



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, 31 Victor Street, Chatswood

13 March 2017

commencing at 7:00pm

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1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors S Coppock, R Hill, J Hooper, H Eriksson, T Mustaca, W Norton, J Rutherford, L Saville, M Sloane 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 Lernia (Interim Director, Customer & Corporate), Mr I Arnott (Planning Manager), Mr M Rose (Property Assets and Sustainable Works Officer), Mr V Grepl (Governance Officer), and Ms P Sheldrake (Minutes Secretary)

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

- Councillor Wright declared via a Disclosures of interest Form, a non-pecuniary, less than substantial interest in Item 16.1: Investment Report January 2017
(Nature of Interest: I am an employee of the Westpac Banking Group)
- Councillor Norton declared via a Disclosures of interest Form, a non-pecuniary, less than substantial interest in Item 18.1: 155-161 Willoughby Road Naremburn – DA2016/280
(Nature of Interest: I am an acquaintance of one of the correspondents. The acquaintance is not substantial)
- Councillor Eriksson declared via a Disclosures of interest Form, a non-pecuniary, less than substantial interest in Item 20.1: Tender 103052 Gore Hill Park Redevelopment & Tender 104609 Gore Hill Oval Synthetic Surfacing
(Nature of Interest: I currently work as an advisor to the local Federal MP, however I have no involvement in the Federal Grant Process or the Federal Government funding of this project)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 27 February 2017, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillors Rozos and Stevens requested Leave of Absence for Monday 13 March 2017
- Councillor Hooper withdrew his leave for Monday 13 March 2017 and requested Leave of Absence on 10 April 2017.
- Councillor Eriksson requested Leave of Absence for Monday 20 March 2017 and 27-30 March 2017 inclusive.
- Councillor Giles-Gidney requested Leave of Absence for 17-20 March 2017

RESOLUTION

That Council:

1. **Grant Leave of Absence to Councillors Rozos and Stevens for Monday 13 March 2017.**
2. **Note Councillor Hooper has withdrawn his leave for Monday 13 March 2017 and grant Leave of Absence to Councillor Hooper for 10 April 2017**
3. **Grant Councillor Eriksson Leave of Absence on Monday 20 March 2017 and 27-30 March 2017 inclusive.**
4. **Grant Leave of Absence to Councillor Giles-Gidney for 17-20 March 2017**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

5 PETITIONS

NIL

6 OPEN FORUM

- Ms Etta Fraser spoke on *Replacement Waste Bins*
- Ms Stephanie Croft, President, Federation of Willoughby Progress Association spoke on *Transparency and Governance*
- Mr Gary Anderson spoke on *Legal Cases about Fascism and Free Speech*

7 MAYORAL MINUTE

7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 13 MARCH 2017

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

TUESDAY 28 FEBRUARY			
Mayor	10 am	Community Safety Committee Mtg	Chatswood Police Station
Crs Norton, Rozos, Rutherford	7.30 pm	Castle Cove P.A. Meeting	Castle Cove Community Centre
WEDNESDAY 1 MARCH			
Cr Saville	6 – 9 pm	District Plans Forum	Mantra, Chatswood
THURSDAY 2 MARCH			
Mayor	5 pm	Australian Cities of the Future	GMT, Farrer Place, Sydney
SATURDAY 4 MARCH			
Mayor	12.30 pm	Rotary Club of Northbridge Seniors Week Luncheon	St Mark's Church Hall, Northbridge
Mayor	2.30 pm	Opening of Expo: <i>Domestic Goddess</i>	The Incinerator Art Space
Cr Rutherford	6.30 pm	Festival of Other Arts – Art that Moves	Workshop Arts Centre
SUNDAY 5 MARCH			
Mayor	12 noon	Live Well Community Event	Chowne Hall
Cr Norton	2 pm	WSO Concert: <i>Genius</i>	The Concourse
MONDAY 6 MARCH			
TUESDAY 7 MARCH			
Cr Rutherford		2017 Ministers Awards for Women in Local Government	NSW State Parliament House
Cr Saville	12:30-3:00pm	District Plans – Sydney Coastal Councils Group	Sydney Town Hall
Cr Saville	4-5:30 pm	Sydney Coastal Councils Group Executive Meeting	Sydney Town Hall
WEDNESDAY 8 MARCH			
Mayor	10.30 am	Visit to Estia Health	202 Mowbray Road
Cr Saville	3:30-5 pm	Strategic Planning meeting, Community Participation Committee	Royal North Shore Hospital
Crs Norton, Rutherford	5 pm	Public Hearing: Castle Cove Golf Club	Castle Cove Community Centre
Mayor Crs Hill, Norton, Rutherford, Saville	6 pm	Willoughby Women Inspired	The Incinerator Art Space
Cr Norton	9.15 pm	Willoughby Symphony Choir AGM	Uniting Church, Roseville
THURSDAY 9 MARCH			
Cr Saville	11 am – 12:30 pm	Dougherty Seniors Day Discussions	Dougherty Centre
Mayor	1 pm	Seniors Festival Events	Dougherty Centre
Crs Rutherford, Hooper	1 pm	JCC Meeting	Willoughby Council Depot
Crs Eriksson, Hooper	7:30pm	Northbridge Progress Association General Meeting	Northbridge Golf Club

