



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, 31 Victor Street, Chatswood

22 May 2017

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
6 OPEN FORUM	7
7 MAYORAL MINUTE	8
7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 22 MAY 2017	8
8 GENERAL MANAGER'S LATE REPORT	10
9 MATTERS FOR DEFERRAL, REFERRAL TO INSPECTION AND/OR PROCEDURAL PRIORITY	10
10 MATTERS BROUGHT FORWARD BY THE PUBLIC	10
11 MATTERS NOT REQUIRING ELABORATION OR DEBATE	10
12 REPORTS FROM COMMITTEES	12
12.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING ON 19 APRIL 2017	12
12.2 WILLOUGHBY SENIORS' ADVISORY COMMITTEE MEETING HELD 7 FEBRUARY 2017	14
12.3 ACCESS ADVISORY COMMITTEE MEETING HELD 12 APRIL 2017.....	15
13 DEFERRED MATTERS	16
14 CORRESPONDENCE	17
14.1 COUNCILLORS' INFORMATION BOOKLET - 9 AND 16 MAY 2017.....	17
15 REPORTS FROM OFFICERS - GENERAL MANAGER	18
16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE	19
16.1 NORTHBRIDGE BATHS PUBLIC REPORT	19
16.2 OPERATIONAL PLAN AND FINANCIAL PERFORMANCE REPORT - MARCH 2017	20
16.3 INVESTMENT REPORT - APRIL 2017.....	21
17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE	22
17.1 DISABILITY INCLUSION ACTION PLAN 2017 - 2021.....	22
17.2 REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR NORTHBRIDGE COMBINED CHURCHES	23
17.3 REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR ADULT CHILDREN OF ALCOHOLICS SYDNEY	24
17.4 PLAYGROUND IMPROVEMENTS PLAN - CHATSWOOD PARK.....	25
17.5 PLAYGROUND IMPROVEMENTS PLAN - CORTILE RESERVE CASTLECRAG	26
17.6 PLAYGROUND IMPROVEMENTS PLAN - THE BAILEY CASTLECRAG	27
17.7 MEMORIAL SEAT REQUEST AT BALES PARK - ROBERT ARTHUR CLARK	28

18	REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE	29
18.1	16 TO 26 LINDEN WAY CASTLECRAG NSW 2068 DA 2016/457	29
18.2	TENDER SUMMARY - DISPOSAL OF EXCAVATED MATERIAL AND SPOIL FROM WITHIN THE WILLOUGHBY COUNCIL AREA - TENDER NO 107323	34
18.3	BOAT TRAILER PARKING	35
18.4	CURRENT DEVELOPMENT APPLICATION AND PLANNING PROPOSAL REPORT AS AT 8 MAY 2017	36
18.5	APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY 1 APRIL 2017 TO 30 APRIL 2017	37
19	NOTICE OF MOTION	38
19.1	NOTICE OF MOTION: RESTORATION OF THE ORGAN AT THE CONCOURSE	38
19.2	NOTICE OF MOTION: INVESTMENT PROVIDERS	39
20	CONFIDENTIAL ITEMS	40
20.1	DISPOSAL OF EXCAVATED MATERIAL AND SPOIL FROM WITHIN THE WILLOUGHBY COUNCIL AREA - TENDER NO 107323	40
20.2	16 TO 26 LINDEN WAY CASTLECRAG - PROSPECTS IN THE LAND & ENVIRONMENT COURT APPEAL REGARDING REFUSAL OF DEVELOPMENT APPLICATION (DA 2016/457)	40
21	QUESTIONS	42

THIS PAGE IS INTENTIONALLY LEFT BLANK

1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors H Eriksson, R Hill, T Mustaca, W Norton, A Rozos, J Rutherford, L Saville, M Sloane and N Wright

