



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, 31 Victor Street, Chatswood

28 November 2016

commencing at 7:00pm

TABLE OF CONTENTS

TABLE OF CONTENTS	2
1 PRESENT	5
2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF	5
3 CONFIRMATION OF MINUTES	5
4 APOLOGIES AND LEAVE OF ABSENCE	6
5 PETITIONS	7
5.1 PETITION: SKATE PARK IN WILLOUGHBY.....	7
6 OPEN FORUM	8
7 MAYORAL MINUTE	9
7.1 MAYORAL MINUTE – THE LATE JAMES (JIM) ERNEST WHITE	9
7.2 MAYOR’S DIARY – COUNCIL MEETING NOTES – 28 NOVEMBER 2016	11
8 GENERAL MANAGER’S LATE REPORT	13
8.1 COUNCIL REPRESENTATIVES ON THE NEWLY FORMED SYDNEY NORTH PANEL	13
9 MATTERS FOR DEFERRAL, REFERRAL TO INSPECTION AND/OR PROCEDURAL PRIORITY	14
12 REPORTS FROM COMMITTEES	16
12.1 NAREMBURN WARD COUNCILLORS INSPECTION REPORT - 64-66 CHANDOS STREET, ST LEONARDS DA-2012/181A.....	16
12.2 SAILORS BAY WARD COUNCILLORS INSPECTION MEETING - 52-54 EASTERN VALLEY WAY, NORTHBRIDGE NSW 2063 - DA-2015/368/A.....	17
12.3 MIDDLE HARBOUR WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 18 MORELLA PLACE, CASTLE COVE - DA- 2016/110	19
12.4 SAILORS BAY WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 5 TOWER RESERVE CASTLECRAG – DA2016/5	21
13 DEFERRED MATTERS	23
13.1 NOTICE OF MOTION - COUNCILS, CROWN LAND AND WAY THEY ARE EXPOSED.....	23
14 CORRESPONDENCE	24
14.1 COUNCILLOR INFORMATION BOOKLETS - 15 AND 22 NOVEMBER 2016	24
15 REPORTS FROM OFFICERS - GENERAL MANAGER	25
16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE	26
16.1 OPERATIONAL PLAN AND QUARTERLY FINANCIAL PERFORMANCE - SEPTEMBER 2016.....	26
16.2 INVESTMENT REPORT OCTOBER 2016	28
16.3 WEBCASTING AND AUDIO STREAMING OF COUNCIL MEETINGS.....	29
16.4 MODEL CODE OF CONDUCT COMPLAINT STATISTICS 2015-2016	31
16.5 ADOPTION OF PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES FOR THE MAYOR AND COUNCILLORS POLICY	32

17	REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE	33
17.1	TENDER 085181 CHATSWOOD HIGH SCHOOL - SYNTHETIC SPORTSGROUND SURFACING	33
17.2	COMMUNITY SMALL GRANTS PROGRAM - CONVICTION GROUP.....	34
17.3	CHATSWOOD HIGH SCHOOL OVAL - DEEDS WITH MINISTER FOR EDUCATION	35
17.4	GREVILLE STREET RESERVE PLAYGROUND IMPROVEMENTS PLAN.....	36
17.5	ALCOHOLICS ANONYMOUS ("DOING THE DEAL" NAREMBURN GROUP) - CONCESSIONAL HIRE	37
17.6	CAMPBELL PARK PLAYGROUND IMPROVEMENTS PLAN	38
17.7	NAMING MCCURRICH CUT, NORTHBRIDGE - CONSULTATION	39
18	REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE	40
18.1	DRAFT STREET PARKING STRATEGY.....	40
18.2	POSSIBLE SPECIAL RATES VARIATION FOR NORTHBRIDGE PLAZA CAR PARK.....	42
18.3	CURRENT DEVELOPMENT APPLICATION AND PLANNING PROPOSAL REPORT AS AT 14 NOVEMBER 2016.....	43
18.4	APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY 1 OCTOBER 2016 TO 31 OCTOBER 2016.....	44
18.5	SAILORS BAY ROAD, NORTHBRIDGE - (NORTHBRIDGE GOLF COURSE) - DA 2016/145	45
19	NOTICE OF MOTION	54
20	CONFIDENTIAL ITEMS.....	55
20.1	46 STRATHALLEN AVE NORTHBRIDGE - DA2016/55 - LEGAL PROSPECTS REGARDING LAND AND ENVIRONMENTAL COURT APPEAL FOR MIXED USE (SHOP TOP HOUSING) DEVELOPMENT	55
20.2	17 HERCULES STREET CHATSWOOD - DA 2016/225 - LEGAL PROSPECTS REGARDING REFUSAL OF CARPORT IN CONSERVATION AREA	55
20.3	COUNCILLOR UPDATE - GORE HILL VPA - CONFIDENTIAL.....	55
20.4	290 MOWBRAY ROAD AND 66 & 66A STAFFORD ROAD ARTARMON - DA NO. 2014/567 - OUTCOME OF LAND & ENVIRONMENT COURT PROCEEDING - CONFIDENTIAL	56
20.5	TENDER 085181 CHATSWOOD HIGH SCHOOL - SYNTHETIC SPORTSGROUND SURFACING - ADDITIONAL INFORMATION	56
21	QUESTIONS.....	59

THIS PAGE IS INTENTIONALLY LEFT BLANK

1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors S Coppock, H Eriksson, R Hill, 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 L Di Lerna (Interim Director, Customer & Corporate), Mr I Arnott (Planning Manager), Mr D Sung (Design Services Manager), Mr D Sui (Senior Transport Engineer), Ms J Gregson (Senior Management Accountant), Mr G Fitzgerald (Revenue Accountant), Ms E Wall (Governance Manager), Mr V Grepl (Governance & Corporate Planning Officer) and Ms P Sheldrake (Minute Secretary)

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Councillor Saville declared, via a Disclosures of Interest Form a non-pecuniary, less than substantial interest in Item 17.1 and Item 20.5: Tender 085181 Chatswood High School – Synthetic Sportsground Surfacing
(Nature of Interest: I live in Eddy Road, Chatswood which forms a boundary with the school. I have also convened a Bushcare group on the school site. I believe I can vote independently)
- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest Form, a non-pecuniary, less than substantial interest in Item 18:5: Sailors Bay Road, Northbridge – (Northbridge Golf Course) – DA2016/145
(Nature of Interest: I am patron of Northbridge Golf Club. This is one of 15 groups that I am patron of)
- Councillor Coppock declared via a Disclosures of interest Form, a non-pecuniary, less than substantial interest in Item 20.3: Councillor Update – Gore Hill VPA
(Nature of Interest: In Mayoral campaign of 2008 Mayor Reilly and myself, the only two candidates, received a donation from Lindsay Benelong. The 2008 mayoral occurred eight years ago and two mayoral campaigns ago, i.e. since then mayoral elections have occurred in 2014 and 2012)
- Councillor Hill declared, via a Disclosures of Interest Form, a non-pecuniary, less than substantial interest in Item 12.3: Sailors Bay Ward Councillors Inspection Committee Meeting – 52-54 Eastern Valley Way, Northbridge – DA2015/368/A
(Nature of Interest: I live in Woonona Road)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 14 November 2016, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR NORTON**CARRIED****Voting****For the Resolution:** Councillors Giles-Gidney, Coppock, Eriksson, Hill, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane, Stevens and Wright.**Against:** Nil**4 APOLOGIES AND LEAVE OF ABSENCE**