ORDINARY COUNCIL MEETING**13 MARCH 2017**

FRIDAY 10 MARCH			
Mayor Crs Eriksson, Hooper	9 am	Inaugural Flag Raising Ceremony	Northbridge War Memorial
Mayor	10.30 am	Visit to Pre-School for Celebration	NSTE, Chatswood
SATURDAY 11 MARCH			
SUNDAY 12 MARCH			
Mayor	1 pm	Official Opening of Season: N.S. Junior Baseball Club	Bicentennial Reserve
Cr Saville	10:30 am	People Just Like Us – Yes to Refugees	Customs House, City of Sydney Council

7.2 MAYORAL MINUTE: COUNCILLOR JUDITH RUTHERFORD AM PRESENTED WITH SPECIAL ACHIEVEMENT AWARD**MEETING DATE: 13 MARCH 2017**

Purpose of Report

To congratulate Councillor Judith Rutherford AM on receiving the Special Achievement Award at the Ministers' Awards for Women in Local Government.

Motion

The Minister for Local Government, the Hon. Gabrielle Upton MP announced the winners of the tenth annual Ministers' Awards for Women in Local Government at Parliament House on 7 March 2017.

At the presentation, Councillor Judith Rutherford was awarded the Special Achievement Award.

Awards are open to women in local government in four categories: Elected Representative, Senior Staff Member, Non-Senior Staff Member and Women in non-traditional roles. The selection panel assesses the nominations against these categories.

From time to time, a nominee shows outstanding achievement and work beyond the set categories. In those cases the panel recommends the nominee be granted either a Special Achievement Award or a Lifetime Award.

Councillor Rutherford received the Special Achievement Award not only for her extensive work in local government, but also for her contribution in the community. The selection panel saw hers as a stand-out nomination.

Councillor Rutherford was nominated for the Awards by The Hon. Gladys Berejiklian MP, Member for Willoughby and Mr. Jonathan O'Dea MP, Member for Davidson.

The Member for Davidson, in whose electorate Councillor Rutherford lives, provided this tribute in Parliament on 9 March:

Tribute to Judith Rutherford, AM
Legislative Assembly Hansard – 09 March 2017

Mr JONATHAN O'DEA (Davidson) (16:27): Judith Rutherford has been a local councillor on Willoughby Council for more than 20 years. She is an active participant in her local community, including through Neighbourhood Watch, the Castle Cove Progress Association and the Federation of Willoughby Progress Associations. Last Tuesday, Judith was awarded the Women in Local Government Special Achievement Award in the company of Ministers Upton and Davies and Speaker Hancock. Judith was given a Community Service Award by the then Premier in 2000 for outstanding service to the community. She is also a Member of the Order of Australia, recognised for services to the community in promoting Asian arts and culture, advancing clinical music therapy and services to local government, as well as the Nordoff Robbins Music Therapy Australia, which delivers clinical music therapy to aged care homes, hospitals and special needs schools. She is also deputy chair of the Australian Institute of Asian

Culture and Visual Arts at the Art Gallery of NSW, and was national president of The Asian Arts Society of Australia from 2001 until 2010. Judith is the current chair of the Willoughby Council's Cultural Event committee, and co-chair of MOSAIC, Willoughby Council's multicultural committee. Judith continues to serve as a councillor, and was awarded a 20 year long service medal in 2015, having served as deputy mayor from 1997 until 1999.

RESOLUTION

That Council congratulate Councillor Judith Rutherford AM on receiving the Special Achievement Award at the Ministers' Awards for Women in Local Government, held at Parliament House on 7 March 2017.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Councillors Coppock and Wright offered their personal congratulations to Councillor Rutherford.