Officers

Mr L Di Lernia (Acting General Manager), Mr G McDonald (Interim Planning & Infrastructure Director), Mr I Arnott (Planning Manager), Ms A Casey (Acting Community, Culture & Leisure Director), Mr R Goulston (Rangers Section Team Leader), Mr A Patterson (Acting Governance Managing), 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 16.3: Investment Report – April 2017
(Nature of Interest: I am an employee of the Westpac Banking Group. I do not believe that me noting the current investments of Willoughby City Council with Westpac would constitute a substantial conflict of interest.)
- Councillor Saville declared, via a Disclosures of Interest form, a non-pecuniary, less than substantial interest in Item 12.1: Minutes of the Traffic Committee Meeting on 19 April 2017
(Nature of Interest: I am a sessional academic employed with a Sydney based university. I worked four weeks this year at Royal North Shore Hospital/ Local Health District. I maintain that I will vote independently)
- Councillor Saville declared, via a Disclosures of Interest form, a non-pecuniary, less than substantial interest in Item 16.2: Operational Plan and Financial Performance Report – March 2017
(Nature of Interest: There is a reference to work/surfacing/lighting upgrades in Eddy Road. I am a resident in Eddy Road. I maintain that I will vote independently)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 8 May 2017, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Hill

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor Hooper is on leave previously granted.
- Councillor Coppock advised he may be late to the meeting and requested Leave of Absence for 2-26 June 2017 (the meeting concluded in Councillor Coppock's absence).
- Her Worship the Mayor Councillor G Giles-Gidney requested Leave of Absence for 26 – 29 May 2017 and 31 May – 12 June 2017.

RESOLUTION

That Council:

1. **Note Councillor Hooper is on leave previously granted.**
2. **Grant Leave of Absence to Councillor Coppock for Monday 22 May and 2 – 26 June 2017.**
3. **Grant Leave of Absence to her Worship the Mayor Councillor Giles-Gidney for 26 – 29 May 2017 and 31 May – 12 June 2017.**

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Hill

5 PETITIONS

NIL

6 OPEN FORUM

NIL

7 MAYORAL MINUTE

7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 22 MAY 2017

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

TUESDAY 9 MAY			
WEDNESDAY 10 MAY			
Mayor Crs Eriksson, Norton, Rozos, Rutherford	11 am	Funeral of Mr Arthur Rozos	St Michael's Greek Orthodox Church, Crows Nest
THURSDAY 11 MAY			
Mayor	7.30 am	St George Bank Budget Breakfast	The Chatswood Club
Cr Saville	2 pm	RMS Northern Beaches Tunnel Display	The Chatswood Club
Mayor Cr Norton	6 pm	NSROC Meeting	Kuringai Council
FRIDAY 12 MAY			
SATURDAY 13 MAY			
Mayor	1.20 pm	Women's Leadership Forum	The Concourse Civic Pavilion
Mayor	6.15 pm	Northbridge Fireworks	Northbridge Oval
SUNDAY 14 MAY			
MONDAY 15 MAY			
TUESDAY 16 MAY			
Cr Saville	10.30 am	WCC Reconciliation Network, Northern Sydney Meeting	
WEDNESDAY 17 MAY			
Mayor Cr Norton	10 am	100 th Birthday Celebration	St Peter's Green
Mayor Crs Norton, Rutherford	11.30 am	Citizenship Ceremony	Chambers
Mayor	1 pm	Italian Group Mothers' Day Lunch	Willoughby Park
Cr Norton	3 pm	Dougherty Board Meeting	Dougherty Retirement Village
THURSDAY 18 MAY			
Mayor	3 pm	Australia Chinese Association: Cultural Performance	Chatswood RSL Club
Cr Saville	7.30 pm	Chatswood West Ward Progress Assn.	Dougherty Centre
FRIDAY 19 MAY			
Mayor	7.15 am	Chatswood Sunrise Breakfast Meeting	Dougherty Centre
Cr Saville	9.30 am	Taronga Zoo Greater Sydney Local Land Services Regional Landcare Bushcare Forum	

SATURDAY 20 MAY			
Mayor	11 am	Dragon Boat Festival: Opening Ceremony	Chinese Cultural Centre
Mayor	6 pm	UTS Awards Dinner	Chatswood Bowls Club
Mayor Cr Norton	Evening	WTC Performance of "Wicked"	The Concourse
SUNDAY 21 MAY			
Mayor	Morning	Artarmon Bowling Club site consultation	1a Burra Road, Artarmon
Mayor	2.30 pm	Scouts Annual Report Presentation	Blackman Park, Lane Cove

8 GENERAL MANAGER'S LATE REPORT

NIL

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

NIL

10 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 18.1 16 to 26 Linden Way, Castlecrag 2068 – DA2016/457