- Councillor Giles-Gidney requested Leave of Absence from 26 December 2016 – 4 January 2017
- Councillor Saville retrospectively requested Leave of Absence from 25-27 November 2016
- Councillor Coppock requested Leave of Absence from 6 – 9 December 2016
- Councillor Rozos requested Leave of Absence on 9 December 2016
- Councillor Hooper tendered an apology for tonight's meeting

RESOLUTION**That Council:**

1. **Grant Councillor Giles-Gidney Leave of Absence from 26 December 2016 – 4 January 2017**
2. **Note Councillor Saville's Leave of Absence from 25-27 November 2016**
3. **Grant Councillor Coppock Leave of Absence from 6 – 9 December 2016**
4. **Grant Councillor Rozos requested Leave of Absence on 9 December 2016**
5. **Note Councillor Hooper's apology and grant Leave of Absence for Monday 28 November 2016**

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

5 PETITIONS

5.1 PETITION: SKATE PARK IN WILLOUGHBY

RESPONSIBLE OFFICER: ELIZABETH WALL – GOVERNANCE MANAGER

AUTHOR: VLADIMIR GREPL – GOVERNANCE AND
CORPORATE PLANNING OFFICER

MEETING DATE: 28 NOVEMBER 2016

Purpose of Report

Council has received an on-line petition sponsored by Lucas Head, 11, a resident of Castlecrag. The petition has 320 signatories and appears on Change.org under the heading “New skatepark in Willoughby”.

As on-line petitions are not designed to be printed, it would take many printed pages to cover all 320 signatories and as the petition is in the public domain, it is best viewed online at <https://www.change.org/p/new-skatepark-in-willoughby>.

The petition is described in the following way on Change.org:

“Sign this petition if you want an amazing skatepark built in Willoughby North. I am asking Willoughby Council to build us all a skatepark that we can easily access. Amazing skateparks are popping up all over Australia and Willoughby is falling behind. It will be great for the community, lots of fun and even soon an olympic sport!”

Procedural Motion

That Lucas Head address the meeting.

RESOLUTION

That Council receive and note the petition relating to a request for a skate park and it be referred to the Culture & Leisure Services Unit for consideration.

MOVED COUNCILLOR HILL

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

6 OPEN FORUM

NIL

7 MAYORAL MINUTE

7.1 MAYORAL MINUTE – THE LATE JAMES (JIM) ERNEST WHITE

MEETING DATE: 14 NOVEMBER 2016

Purpose of Report

To consider the Mayor Minute on the passing of James (Jim) Ernest White and on the naming of a path at Castle Cove after him.

MOTION

Jim White passed away on 11 November 2016, aged 86. Jim was a longstanding Castle Cove resident held in high regard by his community. Jim was an architect by profession and designed his home in Castle Cove and lived there with his wife, Nell, for over 45 years, where they raised their two daughters, Susan and Alison. In recent years Jim was delighted to become the grandfather of two little boys, Lucas and DJ.

Jim was a member of Council's Natural Heritage and Bushland Advisory Committee from 2005 to 2016. His contributions to the committee were highly valued. He was an active member whose forthright opinions on the need for the preservation and propagation of native flora were always well received. His love of Flannel Flowers and Waratahs and his hatred of Lantana were well known to the committee. Following a stroke six years ago, Jim's mobility was limited and he was unable to venture into his beloved bush but his magnificent native garden was an enduring interest. He attended committee meetings until a further stroke recently made attendance impossible

Jim was the founding president of The Castle Cove Environment Association and a regular attendee to the Castle Cove Progress Association.

However, Jim was a man of many parts. Professionally he was involved in the designing and development of motels, resulting in much overseas travel to discover new trends and to gain inspiration for innovative designs. Jim was also one of five pioneers in square dancing in Australia and often travelled to the USA for annual square dancing conferences.

Another passion was golf. Jim was a founding member of the Lane Cove Country Club in 1960 and designed its course after succeeding in gaining cooperation from Lane Cove Council to donate the land. Jim was a most persuasive man.

Jim also contributed to Kiwanis and Apex; volunteering and community activity were important to Jim. Jim will be missed by his family and friends but also by the wider community which has benefitted so much from this very energetic man who rolled his sleeves up and made things happen.

Councillor Rutherford has brought to my attention the local interest to name the perimeter path at Castle Cove Park after the late Jim White. I understand from Clr Rutherford that the Castle Cove Progress Association and the family of Mr White are unanimously in support of this proposal.

Council is currently undertaking community consultation regarding stage 2 of the Castle Cove Park Path Extension. The consultation is scheduled to close on 4 December 2016.

It is opportune for Council to extend the existing public consultation to include the suggested naming of the path. The results of the consultation will be referred to Council in a report in February next year.

The request to name the Castle Cove Park Pathway after the late James White is consistent with the Willoughby City Strategy, and Council's current practice in regards to the naming of parks, places and pathways.

Council acknowledges the importance of volunteers in our community, and has a tradition of naming parks, places and pathways after local residents who have made significant contributions to the life and times of the Willoughby Local Government Area.

Recent examples are Bartels Park, Elsie Wearn Park and Kordia Way.

RECOMMENDATION

That Council

- 1. Adopt the Mayoral Minute on the passing of Jim White and write a letter of condolence to the family;**
- 2. Support the consultation on the naming of the Castle Cove Park Path the 'James White Path'; and**
- 3. Receive a report in February 2017 outlining the results of the consultation.**

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Councillor Coppock made an address to acknowledge the passing of Ruth Williams.

