayor Deputy Mayor: Cr Mustaca Cr Norton, Rozos, Rutherford	10 am	Commemoration Service for the Centenary of ANZAC	St Stephen's Church, Willoughby

<b>TUESDAY 21 APRIL</b>			
Mayor	10.45 am	Willoughby Probus Club Meeting	Chatswood Bowls Club
Mayor	1 pm	ANZAC Luncheon: Chatswood Chamber of Commerce	The Chatswood Club, Help Street
<b>WEDNESDAY 22 APRIL</b>			
Mayor	11.30 am	Citizenship Ceremony	Council Chambers
<b>THURSDAY 23 APRIL</b>			
Cr Saville	9am - 4 pm	Affordable Housing Conference	
Mayor	10 am	ANZAC Service	Willoughby Public School
Cr Saville	4pm - 6 pm	SCCG Executive Meeting	
Mayor Cr Norton	6 pm	Opening of Art Exhibition 2015 - Eduardo and Amanda	Foyer – 31 Victor Street
<b>FRIDAY 24 APRIL</b>			
Crs Eriksson, Hooper, Norton, Rozos, Rutherford	7pm	Armenian Genocide Commemoration Service	Sydney Town Hall
<b>SATURDAY 25 APRIL</b>			
Mayor Deputy Mayor: Cr Mustaca Crs Eriksson, Hill, Hooper, Norton, Rozos, Rutherford, Saville, Sloane	5.30 am	ANZAC Day Dawn Service	Garden of Remembrance
Mayor, Deputy Mayor: Cr Mustaca Crs Eriksson, Hill, Hooper, Norton, Rozos, Rutherford	6.30 am	Official Dedication of Commemorative Wall	Chatswood RSL Club

Mayor Deputy Mayor: Cr Mustaca Crs Eriksson, Hooper, Norton, Rozos, Rutherford	7 am	ANZAC Commemoration Service	The Obelisk
Mayor Deputy Mayor: Cr Mustaca Crs Eriksson, Norton, Rutherford, Saville	10 am	Official Dedication of ANZAC Commemorative Seat	Wallace Park
Mayor	11 am	ANZAC Commemoration	Willoughby Village
Mayor Crs Eriksson, Rozos	2.30 pm	ANZAC Day Match: organised by Gordon Rugby Football Club	Chatswood Oval

**RESOLUTION**

That the Mayoral report be received.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**8 GENERAL MANAGER'S LATE REPORT**

NIL

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

NIL

**10 MATTERS BROUGHT FORWARD BY THE PUBLIC**

Item 18.2 Supplementary Report – 131 Sailors Bay Road, Northbridge – DA  
2014/241

## 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 12.1.7 (12.1) Century Venues The Concourse Updated Reports
- Item 12.1.8 (12.2) Century Venues The Concourse Annual Audited Report and 2014 Annual Report
- Item 14.1 Councillors Information Booklet – 16 & 23 April 2015
- Item 16.1 Compensation Received for Land Compulsorily acquired by Roads and Maritime Services
- Item 16.2 Willoughby Delivery Program 2013-2017 (Including the Draft Operational Plan and Budget 2015-2016)
- Item 16.3 Council's Reserve Trust Manager Role and Responsibilities
- Item 16.4 Sale of Land 1 Hallstrom Close and 3 Coolawin Road, Northbridge
- Item 16.5 Motions for National General Assembly of Local Government
- Item 18.1 86 Macquarie Street, Roseville – DA 2004/270/D

### RESOLUTION

That the remaining items, viz:

- Item 12.1 **Cultural & Civic Committee Meeting – 20 April 2015**
- Item 12.1.1 **(8.1) Access Advisory Committee Meeting – 18 March 2015**
- Item 12.1.2 **(8.2) Mosaic Advisory Committee Meeting – 25 March 2015**
- Item 12.1.3 **(8.3) Minutes of Cultural Events Committee Meeting – 3 March 2015**
- Item 12.1.4 **(8.5) Shorelink Library Network Committee Meeting – 25 February 2015**
- Item 12.1.5 **(9.1) Investments and Loan Borrowings as at February 2015**
- Item 12.1.6 **(9.2) Willoughby Park Advisory Committee Members**
- Item 12.2 **49 Minimbah Road, Northbridge – Sailors Bay Ward Councillors Meeting (held via e-mails 30 and 31 March 2015).**
- Item 16.6 **Gifts and Benefits Annual Report 2014**
- Item 16.7 **Disclosure of Interest Return – Debra Just**
- Item 18.3 **Applications Determined Under Delegated Authority for the Months of February and March 2015**
- Item 18.4 **Development Application Report to 20 April 2015**
- Item 19.1 **Tender Summary – Provision of Electrical, Voice and Data Services – Tender No. 082820**

be adopted in accordance with the recommendations in the reports.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