11 MATTERS NOT REQUIRING ELABORATION OR DEBATE

The Mayor invited Councillors to indicate the items not brought forward by the public that they wished to deal with separately:

- Item 12.1 Minutes of the Traffic Committee Meeting on 19 April 2017
- Item 16.1 Northbridge Baths Public Report
- Item 16.2 Operational Plan and Financial Performance Report – March 2017
- Item 16.3 Investment Report – April 2017
- Item 17.4 Playground Improvement Plan – Chatswood Park
- Item 18.2 Tender Summary – Disposal of Excavated Material and Spoil from within the Willoughby Council Area – Tender No 107323
- Item 18.3 Boat Trailer Parking
- Item 19.1 Notice of Motion: Restoration of the organ at the Concourse
- Item 19.2 Notice of Motion: Investment Providers

RESOLUTION

That the remaining items, viz:

- Item 14.1 Councillors' Information Booklets – 9 and 16 May 2017
- Item 12.2 Willoughby Seniors' Advisory Committee meeting held 7 February 2017
- Item 12.3 Access Advisory Committee Meeting held 12 April 2017
- Item 17.1 Disability Inclusion Action Plan 2017-2021
- Item 17.2 Registration of Interest – Concession Application for Northbridge Combined Churches
- Item 17.3 Registration of Interest – Concession Application for Adult Children of Alcoholics Sydney
- Item 17.5 Playground Improvement Plan – Cortile Reserve, Castlecrag
- Item 17.6 Playground Improvement Plan – The Bailey, Castlecrag
- Item 17.7 Memorial Seat Request at Bales park – Robert Arthur Clark
- Item 18.4 Current Development Applications and Planning Proposal Report as at 8 May 2017
- Item 18.5 Applications Determined Under Delegated Authority 1 April 2017 to 30 April 2017

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

12 REPORTS FROM COMMITTEES

12.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING ON 19 APRIL 2017

ATTACHMENTS:	1. TRAFFIC COMMITTEE MINUTES OF 19 APRIL 2017
RESPONSIBLE OFFICER:	GREG MCDONALD – INTERIM PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	NEIL STRICKLAND – SENIOR TRAFFIC ENGINEER
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	22 MAY 2017

Purpose of Report

To advise Council of the recommendations from the Traffic Committee Meeting held on 19 April 2017.

RESOLUTION

That Council:

1. Adopt the recommendations of the Traffic Committee, at its meeting of 19 April 2017 except for items 5.4, 5.9 and 6.1;
2. In respect of Item 5.4, the Traffic Committee recommendation be adopted with the exception of point 4 which reads “Council confers with the Northern Suburbs Tennis Association and investigates the suitability of the car parking area on the eastern side of the tennis courts amenities building for accessible parking” because the NSTA has already been consulted;
3. In respect of Item 5.9, the matter be deferred pending further advice from the Traffic Committee and a further report to Council;
4. In respect to item 6.1 the Traffic Committee recommendations not be adopted and the following be adopted:

Concept development, detailed design and implementation of local area traffic management devices in Cevu Avenue between and including High Street and Alpha Road including:

- (i) line marking and signposting at both ends;
- (ii) minor infrastructure adjustments to slow traffic entering from High Street and Alpha Road;
- (iii) mid block slow point comprising line marking, signposting and minor infrastructure adjustments to be installed .

The works to be commissioned following community consultation and referral to the Local Traffic Committee and Council to occur at the appropriate time relevant for each initiative.

5. The Traffic Committee members be so advised.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

RESOLUTION

That Council:

- 1. Refer back to the Traffic Committee Recommendation 5.2 relating to the signalised crossing at Herbert Street just south of Eillen Street; and**
- 2. Request the Traffic Committee to investigate the potential for a raised crossing at the Community Health Centre north of Eillen Street.**
- 3. Note Point 6 in Traffic Committee Recommendation 5.2 *that Council “consult with Royal North Shore Hospital about the signalised pedestrian crossing proposal and way finding signage”.***

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

**12.2 WILLOUGHBY SENIORS' ADVISORY COMMITTEE MEETING HELD
7 FEBRUARY 2017**

ATTACHMENTS:	1. MINUTES - WILLOUGHBY SENIORS' ADVISORY COMMITTEE - 7 FEBRUARY 2017
RESPONSIBLE OFFICER:	ANGELA CASEY – ACTING, COMMUNITY CULTURE & LEISURE DIRECTOR
AUTHOR:	LOUISE GEAGHAN - DOUGHERTY COMMUNITY SERVICES GROUP LEADER
CITY STRATEGY LINK:	1.1.2 THE VULNERABLE ARE INVOLVED IN OUR COMMUNITY AND SUPPORTED WITH RESPECT AND INTEGRITY
MEETING DATE:	22 MAY 2017

Purpose of Report

To provide Council with the minutes of the Willoughby Seniors' Advisory Committee meeting held 7 February 2017.

