



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, 31 Victor Street, Chatswood

14 March 2016

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, J Rutherford, L Saville, M Sloane, M Stevens and N Wright.

Officers

Ms D Just (General Manager), Mr P Conroy (Planning & Infrastructure Director), Ms M Smith (Community, Culture & Leisure Director), Ms H Liossis (Customer and Corporate Director), Mr M McDonald (Chief Financial Officer), Mr I Arnott (Planning Manager), Ms M Hillman (Governance and Policy Manager), Mr V Grepl (Governance & Corporate Planning Officer) and Ms P Shel Drake (Minute Secretary).

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 18.1 Planning Proposal – 12 Frederick Street, St Leonards
(Nature of Interest: Close relationship with CEO of Dexus)
- Councillor J Hooper declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 18.2 Planning Proposal – 31-35 Herbert Street, St Leonards
(Nature of Interest: The former GM and Director of Council are the proposers of the development. As I worked with them for a period of approx. 7 years while on Council I make this disclosure)
- Jane Gibson, Strategic Planner declared, via a Disclosures of interest form, a non-pecuniary, less than substantial interest in item 18.2 Planning Proposal – 31-35 Herbert Street, St Leonards
(Nature of Interest: Greg Woodhams and Nick Tobin of Aqualand (the Applicant) are known to the author of this report as previous Director/General Manager of Willoughby Council)
- Item 18.2 Planning Proposal – 31-35 Herbert Street, St Leonards - It was noted that the applicants were known to all Councillors. It was at Councillors' discretion as to whether they submitted Disclosures of Interest or not.

3 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 28 February 2016, copies of which have been circulated to each member of Council, be confirmed with the following amendment to Item 18.3:

RESOLUTION

That Council:

1. Acknowledges the need to maintain representation on the JRPP until the Sydney Planning Panel becomes operational;
2. Engages Ms McClure at a mutually agreeable rate to act as Council's second representative on the Sydney East JRPP;
3. That Ms Shankie-Williams act as alternate representative for Council on the JRPP in Ms McClure's absence; and
4. Advises the Panel Secretariat of its decision.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor Rozos tendered an apology for tonight's meeting and requested Leave of Absence.
- Councillor Rutherford requested Leave of Absence from 16 March – 24 March 2016

RESOLUTION

That Council:

1. Notes the apology from Councillor Rozos for Monday 14 March 2016 and grants Leave of Absence; and
2. Grants Councillor Rutherford Leave of Absence from 16 March – 24 March 2016.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

5 PETITIONS

Councillor Saville tabled petitions from residents of West Ward opposing the current planning proposal for 688-692 Pacific Highway, Chatswood.

RESOLUTION

That Council receives the petitions from residents of West Ward opposing the current planning proposal for 688-692 Pacific Highway, Chatswood.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

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

Against: Nil

6 OPEN FORUM

NIL

7 MAYORAL MINUTE**7.1 MAYOR'S DIARY – COUNCIL MEETING NOTES – 14 MARCH 2016**

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

TUESDAY 23 FEBRUARY			
Crs Norton, Rozos, Rutherford	7.30 pm	Castle Cove Progress Association	Castle Cove Community Centre
WEDNESDAY 24 FEBRUARY			
Cr Norton	9.30 pm	WSOC Annual General Meeting	Roseville Uniting Church
FRIDAY 26 FEBRUARY			
Cr Rutherford	8 pm	Mozart Society Concert (representing the Mayor)	The Concourse
SUNDAY 28 FEBRUARY			
Mayor	6 pm	Australian Fujian Association: CNY Celebration	AFA Clubhouse, Petersham
WEDNESDAY 2 MARCH			
Mayor Cr Rutherford	11.30 am	Citizenship Ceremony	Council Chambers
Mayor Cr Rutherford	6.30 pm	Opening of John Young Exhibition: <i>Modernity's End: Half the Sky Two Australians in China</i>	The Incinerator
THURSDAY 3 MARCH			
Cr Saville	10 am	NHBAC Site Visit	Artarmon
Cr Saville	1 pm	Greater Sydney Local Land Services Meeting	Wollondilly
SUNDAY 6 MARCH			
Mayor	11.45 am	Open Day at Mercy College	Mercy College, Chatswood
MONDAY 7 MARCH			
TUESDAY 8 MARCH			
Mayor	2 pm	Presentation of BBP Accreditation	Salad Servers, Short Street
Cr Rutherford		Weaving, Warp, Weft & Women Exhibition for International Women's Day	Workshop Arts Centre
Cr Saville	5 pm	Sydney Coastal Councils Executive Meeting	Sydney
Crs Norton, Rutherford	7 pm	Chatswood East Ward Progress Assn: Extraordinary Meeting	Dougherty Centres
Mayor Cr Norton	Evening	International Women's Day Event	Willoughby Hotel
WEDNESDAY 9 MARCH			