#### Voting

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

**Against:** Nil

## 12 REPORTS FROM COMMITTEES

### 12.1 CULTURAL & CIVIC COMMITTEE MEETING - 20 APRIL 2015

<b>ATTACHMENTS:</b>	<b>1. MINUTES</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MELANIE SMITH - COMMUNITY SERVICES DIRECTOR</b>
<b>AUTHOR:</b>	<b>MELANIE SMITH - COMMUNITY SERVICES DIRECTOR</b>
<b>MEETING DATE:</b>	<b>27 APRIL 2015</b>

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#### **Purpose of Report**

To present the minutes of the Cultural & Civic Committee Meeting held on 20 April 2015.

#### **RESOLUTION**

**That:**

- 1. The Minutes be received.**
- 2. Council note the resolutions adopted by the Committee.**
- 3. Council adopt the Committee's recommendations with the exception of:**
  - Item 12.1.7 (12.1) Century Venues The Concourse Updated Reports**
  - Item 12.1.8 (12.2) Century Venues The Concourse Annual Audited Report and 2014 Annual Report**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

#### **Voting**

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

**Against:** Nil

**12.1.7 (12.1) CENTURY VENUES THE CONCOURSE UPDATED REPORTS**

**ATTACHMENTS:**

1. FINANCE REPORT - DECEMBER 2014
2. FINANCE REPORT - JANUARY 2015
3. FINANCE REPORT - FEBRUARY 2015
4. QUARTERLY REPORT - JAN 2015 - MARCH 2015

**RESPONSIBLE OFFICER:** MELANIE SMITH - COMMUNITY SERVICES DIRECTOR

**AUTHOR:** MELANIE SMITH - COMMUNITY SERVICES DIRECTOR

**CITY STRATEGY LINK:** THE CONCOURSE IS A COMPLETE FACILITY FOR THE ARTS, LEARNING AND BUSINESS

**MEETING DATE:** 20 APRIL 2015

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**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

**Purpose of Report**

To provide the Council in confidence with updated reports on Century Venues The Concourse.

**RESOLUTION**

**That Council note the above reports.**

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR SLOANE**

**CARRIED**

**Voting**

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

**Against:** Nil



**12.1.8 (12.2) CENTURY VENUES THE CONCOURSE ANNUAL AUDITED REPORT AND 2014 ANNUAL REPORT**

**ATTACHMENTS:** 1. ANNUAL AUDITED REPORT - FINANCIAL YEAR ENDING 30 JUNE 2014  
2. ANNUAL REPORT 2014

**RESPONSIBLE OFFICER:** MELANIE SMITH - COMMUNITY SERVICES DIRECTOR

**AUTHOR:** MELANIE SMITH - COMMUNITY SERVICES DIRECTOR

**CITY STRATEGY LINK:** THE CONCOURSE IS A COMPLETE FACILITY FOR THE ARTS, LEARNING AND BUSINESS

**MEETING DATE:** 20 APRIL 2015

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**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

**Purpose of Report**

To provide the Council in confidence with annual audited reports on Century Venues The Concourse.

**RESOLUTION**

**That Council note the above reports.**

**MOVED COUNCILLOR SLOANE**

**SECONDED COUNCILLOR HILL**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Councillors Hooper and Mustaca.

**12.2 49 MINIMBAH ROAD, NORTHBRIDGE - SAILORS BAY WARD  
COUNCILLORS MEETING (HELD VIA EMAILS 30 & 31 MARCH 2015)**

<b>ATTACHMENTS:</b>	<b>1. MINUTES</b>
<b>RESPONSIBLE OFFICER:</b>	<b>IAN ARNOTT - DEVELOPMENT PLANNING MANAGER</b>
<b>AUTHOR:</b>	<b>ARTHUR TSEMBIS - DEVELOPMENT PLANNER</b>
<b>MEETING DATE:</b>	<b>27 APRIL 2015</b>

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**Purpose of Report**

To present the minutes of the Sailors Bay Ward Councillors Meeting held 30 and 31 March 2015 via email communications.