RESOLUTION

That Council note the minutes of the Willoughby Seniors' Advisory Committee meeting held 7 February 2017.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

12.3 ACCESS ADVISORY COMMITTEE MEETING HELD 12 APRIL 2017

ATTACHMENTS:	1. MINUTES - ACCESS ADVISORY COMMITTEE - 12 APRIL 2017
RESPONSIBLE OFFICER:	ANGELA CASEY - ACTING, COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	LOUISE GEAGHAN - DOUGHERTY COMMUNITY SERVICES GROUP LEADER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	22 MAY 2017

Purpose of Report

To provide Council with the minutes of the Willoughby City Council Access Advisory Committee meeting held Wednesday 12 April 2017.

OFFICER'S RECOMMENDATION

That Council receive and note the minutes of the Willoughby City Council Access Advisory Committee meeting held Wednesday 12 April 2017.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

14.1 COUNCILLORS' INFORMATION BOOKLET - 9 AND 16 MAY 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:	22 MAY 2017

Purpose of Report

To list on the Council Agenda the weekly Councillors' Information Booklets, circulated to all Councillors on 9 and 16 May 2017.

RESOLUTION

That Council receive the Councillors' Information Booklets circulated to all Councillors on 9 and 16 May 2017.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 NORTHBRIDGE BATHS PUBLIC REPORT

RESPONSIBLE OFFICER:	LINO DI LERNIA – ACTING GENERAL MANAGER
AUTHOR:	LINO DI LERNIA – ACTING GENERAL MANAGER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	22 MAY 2017

Purpose

The purpose of this public report is to outline the history of the Northbridge Baths pontoon replacement project, findings from an independent review of the project and actions taken.

MOTION

That Council:

1. Note the report on the Northbridge Baths Pontoon Project.
2. Note the procurement, financial reporting, project, risk and stakeholder management processes that have been put in place.
3. Note the proposed additional actions to recruit a contract management specialist to continue to reinforce new systems with training for staff and to ensure systematic reporting of *Section 55 (3) (i) of the Local Government Act 1993*, which provides Council with discretion not to proceed to Tender for works in excess of \$150,000 (GST inclusive) where appropriate.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Councillors Mustaca and Wright.

**16.2 OPERATIONAL PLAN AND FINANCIAL PERFORMANCE REPORT -
MARCH 2017**

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:	LINO DI LERNIA – INTERIM CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	GLEN 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:	22 MAY 2017

Purpose of Report

To review Council's progress in attaining Operational Plan targets for the period 1 July 2016 to 30 June 2017 and to review the financial performance of the Council to 31 March 2017.

RESOLUTION

That Council:

- 1. Note the report; and**
- 2. Vote the decrease in expenditure of \$5,149,300 and the decrease in income of \$4,916,100, a difference of \$233,200.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

16.3 INVESTMENT REPORT - APRIL 2017

ATTACHMENTS:	1. COUNCIL'S INVESTMENT HOLDINGS 2. COUNTERPARTY CHART
RESPONSIBLE OFFICER:	LINO DI LERNIA – INTERIM CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	BILL LOFTHOUSE - FINANCIAL ACCOUNTANT
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	22 MAY 2017

Purpose of Report

To detail the Council Bank balances and Investment portfolio performance as at 30th April 2017.

RESOLUTION

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

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 DISABILITY INCLUSION ACTION PLAN 2017 - 2021

ATTACHMENTS:	DISABILITY INCLUSION ACTION PLAN 2017-2021
RESPONSIBLE OFFICER:	ANGELA CASEY, ACTING COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	LOUISE GEAGHAN, DOUGHERTY COMMUNITY SERVICES TEAM LEADER
CITY STRATEGY LINK:	1.1.2 THE VULNERABLE ARE INVOLVED IN OUR COMMUNITY AND SUPPORTED WITH RESPECT AND INTEGRITY
MEETING DATE:	22 MAY 2017

Purpose of Report

To request that Council adopt the Disability Inclusion Action Plan 2017-2021 following public exhibition.