THURSDAY 10 MARCH			
Crs Rutherford, Hooper	1 pm	JCC Meeting	Council Depot
Mayor	Afternoon	Delegation from San Francisco Bay Planning & Urban Research (SPUR)	Willoughby Council area
FRIDAY 11 MARCH			
Mayor	11.30 am	International Women's Day Lunch: Pan Pacific & SE Asia Women's Assn.	Uniting Church, Turrumurra
SATURDAY 12 MARCH			
SUNDAY 13 MARCH			
Mayor Crs Hooper, Norton, Rozos, Rutherford	9 am	Service of Celebration: Combined Willoughby Anglican Churches	Willoughby Park Anglican Church
Cr Saville	12 noon	Save Our Councils Rally	Hyde Park
Mayor	3 pm	Presentations: NS Junior Baseball	Bicentennial Reserve

8 GENERAL MANAGER'S LATE REPORT

NIL

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

Item 19.2 Notice of Motion: NSW Biodiversity Review

10 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 18.2 Planning Proposal – 31-35 Herbert Street, St Leonards

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 12.2 Traffic Committee Minutes – 17 February 2016
Item 15.1 Submission – Proposed Phase 1 Amendments – Local Government Act
Item 16.1 Independent Audit Committee Members Remuneration
Item 18.1 Planning Proposal – 12 Frederick Street, St Leonards
Item 18.4 John Roche Playground Landscape Improvement Plan
Item 18.5 Land Acquisitions by Transport for NSW for Sydney Metro Project
Item 19.1 Notice of Motion: Willoughby Council Merger Proposal

RESOLUTION

That the remaining items, viz:

Item 12.1 **Bicycle Committee Meeting Minutes – 9 February 2016**
Item 12.3 **Naremburn Ward Councillors Inspection Committee Meeting – 5 Shepherd Road, Artarmon – 24 February 2016**
Item 14.1 **Councillors Information Booklet – 25 February, 3 and 10 March 2016**
Item 16.2 **Draft Updated Investment Policy**
Item 16.3 **Request to attend Training Course by Councillor Saville**
Item 18.3 **Castle Cove Park Playground Landscape Improvements Plan**

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

12 REPORTS FROM COMMITTEES

12.1 BICYCLE COMMITTEE MEETING MINUTES OF 9 FEBRUARY 2016

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	PETER CONROY – DIRECTOR INFRASTRUCTURE AND PLANNING
AUTHOR:	MICHAEL FOSKETT – SENIOR TRAFFIC ENGINEER
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	14 MARCH 2016

Purpose of Report

To present the minutes of the Bicycle Consultative Committee meeting held on Tuesday, 9 February 2016.

RESOLUTION

That Council:

- 1. Advertises for new Bicycle Committee members in the North Shore Times in accordance with item 5 of the minutes.**
- 2. Endorses Council officers to enter into discussions with RNSH regarding shared use of bike facilities in accordance with item 6 of the minutes.**
- 3. Requests opportunities for bike routes to be taken into consideration when assessing future Development Applications in accordance with item 6 of the minutes.**
- 4. Endorses Council officers to liaise with North Sydney Council to develop a solution to improve safety for cyclists along Hamilton Lane and Marks Street in respect of item 8 of the minutes.**

