



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, 31 Victor Street, Chatswood

12 September 2016

commencing at 7:00pm

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1 PRESENT

Her Worship the Mayor Councillor G Giles-Gidney, Councillors S Coppock, 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), Ms M Smith (Community, Culture & Leisure Director), Mr P Conroy (Planning & Infrastructure Director), Mr M McDonald (Acting Customer and Corporate Director), Mr I Arnott (Planning Manager), Ms M Hillman (Governance Manager) and Ms P Sheldrake (Minute Secretary)

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Councillor Coppock declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 18.4: Boat Trailer Parking
(Nature of Interest: There is a boat trailer parked outside my neighbour's house)
- Councillor Saville declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 12.1: Minutes – Traffic Committee – Meeting 17 August 2016
(Nature of Interest: Resident of Eddy Road, which is referred to in this item. I live about 100 metres away from the school. I will vote independently with regards to the item)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 22 August 2016, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillors Eriksson and Hill tendered an apology for Monday 12 September 2016.
- Councillor Coppock requested Leave of Absence from Wednesday 14 to Sunday 18 September 2016 and from Monday 26 September to Saturday 22 October 2016.
- Councillor Saville requested Leave of Absence from Sunday 9 to Saturday 15 October 2016 (to be confirmed).

RESOLUTION

That Council:

1. **Grant Leave of Absence to Councillors Eriksson and Hill for Monday 12 September 2016.**
2. **Grant Leave of Absence to Councillor Coppock from Wednesday 14 to Sunday 18 September 2016 and from Monday 26 September to Saturday 22 October 2016**
3. **Grant Leave of Absence to Councillor Saville from Sunday 9 to Saturday 15 October 2016 (to be confirmed).**

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

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

Against: Nil

5 PETITIONS

NIL

6 OPEN FORUM

NIL

7 MAYORAL MINUTE

7.1 MAYOR'S DIARY – COUNCIL MEETING NOTES – 12 SEPTEMBER 2016

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

TUESDAY 23 AUGUST			
Mayor	1 pm	Presentation of Patron's Trophy	Chatswood Golf Club
Crs Norton, Rutherford	7.30 pm	AGM: Castle Cove Progress Assn.	Castle Cove Community Centre
WEDNESDAY 24 AUGUST			
Cr Saville	9 am	Meetings: Friends CSIRO & SCCG	CSIRO, North Ryde
THURSDAY 25 AUGUST			
Clr Hooper	7.30 pm	North bridge Progress Association	Northbridge Golf Club
FRIDAY 26 AUGUST			
Mayor	10 am	Walkathon: Charity Fundraiser	St Philip Neri School
Mayor	2 pm	Presentation of RSL Club Grants	Chatswood RSL Club
Mayor Clr Hooper	4.45 pm	Suginami Rugby Team Farewell	Dougherty Centre
Mayor	5.45 pm	<i>Apples & Honey Anniversary</i>	Pre-School at NSTE
Mayor	6.30 pm	Opening of Creative Arts Expo	Willoughby Girls High School
Mayor Clr Hooper	8 pm	Chamber of Commerce <i>Sleepout</i>	37 Alleyne Street
SATURDAY 27 AUGUST			
SUNDAY 28 AUGUST			
MONDAY 29 AUGUST			
TUESDAY 30 AUGUST			
Crs Norton, Rutherford	7 pm	Chatswood Eastside Progress Assn	Dougherty Centre
WEDNESDAY 31 AUGUST			
Mayor	6.30 pm	Concert: HSC Music Performances	Willoughby Girls High School
THURSDAY 1 SEPTEMBER			
Mayor	6 pm	Opening of Photographic Expo	Home HQ, Artarmon
FRIDAY 2 SEPTEMBER			
Mayor	11 am	Farewell: Commander Cruickshank	63 Archer Street
Mayor Crs Hooper, Rozos, Rutherford, Saville	6.30 pm	Bingara Dinner	Shanghai Stories