**RESOLUTION**

That:

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

**“RESOLVED UNDER DELEGATED AUTHORITY:**

**That the application be approved in accordance with the Officer's recommendation, subject to relocating the lift to the rear of the garage with a glass lift shaft and locating the lift motor below ground in accordance with the amended plans numbered 1402/DA01A and 1042/DA02A, dated July 2014 (as amended 07.04.2015), date stamped by Council 9 April 2015, prepared by Kenstrom Design Pty. Ltd.”**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**13 DEFERRED MATTERS**

NIL

## 14 CORRESPONDENCE

### 14.1 COUNCILLORS INFORMATION BOOKLET - 16 & 23 APRIL 2015

<b>RESPONSIBLE OFFICER:</b>	<b>DEBRA JUST - GENERAL MANAGER</b>
<b>AUTHOR:</b>	<b>TRISHA DUFFY</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>27 APRIL 2015</b>

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#### **Purpose of Report**

To list on the Council Agenda the weekly Councillors Information Booklet, circulated to all Councillors on 16 and 23 April 2015.

#### **RESOLUTION**

**That the Councillors Information Booklets be received.**

**MOVED COUNCILLOR COPPOCK**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

#### **Voting**

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

**Against:** Nil

**Absent:** Councillors Hooper and Mustaca.

**15 REPORTS FROM OFFICERS - GENERAL MANAGER**

NIL

## 16 REPORTS FROM OFFICERS - CORPORATE SERVICES DIRECTOR

### 16.1 COMPENSATION RECEIVED FOR LAND COMPULSORILY ACQUIRED BY RMS

RESPONSIBLE OFFICER:	JEFF ELLIS - ECONOMIC AND PROPERTY DEVELOPMENT DIRECTOR
AUTHOR:	GARY PARSONS - MAJOR PROJECTS DELIVERY MANAGER
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	27 APRIL 2015

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#### Purpose of Report

To update Councillors in relation to compensation Council received as a result of the Land and Environment Court Proceedings and the proposed application of these funds.

#### RESOLUTION

That:

1. Council note the compensation received for sites 3 (Fleming Park), 4 (Parkes Road) and 5 (Barton Rd) being \$7,685,413.56 is not subject to restrictions by the NSW Attorney General. These funds will be allocated to appropriate projects as part of the Council's budgetary process.
2. A further report will be brought back to Council on potential *cy pres* schemes for the compensation awarded in relation to Site 1 (Richmond Avenue Reserve) being \$5,243,640.99 and Site 2 (Mowbray Park) being \$922,708.24.
3. To ensure that all interest received is apportioned appropriately across all five sites, Council officers make the necessary adjustments in the current quarterly review to reflect the amounts in recommendations 1 and 2.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR NORTON

**CARRIED**

#### Voting

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

**Against:** Councillor Coppock.

**Absent:** Councillor Hooper.

**16.2 WILLOUGHBY DELIVERY PROGRAM 2013-2017 (INCLUDING THE DRAFT OPERATIONAL PLAN AND BUDGET 2015-2016)**

<b>ATTACHMENTS:</b>	<b>1. WILLOUGHBY DELIVERY PROGRAM 2013-2017 (INCLUDING THE DRAFT OPERATIONAL PLAN &amp; BUDGET 2015-2016) - SEPARATE BOOKLET DISTRIBUTED ON 13 APRIL</b> <b>2. BUDGET SUMMARY</b> <b>3. SUMMARY OF INCOME AND EXPENDITURE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>TONY PIZZUTO - FINANCIAL SERVICES DIRECTOR</b>
<b>AUTHOR:</b>	<b>MARK MCDONALD - FINANCIAL SERVICES MANAGER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>27 APRIL 2015</b>

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**Purpose of Report**

To present to Council the revised Delivery Program 2013-2017 which was first adopted by Council on 22 July 2013 and which includes the Draft 2015-16 Operational Plan, Budget and Pricing Policy – Schedule of Fees and Charges and to seek Council’s approval to place the documents on public exhibition for 28 days.

**MOTION**

**That in accordance with the *Local Government Act 1993*, as amended, the draft 2015-2016 Operational Plan, draft 2015-2016 Budget and draft 2015-2016 Pricing Policy – Schedule of Fees and Charges be placed on public exhibition for 28 days.**

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR STEVENS**

**CARRIED**

**Voting**

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

**Against:** Councillor Coppock.

**Absent:** Councillor Hooper.

**16.3 COUNCIL'S RESERVE TRUST MANAGER ROLE AND RESPONSIBILITIES**

<b>ATTACHMENTS:</b>	<b>1. LEGAL ADVICE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>TRACEY CROUCH - CORPORATE SUPPORT AND PERFORMANCE DIRECTOR</b>
<b>AUTHOR:</b>	<b>VLADIMIR GREPL - ACTING ADMINISTRATIVE SERVICES MANAGER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>27 APRIL 2015</b>

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**Purpose of Report**

To confirm Council's roles and responsibilities as a Reserve Trust Manager following a workshop with Councillors and legal advice.