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

12.2 TRAFFIC COMMITTEE MINUTES - 17 FEBRUARY 2016

ATTACHMENTS:	1. TRAFFIC COMMITTEE MINUTES OF 17 FEBRUARY 2016
RESPONSIBLE OFFICER:	PETER CONROY – DIRECTOR PLANNING & INFRASTRUCTURE
AUTHOR:	MICHAEL FOSKETT – SENIOR TRAFFIC ENGINEER
DELIVERY PROGRAM ITEM:	4.1.3 TRANSPORT MANAGEMENT BALANCES OUR NECESSARY PRIVATE VEHICLE TRIPS WITH ALTERNATIVE, MORE SUSTAINABLE TRANSPORT
MEETING DATE:	14 MARCH 2016

Purpose of Report

To advise Council of the outcome of the latest Traffic Committee Meeting held on 17 February 2016.

MOTION 1

That in respect of Traffic Committee item 4.1:

1. The existing timed parking restrictions on both sides of Willoughby Road between Rohan Street and Merrenburn Avenue, and on both sides of Rohan Street, and on the southern side of Dodds Street be changed from 8:30am - 6:00pm Mon-Fri, 8:30am-12:30pm Sat to 8:30am-6:00pm Mon-Fri, 8:30am-4:30pm Sat Sun.
2. The existing timed parking restrictions in the Naremburn Shops car park, and in the 90 degree angle parking in Quiamong Road be changed from 8:30am-6:00pm Mon-Fri, 8:30am-4:30pm Sat to 8:30am-6:00pm Mon-Fri, 8:30am-4:30pm Sat-Sun.
3. '1/4P 8am-6pm Mon-Fri' restrictions be introduced in the angle parking spaces on the northern side of Rohan Street for a trial period of 6 months as per Council's resolution.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

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

Against: Nil

MOTION 2

That:

1. in respect of Traffic Committee item 4.4, Council officers meet with representatives of Lane Cove Council to discuss how to expedite this matter.
2. in respect of Traffic Committee item 4.5, Council implements a single resident permit parking space in front of 26 Robert Street on a trial basis until October 2016.
3. in respect of Traffic Committee item 4.7, Council implements full time "No Parking" restrictions along the southern side of Henry Lane.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

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

Against: Councillor Saville

AMENDMENT

That:

1. Council seeks Roads and Maritime Services approval to allow right turn movements out of Beaconsfield Road at Mowbray Road West while banning through movement to Ralston Street.
2. Lane Cove Council be notified of the recommendation.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR STEVENS

LOST

Voting

For the Amendment: Councillor Saville.

Against: Councillors Giles-Gidney, Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rutherford, Sloane, Stevens and Wright.

**12.3 NAREMBURN WARD COUNCILLORS INSPECTION COMMITTEE
MEETING - 5 SHEPHERD ROAD, ARTARMON - 24 FEBRUARY 2016**

ATTACHMENTS: 1. MINUTES

RESPONSIBLE OFFICER: IAN ARNOTT - PLANNING MANAGER

AUTHOR: BRUCE GAAL - TEAM LEADER/DEVELOPMENT
OFFICER (BUILDING SURVEYOR)

MEETING DATE: 14 MARCH 2016

Purpose of Report

To present the minutes of the Naremburn Ward Councillors Inspection Committee Meeting held 24 February 2016.

RESOLUTION**That Council:**

1. Receives the minutes of the Naremburn Ward Councillors Inspection Committee Meeting held 24 February 2016, dealing with BCA 2015/38 for 5 Shepherd Road, Artarmon.
2. Notes the resolution adopted by the Committee:

That the Officer's recommendation be adopted:

"That upon the applicant raising the flue serving the solid fuel heater to a height of 1.0 metre above the ridge of number 7 Shepherd Road, and the flue being painted a Heritage Red colour, Council issue the Building Certificate."

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

14.1 COUNCILLORS INFORMATION BOOKLET - 25 FEBRUARY, 3 AND 10 MARCH 2016

RESPONSIBLE OFFICER: DEBRA JUST - GENERAL MANAGER

AUTHOR: TRISHA DUFFY - SECRETARY ADMINISTRATION

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

MEETING DATE: 14 MARCH 2016

Purpose of Report

To list on the Council Agenda the weekly Councillors Information Booklet, circulated to all Councillors on 25 February, 3 and 10 March 2016.