SATURDAY 3 SEPTEMBER			
Mayor Deputy Mayor: Cr Sloane Crs Eriksson, Hooper, Norton, Rozos, Rutherford, Saville	10 am	<i>Emerge Festival 2016 & Street Parade</i>	Chatswood
Mayor Cr Rutherford	11.15 am	NSNA Grand Final Presentations	Willoughby Leisure Centre
Mayor	3 pm	Peter Lam Calligraphy Exhibition	Chinese Cultural Centre
Mayor Cr Saville	4 pm	Meccano Exhibition & Raffle	WDHS Museum
SUNDAY 4 SEPTEMBER			
MONDAY 5 SEPTEMBER			
Mayor	2.30 pm	Volunteer Awards Ceremony	Northbridge Golf Club
TUESDAY 6 SEPTEMBER			
Mayor Crs Norton, Saville	5 pm	State Rail Metro Consultation Meeting	Chatswood Bowling Club
WEDNESDAY 7 SEPTEMBER			
Mayor Cr Norton	11.30 am	Citizenship Ceremony	Council Chambers
Mayor Crs Hooper, Norton	6.30 pm	<i>Focus on Ability Film Festival</i>	The Concourse
THURSDAY 8 SEPTEMBER			
FRIDAY 9 SEPTEMBER			
Mayor	6 pm	Opening of NBr Children's Art Prize	Gallery 307
Cr Norton	6 pm	<i>Dance to the Nines</i>	Dougherty Centre
Mayor	7 pm	Opening of Armenian Photo Expo	259 Penshurst Street
SATURDAY 10 SEPTEMBER			
Mayor Crs Eriksson, Hooper, Norton, Rozos, Rutherford, Wright	10 am	Willoughby Park Centre Re-Opening	15 Warrane Road
Cr Saville	11 am	Entropy Photo Exhibition	ArtSpace at The Concourse
Mayor Crs Norton, Saville	various times	Taiwan Festival	Chatswood Mall
Mayor Cr Eriksson	11.30 am	Official Opening of Taiwan Festival	Chatswood Mall
Mayor Cr Norton	2 pm	Opening of Art Expo: <i>Morphogenesis</i>	The Incinerator Art Space
Mayor Crs Norton, Saville	5 pm	CMS 65 th Anniversary Performance	Zenith Theatre

SUNDAY 11 SEPTEMBER			
Mayor	morning & afternoon sessions	Bushcare's Major Day Out	The Outpost
Cr Saville	11 am	Sustainable House Day	Devonshire Street
Mayor Cr Saville	2 pm	Opening of Expo: <i>Word on the Street</i>	WDHS Museum

8 GENERAL MANAGER'S LATE REPORT

8.1 COUNCILLOR ATTENDANCE AT LOCAL GOVERNMENT NSW 2016 ANNUAL CONFERENCE

ATTACHMENTS:	1. DRAFT CONFERENCE PROGRAM
RESPONSIBLE OFFICER:	MARK MCDONALD – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	VLADIMIR GREPL – GOVERNANCE AND CORPORATE PLANNING OFFICER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To elect Councillor delegates to attend the Local Government NSW (LGNSW) Annual Conference and consider possible motions to be presented to the Conference.

MOTION

That Council confirm the following delegates attend the Local Government NSW Annual Conference to be held at Wollongong from 16 to 18 October 2016:

1. Voting delegates – Councillors Giles-Gidney, Norton, Saville, Mustaca and Hooper; and
2. Observers – Councillors Eriksson and Rozos

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HOOPER

CARRIED

Voting

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

Against: Councillor Rutherford

Councillors submitted the following motions for consideration at the Conference:

MOTION

That LGNSW make representations to the NSW Government, via the Ministers for Roads and for Planning, for new guidelines for digital advertising on roads. These large, brightly illuminated and animated billboards can be distracting as well as ugly intrusions in our cityscape and on our freeways and main roads. These huge signs have appeared at Pymble on the Pacific Highway, all around the Airport and on the Gore Hill freeway.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SAVILLE

Voting

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

Against: Nil

CARRIED

MOTION

That the NSW government takes strong action to improve housing affordability in NSW particularly for first home buyers.