RESOLUTION

That Council adopt the *Disability Inclusion Action Plan 2017-2021*.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.2 REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR NORTHBRIDGE COMBINED CHURCHES

RESPONSIBLE OFFICER: ANGELA CASEY – ACTING COMMUNITY, CULTURE & LEISURE DIRECTOR

AUTHOR: ERIN COLWELL – SPORTSGROUND ADMINISTRATION AND TECHNICAL OFFICER

CITY STRATEGY LINK: 1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE TO THE COMMUNITY

MEETING DATE: 22 MAY 2017

Purpose of Report

To seek Council approval for a 100% concessional rate of hire at Northbridge Oval on Saturday 2 December 2017 from 12.30pm - 9.30pm by the Northbridge Combined Churches for a community carols event.

RESOLUTION

That Council approve a 100% (Category D) concessional rate of hire at Northbridge Oval on Saturday 2 December from 12.30pm - 9.30pm by the Northbridge Combined Churches for a community carols event.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.3 REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR ADULT CHILDREN OF ALCOHOLICS SYDNEY

ATTACHMENTS:	1. LETTER OF SUPPORT
RESPONSIBLE OFFICER	ANGELA CASEY – ACTING 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:	22 MAY 2017

Purpose of Report

To seek Council's approval for a 100% concessional rate of hire at Willoughby Park Centre for Adult Children of Alcoholics Sydney.

RESOLUTION

That Council approve a 100% concessional rate of hire at the Willoughby Park Centre by Adult Children of Alcoholics Sydney until 31 December 2017, with a concession value of \$3,640.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.4 PLAYGROUND IMPROVEMENTS PLAN - CHATSWOOD PARK

ATTACHMENTS:	1. PLAYGROUND IMPROVEMENTS PLAN 2. COMMUNITY CONSULTATION SUMMARY REPORT
RESPONSIBLE OFFICER:	ANGELA CASEY – ACTING 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:	22 MAY 2016

Purpose of Report

For Council to adopt the Playground Improvements Plan for Chatswood Park.

RESOLUTION

That Council adopt the Chatswood Park Playground Improvements Plan dated May 2017.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

**17.5 PLAYGROUND IMPROVEMENTS PLAN - CORTILE RESERVE
CASTLECRAG**

ATTACHMENTS:	1. CORTILE RESERVE PLAYGROUND IMPROVEMENTS PLAN 2. CORTILE RESERVE COMMUNITY CONSULTATION SUMMARY REPORT
RESPONSIBLE OFFICER:	ANGELA CASEY – ACTING 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:	22 MAY 2017

Purpose of Report

For Council to adopt the Playground Improvements Plan for Cortile Reserve, Castlecrag.

RESOLUTION

That Council adopts the Cortile Reserve Playground Improvements Plan dated April 2017.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.6 PLAYGROUND IMPROVEMENTS PLAN - THE BAILEY CASTLECRAG

ATTACHMENTS:	1. THE BAILEY PLAYGROUND IMPROVEMENTS PLAN 2. THE BAILEY COMMUNITY CONSULTATION SUMMARY REPORT
RESPONSIBLE OFFICER:	ANGELA CASEY – ACTING 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:	22 MAY 2017

Purpose of Report

For Council to adopt the Playground Improvements Plan for The Bailey, Castlecrag.

RESOLUTION

That Council adopt the Bailey Playground Improvements Plan dated April 2017.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.7 MEMORIAL SEAT REQUEST AT BALES PARK - ROBERT ARTHUR CLARK

ATTACHMENTS:	1. REQUEST LETTER TO WILLOUGHBY FROM JEANNINE CLARK RE: MEMORIAL FOR ROBERT ARTHUR CLARK
	2. LETTER FROM TRENT ZIMMERMAN'S OFFICE - SPEECH IN THE HOUSE OF REPRESENTATIVES - ROBERT ARTHUR CLARK
RESPONSIBLE OFFICER:	ANGELA CASEY – ACTING, COMMUNITY CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD, OPEN SPACE COORDINATOR
CITY STRATEGY LINK:	3.1.3 LOCAL CHARACTER
MEETING DATE:	22 MAY 2017

Purpose of Report

To approve the placing of a memorial seat at Bales Park in memory of a long term resident of Willoughby, Robert Arthur Clark.