7.2 MAYOR'S DIARY – COUNCIL MEETING NOTES – 28 NOVEMBER 2016

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

TUESDAY 15 NOVEMBER			
Mayor Cr Norton	6 pm	Better Business Partnership: The North Shore Symposium	Zenith Theatre
Crs Norton, Rozos	7.30 pm	Chatswood East PA. Meeting	Dougherty Centre
WEDNESDAY 16 NOVEMBER			
THURSDAY 17 NOVEMBER			
Mayor Cr Norton	12 noon	<i>Live at Lunch Concert</i>	The Concourse
Mayor Crs Norton, Rutherford	6.30 pm	Christmas Tree Lighting	The Concourse Plaza
FRIDAY 18 NOVEMBER			
Mayor	10.30 am	Launch of K-Mart Wising Tree	K-Mart, Chatswood Chase
Mayor Clr Saville	6 pm	Willoughby Swim for a Cause – White Ribbon Day	Willoughby Leisure Centre
SATURDAY 19 NOVEMBER			
SUNDAY 20 NOVEMBER			
MONDAY 21 NOVEMBER			
Crs Norton, Rutherford, Saville	1 pm	Funeral - Mr James White	Macquarie Park
TUESDAY 22 NOVEMBER			
Mayor	7.45 pm	Artarmon Village Christmas Event	The Freeway Hotel
WEDNESDAY 23 NOVEMBER			
Mayor Cr Rozos	7.30 am	Breakfast with Gladys Berejiklian	Rubino's, Penshurst Street
Mayor	11.15 am	Northside Older Women's Group	Dougherty Centre
Mayor Cr Eriksson	7.45 am	AGM of Northbridge P.A.	Northbridge Golf Club
Clr Saville	2:30pm	Forum Greater Sydney Commission (GSC) District Plans	Parliament House
THURSDAY 24 NOVEMBER			
Mayor Crs Coppock, Mustaca, Norton, Rozos, Rutherford, Saville	7 am	Greater Sydney Commission Briefing	The Chatswood Club
Mayor Cr Rutherford	11.30 am	Citizenship Ceremony	Council Chambers
Mayor Crs Norton, Rutherford	1 pm	Multicultural Christmas Party	The Civic Pavilion
Mayor	6.30 pm	City Switch Awards	MCA, George Street
FRIDAY 25 NOVEMBER			

ORDINARY COUNCIL MEETING**28 NOVEMBER 2016**

Cr Norton	5 pm	Dougherty Apts Residents' Gathering	Dougherty Centre
SATURDAY 26 NOVEMBER			
SUNDAY 27 NOVEMBER			
Mayor	3 pm	Launch of Bambini House Expo	Gallery 88
Mayor	6.30 pm	Official Opening of Forecourt	OLOD Chatswood
Mayor Cr Norton	evening	Launch of WSOC Christmas CD	St Stephen's Church
Crs Mustaca, Norton	evening	Fiesta celebrating Opening of Forecourt	OLOD Chatswood

8 GENERAL MANAGER'S LATE REPORT

8.1 COUNCIL REPRESENTATIVES ON THE NEWLY FORMED SYDNEY NORTH PANEL

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

AUTHOR: PETER CONROY – PLANNING & INFRASTRUCTURE DIRECTOR

CITY STRATEGY LINK: 6.3.4 COUNCIL WORKS WITH STATE AND REGIONAL ORGANISATIONS

MEETING DATE: 28 NOVEMBER 2016

Purpose of Report

To nominate Council representatives on the Sydney North Planning Panel.

RESOLUTION

That Council:

- 1. Nominate the Mayor, the Deputy Mayor, Ms Norma Shankie-Williams and Ms Linda McClure as its representatives on the Sydney North Planning Panel.**
- 2. Advise the Panel Secretariat of its decision**

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

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

NIL

10 MATTERS BROUGHT FORWARD BY THE PUBLIC

- Item 5.1 Petition: Skate Park in Willoughby
- Item 12.1 Naremburn Ward Councillors Inspection Report – 64-66 Chandos Street, St Leonards – DA2012/181A
- Item 17.7 Naming McCurrich Cut, Northbridge - Consultation

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 13.1 Notice of Motion – Councils, Crown Land and way they are exposed
- Item 16.1 Operational Plan and Quarterly Financial Performance – September 2016
- Item 16.3 Webcasting and Audio Streaming of Council Meetings
- Item 16.4 Model Code of Conduct Complaint Statistics 2015-2016
- Item 16.5 Adoption of Payment of Expenses and the provision of Facilities for the Mayor and Councillors Policy
- Item 18.1 Draft Street Parking Strategy
- Item 18.2 Possible Special Rates Variation for Northbridge Plaza Car Park
- Item 18.5 Sailors Bay Road, Northbridge – (Northbridge Golf Course) – DA2016/145

RESOLUTION

That the remaining items, viz:

- Item 12.3 **Sailors Bay Ward Councillors Inspection Meeting – 52-54 Eastern Valley Way, Northbridge – DA2015/368/A**
- Item 12.4 **Middle Harbour Ward Councillors Inspection Committee Meeting – 18 Morella Place, Castle Cove – DA2016/110**
- Item 12.5 **Sailors Bay Ward Councillors Inspection Committee Meeting – 5 Tower Reserve, Castlecrag – DA2016/5**
- Item 14.1 **Councillors Information Booklets – 15 and 22 November 2016**
- Item 16.2 **Investment Report October 2016**
- Item 17.1 **Tender 085181 Chatswood High School – Synthetic Sportsground Surfacing**
- Item 17.2 **Community Small Grants Program – Conviction Group**
- Item 17.3 **Chatswood high School Oval – Deeds with minister for Education**
- Item 17.4 **Greville Street Reserve Playground Improvements Plan**
- Item 17.5 **Alcoholics Anonymous (“Doing the Deal” Naremburn Group) – Concession Hire**
- Item 17.6 **Campbell Park Playground Improvements Plan**
- Item 18.3 **Current Development Application and Planning Proposal Report as at 14 November 2016**
- Item 18.4 **Applications Determined Under Delegated Authority 1 October 2016 to 31 October 2016**

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

12 REPORTS FROM COMMITTEES

12.1 NAREMBURN WARD COUNCILLORS INSPECTION REPORT - 64-66 CHANDOS STREET, ST LEONARDS DA-2012/181A

ATTACHMENTS:	1. MINUTES 2. WARD COUNCIL MEETING REPORT
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	JIM DAVIES – ASSESSING CONSULTANT PLANNER
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To list on the agenda the Minutes of the Naremburn Ward Councillors Inspection Committee Meeting held 17 November 2016.