Multi strategies, at each level of government, are needed to improve housing affordability, at a policy level.

Strategies could include:

- Increasing the proportion of affordable housing in multi unit developments for example City of London targets (around 20%);
- Concepts such as Affordable module dwellings could be explored;

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

Voting

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

Against: Nil

CARRIED

MOTION

That Council mergers be reversed.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR SAVILLE

Voting

For the Motion: Councillors Coppock, Hooper, Norton, Saville, Stevens and Wright.

Against: Councillors Giles-Gidney, Mustaca, Rozos, Rutherford and Sloane.

CARRIED

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

NIL

10 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 19.2 Notice of Motion: Strategy and Funding to Improve Streetscapes along Pacific Highway

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 17.1 Volunteer Strategy 2016 – 2021
Item 18.3 Public Tender 099306 Floodlighting – Chatswood Oval, Willoughby Oval, Alan Hyslop oval and Naremburn Park Ovals
Item 19.1 Notice of Motion: Former NLA and Ultrasonic Laboratory, 126 Greville Street, Chatswood as a Local Heritage Item on the LEP

RESOLUTION

That the remaining items, viz:

Item 12.1 Minutes – Traffic Committee – Meeting 17 August 2016
Item 12.2 Access Advisory Committee Meeting held Wednesday 10 August 2016
Item 12.3 West Ward Councillors Inspection Committee Meeting – 12 Whitton Road, Chatswood – DA2015/434
Item 14.1 Councillors Information Booklets – 23 & 30 August and 6 September 2016
Item 16.1 External Borrowing Policy
Item 16.2 Purchasing and Tendering Policy
Item 16.3 Recommended Carryover of Unspent Project Funds from 2015/16 to 2016/17
Item 16.4 Investment Report July 2016
Item 16.5 Changes to the NSROC Constitution
Item 17.2 Naming of Pathway in Northbridge after Martin McCurrich
Item 18.1 The Concourse Parking Equipment Maintenance Contract
Item 18.2 Draft Amendments to the Section 94A Plans for Willoughby City and Chatswood Central Business District
Item 18.4 Boat Trailer Parking

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

12 REPORTS FROM COMMITTEES

12.1 MINUTES - TRAFFIC COMMITTEE - MEETING 17 AUGUST 2016

ATTACHMENTS:	1. TRAFFIC COMMITTEE MINUTES OF 17 AUGUST 2016
RESPONSIBLE OFFICER:	PETER CONROY – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	NEIL STRICKLAND – SENIOR TRAFFIC ENGINEER
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

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

RESOLUTION

That the recommendations arising from the 17 August 2106 Traffic Committee Meeting be received and adopted.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

12.2 ACCESS ADVISORY COMMITTEE MEETING HELD WEDNESDAY 10 AUGUST 2016

ATTACHMENTS:	1. MINUTES - ACCESS ADVISORY COMMITTEE - 10 AUGUST 2016
RESPONSIBLE OFFICER:	MELANIE SMITH - COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	LOUISE GEAGHAN - DOUGHERTY COMMUNITY SERVICES GROUP LEADER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To provide Council with the minutes of the Willoughby City Council Access Advisory Committee meeting held Wednesday 10 August 2016.

RESOLUTION

That Council receive and note the minutes of the Willoughby City Council Access Advisory Committee meeting held Wednesday 10 August 2016.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

**12.3 WEST WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 12
WHITTON ROAD CHATSWOOD - 2015/434**

ATTACHMENTS:	1. MINUTES WARD COUNCIL MEETING 3 AUGUST 2016
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	CHI WAI KONG – DEVELOPMENT ASSESSMENT OFFICER
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To present the minutes of the West Ward Councillors Inspection Committee Meeting held 3 August 2016.