RESOLUTION

That Council receives the Councillors Information Booklet, circulated to all Councillors on 25 February, 3 and 10 March 2016.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

15 REPORTS FROM OFFICERS - GENERAL MANAGER

15.1 SUBMISSION - PROPOSED PHASE 1 AMENDMENTS - LOCAL GOVERNMENT ACT

ATTACHMENTS:	1. OLG EXPLANATORY PAPER: PROPOSED PHASE 1 AMENDMENTS
RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	MARNIE HILLMAN, GOVERNANCE MANAGER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	14 MARCH 2016

Purpose of Report

This report seeks Council endorsement of the response to Phase 1 Amendments to the *Local Government Act 1993 (the Act)* for submission through the Office of Local Government (OLG) website by the 15 March 2016.

Procedural Motion

That Council resolve into Committee of the Whole in order to deal with this item.

RECOMMENDATION

That Council:

1. Endorses the table of responses to the Phase 1 Amendments to the *Local Government Act 1993* with the inclusion of the following amendments:
 - a. 3.1 The Mayor should have the capacity to delegate the aspects of the role to the Deputy Mayor. Where the Deputy Mayor is not available delegation could be given to a councillor.
 - b. 3.1.1 Delegation of functions additional clause:
“Council should also be able to delegate a regulatory function or a joint organisation of councils, to support future collaboration and resource sharing.”
 - c. 3.7 add to include out of term appointments.
 - d. 5.1 Keep first paragraph, remove last four paragraphs and add *“Council should have ultimate approval for establishing the senior executive structure”*.

- e. 5.2 – that a clause be added that former General Managers and Senior Officers cannot work with a developer working on projects in that Council’s LGA for a specific period after ceasing work with that Council; and
 - f. 8.1 This provision shows a lack of understanding of the internal audit function which is focused on systems rather than facts.
2. Delegates authority to the General Manager to enter the submission into the Office of Local Government submission survey.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

AMENDMENT

That Council:

1. Endorses the table of responses to the Phase 1 Amendments to the *Local Government Act 1993* with the inclusion of the following amendments:
 - a. 8.2 – that the requirement to include a State of the Environment Report (Section 428A) in Council’s Annual Report be retained and included every four years;
 - b. 8.3 – that any statutory reporting should include indicators and benchmarks (recognising community involvement in planning, EDS and Aboriginal rights) and that Council establish annual performance statements and align performance reporting to the Integrated Planning and Reporting cycle.

MOVED COUNCILLOR SAVILLE

The Amendment lapsed for want of a seconder.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

MOTION

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

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Councillor Saville

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 INDEPENDENT AUDIT COMMITTEE MEMBERS REMUNERATION

ATTACHMENTS:	1 REMUNERATION FOR COMMITTEE MEMBERS REPORT – ITEM 5.5 – AUDIT COMMITTEE MEETING 2 DECEMBER 2015
RESPONSIBLE OFFICER:	HELEN LIOSSIS - CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	MARK MCDONALD – CHIEF FINANCIAL OFFICER
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	14 MARCH 2016

Purpose of Report

To seek Council approval to increase the remuneration paid to Independent members of the Audit Committee by \$100 per meeting.

RESOLUTION

That Council increases the Remuneration for Independent Members of the Audit Committee to \$500 per meeting.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

16.2 DRAFT UPDATED INVESTMENT POLICY

ATTACHMENTS:	1. DRAFT UPDATED INVESTMENT POLICY 2. ADVICES FROM DENISON FINANCIAL ADVISORY 3. COMPARISON OF INVESTMENT POLICIES (MANLY, NORTH SYDNEY AND WARRINGAH WITH WILLOUGHBY)
RESPONSIBLE OFFICER:	MARK MCDONALD - CHIEF FINANCIAL OFFICER
AUTHOR:	BILL LOFTHOUSE - FINANCIAL ACCOUNTANT
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	14 MARCH 2016

Purpose of Report

To present a Draft Updated Investment Policy to Council for consideration and endorsement and to standardise the period of its review.