RESOLUTION

That Council defer this item; and

1. Note that the applicant has prepared amended plans subsequent to the consideration by the Naremburn Ward Councillor Committee meeting in respect to the Section 96 Modification application (2012/181/A);
2. Notify the amended plans to all previous correspondents; and
3. Delegate authority to the Naremburn Ward Councillor Committee to determine the application following consideration of a further report on the amended plans and outcome of the notification.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

**12.2 SAILORS BAY WARD COUNCILLORS INSPECTION MEETING - 52-54
EASTERN VALLEY WAY, NORTHBRIDGE NSW 2063 - DA-2015/368/A**

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To list on the agenda the Minutes of the Sailors Bay Ward Councillors Inspection Committee meeting held 14 November 2016

RESOLUTION**That Council:**

- 1. Receive the Minutes of the Sailors Bay Councillors Inspection Meeting held 14 November 2016, relating to DA2015/368/A for a S96 – Modifications to unit layout, setbacks, private open space, communal open space and parking of approved development.**
- 2. Note the resolutions adopted by the Committee:**

That the application be approved in accordance with the Officer's recommendation subject to Condition 5 being modified to read as follows:

5. Amendments – Privacy Measures

The proposal is to be amended in the following manner:

- Privacy screen shall be provided along the full length of the southern edge of the approved balconies (with direct access from Living rooms) of Unit 15, 24 & 25.*
- Southern Balcony (facing No 50 Eastern Valley Way) wrapping around the Bedrooms of Unit 33 be deleted and replaced by non-trafficable roof.*
- The south facing bedroom windows of 'Type 2' apartments on Levels 2 and 3 are to incorporate privacy screening (such as fixed shutters preventing downward or horizontal viewing, translucent glass, or similar) up to a minimum height of 1.6metres above floor level.*
- Each of the communal access areas on Levels 2 and 3 are to incorporate full height screening for a minimum of 50% of the length of the southern side. The full height screens are to be located in front of the return areas accessing front doors and lifts to prevent people walking in a southern direction from being able to view directly out.*
- Tree planting (of species having a maturity height of greater than 4 metres) between the building and the southern boundary, are to be planted from a minimum 100litre pot size and are not to be planted within 3metres of the southern boundary.*

- (f) *Plant species within 3metres of the southern boundary are to have a maturity height not greater than the height of the southern boundary fencing, not including any plantings located to the east of the forward most point of the adjoining building at 50 Eastern Valley Way.*

Plans detailing these amendments are required to be shown on the Construction Certificate plans.

(Reason: Ensure compliance)”

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

12.3 MIDDLE HARBOUR WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 18 MORELLA PLACE, CASTLE COVE - DA-2016/110

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	ANA VISSARION – ACTING DEVELOPMENT PLANNING TEAM LEADER
AUTHOR:	CHI WAI KONG – DEVELOPMENT ASSESSMENT OFFICER
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To list on the agenda the Minutes of the Middle Harbour Ward Councillors Inspection Committee Meeting held 10 November 2016.

RESOLUTION***That Council:***

- 1. Receive the Minutes of the Middle Harbour Ward Councillors Inspection Committee Meeting held 10 November 2016, relating to alterations and additions to existing dwelling including demolition of walls, floor slab and garage and construction of a new garage, driveway and landscaping at No. 18 Morella Place.***
- 2. Note the Resolutions adopted by the Committee:***

That the application be approved in accordance with the Officer's recommendation subject to amending Condition 3 to read as follows:

- 3. Amendments***

Prior to the issue of the Construction Certificate, the proposal is to be amended in the following manner:

- Lower the floor level and the overall height of the garage structure by 0.8m to reduce its visual bulk whilst maintaining acceptable gradient for the new driveway in accordance with AS2890.1.*
- Reduce the dimensions of the terrace on the rooftop of the garage to 4m measured from the southern wall of the entry void and 3.5m measured from the eastern (front) wall of the first floor. Install a 1.6m high translucent glass privacy screen (from the finished level of the terrace) extending 1.5m from the eastern (front) wall of the first floor on the southern side of the subject terrace to reduce overlooking to No. 20.*
- Remove the paved areas at the front yard and replace with landscaped areas to enhance the visual quality and amenity of the property.*
- Extend the privacy screens on both sides for the full depth of the rear first floor balcony.*

*Plans detailing these amendments are required to be shown on the Construction Certificate plans.
(Reason: Ensure compliance)*

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

12.4 SAILORS BAY WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 5 TOWER RESERVE CASTLECRAG – DA2016/5

ATTACHMENTS:	1. MINUTES
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	ANA VISSARION – DEVELOPMENT PLANNER
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To list on the agenda the Minutes of the Sailors Bay Ward Councillors Inspection Committee Meeting held 15 November 2016.

RESOLUTION

That Council:

1. **Receive the Minutes of the Sailors Bay Councillors Inspection Committee Meeting held 15 November 2016, relating to DA2016/5 for alterations and additions to existing dwelling including addition of a second storey carport.**

2. **Note the resolutions adopted by the Committee:**

That the application be approved in accordance with the Officer's recommendation subject to amending Conditions 3, 6 and 7 to read as follows:

3. *Amendments - Rehabilitation of adjoining reserve*

The stone-paved area and concrete platform located on the Council reserve that adjoins the southern boundary and the chimney shall be restored to natural landscape. A balustrade that complies with the Building Code of Australia should be located within the site.

Any areas of encroachment required to be removed shall be landscaped by informal indigenous groundcovers, shrubs and trees integrated with the natural environment so as to maintain, protect and enhance the indigenous landscape and the landform's natural features.

All new buildings approved by subject application shall be contained within the subject site and shall not encroach on Council land.

These amendments are required to be shown on the Construction Certificate plans.

(Reason: Conservation area amenity)

6. *External Finishes – Heritage Character*

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

specifies “Materials and colours must blend inconspicuously with the predominant colours of the local bushland” must be observed. As such, the proposed cladding should be amended to a darker recessive colour.

In this regard a schedule of these colours and textures, including the selection of the roof tiles shall be submitted for approval to Council’s Heritage Architect prior to submitting it to the Certifying Authority.

(Reason: Visual amenity)

7. *Damage Deposit*

The applicant shall lodge a Damage Deposit of \$25,000 (GST Exempt) as cash, cheque or an unconditional bank guarantee, to Council against possible damage to Council’s asset during the course of the building works. The deposit will be refundable subject to inspection by Council after the completion of all works relating to the proposed development. For the purpose of inspections carried out by Council Engineers, an inspection fee of \$150 (GST Exempt) is payable to Council. Any damages identified by Council shall be restored by the applicant prior to release of the Damage Deposit.

(Reason: Protection of public asset)

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

13 DEFERRED MATTERS

13.1 NOTICE OF MOTION - COUNCILS, CROWN LAND AND WAY THEY ARE EXPOSED

ATTACHMENTS:	1. COMMENTARY FROM LGNSW ON THE CROWN LAND MANAGEMENT BILL 2. LGNSW'S DRAFT SUBMISSION TO THE GENERAL PURPOSE STANDING COMMITTEE NO.6 – INQUIRY INTO CROWN LAND (JULY 2016)
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:	14 NOVEMBER 2016

Purpose of Report

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

MOTION

1. A report come to Council urgently analysing the impacts and possible likely impacts of the Crown Land Management Bill on Council and our Community. Particular regard to be given to costs associated with the Administration of the Bill-Act, risks and liabilities.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

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

14 CORRESPONDENCE

14.1 COUNCILLOR INFORMATION BOOKLETS - 15 AND 22 NOVEMBER 2016

RESPONSIBLE OFFICER:	GLENN FITZGERALD – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	RITA WOLOW, EXECUTIVE ASSISTANT
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To list on the Council Agenda the weekly Councillors Information Booklets, circulated to all Councillors on 15 and 22 November 2016.