RESOLUTION**That Council:**

- 1. Receive the Minutes of the West Ward Councillors Inspection Committee Meeting held 3 August 2016, dealing with DA 2015/434 for 12 Whitton Road Chatswood.**
- 2. Note the resolution adopted by the Committee:**

That the application be approved in accordance with the Officer's recommendation subject to conditions being imposed for the protection of trees on the adjoining property at No 7-9 Goodchap Road, Chatswood including the requirement for a qualified arborist to supervise the excavation works for the proposed basement, and inspect and confirm the health of the tree at the completion of construction works.

MOVED COUNCILLOR MUSTACA**SECONDED COUNCILLOR SLOANE****CARRIED****Voting**

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

Against: Nil

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

14.1 COUNCILLOR INFORMATION BOOKLETS- 23 & 30 AUGUST & 6 SEPTEMBER 2016

RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	PATRICIA SHELDRAKE – MINUTE SECRETARY
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To list on the Council Agenda the weekly Councillors Information Booklet, circulated to all Councillors on 23 and 30 August and 6 September 2016.

RESOLUTION

That Council receive the Councillors Information Booklet, circulated to all Councillors on 23 and 30 August and 6 September 2016.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 EXTERNAL BORROWING POLICY

ATTACHMENTS:	1. DRAFT EXTERNAL BORROWING POLICY
RESPONSIBLE OFFICER:	MARK MCDONALD – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	MARK MCDONALD – ACTING CUSTOMER & CORPORATE DIRECTOR
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

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

RESOLUTION

That Council:

- 1. Adopt the External Borrowing Policy; and**
- 2. Implement a protocol to ensure a review each Council term.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

16.2 PURCHASING AND TENDERING POLICY

ATTACHMENTS:	1. DRAFT PURCHASING AND TENDERING POLICY
RESPONSIBLE OFFICER:	MARK MCDONALD – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	MARK MCDONALD – ACTING CUSTOMER & CORPORATE DIRECTOR
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To present a revised Draft Purchasing and Tendering Policy to Council for consideration and endorsement.

RESOLUTION

That Council:

- 1. Adopt the Purchasing and Tendering Policy; and**
- 2. Implement a protocol to ensure a review each Council term.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

16.3 RECOMMENDED CARRYOVER OF UNSPENT PROJECT FUNDS FROM 2015/16 TO 2016/17

ATTACHMENTS:	1. RECOMMENDED CARRYOVER PROJECTS
RESPONSIBLE OFFICER:	MARK MCDONALD – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	MARK MCDONALD – ACTING CUSTOMER & CORPORATE DIRECTOR
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To seek Council endorsement of the proposed carryovers works from 2015/16 to 2016/17.

RESOLUTION

That Council endorse the proposed carryover works from 2015/16 to 2016/17 totalling \$4,595,092 (with \$1,337,095 funded from General Fund).

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

16.4 INVESTMENT REPORT JULY 2016

ATTACHMENTS:	1. COUNCIL'S INVESTMENT HOLDINGS 2. COUNTERPARTY CHART
RESPONSIBLE OFFICER:	MARK MCDONALD- ACTING DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	BILL LOFTHOUSE - FINANCIAL ACCOUNTANT
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To detail the Council Bank balances and Investment portfolio performance as at 31 July 2016.

RESOLUTION

That Council receive the Statement of Bank Balances and Investment Holdings for July 2016.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

16.5 CHANGES TO THE NSROC CONSTITUTION

RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	VLADIMIR GREPL – GOVERNANCE AND CORPORATE PLANNING OFFICER
CITY STRATEGY LINK:	6.3.4 COUNCIL WORKS WITH STATE AND REGIONAL ORGANISATIONS
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To consider the resolution made at the Northern Sydney Regional Organisation of Councils (NSROC) Board meeting of 11 August 2016 to re-consider another Constitutional amendment to facilitate the operation of the Board (comprised currently of Mayors and Councillors) post-merger.