**MOTION**

That Council considers further the legal advice in a Committee meeting.

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR COPPOCK**

**NOT PUT TO THE VOTE**

**AMENDMENT**

That, on the basis of information provided in the Councillor workshop held on 26 March 2015 and the attached publicly released legal advice, Council:

- 1. Conducts its Reserve Trust Manager role according to the advice provided;**
- 2. Continues to use ordinary Council meetings to deal with its Reserve Trust Manager responsibilities;**
- 3. Retains the present financial accounting arrangements pertaining to its Reserve Trust Manager roles as these comply with legal and statutory requirements and provide public accountability; and**
- 4. Receives the Annual Reserve Trust Report as a means of enhancing public reporting.**

**MOVED COUNCILLOR ROZOS**

**SECONDED COUNCILLOR MUSTACA**



**CARRIED**

**Voting**

**For the Amendment:** Councillors Giles-Gidney, Eriksson, Hill, Mustaca, Norton, Rozos and Sloane.

**Against:** Councillors Coppock, Rutherford, Saville and Wright.

**Absent:** Councillors Hooper and Stevens.

**THE AMENDMENT BECAME THE MOTION AND WHEN PUT WAS CARRIED.**

**Voting**

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

**Against:** Councillors Coppock, Rutherford, Saville and Wright.

**Absent:** Councillors Hooper and Stevens.

**CONSEQUENTIAL MOTION**

**That Council briefs a leading QC who specialises in the Law of Trust on the legal advice obtained on the Crown Law relating to the Reserve Trusts from Mr David Baxter and Ms Debra Townsend.**

**MOVED COUNCILLOR COPPOCK**

**SECONDED COUNCILLOR WRIGHT**

**LOST**

**Voting**

**For the Consequential Motion:** Councillors Coppock, Rutherford, Saville and Wright.

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

**Absent:** Councillors Hooper and Stevens.

**16.4 SALE OF LAND 1 HALLSTROM CLOSE AND 3 COOLAWIN ROAD  
NORTHBRIDGE**

<b>ATTACHMENTS:</b>	<b>1. COUNCIL REPORT DATED 2 FEBRUARY 2015</b>
<b>RESPONSIBLE OFFICER:</b>	<b>JEFF ELLIS - ECONOMIC AND PROPERTY DEVELOPMENT DIRECTOR</b>
<b>AUTHOR:</b>	<b>TRACEY LEE- PROJECT OFFICER- LEASING</b>
<b>CITY STRATEGY LINK:</b>	<b>3.1.2 QUALITY LIVING AMENITY FOR RESIDENTS</b>
<b>MEETING DATE:</b>	<b>27 APRIL 2015</b>

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**Purpose of Report**

To provide Council with further information in considering the request for the sale of Council owned unused land being Lot 28 DP 12890 situated between 1 Hallstrom Close and 3 Coolawin Road, Northbridge.

**MOTION**

**That Council retains the land being Lot 28 DP 12890 situated between 1 Hallstrom Close and 3 Coolawin Road, Northbridge.**

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR COPPOCK**

**CARRIED**

**Voting**

**For the Motion:** Councillors Coppock, Mustaca, Rutherford, Rozos, Norton and Wright.

**Against:** Councillors Giles-Gidney, Eriksson, Saville and Sloane.

**Absent:** Councillors Hill, Hooper and Stevens.

**Councillor Hill declared a substantial interest in this Item and was not present in the Chambers during debate or voting.**

## 16.5 MOTIONS FOR NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

**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:** 27 APRIL 2015

---

### Purpose of Report

To consider Willoughby City Council's motions for submission to the National General Assembly of Local Government to be held in Canberra between 14 and 17 June 2015.

### MOTION

**That Council submits the following motion to the 2015 National General Assembly of Local Government:**

**That the National General Assembly calls on all levels of government to co-ordinate policy and an agricultural industry framework aimed at supporting continued food production in metropolitan fringes and halting the loss of productive land to other land uses. Local food production contributes to a sustainable future by helping to maintain a reliable supply of food close to consumers, ensuring food freshness and minimal transport costs.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR SLOANE**

**LOST**

### Voting

**For the Motion:** Councillors Mustaca, Norton, Saville, Sloane and Wright.

**Against:** Councillors Giles-Gidney, Eriksson, Hill, Rutherford and Rozos.

**Absent:** Councillors Coppock, Hooper and Stevens.

**THE VOTE BEING EVEN, THE MAYOR MADE THE CASTING VOTE AGAINST THE MOTION.**

**16.6 GIFTS AND BENEFITS ANNUAL REPORT 2014**

**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:** 27 APRIL 2015

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**Purpose of Report**

To present the Gifts and Benefits Register to Council in accordance with the requirements of Council's Gifts and Benefits Policy and Code of Conduct.