RESOLUTION

That Council:

- 1. Adopts the Investment Policy in Attachment 1 with the reduction of target portfolio percentage in unrated investments being capped at 10 per cent and A- to BBB-investments being capped at 70 per cent;**
- 2. Adopts the maximum exposure of 20 per cent of the portfolio to any single issuer, excluding those that are classified as unrated which will be capped at 5 per cent; and**
- 3. Implements a protocol to ensure an annual review.**

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

16.3 REQUEST TO ATTEND TRAINING COURSE BY COUNCILLOR SAVILLE

ATTACHMENTS:	1. TRAINING PROGRAM
RESPONSIBLE OFFICER:	HELEN LIOSSIS – CUSTOMER AND CORPORATE DIRECTOR
AUTHOR:	DAVID PAGE
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	14 MARCH 2016

Purpose of Report

To authorise Councillor Saville's attendance at Executive Certificate for Elected Members training, provided by Local Government NSW.

RESOLUTION

That Council authorises Councillor Saville to attend the Executive Certificate for Elected Members training in the Sydney CBD during April and May 2016, according to Council policy.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

**17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND
LEISURE DIRECTORATE**

NIL

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 PLANNING PROPOSAL - 12 FREDERICK STREET ST LEONARDS

ATTACHMENTS:	<ol style="list-style-type: none">1. EXECUTIVE SUMMARY OF PLANNING PROPOSAL FOR 12 FREDERICK ST LEONARDS2. LETTER FROM DEPARTMENT OF PREMIER AND CABINET RE ST LEONARDS CENTRAL3. REPORT TO COUNCIL DATED 14 DECEMBER 2015
RESPONSIBLE OFFICER:	PETER CONROY - INFRASTRUCTURE & PLANNING DIRECTOR
AUTHOR:	JANE GIBSON – STRATEGIC PLANNER
CITY STRATEGY LINK:	<ol style="list-style-type: none">5.1.1 LOCAL BUSINESS5.1.2 SUPPORT OUR LOCAL CENTRES
MEETING DATE:	14 MARCH 2016

Purpose of Report

This report provides Council with details of a Planning Proposal to rezone the land at 12 Frederick Street, St Leonards, including changes to the Floor Space Ratio.

The report recommends that Council does not support the Planning Proposal.

RESOLUTION

That Council:

1. not support the Planning Proposal to rezone the land at 12 Frederick Street, St Leonards from IN1 General Industrial to B4 Mixed Use and an increase in the Floor Space Ratio to 3:1, as it is premature to proceed prior to the completion of state and local studies currently being prepared for the St Leonards / Artarmon area;
2. not proceed to Gateway Determination for the Planning Proposal;
3. notifies the applicant of Council's decision.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

For the Resolution: Councillors Coppock, Eriksson, Hill, Hooper, Mustaca, Norton, Rutherford, Saville, Sloane, Stevens and Wright.

Against: Nil

Absent: Councillor Giles-Gidney

18.2 PLANNING PROPOSAL - 31-35 HERBERT STREET ST LEONARDS

ATTACHMENTS:	1. EXECUTIVE SUMMARY OF PLANNING PROPOSAL FOR 31-35 HERBERT STREET ST LEONARDS 2. REPORT TO COUNCIL DATED 14 DECEMBER 2015 3. LETTER FROM DEPARTMENT OF PREMIER AND CABINET RE ST LEONARDS CENTRAL
RESPONSIBLE OFFICER:	PETER CONROY - INFRASTRUCTURE & PLANNING DIRECTOR
AUTHOR:	JANE GIBSON – STRATEGIC PLANNER
CITY STRATEGY LINK:	5.1.1 LOCAL BUSINESS 5.1.2 SUPPORT OUR CENTRES
MEETING DATE:	14 MARCH 2016

Purpose of Report

This report provides Council with details of a Planning Proposal rezone the land at 31-35 Herbert Street, St Leonards including changes to the height and Floor Space Ratio.

The report recommends that Council does not support the Planning Proposal.