RESOLUTION

That Council approve the placing of a memorial seat at Bales Park in memory of long term resident of Willoughby, Robert Arthur Clark.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 16 TO 26 LINDEN WAY CASTLECRAG NSW 2068 DA 2016/457

ATTACHMENTS:	<ol style="list-style-type: none">1. REASONS FOR REFUSAL2. NOTIFICATION MAP3. DEVELOPMENT STATISTICS4. APPLICANT CLAUSE 4.6 HEIGHT VARIATION REQUEST5. ASSESSMENT OF THE CLAUSE 4.6 REQUEST FOR HEIGHT VARIATION6. APPLICANT CLAUSE 4.6 FSR VARIATION REQUEST7. ASSESSMENT OF THE CLAUSE 4.6 REQUEST FOR FSR VARIATION8. PLANS & ELEVATIONS (DISTRIBUTED SEPARATELY)
---------------------	---

MEETING DATE: 22 MAY 2017

RECOMMENDATION:	REFUSAL
LOCATION:	16 AND 26 LINDEN WAY, CASTLECRAG NSW 2068
APPLICANT:	MS Z MAI
OWNER:	MS JAYSON MAI
PROPOSAL:	DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF AN ATTACHED DUAL OCCUPANCY, SWIMMING POOL AND ASSOCIATED WORKS.
DATE OF LODGEMENT:	10 NOVEMBER 2016
REPORTING OFFICER:	JOHN BRUNTON – PLANNING CONSULTANT
RESPONSIBLE OFFICER:	IAN ARNOTT – PLANNING MANAGER

DESCRIPTION OF PROPOSAL

Approval is sought for the demolition of the existing house and swimming pool and the erection of a 3 storey dual occupancy with ancillary communal facilities. The application explains that the proposal is for a dual occupancy even though it is to be occupied by several generations of the one family. The dual occupancy includes:

- 15 bedrooms
- 3 kitchens,
- 4 dining areas,
- 8 entertainment and recreation spaces
- Communal swimming pool, tennis court and gardens.

Access is provided from Linden Way to 2 separate garages that accommodate 6 cars.

Procedural Motion

That Dennis O'Regan address the meeting and ask questions of the Councillors.

RESOLUTION

THAT Council refuse Development Application DA-2016/457 for *Demolition of structures and construction of a dual occupancy, landscaping and associated works* at 16-26 Linden Way, Castlecrag and grant delegated authority to the General Manager to issue the refusal notice for the reasons listed in the attached Reasons for Refusal, including:

- **Overdevelopment of the site as the proposal exceeds the floor space ratio control by 77.6%,**
- **Unacceptable scale due to exceeding the height control for the site by 64.3%,**
- **Unacceptable impacts on adjoining properties,**
- **Adverse visual impact when viewed from Middle Harbour,**
- **Insufficient information to enable proper assessment,**
- **Removal of trees and natural features that should be retained**
- **Inadequate management of drainage and stormwater, and**
- **Disregard for the interests of the public.**

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

REASONS FOR REFUSAL

The reasons for **REFUSAL** are:

1. Pursuant to S.79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not meet the objectives and requirements of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 as it does not enhance the qualities of Sydney Harbour as required by the Planning Principle in Clause 13.
2. Pursuant to S.79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not meet the objectives and requirements of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 as it does not enhance the visual qualities of Sydney Harbour and its foreshores as required by Clauses 13, 14 and 25.
3. Pursuant to S.79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is a prohibited form of development as it does not meet the objectives and the requirements of Clause 2.3 and the Land Use Table of Willoughby Local Environmental Plan 2012 (WLEP 2012) because the proposal is capable of being occupied or used as more than two dwellings and as such does not satisfy the definition for a dual occupancy.
4. Pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not satisfy the sustainability (b), environmental protection (c), urban design(d) and amenity(e) Aims contained in Clause 1.2 of the Willoughby Local Environmental Plan 2012 (WLEP 2012).
5. Pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal is considered an overdevelopment of the site as it has a height of 13.8m and the proposed development disregards Clause 4.3 Height of Buildings of the WLEP 2012, that requires the height of a building on the land not to exceed the maximum height of 8.5m because the development standard is exceeded by 62.3%and the Clause 4.6 objection to this control is not well found.
6. Pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is considered an overdevelopment of the site as it has a floor space ratio of 0.444:1 and the proposed development disregards Clause 4.4 Floor Space Ratio of the WLEP 2012, that requires maximum floor space ratio for a building on the land not to exceed the maximum 0.25:1 because the development standard is exceeded by 77.6% and the Clause 4.6 objection to this control is not well found.
7. Pursuant to S.79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development fails to satisfy the requirements of the Sydney Harbour Foreshores and Waterways Development Control Plan 2005 relating to Landscape Character Type 1 because it does not protect the key features of this landscape by ensuring that vegetation dominates the landscape and maintains the visual dominance of the tree canopy.
8. Pursuant to Section 79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development does not meet the intent and controls contained in Part C.4 of Willoughby Development Control Plan (WDCP) - Transport Requirements in demonstrating safe and efficient vehicular access.

9. Pursuant to S.79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development does not meet the intent and controls contained in Part C.5 of WDCP – Water Management as the application does not provide sufficient information to demonstrate that stormwater runoff from the site will be properly managed and discharged in a manner consistent with the objectives and requirements of this part of the WDCP.
10. Pursuant to Section 79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development does not meet the intent and controls contained in Part C.9 of WDCP – C.9 Preservation of Trees or Vegetation because the removal of mature trees is not justified
11. Pursuant to S.79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development does not meet the intent and controls contained in Part D.1 of WDCP Character Statement as it does not respond well to the topography of the land, and the proposed built forms are incompatible with the character of the Castlecrag Peninsula.
12. Pursuant to S.79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is incompatible with the existing streetscape as it does not meet the intent and controls contained in Part D.1.7.3 of WDCP because the building has a front setback of 5.5 m when the required minimum setback is 7.0m.
13. Pursuant to S.79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the bulk and scale of the proposed development adversely impacts adjacent properties by being visually intrusive and causing overshadowing, and because it does not meet the intent and controls contained in Part D.1.7 of WDCP – Building Height Planes and Setbacks.
14. Pursuant to Section 79C (1)(a)(iii) of the of the Environmental Planning and Assessment Act 1979, the submitted development application fails to observe various controls in Part D1 Dwelling Houses, Dual Occupancy and Secondary Dwellings of WDCP, in particular:
 - a) D.1.2 Localities
 - b) D.1.4 Character, Design, Streetscape and View Sharing
 - c) D.1.5 Density
 - d) D.1.6 Height
 - e) D.1.7 Building Envelopes and Setbacks
 - f) D.1.8 Landscaping
 - g) D.1.9 Private Open Space
 - h) D.1.11 Privacy
 - i) D.1.12 Solar Access
 - j) D.1.14 Sustainable Development
 - k) D.1.16 E4 Environmental Living Zone
15. Pursuant to Section 79C (1)(d) of the Environmental Planning and Assessment Act 1979, the proposed development fails to address the relevant issues raised in the public submissions.
16. Pursuant to Section 79C (1)(e) of the Environmental Planning and Assessment Act 1979, having regard to the insufficient information contained in the application, the proposal being a prohibited form of development, being contrary to Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, the extent of the development's non-compliances with the development standards and the absence of justification for those non-compliances,

the failure to satisfy the criteria of WDCP and the Sydney Harbour Foreshores and Waterways DCP and the amenity impacts generated, and the potential to establish a precedent, the approval of the proposed development is not considered to be in the interests of the public.

18.2 TENDER SUMMARY - DISPOSAL OF EXCAVATED MATERIAL AND SPOIL FROM WITHIN THE WILLOUGHBY COUNCIL AREA - TENDER NO 107323

RESPONSIBLE OFFICER:	GREG MCDONALD – INTERIM PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	SUNIL GAMAGE – WORKS ENGINEER
CITY STRATEGY LINK:	4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE
MEETING DATE:	22 MAY 2017

Purpose of Report

The purpose of this report is to inform Council of the prices submitted for the Tender for the Disposal of Excavated Material and Spoil from within the Willoughby Council area and to seek Council's approval for the engagement of a contractor to dispose of excavated material and spoil from Council's construction sites for a three year period ending 30 April 2020.