**RESOLUTION**

**That Council notes the 2014 Gifts and Benefits Annual Report.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**16.7 DISCLOSURE OF INTEREST RETURN - DEBRA JUST**

**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:** 27 APRIL 2015

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**Purpose of Report**

To advise Council that Debra Just, General Manager, has submitted her Primary Disclosure of Interest Return in accordance with Section 449 of the Local Government Act 1993.

**RESOLUTION**

**That Council notes the Disclosure of Interest Return submitted by Debra Just, General Manager.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

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

NIL

## 18 REPORTS FROM OFFICERS - ENVIRONMENTAL SERVICES DIRECTOR

### 18.1 86 MACQUARIE STREET, ROSEVILLE - DA 2004/270/D

ATTACHMENTS: 1. ARCHITECTURAL PLANS

MEETING DATE: 27 APRIL 2015

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RECOMMENDATION: APPROVAL

LOCATION: WESTERN SIDE OF MACQUAIRE STREET,  
ROSEVILLE

APPLICANT: MRS LIANNE SARAH HOOPER

OWNER: MRS L S HOOPER AND MR J HOOPER

PROPOSAL: S96 – MINOR EXTERNAL CHANGES TO DUAL  
OCCUPANCY, FENCE, MODIFICATION AND  
INSTALLATION OF JULIET BALCONY.

DATE OF LODGEMENT: 19 JANUARY 2015

VALID APPLICATION DATE: 19 JANUARY 2015

REPORTING OFFICER: MARK GRACZYK – BUILDING SURVEYOR

RESPONSIBLE OFFICER: PETER ROWAN - BUILDING SERVICES MANAGER

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### DESCRIPTION OF PROPOSAL

The proposal is for a S96 modification to the original Development consent for external changes to the existing dual occupancy development. The proposed works which are the subject of this application are as follows:

#### At ground level

- Bi-fold doors installed to western wall of sitting room and dining room of Unit A;
- Remove sill and extend dining room window of unit A to floor level;
- Replace paling fence between adjoining northern boundary fence and the northern side of the verandah adjacent to the bathroom of unit B, with a 1.8m masonry wall and gate.

#### At first floor level

- Install a Juliet balcony on western side of bedroom 3 (unit B).
- Replace existing western window of bedroom 3 (unit B) with a new bi-fold door.

**RESOLUTION**

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

**MOVED COUNCILLOR MUSTACA**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Councillors Coppock, Hooper and Stevens.



**SCHEDULE OF CONDITIONS****CONDITIONS OF CONSENT:**

**Conditions of Consent:** (including reasons for such conditions)

1. Condition No. 3 is modified to read as follows:

The development must be in accordance with Architectural plans numbered A:02, A:03 and A:06, dated 17.6.08, and date stamped by Council 19 June 2008, A:01, A:04 and A:05, dated 28.8.2008 and date stamped by Council 18 Sept 2008 and prepared by John Hooper. As amended by Architectural Plans No. C:02 and C:03, drawn by Lianne Hooper, Council date stamped 11/8/2014, as further amended by the coloured parts of Architectural Plans No C:02, C:03, A:04, B:05, Council date stamped 19.1.2015, drawn by Lianne Hooper, the application form and any other supporting documentation submitted as part of the application, except for:

- a) Any modifications which are "Exempt Development" in Willoughby Development Control Plan B.2, or as may be necessary for the purpose of compliance with the Building Code of Australia and any Australian Standards incorporated in the code;
- b) Otherwise provided by the conditions of this consent.  
(Reason: Information and Ensure Compliance)

A. Comply with original conditions of development and amended consents.

**Additional Conditions:**

- 40. Doorway to sitting B entering hallway is to be blocked and sealed to provide separation between the units in accordance with previous approved design from Amendment D.  
(Reason fire safety).
- 41. All external building material shall be in colours and textures, which are compatible with the heritage character of the locality. In this regard:
  - (a) a schedule of these colours and textures shall be submitted to the Principal Certifying Authority **prior to the issue of a Construction Certificate.**  
(Reason: Visual amenity)
- 42. The proposed masonry fence and gate to the front northern elevation of the dual occupancy building is to be painted in a recessive colour to match the face brick of the dwelling and provided with planting to ensure an integrated overall appearance.  
(Reason Visual Amenity).