OFFICER'S RECOMMENDATION

That Council:

- 1 Endorse the following proposed amendment to the Constitution of the Northern Sydney Regional Organisation of Councils (NSROC) by the addition of these new clauses:**
 - 4. i) Membership of the Organisation shall be open to, but not restricted to, the following Councils:**
 - h. Any Council newly constituted by amalgamation or otherwise that includes any area formerly within the area of any of the above Councils.**
 - 4. ii) If any existing member Council is dissolved, amalgamated or otherwise ceases to exist:**
 - a. the Council (whether newly formed or otherwise) that becomes the Council for any area within the existing member Council's area automatically becomes a member of the Organisation upon becoming the Council for that area; and**
 - b. unless and until the new or continuing member Councils are constituted by elected Councillors, the representation in respect of such member Councils is to be determined in accordance with clause 5.vii) below.**
- 5. ii) A member Council shall, at its first ordinary meeting after any Council election, appoint delegates from the Council membership to the Organisation, one of whom shall be the Mayor. Each such delegate shall hold office until the appointment of a successor.**

5. vii) Despite clauses 5.i) to 5.vi) above, in the event that a member Council is not constituted by elected Councillors, and the functions of the Council are being undertaken by an Administrator, the representation in respect of the Council (whether newly formed or otherwise) is to be determined by the Administrator of that Council, who may nominate two (2) delegates to the Organisation for each former member Council, to populate the Board; and
2. Direct Council's representatives on the NSROC Board to support this decision at the upcoming Extraordinary NSROC Board meeting called to consider this matter.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 VOLUNTEER STRATEGY 2016 - 2021

ATTACHMENTS:	1. VOLUNTEER STRATEGY 2016-2021
RESPONSIBLE OFFICER:	MELANIE SMITH, COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN, COMMUNITY LIFE MANAGER
CITY STRATEGY LINK:	1.1.1 THE COMMUNITY CAN PARTICIPATE IN CITY LIFE
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To seek Council's endorsement of the *Volunteer Strategy 2016 – 2021* following public exhibition results.

RESOLUTION

That Council:

1. Note the feedback collected on the *Volunteer Strategy 2016 - 2021* during public exhibition and Volunteer Focus Groups; and
2. Endorse the *Volunteer Strategy 2016 - 2021*.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Hooper

17.2 NAMING OF PATHWAY IN NORTHBRIDGE AFTER MARTIN MCCURRICH

ATTACHMENTS:	1. LETTER FROM J WEINGARTH DATED 25 AUGUST 2016
RESPONSIBLE OFFICER:	MELANIE SMITH - COMMUNITY CULTURE AND LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD - OPEN SPACE CO-ORDINATOR
CITY STRATEGY LINK:	THE HERITAGE OF WILLOUGHBY IS IDENTIFIED AND PROTECTED.
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

A request to name the pathway between Dalmeny Road and Minimbah Road Northbridge after the late Martin McCurrich, has been received. Council approval is needed to publicly exhibit the proposal.

RESOLUTION

That Council:

- 1. Publicly exhibit the proposal to name the lane between Dalmeny Road and Minimbah Road, Northbridge as 'McCurrich Cut' after the late Martin McCurrich.**
- 2. Consider a further report after the exhibition period.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 THE CONCOURSE PARKING EQUIPMENT MAINTENANCE CONTRACT

RESPONSIBLE OFFICER: PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR

AUTHOR: WILLIAM KUANG – PARKING FACILITY ENGINEER
PAUL GOMEZ – INFRASTRUCTURE & PARKING MANAGEMENT TEAM LEADER

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

MEETING DATE: 12 SEPTEMBER 2016

Purpose of Report

To establish ongoing arrangements for the maintenance of Council's car parking equipment for the next 3 years until September 2019.

RESOLUTION

That Council:

1. Provide an exemption from Councils purchasing policy and tendering requirements due to the unavailability of competitive tenderers under the Local Government Act 1993 Section 55(3)(i).
2. Accept the quotation from TMA Tech PTY LTD for the maintenance of parking equipment and guidance system at The Concourse car park. The maintenance plan selected is to be the Platinum Plus Maintenance Support plan for a period of 3 years plus consumables and contract exclusions.
3. Fund the contract from Council's Paid Parking Reserve.
4. Authorise the General Manager and Mayor to negotiate and execute the contract documents.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