7.1 MAYORAL MINUTE: THE LATE ROBERT STAFFORD SHELDON AM**MEETING DATE: 13 MARCH 2017**

Purpose of Report

To consider the Mayoral Minute on the passing of Robert Stafford Sheldon AM.

Motion

Robert Sheldon passed away on 25 February 2017, aged 86 years. Robert was an architect and a long-time Castlecrag resident. With his wife Patricia and young family, Robert lived at The Bulwark since the late 1960s, in a home designed by him.

Robert was appointed a Member of the Order of Australia (AM) in the General Division in the 2009 Queen's Birthday honours list for service to architecture as a practitioner and administrator, through contributions to a range of professional organisations and to the community.

A practicing architect and director of Robert Stafford Sheldon Architects from 1964-1999, he was honoured with a life Fellowship of the Royal Australian Institute of Architects (RAIA) in 2002. He received a number of architectural awards and recognition over the years. His practice was general, including all types of housing, commercial buildings and shopping centres and he was a pioneer in the area of kit homes. His practice also extended to Papua New Guinea where he designed a large factory in Lae, the Air Base for PNG Defence Forces at Port Moresby and medium density housing for expatriates.

Robert became involved in the resurrection and redesign of the Castlecrag's Haven Amphitheatre in 1976. The theatre had originally been established in the 1920s as the first community project of the newly emerging suburb under the leadership of Walter and Marion Griffin and local sculptor and stonemason Bim Hilder. Over time the theatre fell into disrepair and with only a small number of stones remaining Robert designed a 'theatre in the round' with a stage over the creek and had it ready for Oscar Wilde's *Salome* in 1976 where Robert's wife Patricia played the lead role. The theatre went on to produce 'Carols by Candlelight at the Haven' for over 40 years.

Robert received a Presidential Commendation from the NSW Chapter of RAIA for his design of the Haven Theatre. He was the first Chairman of the Local Management Committee and was a member of the Committee since its inception in 1976.

He became a Foundation Fellow of the Institute of Arbitrators and Mediators in 1976. He was the President of the Rotary Club of North Sydney from 1978-1979 where he was a member for 43 years and in 1994 a Paul Harris Fellow, Rotary International. Robert's initiatives through the Rotary Club of North Sydney include rehabilitating polio victims in Papua New Guinea and providing funding for research into Chronic Fatigue Syndrome (Myalgic Encephalomyelitis) as well as many other projects.

Robert will be greatly missed by the Haven community and by everyone who knew him for his enthusiasm, determination, and his extraordinary commitment to family and community.

RESOLUTION

That Council adopts the Mayoral Minute on the passing of Robert Sheldon and writes a letter of condolence to the family.

MOVED COUNCILLOR GILES-GIDNEY

8 GENERAL MANAGER'S LATE REPORT

RESOLUTION

That the following additional items be added to the Agenda:

- | | |
|-----------|--|
| Item 16.2 | Mosman Legal Proceedings |
| Item 19.2 | Notice of Motion – Tree and Vegetation Preservation Applications |
| Item 20.3 | 6-30 Artarmon Road Willoughby |

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

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

NIL

10 MATTERS BROUGHT FORWARD BY THE PUBLIC

- | | |
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| Item 19.1 | Notice of Rescission Motion – Webcasting of Council Meetings |
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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:

- | | |
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| Item 14.1 | Councillor Information Booklets – 28 February and 7 March 2017 |
| Item 16.2 | Mosman Legal Proceedings |

RESOLUTION

That the remaining items, viz:

- | | |
|-----------|---|
| Item 16.1 | Investment Report January 2017 |
| Item 17.1 | The Concourse performing Arts Subsidy – Out of Term Application |
| Item 17.2 | Participation in the Refugee Welcome Scroll Initiative |
| Item 18.1 | 155-161 Willoughby Road Naremburn – DA 2016/280 |
| Item 18.2 | Reserve naming – Edinburgh Road Castlecrag |

- Item 18.3 Tender 103052 Gore Hill Park Redevelopment and Tender 104609
Gore Hill Oval Synthetic Surfacing
- Item 19.2 Notice of Motion – Tree and Vegetation Preservation Applications

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Norton

12 REPORTS FROM COMMITTEES

NIL

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

14.1 COUNCILLORS' INFORMATION BOOKLETS – 28 FEBRUARY AND 7 MARCH 2017

RESPONSIBLE OFFICER: LINO DI LERNIA - INTERIM 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: 13 MARCH 2017

Purpose of Report

To list on the Council Agenda the weekly Councillors' Information Booklets, circulated to all Councillors on 28 February and 7 March 2017.