**18.2 SUPPLEMENTARY REPORT - 131 SAILORS BAY ROAD, NORTHBRIDGE  
- DA 2014/241**

**ATTACHMENTS:** 1. PREVIOUS WARD COUNCIL REPORT – DATED 15  
DECEMBER 2014  
2. SITE PHOTOS  
3. AMENDED PLANS

**MEETING DATE:** 23 APRIL 2015

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**RECOMMENDATION:** APPROVAL SUBJECT TO CONDITIONS

**LOCATION:** 131 SAILORS BAY ROAD, NORTHBRIDGE

**APPLICANT:** A W EDWARDS PTY LIMITED

**OWNER:** A W EDWARDS PTY LIMITED

**PROPOSAL:** SUPPLEMENTARY REPORT – PROPOSED  
ADDITIONAL LEVEL OF OFFICE SPACE TO AN  
EXISTING COMMERCIAL BUILDING AND  
ASSOCIATED WORKS

**DATE OF LODGEMENT:** 18 JUNE 2014

**VALID APPLICATION DATE:** 12 DECEMBER 2014

**REPORTING OFFICER:** SIMON SMITH (DEVELOPMENT PLANNER) / IAN  
ARNOTT (DEVELOPMENT PLANNING MANAGER)

**RESPONSIBLE OFFICER:** IAN ARNOTT (DEVELOPMENT PLANNING  
MANAGER)

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**DESCRIPTION OF PROPOSAL**

The purpose of this report is to advise on the sketch plans submitted to Council on 23<sup>rd</sup> of February for an amended proposal at 131 Sailors Bay Road Northbridge.

Council's Resolution on 23<sup>rd</sup> of February is as follows:

*"That the item be deferred in order to consult with the applicant, correspondent and Ward Councillors to consider the new information".*

**Procedural Motion**

**That the following people address the meeting:**

- Malcolm Lye
- Rob Coote (Northbridge Progress Association)
- Joseph Lahoud
- Brett Brown (Ingham Planning)

Mr Lye, Mr Coote, Mr Lahoud and Mr Brown addressed the meeting and answered questions of the Councillors.

## MOTION

That: DA2014/241 - 131 Sailors Bay Road, Northbridge NSW 2063 be refused on the following grounds:-

- A. Significant non-compliances with WLEP 2012 height standard and WDCP controls.
- B. The non-compliant proposed 5th floor level will result in a significant degree of negative impact including of view/outlook loss to the adjoining building - in particular at Unit 31, 135 Sailors Bay Road Northbridge.
- C. These negative impacts would not arise with a proposal that is compliant with the WLEP 2012 height standard.
- D. There are a number of alternate design modifications to the building available to the Applicant that would allow the extra floor space and produce a positive outcome without any negative impact to the adjoining building and which retain adequate/existing car spaces. Thus a non-compliant 5th floor level is not warranted.
- E. The height control under WLEP 2012 has been consistently applied to developments within the Northbridge Town Centre and variations have only been supported where the applicant has been able to demonstrate that the impacts are acceptable having regard to all relevant statutory and Council Policy matters.
- F. The abandonment of the development standard by the council's own actions in granting this consent departing from the height standard will result in the height standard compliance being unreasonable for future developments.
- G. Under the Standard Instrument Local Environment Plan (SI LEP) there is no automatic right to vary a development standard. The applicant has not provided a written application with adequate justification for the variation to the development standard by addressing the 'five part test' established by the NSW Land and Environment Court to determine whether the objection to the development standards is well founded:-
  - 1. the objectives of the standard are achieved notwithstanding noncompliance with the standard;
  - 2. the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
  - 3. the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;
  - 4. the development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and
  - 5. the compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental

character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

- H. The proposal provides no public benefit.
- I. The Applicant has not demonstrated sufficient environmental grounds / benefits to justify a variation as required by Clause 4.6 of WLEP 2012.
- J. The non-compliant proposal is likely to create an unacceptable precedent within the Northbridge Town Centre should approval be granted.
- K. The non-compliant proposal is not in the public interest having regard to section 79C (1)(e) of the Environmental Planning and Assessment Act 1979.

**MOVED COUNCILLOR HOOPER**

**SECONDED COUNCILLOR HILL**

**LOST**

**Voting**

**For the Motion:** Councillors Coppock, Eriksson, Hill, Hooper, Mustaca and Rozos.

**Against:** Councillors Giles-Gidney, Norton, Rutherford, Saville, Sloane, Stevens and Wright.

**MOTION**

**That the application be approved and delegated authority be granted to the General Manager to issue the consent notice, subject to the conditions contained in the attached schedule in the Ward Report, as amended by the following updated conditions:**