**18.2 DRAFT AMENDMENTS TO THE SECTION 94A PLANS FOR
WILLOUGHBY CITY AND CHATSWOOD CENTRAL BUSINESS DISTRICT**

ATTACHMENTS:	1. NOTIFICATION FROM NSW DEPARTMENT OF FINANCE SERVICES & INNOVATION 2. DRAFT AMENDMENTS TO WILLOUGHBY AND CHATSWOOD CBD SECTION 94A PLANS
RESPONSIBLE OFFICER:	PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	JANE GIBSON – STRATEGIC PLANNER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To advise Council of the State Government's intention to discontinue the publication of the Building Price Index, and recommend an alternative publication to guide Council in relation to the annual indexation of its developer contributions such as Section 94A.

RESOLUTION

That Council:

- 1. Support the draft amendments to Willoughby City Section 94A Contributions Plan 2011 and Chatswood Central Business District Section 94A Contributions Plan 2011 by removing references to "Building Price Index (Enterprise Bargaining Agreement)" and replacing them with "The Sydney All Groups Consumer Price Index" as published by the Australian Bureau of Statistics.**
- 2. Place the draft amendments to Willoughby City Section 94A Contributions Plan 2011 and Chatswood Central Business District Section 94A Contributions Plan 2011 on public exhibition for 28 days.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

18.3 PUBLIC TENDER 099306 FLOODLIGHTING - CHATSWOOD OVAL, WILLOUGHBY OVAL, ALAN HYSLOP OVAL AND NAREMBURN PARK OVALS

RESPONSIBLE OFFICER: MELANIE SMITH, COMMUNITY, CULTURE AND LEISURE DIRECTOR

AUTHOR: HOLLY COWDERY – OPEN SPACE PROJECTS OFFICER

CITY STRATEGY LINK: 1.3.2 HEALTHY LIVING AND WELLBEING ARE ENCOURAGED

MEETING DATE: 12 SEPTEMBER 2016

Purpose of Report

To advise Council on the evaluation of Tender 099306 for sports field floodlighting for Chatswood Oval, Willoughby Oval, Alan Hyslop Oval and Naremburn Park No1 and No 2 Ovals and to seek Council's approval to appoint a tenderer(s) to carry out these works.

RESOLUTION

That Council:

1. **Accept REES Electrical Pty Ltd as preferred tenderer for Willoughby Oval, Alan Hyslop Oval and Naremburn No 1 and No2 Ovals for floodlighting upgrade with see saw poles.**
2. **Authorise REES Electrical Pty Ltd to complete the construction of the tendered works.**
3. **Accept Havencord Pty Ltd T/A Floodlighting Australia as preferred tenderer for Chatswood Oval Floodlighting upgrade with standard poles.**
4. **Authorise Havencord Pty Ltd T/A Floodlighting Australia to complete the construction of the tendered works.**
5. **Authorise the Mayor and General Manager to sign and execute the contract documents.**
6. **Inform the tenderers of Council's decision.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

Absent: Councillor Hooper

18.4 BOAT TRAILER PARKING

RESPONSIBLE OFFICER:	PETER CONROY – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	MARK TAYLOR – COMPLIANCE UNIT MANAGER
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

To explain the new powers available to Council in relation to Boat Trailer Parking and seek Council's endorsement of their implementation throughout Willoughby City Council.

OFFICER'S RECOMMENDATION

That Council:

1. Endorse the proposal to declare the whole of the City of Willoughby Local Government Area a "Declared Area" for the purposes of the *Impounding Amendment (Unattended Boat Trailers) Act 2015*.
2. Initiate community consultation in accordance with the Community Engagement Policy and provide notification of Council's endorsement of declaring the whole of the City of Willoughby local government area to be a "Declared Area" for the purposes of the *Impounding Amendment (Unattended Boat Trailers) Act 2015*.
3. Report the results of the community consultation back to Council with a view to commencing implementation of the provisions of the *Impounding Amendment (Unattended Boat Trailers) Act 2015* after the 1 January, 2017.

THIS MATTER WAS DEFERRED TO THE NEXT COUNCIL MEETING.