RESOLUTION

That Council receive the Councillors' Information Booklets circulated to all Councillors on 28 February and 7 March 2017.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 INVESTMENT REPORT JANUARY 2017

ATTACHMENTS:	1. COUNCIL'S INVESTMENT HOLDINGS 2. COUNTERPARTY CHART
RESPONSIBLE OFFICER:	LINO DI LERNIA - 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:	13 MARCH 2017

Purpose of Report

To detail the Council Bank balances and Investment portfolio performance as at 31 January 2017.

RESOLUTION

That Council receive the **Statement of Bank Balances and Investment Holdings for January 2017**.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

16.2 MOSMAN LEGAL PROCEEDINGS

ATTACHMENTS:	1. SUMMONS – LAND AND ENVIRONMENT COURT CLASS 4 - MOSMAN
RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	GRANT THOMAS – ACTING GOVERNANCE MANAGER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	13 MARCH 2016

Purpose of Report

To provide an update to Council on new legal proceedings relating to the proposed amalgamation filed by Mosman and to seek approval to joined and file a submitting appearances.

MOTION

That Council, on the basis of filing a submitting appearance (save as to costs), consent to being joined as a party in the proceedings Land & Environment Court of NSW, 2016/382216, Mosman Municipal Council v Minister for Local Government & Others, Summons (Judicial Review)

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Councillors Coppock and Wright.

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE**17.1 THE CONCOURSE PERFORMING ARTS SUBSIDY - OUT OF TERM APPLICATION**

RESPONSIBLE OFFICER:	MELANIE SMITH - DIRECTOR COMMUNITY, CULTURE AND LEISURE
AUTHOR:	MICHAEL CASHIN – MANAGER COMMUNITY LIFE
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	13 MARCH 2017

Purpose of Report

To seek Council's endorsement for distribution of The Concourse Performing Arts Subsidy grant funds.

RESOLUTION

That Council endorse the Officer's recommendation for the distribution of grant funds of \$3,000 under The Concourse Performing Arts Subsidy Program.

Recommended Applicant:

Armenian Missionary Association of Australia - \$3,000

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Norton

17.2 PARTICIPATION IN THE REFUGEE WELCOME SCROLL INITIATIVE

RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	RITA LEUNG – MULTICULTURAL SERVICES TEAM LEADER
CITY STRATEGY LINK:	1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED
MEETING DATE:	13 MARCH 2017

Purpose of Report

To seek Council's approval to participate in the National Journey of the Welcome Scroll, a joint initiative by Australians for refugees (RAR) and the Refugee Council of Australia (RCOA).

RESOLUTION

That Council approve participation in the National Journey of the Welcome Scroll through the inclusion of the Mayor's signature and the Willoughby City Council logo on the Australians for Refugee (RAR) and the Refugee Council of Australia (RCOA) Welcome Scroll.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against:

Absent: Councillor Norton.

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

DEVELOPMENT APPLICATIONS

18.1 155-161 WILLOUGHBY ROAD NAREMBURN - DA 2016/280

ATTACHMENTS:	1. REASONS FOR REFUSAL 2. NOTIFICATION MAP 3. DEVELOPMENT STATISTICS 4. ASSESSMENT OF THE CLAUSE 4.6 REQUEST FOR HEIGHT VARIATION 5. ASSESSMENT OF THE CLAUSE 4.6 REQUEST FOR FSR VARIATION 6. PLANS & ELEVATIONS
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MEETING DATE:	13 MARCH 2017
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RECOMMENDATION:	REFUSAL
LOCATION:	155-161 WILLOUGHBY ROAD, NAREMBURN NSW 2065
APPLICANT:	MPG INVESTMENTS PTY LTD
OWNER:	MPG INVESTMENTS PTY LTD
PROPOSAL:	DEMOLITION OF STRUCTURES AND CONSTRUCTION OF SIX (6) STOREY, TWENTY-TWO (22) UNIT RESIDENTIAL FLAT BUILDING, CARPARKING, LANDSCAPING AND ASSOCIATED WORKS.
DATE OF LODGEMENT:	05 AUGUST 2016
REPORTING OFFICER:	ANA VISSARION - DEVELOPMENT PLANNER
RESPONSIBLE OFFICER:	IAN ARNOTT – PLANNING MANAGER

DESCRIPTION OF PROPOSAL

The proposal involves the demolition of the existing buildings on the site and the construction of a part six (6) and part (7) storey residential flat building incorporating:

- twenty-two (22) apartments (12 x 1 bedroom, 10 x 2 bedrooms)
- two (2) basement parking levels with 32 car spaces, and
- landscaping works.