RESOLUTION

That Council receive the Councillors Information Booklets circulated to all Councillors on 15 and 22 November 2016

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against:

Absent:

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 OPERATIONAL PLAN AND QUARTERLY FINANCIAL PERFORMANCE - SEPTEMBER 2016

ATTACHMENTS:	1. BUDGET VARIANCES 2. PIP STATUS REPORT 3. LEGAL EXPENSES 4. E.RESTORE 5. QUARTERLY BUDGET REVIEW STATEMENT 6. THE CONCOURSE FINANCIAL REVIEW REPORT 7. CROWN RESERVES FINANCIAL REPORT 8. VARIATIONS TO ACTIVITIES LISTED IN THE 2016/17 OPERATIONAL PLAN
RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHORS:	GLENN FITZGERALD – ACTING CHIEF FINANCIAL OFFICER JULIE GREGSON – SENIOR MANAGEMENT ACCOUNTANT
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To review Council's progress in attaining Operation Plan targets for the period 1 July 2016 to 30 June 2017 and to review the financial performance of Council to 30 September 2016.

RESOLUTION

That Council:

- 1. Note the report;**
- 2. Vote the increase in expenditure of \$1,085,200 and the increase in income of \$865,900, a difference of \$219,300, and**
- 3. Confirm that the expenditure of monies recommended within the Report is required for the purposes of implementing the Operational Plan for 2016/2017.**

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

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

Against: Nil

16.2 INVESTMENT REPORT OCTOBER 2016

ATTACHMENTS:	1. COUNCIL'S INVESTMENT HOLDINGS 2. COUNTERPARTY CHART
RESPONSIBLE OFFICER:	GLENN FITZGERALD – 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:	28 NOVEMBER 2016

Purpose of Report

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

RESOLUTION

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

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

16.3 WEBCASTING AND AUDIO STREAMING OF COUNCIL MEETINGS

RESPONSIBLE OFFICER:	LINO DI LERNIA – INTERIM CUSTOMER & CORPORATE DIRECTOR
AUTHORS:	ELIZABETH WALL – GOVERNANCE MANAGER FRITZ CARDOZO – CHIEF INFORMATION OFFICER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To consider options for broadcasting council meetings over the internet and retention of recent records on the Council website for public access.

MOTION

That Council defer this item pending the result of the legal cases relating to the amalgamation.

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR MUSTACA

LOST

Voting

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

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

As the vote was equal, the Deputy Mayor exercised her casting vote against the motion.

MOTION

That Council:

- 1. Agree to consider broadcasting Council meetings using webcasting technology via a live stream on Council's website; and**
- 2. Request the General Manager to provide a report outlining costs and draft amendments to the Council's Code of Meeting Practice for approval.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Councillors Eriksson, Mustaca, Rozos and Rutherford.

16.4 MODEL CODE OF CONDUCT COMPLAINT STATISTICS 2015-2016

ATTACHMENTS:	1. CODE OF CONDUCT COMPLAINT STATISTICS FOR OFFICE OF LOCAL GOVERNMENT
RESPONSIBLE OFFICER:	ELIZABETH WALL – GOVERNANCE MANAGER
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:	28 NOVEMBER 2016

Purpose of Report

To report on the 2015-2016 Code of Conduct complaints statistics to Council and the Office of Local Government.

MOTION

That Council:

1. Note the 2015-2016 report on Code of Conduct complaint statistics relating to Councillors and the General Manager as required by the Procedures for the Administration of the Model Code of Conduct.
2. Write to the Minister of Local Government asking the Minister to consider greater transparency in relation to reporting the name of complainants.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

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

Against: Councillor Rozos.

16.5 ADOPTION OF PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES FOR THE MAYOR AND COUNCILLORS POLICY

ATTACHMENTS:	COUNCILLORS' EXPENSES AND FACILITIES POLICY
RESPONSIBLE OFFICER:	ELIZABETH WALL – GOVERNANCE MANAGER
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:	28 NOVEMBER 2016

Purpose of Report

To adopt the *Payment of Expenses and the Provision of Facilities for the Mayor and Councillors* policy following public exhibition.

RESOLUTION

That Council:

1. adopt the *Payment of Expenses and the Provision of Facilities for the Mayor and Councillors* policy following its public exhibition; and
2. Note that based on the recent legislative change the Policy in part 9 is to read:
“The Policy is to be adopted by Council within the first 12 months of each term of a council and Council may from time to time amend this policy.”

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 TENDER 085181 CHATSWOOD HIGH SCHOOL - SYNTHETIC SPORTSGROUND SURFACING

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: 28 NOVEMBER 2016

Purpose of Report

To advise Council on the evaluation of Tender 085181 for Chatswood High School Synthetic Sportsground Surfacing and to seek Council's approval to appoint a tenderer to carry out these works.

RESOLUTION

That Council:

1. **Accept Tenderer Polytan Asia Pacific as preferred tenderer for Chatswood High Synthetic Sportsground Surfacing.**
2. **Authorise Tenderer Polytan Asia Pacific to complete the construction of the tendered works.**
3. **Authorise the Mayor and General Manager to sign and execute the contract documents.**
4. **Inform the tenderers of Council's decision.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.2 COMMUNITY SMALL GRANTS PROGRAM - CONVICTION GROUP

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN - COMMUNITY LIFE MANAGER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To seek Council's endorsement of the distribution of Out of Term grant funds through the 2016/17 Community Small Grants Program.

RESOLUTION

That Council endorse the Officer's recommendation for the distribution of grant funds of \$4,000 to Conviction Group's Northern Sydney Men's Health Forum under the Out of Term 2016/17 Community Small Grants Program.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.3 CHATSWOOD HIGH SCHOOL OVAL - DEEDS WITH MINISTER FOR EDUCATION

RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD - OPEN SPACE CO-ORDINATOR
CITY STRATEGY LINK:	6.3.4 COUNCIL WORKS WITH STATE AND REGIONAL ORGANISATIONS
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To approve the execution of the Chatswood High School Project Deed and Licence Deed with the Minister for Education by the Mayor and General Manager under the Common Seal of the Council.

RESOLUTION

That Council authorise the Mayor and General Manager to execute under the Common Seal of Council the Chatswood High School Project Deed and Licence Deed with the Minister for Education.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.4 GREVILLE STREET RESERVE PLAYGROUND IMPROVEMENTS PLAN

ATTACHMENTS:	1. GREVILLE STREET RESERVE PLAYGROUND IMPROVEMENTS PLAN 2. GREVILLE STREET RESERVE COMMUNITY CONSULTATION SUMMARY REPORT
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:	28 NOVEMBER 2016

Purpose of Report

For Council to endorse the Playground Improvements Plan for Greville Street Reserve.