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION - FORMER NLA AND ULTRASONIC LABORATORY, 126 GREVILLE STREET, CHATSWOOD AS A LOCAL HERITAGE ITEM ON THE LEP

RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

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

MOTION

That Council lists the former National Acoustic Laboratory as a Local Heritage Item in the WLEP.

RESOLUTION

That Council refer the request to list the former NLA and Ultrasonic Laboratory, 126 Greville Street, Chatswood as a Local Heritage Item on the LEP, to the 2017/18 Budget discussion as part of the review of local heritage items.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Hooper

**19.2 NOTICE OF MOTION: STRATEGY AND FUNDING TO IMPROVE
STREETSCAPES ALONG PACIFIC HIGHWAY**

RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	12 SEPTEMBER 2016

Purpose of Report

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

MOTION

That Willoughby City Council develops a strategy for, and provides funding to improve the amenity, streetscapes and footpaths, with tree planting and vegetation, within WCCC, along Pacific Highway between Boundary Road and St Leonards. The section in the Chatswood CBD to Mowbray Rd should be prioritised.

Procedural Motion

That Robert Wilson address the meeting and answer questions of the Councillors.

RESOLUTION

That Willoughby City Council develops a strategy for, and provides funding to improve the amenity, streetscapes and footpaths, with tree planting and vegetation, within WCCC, along Pacific Highway between Albert Avenue to Nelson Street.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Coppock, Hooper, Mustaca, Norton, Rozos, 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 THE CONCOURSE PARKING EQUIPMENT MAINTENANCE CONTRACT - CONFIDENTIAL

Reason for confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

20.2 CONFIDENTIAL REPORT - 36A PARK ROAD NAREMBURN - DA2016/190 - OUTCOME OF LAND AND ENVIRONMENT COURT PROCEEDING

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

20.3 RENEWAL OF LICENCES FOR THE PROVISION OF CHILD CARE SERVICES AT 45 ORCHARD ROAD CHATSWOOD AND WILLOUGHBY PARK CENTRE - CONFIDENTIAL

Reason for Confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

20.4 TENDER 099306 FLOODLIGHTING - CHATSWOOD OVAL, WILLOUGHBY OVAL, ALAN HYSLOP OVAL AND NAREMBURN PARK OVALS

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

20.5 4 SCOTT CRESCENT ROSEVILLE - DA 2014/561 - OUTCOME OF LAND & ENVIRONMENT COURT PROCEEDING - CONFIDENTIAL

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 as the matter relates 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.*

20.1 THE CONCOURSE PARKING EQUIPMENT MAINTENANCE CONTRACT - CONFIDENTIAL

Recommendation Summary

That Council:

- 1. Provide an exemption from Councils purchasing policy and tendering requirements due to the unavailability of competitive tenderers under the Local Government Act 1993 Section 55(3)(i).**
- 2. Accept the quotation from TMA Tech PTY LTD for the maintenance of parking equipment and guidance system at The Concourse car park. The maintenance plan selected is to be the Platinum Plus Maintenance Support plan for a period of 3 years plus consumables and contract exclusions.**
- 3. Fund the contract from Council's Paid Parking Reserve.**
- 4. Authorise the General Manager and Mayor to negotiate and execute the contract documents.**

**20.2 CONFIDENTIAL REPORT - 36A PARK ROAD NAREMBURN - DA2016/190
- OUTCOME OF LAND AND ENVIRONMENT COURT PROCEEDING****Recommendation Summary**

That Council note that Development Application 2015/190 for “Demolition of the existing buildings and the construction of a residential flat development” at No 36A Park Road Naremburn is APPROVED subject to the conditions of consent contained in the approval issued by the Land & Environment Court.