Vehicle access is proposed from the rear of the site, from Kershaw Lane.

RESOLUTION

THAT Council delegates authority to the General Manager to issue the refusal for Development Application DA-2016/280 seeking Council's consent for *Demolition of structures and construction of six (6) storey, twenty-two (22) unit residential flat building, car parking, landscaping and associated works* at 155-161 Willoughby Road Naremburn NSW 2065 for reasons including:

- Overdeveloping of the site as the proposal exceeds the Floor Space Ratio control by 26.66%,
- Unacceptable scale due to exceeding the Height control for the site by 73.5%,
- Unacceptable impacts on adjoining properties,
- Insufficient residential design quality,
- Insufficient Information to enable proper assessment,
- Excessive car parking,
- Unsatisfactory landscaping,
- Poor interface with public domain and transition to the R2 zoning to the east, and
- Disregard for the interests of the public.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Norton.

GENERAL MATTERS**18.2 RESERVE NAMING - EDINBURGH RD CASTLECRAG**

RESPONSIBLE OFFICER: PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR

AUTHOR: ALFRED BERNHARD – BUSHLAND TEAM LEADER

CITY STRATEGY LINK: 2.1.2 THE COMMUNITY VALUES THE NATURAL ENVIRONMENT

MEETING DATE: 13 MARCH 2017

Purpose of Report

For Council to consider a name for a newly created open space at 296-298 Edinburgh Road, Castlecrag.

RESOLUTION

That Council formally support the name suggestion 'Burrabru Reserve' for Council's application to the Geographical Names Board of New South Wales for the naming of the open space at 296-298 Edinburgh Road, Castlecrag.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Norton.

**18.3 TENDER 103052 GORE HILL PARK REDEVELOPMENT & TENDER
104609 GORE HILL OVAL SYNTHETIC SURFACING****RESPONSIBLE OFFICER: PETER CONROY – PLANNING & INFRASTRUCTURE
DIRECTOR****AUTHOR: MATTHEW ROSE – PROPERTY ASSETS &
SUSTAINABLE WORKS OFFICER****CITY STRATEGY LINK: 1.3.1 ACCESSIBLE OPEN SPACE AND
RECREATIONAL FACILITIES FOR THE COMMUNITY
ARE PROVIDED****MEETINGDATE: 13 MARCH 2017**

Purpose of Report

To advise Council on the evaluation of Tender 103052 Gore Hill Park Redevelopment and Tender 104609 Gore Hill Oval Synthetic Surfacing.

RESOLUTION**That Council:**

1. Note this report regarding the creation of two tenders and the evaluation process for those tenders of:
 - Tender 103052 Gore Hill Park Redevelopment;
 - Tender 104609 Gore Hill Oval Synthetic Surfacing.
2. Consider the recommendations presented in Confidential Agenda item 3.1 in order to finalise the tender process.

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

19 NOTICE OF MOTION**19.1 NOTICE OF RESCISSION MOTION: WEBCASTING OF COUNCIL MEETINGS****RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER****MEETING DATE: 13 MARCH 2017**

Purpose of Report

Councillors Hooper, Saville and Stevens have indicated their intention to move the following Rescission Motion.

NOTICE OF RESCISSION MOTION

That the resolution adopted at the Council Meeting held on 27 February 2017, viz:

“That Council note the report.”

BE RESCINDED**RESOLUTION**

That the resolution adopted at the Council Meeting held on 27 February 2017, viz:

“That Council note the report.”

be rescinded.