Procedural Motion

That Alaine Roff, Urban Planning (for the Applicant) address the meeting and answer questions of the Councillors.

RESOLUTION

That Council:

1. not support the Planning Proposal at 31-35 Herbert Street St Leonards to:

- a) rezone the land from IN2 Light Industrial to B4 Mixed Use;**
- b) increase the Floor Space Ratio to 6.5:1 and**
- c) set a height limit of 90 metres**

as it is premature to proceed prior to completion of state and local studies currently being prepared for the St Leonards / Artarmon area;

2. not proceed to Gateway Determination for the Planning Proposal;

3. notifies the applicant of Council's decision.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

18.3 CASTLE COVE PARK PLAYGROUND LANDSCAPE IMPROVEMENTS PLAN

ATTACHMENTS:	1. CASTLE COVE PARK PLAYGROUND PUBLIC EXHIBITION SUMMARY REPORT 2. CASTLE COVE PARK PLAYGROUND LANDSCAPE IMPROVEMENTS PLAN
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MEREDITH PATERSON – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY LINK:	1.3.1 ACCESSIBLE OPEN SPACE AND RECREATIONAL FACILITIES FOR THE COMMUNITY ARE PROVIDED
MEETING DATE:	14 MARCH 2016

Purpose of Report

For Council to adopt the Landscape Improvements Plan for the Castle Cove Park Playground, Castle Cove.

RESOLUTION

That Council:

- 1. adopts the Castle Cove Park Playground Improvements Plan dated February 2016; and**
- 2. gives consideration to the installation of a bubbler with dog bowl.**

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Nil

18.4 JOHN ROCHE PLAYGROUND LANDSCAPE IMPROVEMENTS PLAN

ATTACHMENTS:	1. JOHN ROCHE PLAYGROUND PUBLIC EXHIBITION SUMMARY REPORT 2. JOHN ROCHE PLAYGROUND LANDSCAPE IMPROVEMENTS PLAN
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MEREDITH PATERSON – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY LINK:	1.3.1 ACCESSIBLE OPEN SPACE AND RECREATIONAL FACILITIES FOR THE COMMUNITY ARE PROVIDED
MEETING DATE:	14 MARCH 2016

Purpose of Report

For Council to adopt the Landscape Improvements Plan for John Roche Playground, Northbridge.

RESOLUTION

That Council adopts the John Roche Playground Improvements Plan dated February 2016.

MOVED COUNCILLOR HILL

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

18.5 LAND ACQUISITIONS BY TRANSPORT FOR NSW FOR SYDNEY METRO PROJECT

ATTACHMENTS:	1. SYDNEY METRO – COMBINED MAP
RESPONSIBLE OFFICER:	PETER CONROY - INFRASTRUCTURE & PLANNING DIRECTOR
AUTHOR:	DAVID DI BIASE – PROPERTY & CONSTRUCTION SERVICES MANAGER
CITY STRATEGY LINK:	4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE
MEETING DATE:	14 MARCH 2016

Purpose of Report

To advise Council of recent actions taken by Transport for NSW (TfNSW) in relation to the Sydney Metro City and Southwest project, namely:

- Formal notification that it wishes to purchase two sites for the purpose of constructing the Sydney Metro City and Southwest –linking with Metro Northwest at Chatswood to the Sydney CBD and Bankstown;
- The placement of an advertisement in the Sydney Morning Herald calling for expressions of interest in respect of a series of sites across the Metro, including a site on the corner of Mowbray Rd and the Pacific Highway.

RESOLUTION

That Council:

- 1. notes the current position and possible impact of the Sydney Metro Project on Council-owned land;**
- 2. officers proceed with the negotiations in relation to parcels 1 (also known as Lot 1 in DP 221896) and 2 (part of Bryson Street) on the basis of the valuations;**
- 3. be provided with a further report following consideration of valuations; and**
- 4. gives the Frank Channon Walk through to Mowbray Road high priority in the redevelopment of the Ausgrid site and requests that the Walk be kept in the forefront of any negotiations or discussions;**
- 5. directs the General Manager to advise Sydney Metro Project that this Council is concerned about local environmental, amenity and safety issues and consideration of the sale of this property and looks for further information; and**

6. directs the General Manager to seek an urgent meeting with Transport for NSW regarding the Sydney Metro Project.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Wright

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION: WILLOUGHBY COUNCIL MERGER PROPOSAL

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

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

MEETING DATE: 14 MARCH 2016

Purpose of Report

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

MOTION

That Willoughby City Council organises a public meeting to adequately inform this community of the latest proposal for council amalgamation, and potential ramifications for WCC and its community.