**Condition 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
Survey	Page 1 of 4		12/12/2013	18/06/14	Daw & Walton Consulting Surveyors
Survey	Page 2 of 4		12/12/2013	18/06/14	Daw & Walton Consulting Surveyors
Level 4 floor plan	DA.01	D	27/02/15	03/03/15	PCA Architects
Roof level	DA.02	C	27/02/15	03/03/15	PCA Architects
Elevations (1)	DA.03	C	27/02/15	03/03/15	PCA Architects

Elevations (2)	DA.04	C	27/02/15	03/03/15	PCA Architects
Elevations (3)	DA.05	C	27/02/15	03/03/15	PCA Architects
Elevations (4)	DA.13	C	27/02/15	03/03/15	PCA Architects
Section BB	DA.14	C	27/02/15	03/03/15	PCA Architects

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)

#### Condition 1.1 Roof terrace

- a) The trafficable terrace at main roof level shall only be used between the hours of 7:00am to 7:00pm Monday to Fridays and only by workers associated with the use of the building. Any use outside of these hours will require approval from Council.
- b) A 1.65m high privacy screen along the eastern elevation of the terrace at main roof level shall be installed and maintained throughout the lifetime of the building.  
(Reason: Amenity)

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR WRIGHT

NOT PUT TO THE VOTE

AMENDMENT

A full inspection by Council be undertaken of 131 Sailors Bay Road, Northbridge.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR ROZOS

CARRIED

**Voting**

**For the Amendment:** Councillors Coppock, Eriksson, Hooper, Norton, Rutherford, Rozos and Wright.

**Against:** Councillors Giles-Gidney, Hill, Mustaca, Saville, Sloane and Stevens.

**THE AMENDMENT BECAME THE MOTION AND WHEN PUT WAS CARRIED**

**Voting**

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

**Against:** Councillors Giles-Gidney, Mustaca, Saville and Sloane.

**18.3 APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY FOR THE MONTHS OF FEBRUARY AND MARCH 2015**

<b>ATTACHMENTS:</b>	<b>1. LIST OF DETERMINED APPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>IAN ARNOTT - DEVELOPMENT PLANNING MANAGER, PETER ROWAN – BUILDING SERVICES MANAGER</b>
<b>AUTHOR:</b>	<b>DEVELOPMENT PLANNERS, BUILDING SURVEYORS</b>
<b>MEETING DATE:</b>	<b>27 APRIL 2015</b>

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**Purpose of Report**

The attached schedule lists all applications determined under delegated authority for the months of February and March 2015.

**RESOLUTION**

**That the information be noted.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**18.4 DEVELOPMENT APPLICATION REPORT TO 20 APRIL 2015**

<b>ATTACHMENTS:</b>	<b>1. LIST OF APPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>IAN ARNOTT - DEVELOPMENT PLANNING MANAGER, PETER ROWAN – BUILDING SERVICES MANAGER</b>
<b>AUTHOR:</b>	<b>DEVELOPMENT PLANNERS, BUILDING SURVEYORS</b>
<b>MEETING DATE:</b>	<b>27 APRIL 2015</b>

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**Purpose of Report**

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

**RESOLUTION**

**That the information be noted.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

## 19 REPORTS FROM OFFICERS - INFRASTRUCTURE SERVICES DIRECTOR

### 19.1 TENDER SUMMARY - PROVISION OF ELECTRICAL, VOICE AND DATA SERVICES - TENDER NO. 082820

**RESPONSIBLE OFFICER:** PAUL COLLINGS – ACTING INFRASTRUCTURE SERVICES DIRECTOR

**AUTHOR:** DAVID DI BIASE – PROPERTY MAINTENANCE AND CONSTRUCTION MANAGER

**CITY STRATEGY LINK:** 4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE

**MEETING DATE:** 27 APRIL 2015

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#### **Purpose of Report**

This report seeks Council's approval for the engagement of a contractor to carry out scheduled and unscheduled electrical, voice and data services across Council's Property portfolio. The appointment is for a contract term of five (5) years, comprising of an initial term of two (2) years, with a three (3) year option for extension.

#### **RESOLUTION**

**That:**

1. Council accept the tenders of CBD Electrical Services NSW and BTS Energy Pty Ltd for inclusion in a panel of approved electrical contractors, with the work to be allocated between these two contractors, based on availability and pricing.
2. The General Manager and Mayor be authorised to execute the contract documents under the Common Seal of Council.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

#### **Voting**

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

**Against:** Nil



**20 NOTICE OF MOTION**

NIL

## 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.

### Procedural Motion

That:

1. Council resolve itself into Closed Session with the Press and Public excluded from the meeting to deal with the following confidential items.
2. Council resolve into Committee of the Whole in order to deal with these confidential items.