RESOLUTION

That Council:

- 1. Endorse the Greville St Reserve Playground Improvements Plan dated November 2016.**
- 2. Modifies the name of the site to be Greville Park.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.5 ALCOHOLICS ANONYMOUS ("DOING THE DEAL" NAREMBURN GROUP) - CONCESSIONAL HIRE

ATTACHMENTS:	1. LETTER OF SUPPORT– ALCOHOLICS ANONYMOUS ("DOING THE DEAL" NAREMBURN GROUP)
RESPONSIBLE OFFICER	MELANIE SMITH - COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To seek Council's approval for a 100% (Category D) concessional rate of hire at Naremburn Community Centre by Alcoholics Anonymous ("Doing The Deal").

RESOLUTION

That Council approve a 100% (Category D) concessional rate of hire at the Naremburn Community Centre by Alcoholics Anonymous ("Doing the Deal" Naremburn Group).

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.6 CAMPBELL PARK PLAYGROUND IMPROVEMENTS PLAN

ATTACHMENTS:	1. CAMPBELL PARK PLAYGROUND IMPROVEMENTS PLAN 2. CAMPBELL PARK COMMUNITY CONSULTATION SUMMARY REPORT
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	AMY BARNES – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY LINK:	1.3.1 ACCESSIBLE OPEN SPACE AND RECREATIONAL FACILITIES FOR THE COMMUNITY ARE PROVIDED
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

For Council to endorse the Playground Improvements Plan for Campbell Park, Chatswood.

RESOLUTION

That Council endorses the Campbell Park Playground Improvements Plan dated November 2016.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.7 NAMING MCCURRICH CUT, NORTHBRIDGE - CONSULTATION

RESPONSIBLE OFFICER: MELANIE SMITH, DIRECTOR COMMUNITY CULTURE & LEISURE

AUTHOR: JULIE WHITFIELD, OPEN SPACE CO-ORDINATOR

CITY STRATEGY LINK: 1.1.1 THE COMMUNITY CAN PARTICIPATE IN CITY LIFE

MEETING DATE: 28 NOVEMBER 2016

Purpose of Report

To inform Council of the feedback from the public exhibition of the proposal to name a pathway in Northbridge after the late Martin McCurrich.

Procedural Motion

That Charles McCurrich address the meeting.

RESOLUTION

That Council approve the naming of the pathway between Dalmeny Road and Minimbah Road, Northbridge to be called McCurrich Cut, after the late Martin McCurrich.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

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

Against: Nil

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 DRAFT STREET PARKING STRATEGY

ATTACHMENTS:	1. DRAFT STREET PARKING STRATEGY VOL 1 2. DRAFT STREET PARKING STRATEGY VOL 2
RESPONSIBLE OFFICER:	PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DANIEL SUI – SENIOR TRANSPORT ENGINEER
CITY STRATEGY LINK:	4.2.1 INCREASED USE OF ACTIVE AND PUBLIC TRANSPORT 4.2.2 BALANCE TRAFFIC MANAGEMENT 5.2.1 LOCAL BUSINESS 5.1.2 SUPPORT OUR CENTRES 5.1.3 ENGAGE WITH LOCAL BUSINESS
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

This report seeks Council's endorsement of the *Draft Street Parking Strategy* which aims to achieve a balance between the demand for, and supply of, parking spaces within the Willoughby Local Government Area (LGA).

MOTION

That:

1. The report on the *Draft Street Parking Strategy* and Ward Implementation Action Plans be received and noted.
2. Council endorse the *Street Parking Strategy* and supporting parking management policies, and delegate the finalisation of formatting and administrative changes to the General Manager.
3. A business case with cost estimates for the implementation of Ward Implementation Action Plans be prepared and submitted to Council for approval as part of the 2017/18 budget and operating plan process.
4. Council endorse the *Street Parking Strategy* be referred to the Local Traffic Committee for information.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

NOT PUT

AMENDMENT

That:

1. The report on the *Draft Street Parking Strategy* and Ward Implementation Action Plans be received and noted.
2. Council endorse the *Street Parking Strategy* and supporting parking management policies, and delegate the finalisation of formatting and administrative changes to the General Manager.
3. A business case with cost estimates for the implementation of Ward Implementation Action Plans be prepared and submitted to Council for approval as part of the 2017/18 budget and operating plan process.
4. Council endorse the *Street Parking Strategy* be referred to the Local Traffic Committee for information.
5. Council as a matter of principle increase resident parking permits from two to three.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Amendment: Councillors Coppock, Eriksson, Mustaca, Norton, Rutherford, Sloane, Stevens and Wright.

Against: Councillors Giles-Gidney, Hill, Rozos and Saville

THE AMENDMENT BECAME THE MOTION AND WHEN PUT WAS CARRIED

Voting

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

Against: Councillors Saville.

18.2 POSSIBLE SPECIAL RATES VARIATION FOR NORTHBRIDGE PLAZA CAR PARK

RESPONSIBLE OFFICER: PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR

AUTHOR: GLENN FITZGERALD - ACTING CHIEF FINANCIAL OFFICER

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

MEETING DATE: 28 NOVEMBER 2016

Purpose of Report

To inform Council of a proposed application to IPART (Independent Pricing and Regulatory Tribunal) for a special rate variation commencing in the 2017/18 financial year for the Northbridge Plaza Car Park.

MOTION

That:

1. Council notes the timeframes for a Special Rate Variation to IPART in particular:
 - a. IPART being notified of Council's intentions by 9th December 2016
 - b. A final application being submitted to IPART (online and in hard copy) by mid-February 2017.
2. Council proceeds with:
 - a. Confirming who will benefit from the proposal
3. Consultation with key stakeholders in relation to the proposed works and the possible Special Rate Variation beginning in the 2017/18 Budget Year

MOVED COUNCILLOR HILL

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Councillors Coppock, Mustaca, Stevens, Rozos and Rutherford.

18.3 CURRENT DEVELOPMENT APPLICATION AND PLANNING PROPOSAL REPORT AS AT 14 NOVEMBER 2016

ATTACHMENTS:	1. LIST OF APPLICATIONS
RESPONSIBLE OFFICER:	IAN ARNOTT – PLANNING MANAGER
AUTHOR:	DEVELOPMENT PLANNERS, BUILDING SURVEYORS
CITY STRATEGY LINK:	3.1.3 LOCAL CHARACTER
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To provide Councillors with details of all current Development Applications and Planning Proposals as at 14 November 2016.

RESOLUTION

That Council note the information on Development Applications (including those to be determined by the Joint Regional Planning Panel) and Planning Proposals Report to 14 November 2016.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

**18.4 APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY 1
OCTOBER 2016 TO 31 OCTOBER 2016**

ATTACHMENTS:	1. LIST OF APPLICATIONS
RESPONSIBLE OFFICER:	PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
CITY STRATEGY LINK:	3.1.3 LOCAL CHARACTER
MEETING DATE:	28 NOVEMBER 2016

Purpose of Report

To provide Council with a list of applications determined under delegated authority for the month of October 2016.