**20.3 RENEWAL OF LICENCES FOR THE PROVISION OF CHILD CARE
SERVICES AT 45 ORCHARD ROAD CHATSWOOD AND WILLOUGHBY
PARK CENTRE - CONFIDENTIAL****Recommendation Summary**

That Council:

1. Accept Chatswood Occasional Child Care Incorporated’s tender submission for Council’s 45 Orchard Rd, Chatswood facility and enter into a licence agreement for a term of 5 years with a 5 year option.
2. Authorise Council officers to undertake negotiations with the East Willoughby Pre-School with view to reaching an agreement for the lease of the facility in accordance with the tender conditions AND that a further report be presented for Council’s consideration detailing the outcome of the tender negotiations.
3. Provide the mayor and General Manager with delegated authority to execute the licence agreements under the Common Seal of Council.
4. Council publicly release this report, with the confidential information redacted.

**20.4 TENDER 099306 FLOODLIGHTING - CHATSWOOD OVAL, WILLOUGHBY
OVAL, ALAN HYSLOP OVAL AND NAREMBURN PARK OVALS****Recommendation Summary**

That Council:

1. Accept REES Electrical Pty Ltd as preferred tenderer for Willoughby Oval, Alan Hyslop Oval and Naremburn No 1 and No2 Ovals for floodlighting upgrade with see saw poles.
2. Authorise REES Electrical Pty Ltd to complete the construction of the tendered works.
3. Accept Havencord Pty Ltd T/A Floodlighting Australia as preferred tenderer for Chatswood Oval Floodlighting upgrade with standard poles.
4. Authorise Havencord Pty Ltd T/A Floodlighting Australia to complete the construction of the tendered works.
5. Authorise the Mayor and General Manager to sign and execute the contract documents.
6. Inform the tenderers of Council’s decision.

20.5 4 SCOTT CRESCENT ROSEVILLE - DA 2014/561 - OUTCOME OF LAND & ENVIRONMENT COURT PROCEEDING - CONFIDENTIAL**Recommendation Summary**

That Council note that DA-2014/561 for 'Demolition of an existing single storey dwelling house and construction of a two storey boarding house for 12 adult lodgers and associated works' at 4 Scott Crescent Roseville is APPROVED subject to the conditions of consent contained in the Court Order issued by the Land & Environment Court.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Hooper

RESOLUTION

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

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

Absent: Councillor Hooper

21 QUESTIONS

21.1 QUESTION ON NOTICE FROM CLR SAVILLE - REIMBURSEMENT TO COUNCIL'S OPEN SPACE RESERVE OF ALL ACQUISITION COSTS OF THE ARTARMON BOWLING CLUB

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

AUTHOR: PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR

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

MEETING DATE: 12 SEPTEMBER 2016

Question

With regards to Willoughby Council meeting, 22nd August, Item 16.1 Recommended Allocation of Cy Pres Trust Scheme Monies. Council resolved to endorse the funding of all acquisition costs of the Artarmon Bowling Club site from the Cy Pres Trust Account.

When will the \$1,009,463 be repaid to Willoughby Council's Open Space Reserve? Will councillors be provided confirmation of the reimbursement?

Answer

The Report presented to Council on 11 May 2015 – Item 3.1 –“Potential to Purchase Land”, provided the following advices to Councillors regarding the financial implications of the potential purchase of the *Artarmon Bowling Club* site:

The purchase of the site could be initially funded from Council's Open Space Reserve. However the proposal would be to establish a cy pres scheme over the site and apply the funds currently held by Council for such a proposal.

As advised on 22 August 2016 within Item 16.1 –“Recommended Allocation of Cy Pres Trust Scheme Monies”, Council purchased the site on 29 January 2016 with the funding source being The Open Space Reserve.

On 13 July 2016, the Supreme Court of New South Wales approved Council's Cy Pres Declaration of Trust application.

A Council Resolution was therefore required to enable the costs associated with the purchase to be transferred from the Open Space Reserve to the Cy Pres Trust Scheme monies.

At its meeting on 22 August 2016, Council endorsed the funding of all acquisition costs of the Artarmon Bowling Club from the Cy Pres Trust Scheme monies.

On the following day staff adjusted the Council's restrictions/reserves and associated Trust Scheme monies to accord with the Resolution.

- **Councillor Hooper left the meeting at 7:46pm**

The meeting concluded at 7:59pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held 12 September 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.