Discussions should include:

- a) Financial implications including rates;
- b) The implications for a community representative with 15 councillors in a mega council (3 council) entity; and
- c) Maintaining current levels of service.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

For the Motion: Councillors Coppock, Hill, Hooper, Mustaca, Norton and Saville.

Against: Councillor Giles-Gidney, Eriksson, Rutherford and Sloane.

Absent: Councillors Wright and Stevens

19.2 NOTICE OF MOTION: NSW BIODIVERSITY REVIEW**RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 14 MARCH 2016**

Purpose of Report

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

MOTION

That Willoughby City Council communicates with the Baird Government to act as a matter of urgency, in order to halt species extinction in NSW; stop further loss of biodiversity; and protect vegetation protection for the present and future wellbeing of NSW communities, city and country.

Accordingly, Willoughby City Council requests the Baird government to:

1. Ensure that the new Biodiversity Conservation Act does not lead to broad scale clearing (as defined in the Native Vegetation Act) or any further clearing of urban bushland.
2. Ensure that the new Biodiversity Offsets Policy:
 - a. prescribes a like-for-like requirement for any offsets;
 - b. provides clear protection for environmentally sensitive areas; and
 - c. does not allow supplementary measures such as cash payments.
3. Recognise and comply with federal policies to protect biodiversity and combat climate change.

MOTION

That Council defers this item to the Ordinary Council Meeting to be held 26 April 2016.

MOVED COUNCILLOR ERIKSSON**SECONDED COUNCILLOR STEVENS****CARRIED****Voting**

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

Against: Nil

20 CONFIDENTIAL ITEMS

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the option 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.

20.1 SPONSORSHIP UPDATE – CBD EVENT

Reason for confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and (d) 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
- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

20.1 SPONSORSHIP UPDATE – CBD EVENT

Recommendation Summary

That Council approves additional funding of \$90,000 from General Fund to meet the shortfall of sponsorship funding for the operation of an event in Chatswood CBD in 2016.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

Absent: Councillors Stevens and Wright

MOTION

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

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Councillor Coppock

Absent: Councillors Stevens and Wright

21 QUESTIONS

21.1 QUESTION ON NOTICE: COUNCIL-OWNED POOL IN REGENCY BUILDING

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

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

MEETING DATE: 14 MARCH 2016

Question

Originally intended for community use, Council leases the Council owned pool in the Regency building to Fitness First. Currently community access to the pool is limited and costly.

It is understood the lease comes to an end in 2016.

What options are available for the Chatswood pool to be returned to the community, for whom it was originally intended, to enable local residents affordable, convenient access to the pool?

It is noted that many young families live in the Chatswood CBD who would benefit from having access to this facility.

Answer

The lease with Marnwest Pty Ltd (head lease holder) is not due to expire until 20 December 2021.

Council understands there is an increasing demand for public access to recreational facilities like this, particularly in Chatswood.

Council Officers will meet with Marnwest Pty Ltd (head lease holder) and Fitness First (sub lease holder) to explore options for community use, or reduced access fees for community use of the pool.

The outcome of any discussions will be reported back to Council when they occur.

- **Councillor Wright left the meeting at 9:15pm**
- **Councillor Stevens left the meeting at 9:19pm**
- **Her Worship the Mayor Councillor Giles-Gidney left the meeting at 9:38pm during discussion on Item 18.1 Planning Proposal – 12 Frederick Street, St Leonards and returned at 9:45pm.**
- **Councillor Sloane took the chair during the vote on Item 18.1 Planning Proposal – 12 Frederick Street, St Leonards**

The meeting closed at 10:02pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 14 March 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.