Notes regarding the Schedule

The list provided excludes:

- Development Applications of change of use in a business or industrial zone (other than brothels)
- Complying Development Certificates, fit-out of shops, offices or industrial units
- Internal alterations to existing buildings, which do not involve any increased gross floor area, and
- Minor work such as pool fencing and barbeques.

The schedule lists the applications determined by suburb.

RESOLUTION

That Council note the information on Development Applications determined under delegated authority in October 2016.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

18.5 SAILORS BAY ROAD, NORTHBRIDGE - (NORTHBRIDGE GOLF COURSE) - DA 2016/145

ATTACHMENTS:

1. NOTIFICATION MAP
2. PLANS & ELEVATIONS – ORIGINALLY PROPOSED
3. PLANS & ELEVATIONS – CURRENTLY PROPOSED

MEETING DATE: 28 NOVEMBER 2016

RECOMMENDATION: APPROVAL WITH CONDITIONS

LOCATION: SAILORS BAY ROAD, NORTHBRIDGE
(NORTHBRIDGE GOLF CLUB)

APPLICANT: WILLOUGHBY CITY COUNCIL

OWNER: CROWN LAND

PROPOSAL: INSTALLATION OF A SAFETY NET TO WESTERN SIDE OF HOLE 3 AT NORTHBRIDGE GOLF COURSE TO REPLACE EXISTING NETS

DATE OF LODGEMENT: 4 MAY 2016

REPORTING OFFICER: JOHN BRUNTON – PLANNING CONSULTANT

RESPONSIBLE OFFICER: IAN ARNOTT – PLANNING MANAGER

DESCRIPTION OF PROPOSAL

Development Application 2016/145 seeks approval to:

- remove existing netting fences in the vicinity of the third tee (western side of Northbridge Golf Course) and replacement with a polyester netting fence re-oriented and higher to limit golf balls entering Northbridge Public School, John Roche Park.
- reposition the 3rd tee with the deletion of the member's tee (tee furthest from the hole).

RESOLUTION

That Council:

1. Approve Development Application 2016/145 seeking Council's consent for Installation of a safety net on the western side of hole 3, Northbridge Golf Club at Sailors Bay Road, Northbridge.
2. Grant delegated authority to the General Manager to issue the consent notice subject to the attached conditions.

MOVED COUNCILLOR HILL

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

SCHEDULE OF CONDITIONS

DA-2016/145 - Sailors Bay Road, NORTHBRIDGE (Northbridge Golf Club)

SCHEDULE

Conditions of Consent: (Including reasons for such conditions)

CONSENT IDENTIFICATION

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

1. Approved Plan/Details

The development must be in accordance with the following consent plans electronically stamped by Council:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Fence Plan - Site plan	Job No.5466	04	07/09/2016	SJB Architects
Fence Elevation	Job No 5466	01	05/09/2016	SJB 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)

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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

2. Aligning Poles with Tree Trunks.

Prior to the issue of a Construction Certificate, a survey must be obtained from a Registered Surveyor to accurately locate the 24 metre high poles so that the poles align with the trunks of existing trees when viewed from the west.

3. Section 94A Contributions

Prior to the issue of the Construction Certificate, a monetary contribution of \$2,270

(subject to indexing as outlined below) is to be paid in accordance with Section 94A of the Environmental Planning and Assessment Act, 1979.

This contribution is based on 1% of the estimated development cost of \$227,000 at 5 May 2016 and the adopted Section 94A Contributions Plan.

To calculate the monetary contribution that is payable, the proposed cost of development is to be indexed to reflect quantity variations in the Building Price Index (Enterprise Bargaining Agreement) [BPI(EBA)] between the date the proposed cost of development was agreed by the Council and the date the levy is to be paid as required by this Plan.

To calculate the indexed levy, the formula used to determine the cash contribution is set out below.

$$NL = \$Lo + \$Lo \times \frac{[\text{current index} - \text{base index}]}{\text{base index}}$$

Where:

NL is the new section 94A levy

Lo is the original levy

Current index [BPI(EBA)] is the Building Price Index (Enterprise Bargaining Agreement) as published by the NSW Public Works available at the time of review of the contribution rate

Base index [BPI(EBA)] is the Building Price Index (Enterprise Bargaining Agreement) as published by the NSW Public Works at the date of the proposed cost of development as above

In the event that the current BPI(EBA) is less than the previous BPI(EBA), the current BPI(EBA) shall be taken as not less than the previous BPI(EBA).

Prior to payment Council can provide the value of the indexed levy.

Copies of the S94A Contributions Plan are available for inspection online at www.willoughby.nsw.gov.au
(Reason: Statutory requirement)

4. External Finishes

The posts and netting are to be of dark recessive colours, the details of which are to be submitted to the certifying authority.
(Reason: Visual amenity)

5. Damage Deposit

Prior to the issue of the Construction Certificate, the applicant shall lodge a Damage Deposit of \$5,500 (GST Exempt) as cash, cheque or an unconditional bank guarantee, to Council against possible damage to Council's asset during the course of the building works. The deposit will be refundable subject to inspection by Council

after the completion of all works relating to the proposed development. For the purpose of inspections carried out by Council Engineers, an inspection fee of \$100 (GST Exempt) is payable to Council. Any damages identified by Council shall be restored by the applicant prior to release of the Damage Deposit.
(Reason: Protection of public asset)

PRIOR TO COMMENCEMENT

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

6. Report Existing Damages on Council's Property

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

(Reasons: Protection of Council's Infrastructure)

7. Permits and Approvals Required

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

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

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

- c) Permit to open public roads, including footpaths, nature strip, vehicular crossing or for any purpose whatsoever. All applications are to include current fees.
- d) Permit to place skip/waste bin on footpath and/or nature strip. (Maximum three (3) days).
- e) Permit to work and/or place building materials on footpath and/or nature strip. (Maximum two (2) weeks).

- f) Permit to establish Works Zone on Public Roads adjacent to the Development including use of footpath area. Applications must be received by Council at least twenty-one days prior to the zone being required. The application will then be referred to the Council's Local Traffic Committee for approval, which may include special conditions.
- g) Permit to construct vehicular crossings over Council's footpath, road or nature strip.

(Reason: Legal requirements)

DURING DEMOLITION, EXCAVATION AND CONSTRUCTION

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

8. Hours of Work

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

An application for an Out of Hours Work Permit to allow variation to these approved hours must be lodged with Council at least 48 hours prior to the proposed commencement of the work. The application must include a statement regarding the reasons for the variation sought, the type of work/s to be carried out, the additional time required, the anticipated impact upon the local amenity and how this will be minimized, and must be accompanied by the required fee. One (1) permit is required for each variation to the approved working hours within any 24 hour period.