MOVED COUNCILLOR HOOPER**SECONDED COUNCILLOR SAVILLE****CARRIED****Voting**

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

Against: Nil

Procedural Motion

That the following people address Council and answer questions of the Councillors:

- **Stephanie Croft, (President, Federation of Willoughby Progress Association)**
- **Richard Newton**

AMENDMENT**That Council:**

1. **Endorse webcasting public Council meetings and retain webcasting records for public access; and**
2. **Implement webcasting based on the result of the current amalgamation proposal as follows:**
 - a) **if amalgamated, inform the Administrator of Willoughby City Council's commitment to webcasting; or**
 - b) **if remaining as a stand-alone Council, determine the most cost effective webcasting solution.**
3. **As an interim measure until webcasting is implemented, waive the fee for GIPA requests associated with requests for audio segments of Council meetings.**

MOVED COUNCILLOR HILL**SECONDED COUNCILLOR RUTHERFORD****CARRIED****Voting****For the Amendment:** Councillors Giles-Gidney, Eriksson, Hill, Hooper, Rutherford, Sloane and Wright.**Against:** Councillors Coppock, Mustaca, Norton and Saville.**Absent:****The amendment was not put as a motion.****A procedural motion was carried to treat Councillor Hill's Amendment as a stand-alone Amendment rather than include it within the Motion put by Councillors Hooper and Saville.****AMENDMENT****That Council:**

1. **Endorse webcasting public Council meetings and retain webcasting records for public access; and**
2. **Implement webcasting**
 - a) **if amalgamated, inform the Administrator of Willoughby City Council's commitment to webcasting; or**
 - b) **determine the most cost effective webcasting solution.**
 - c) **that sound recordings of Council meetings be placed on Council's website.**

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR SAVILLE

LOST

Voting

For the Amendment: Councillors Coppock, Hooper, Norton and Saville.

Against: Councillors Giles-Gidney, Eriksson, Hill, Mustaca, Rutherford, Sloane and Wright.

AMENDMENT

That Council:

1. **Endorse webcasting public Council meetings and retain webcasting records for public access; and**
2. **Implement webcasting based on the result of the current amalgamation proposal as follows:**
 - a) **if amalgamated, inform the Administrator of Willoughby City Council's commitment to webcasting; or**
 - b) **if remaining as a stand-alone Council, determine the most cost effective webcasting solution.**
3. **As an interim measure, until webcasting is implemented, audio recordings be placed on Council's website.**

MOVED COUNCILLOR HOOPER

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Amendment: Councillors Coppock, Hooper, Mustaca, Norton Saville, Sloane and Wright.

Against: Councillors Giles-Gidney, Eriksson, Hill and Rutherford

The amendment became the motion and was put and lost.

LOST

Voting

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

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

Absent: Councillor Wright.

19.2 NOTICE OF MOTION - TREE AND VEGETATION PRESERVATION APPLICATIONS

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

AUTHOR: DEBRA JUST – GENERAL MANAGER

MEETING DATE: 13 MARCH 2017

Purpose of Report

Councillor Coppock has indicated his intention to move the following Notice of Motion.

Motion

That the General Manager investigate notification and reporting processes associated with applications for tree removal under Council’s Tree and Vegetation Preservation controls and report back to Council.

RESOLUTION

That Council consider the Notice of Motion from Councillor Coppock.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Norton.

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

20.1 CONFIDENTIAL - TENDER 103052 GORE HILL PARK REDEVELOPMENT & TENDER 104609 GORE HILL OVAL SYNTHETIC SURFACING

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

20.2 155-161 WILLOUGHBY ROAD NAREMBURN - DA 2017/280 - LEGAL PROSPECT - 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.

20.3 6-30 ARTARMON ROAD WILLOUGHBY

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d)(i) and (g) 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

- (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 CONFIDENTIAL - TENDER 103052 GORE HILL PARK REDEVELOPMENT & TENDER 104609 GORE HILL OVAL SYNTHETIC SURFACING

Recommendation Summary

That Council keep its resolution confidential until the tender process is complete and the resolved public information can be released.

20.2 155-161 WILLOUGHBY ROAD NAREMBURN - DA 2017/280 - LEGAL PROSPECT

Recommendation Summary

That Council:

1. Keep confidential its decision on legal prospects on the grounds of legal professional privilege.
2. Defend the appeal commenced by MPG Investments Pty Ltd against Council's deemed refusal of Development Application DA-2016/280 for *Demolition of structures and construction of six (6) storey, twenty-two (22) unit residential flat building, car parking, landscaping and associated works* at 155-161 Willoughby Road Naremburn NSW 2065.

20.3 6-30 ARTARMON ROAD WILLOUGHBY

Recommendation Summary

That Council keep its decision confidential on the grounds of legal professional privilege.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

RESOLUTION

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

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

21 QUESTIONS

NIL

The meeting concluded at 08:39pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 13 March 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.