### 21.1 ADDITIONAL INFORMATION – PROVISION OF ELECTRICAL, VOICE AND DATA SERVICES – TENDER NO. 082820

#### Reason for Confidentiality

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

### 21.1 ADDITIONAL INFORMATION – PROVISION OF ELECTRICAL, VOICE AND DATA SERVICES – TENDER NO. 082820

#### Recommendation Summary

That:

1. Council accept the tenders of CBD Electrical Services NSW and BTS Energy Pty Ltd for inclusion in a panel of approved electrical contractors, with the work to be allocated between these two contractors, based on availability and pricing.
2. The General Manager and Mayor be authorised to execute the contract documents under the Common Seal of Council.

#### MOTION

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

**MOVED COUNCILLOR SLOANE**

**SECONDED COUNCILLOR RUTHERFORD**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Councillors Coppock, Hooper and Stevens.

## 22 QUESTIONS

### 22.1 QUESTIONS ON NOTICE FROM COUNCILLOR L SAVILLE - CHILD CARE

**RESPONSIBLE OFFICER:** DEBRA JUST – GENERAL MANAGER

**AUTHOR:** DEBRA JUST – GENERAL MANAGER

**MEETING DATE:** 27 APRIL 2015

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#### Question 1

**Within this LGA, are the current waiting lists for child care places, and preferred type of care required (e.g. long day care etc)?**

#### Answer

According to [mychild.gov.au](http://mychild.gov.au) there are services within the Local Government Area (especially Artarmon, Chatswood and Willoughby) that have vacancies for Long Day Care (LDC) (current data).

There are LDC services within the LGA that do not have vacancies. Waiting times can be up to two years (current data). Parents/carers tend to prefer certain centres over others for geographical, convenience and reputation. This therefore means that some centres in close proximity to others may have wait lists, whilst vacancies occur nearby.

The highest demand for childcare is in LDC and OOSH (based on data collected in 2013).

There is a strong demand for preschool places, however the data reflects that there are some preschool centres with low vacancy rates (data collected in 2013).

Not all OOSH services are reporting utilisation through the mychild website. There are OOSH services within the LGA that are reporting no vacancies and some are reporting vacancies. There are OOSH services with vacancies within the LGA.

It is difficult to collect data for OOSH services as some of them are privately operated and don't report vacancy rates on the [mychild.gov.au](http://mychild.gov.au) website.

In the 2013 data collection period, there were 1500 Long Day Care places and the demand was 1800 places approximately.

Compared to demand for Long Day Care places, the demand for preschool places is approximately half.

#### Question 2

**Is the need for child care increasing within the LGA?**

#### Answer

Yes, based on 2013 Needs analysis the demand for LDC, OOSH and preschool is increasing.

We will be re-running the needs analysis in late 2015/early 2016 which will give us more current data.

It needs to be noted that parents appear to be very conscious in their choice of centre and where they are willing to travel to for care as vacancies within the LGA existing across the spectrum of childcare services.

### Question 3

**Given current population trends based on ABS and WCC social plans, approximately how many more child care places (and preferred type) will be required over the next four to five years?**

The data would suggest that there are currently enough places within LDC services. However, the location, reputation and convenience influences parents/carers choice.

For LDC an increase in places is not needed across the LGA as there are places available within the LGA, but not necessarily within the suburbs that parents need/demand.

There are also a number of LDC facilities before Council pending DA approval. Additionally Council is pursuing increasing the supply of LDC places as in the case of 3 Abbott Road whereby a partnership with a private childcare provider will provide a new facility with increased capacity from 30 to 78 places. Officers are also investigating other opportunities in the LGA where a similar model can be applied.

OOSH places are in highest demand and council's goal is to increase by 10% each year. This means an additional 250 After School Care and 100 Before School Care places over the next 5 years (approximately) are required.

Council will use a number of methods to satisfy the demand for OOSH places, predominately, facilitating not-for-profit/private providers and working with the Education Department to establish services within the LGA where there is demand. Specifically Council has been working with both the public and private school sector to facilitate and advised on additional and new facilities within the LGA. Examples include:

- Our Lady of Dolours with a 60 place OOSH/Vacation care on-site, managed by Camp Australia;
- Artarmon Public School with a 86 place Before/After and Vacation Care Program, operated by Cubby House; and
- Willoughby Public School with a 93 place After School and Vacation Care Program also operated by Cubby House.

- **Councillor J Hooper left the meeting at 8:50pm.**
- **Councillor M Stevens left the meeting at 8.58pm.**
- **Councillor S Coppock left the meeting at 9.40pm.**

**The meeting concluded at 10.10 pm**

**I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Council held on 27 April 2015. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.**