If a variation to these approved hours for multiple or extended periods is sought, an application under Section 96 of the Environmental Planning and Assessment Act 1979 must be lodged with Council at least twenty-one (21) days in advance of the proposed changes to the hours of work. The application must include a statement regarding the reasons for the variation sought, the type of work/s to be carried out, the additional time required, the anticipated impact upon the local amenity and how this will be minimized, and be accompanied by the required fee. Note: This S96 application may require re-notification in some circumstances.

(Reason: Ensure compliance and amenity)

9. Demolition Work AS 2601-2001

Any demolition must be carried out in accordance with AS 2601 – 2001, *The demolition of structures*.

(Reason: Safety)

10. Sweep & Clean Pavement

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

(Reason: Legal requirement)

11. Street Signs

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

(Reason: Protection of public assets)

12. Tree Protection

- i) Retain and protect the following trees and vegetation throughout the demolition and construction period:
All trees unless exempt in Willoughby LGA.
- ii) The above trees within 5 metres of works must be clearly marked and protection devices in place to prevent soil compaction and machinery damage.
- iii) Tree roots greater than 50mm diameter are not to be removed unless approved by a qualified arborist on site. All structures are to bridge roots unless directed by a qualified arborist on site.
- iv) Tree protection measures must comply with the AS 4970-2009 Protection of trees on development sites, with particular reference to Section 4 – Tree protection measures.

(Reason: Tree management)

13. Public Tree Protection

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

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

(Reason: Tree management)

PRIOR TO OCCUPATION OF THE DEVELOPMENT

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

14. Completion of Works

All associated and ancillary works must be completed prior to recommencing the use of the third tee after the installation of the netting is completed including the relocation of the third tee, realignment of the pedestrian path and removal of the redundant netting.

15. Removal of Redundant Netting

Prior to the issue of any Occupation Certificate the existing netting adjacent to the third hole that is made redundant by this development must be removed, including the poles that support the netting.

16. Reduce the Height of the Chain Wire Fence

Prior to the issue of any Occupation Certificate, the height of the existing chain wire fence on the eastern boundary of John Roche Park must be reduced so that the fence along the boundary is a generally consistent height (1.1 metres approx.).

ADDITIONAL CONDITIONS

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

17. Public Infrastructure Restoration

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

18. Trees on Adjoining Properties

No approval is given for the removal or pruning of trees on the nature strip, adjoining reserves, or neighbouring private land.
(Reason: Environmental protection)

PRESCRIBED CONDITIONS

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

19. Compliance with National Construction Code

All building works must be carried out in accordance with the performance requirements of the National Construction Code.
(Reason: Compliance)

STATUTORY REQUIREMENTS

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

20. Construction Certificate Required

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

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

(Reason: Ensure compliance and statutory requirement)

21. Notify Council of Intention to Commence Works

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

(Reason: Information and ensure compliance)

22. Occupation Certificate

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

(Reason: Safety)

19 NOTICE OF MOTION

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 46 STRATHALLEN AVE NORTHBRIDGE - DA2016/55 - LEGAL PROSPECTS REGARDING LAND AND ENVIRONMENTAL COURT APPEAL FOR MIXED USE (SHOP TOP HOUSING) DEVELOPMENT

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

20.2 17 HERCULES STREET CHATSWOOD - DA 2016/225 - LEGAL PROSPECTS REGARDING REFUSAL OF CARPORT IN CONSERVATION AREA

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 COUNCILLOR UPDATE - GORE HILL VPA - CONFIDENTIAL

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

20.4 290 MOWBRAY ROAD AND 66 & 66A STAFFORD ROAD ARTARMON - DA NO. 2014/567 - 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 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

20.5 TENDER 085181 CHATSWOOD HIGH SCHOOL - SYNTHETIC SPORTSGROUND SURFACING - ADDITIONAL INFORMATION

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

20.1 46 STRATHALLEN AVE NORTHBRIDGE - DA2016/55 - LEGAL PROSPECTS REGARDING LAND AND ENVIRONMENTAL COURT APPEAL FOR MIXED USE (SHOP TOP HOUSING) DEVELOPMENT

Recommendation Summary

That Council:

1. Defend the appeal commenced by Bridgelane 14 Pty Ltd against Council's deemed refusal of Development application 2016/55 for demolition of existing structures and construction of a mixed use development; and
2. Delegate authority to the General Manager to participate in without prejudice negotiations and a Section 34 Conciliation Conference with the applicant.

20.2 17 HERCULES STREET CHATSWOOD - DA 2016/225 - LEGAL PROSPECTS REGARDING REFUSAL OF CARPORT IN CONSERVATION AREA

Recommendation Summary

That Council:

1. Defend the appeal; and

2. Delegate authority to the General Manager to participate in the without prejudice negotiations and in the Section 34AA Conciliation Conference with the applicant.

20.3 COUNCILLOR UPDATE - GORE HILL VPA - CONFIDENTIAL

Recommendation Summary

That Council:

1. Note the previous reports and resolutions in relation to this matter, in particular Council support for:
 - The pursuit of a Community Benefit in association with the development of the site
 - The relocation of the Sports and Community Facility to Gore Hill Oval.
 - The exhibition of the VPA to provide for community input.
2. Note the terms of the revised draft Voluntary Planning Agreement (VPA) for Gore Hill Technology Park prepared for Council by Lindsay Taylor Lawyers;
3. Agree to enter into the VPA subject to public notification and exhibition;
4. Agree to the draft VPA being publicly notified and exhibited in accordance with S93G of the *Environmental Planning and Assessment Act 1979* and Clause 25D of the *Environmental planning and Assessment Regulation 2000*;
5. Authorise the General Manager to execute the planning agreement following receipt and consideration of public submissions subject to no material changes being made to the draft planning agreement following public notification and exhibition.

20.4 290 MOWBRAY ROAD AND 66 & 66A STAFFORD ROAD ARTARMON - DA NO. 2014/567 - OUTCOME OF LAND & ENVIRONMENT COURT PROCEEDING

Recommendation Summary

That Council note that Development Application DA No 2014/567 for alterations and additions to three existing dwelling houses and change of use to a child care centre at 290 Mowbray Road and 66 & 66A Stafford Road, Artarmon is APPROVED subject to the conditions of consent contained in the Court Order issued by the Land & Environment Court and attached to this report.

20.5 TENDER 085181 CHATSWOOD HIGH SCHOOL - SYNTHETIC SPORTSGROUND SURFACING - ADDITIONAL INFORMATION

Recommendation Summary

That Council note the additional information provided in the attachment to this report.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillors Coppock and Stevens

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, Eriksson, Hill, Mustaca, Norton, Rozos, Rutherford, Saville, Sloane, Stevens and Wright

Against: Nil

Absent: Councillors Coppock and Stevens

21 QUESTIONS

NIL

- **Councillors Coppock and Stevens left the meeting at 9:01pm**

The meeting concluded at 9:13pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 28 November 2016. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.