RESOLUTION

That Council:

- 1. Accept the tender from tenderer ranked No. 1 for the Disposal of Excavated Material and Spoil from within the Willoughby Council area for the tendered price.**
- 2. Authorise the Mayor and General Manager to affix the Common Seal of Council to the successful tender documents.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

18.3 BOAT TRAILER PARKING

RESPONSIBLE OFFICER:	GREG MCDONALD – INTERIM PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	MARK TAYLOR – COMPLIANCE UNIT MANAGER
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	22 MAY 2017

Purpose of Report

To seek Council's endorsement for implementing new powers relating to boat trailer parking throughout Willoughby City Council following community consultation.

RESOLUTION

That Council:

1. Note the results from the community engagement programme between Thursday 19 January to Friday 17 February, 2017 in relation to boat trailer parking and that these results predominantly support the implementation of the provisions of the *Impounding Amendment (Unattended Boat Trailers) Act 2015*;
2. Declare the whole of the City of Willoughby Local Government Area a "Declared Area" for the purposes of the *Impounding Amendment (Unattended Boat Trailers) Act 2015*;
3. Advise the Office of Local Government of Council's resolution; and
4. Proceed to implement the provisions of the *Impounding Amendment (Unattended Boat Trailers) Act 2015* after publication of the order of the "Declared Area" in the NSW Government Gazette.
5. Provide a brief report back to Council within a year.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

18.4 CURRENT DEVELOPMENT APPLICATION AND PLANNING PROPOSAL REPORT AS AT 8 MAY 2017

ATTACHMENTS:	1. LIST OF APPLICATIONS
RESPONSIBLE OFFICER:	IAN ARNOTT – PLANNING MANAGER
AUTHOR:	DEVELOPMENT PLANNERS, BUILDING SURVEYORS
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	22 MAY 2017

Purpose of Report

To provide Councillors with details of all current Development Applications and Planning Proposals as at 8 May 2017.

RESOLUTION

That Council note the information on Development Applications (including those to be determined by the Sydney North Planning Panel) and Planning Proposals Report to 8 May 2017.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

**18.5 APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY 1
APRIL 2017 TO 30 APRIL 2017**

ATTACHMENTS:	1. LIST OF APPLICATIONS
RESPONSIBLE OFFICER:	IAN ARNOTT – PLANNING MANAGER
AUTHOR:	DEVELOPMENT PLANNERS, BUILDING SURVEYORS
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	22 MAY 2017

Purpose of Report

To provide Council with a list of applications determined under delegated authority for the month of April 2017.

RESOLUTION

That Council note the information on Development Applications determined under delegated authority in April 2017.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION: RESTORATION OF THE ORGAN AT THE CONCOURSE

RESPONSIBLE OFFICER: LINO DI LERNIA – ACTING GENERAL MANAGER

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

MEETING DATE: 22 MAY 2017

Purpose of Report

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

Motion

That Council Officers be asked to investigate, with the assistance of an independent expert experienced in organ restoration if considered necessary, whether it is feasible to fund and achieve the completion of the restoration and refurbishment of the organ in The Concourse in the following way:

- **Receipt of between \$30,000 and \$40,000 in donations**
- **All manual labour to complete the project is provided as a gift and volunteer work**
- **Council receives a Conservation Grant from the NSW Government up to the maximum value of \$5,000**
- **Council funds up to \$20,000 (GST exclusive)**

THIS MATTER WAS DEFERRED TO THE COUNCIL MEETING TO BE HELD 10 JULY 2017.

19.2 NOTICE OF MOTION: INVESTMENT PROVIDERS**RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER****CITY STRATEGY LINK: 6.3.1 COUNCIL MAINTAINS A STRONG
SUSTAINABLE FINANCIAL POSITION****MEETING DATE: 22 MAY 2017**

Purpose of Report

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

Motion

1. That Willoughby City Council will give preference to financial institutions that do not invest in, or finance the fossil fuel industry where:
 - a) the investment is compliant with Councils investment policy; and
 - b) the investment rate is favourable to council relative to other similar investments that may be on offer to Council at the time of investment
2. In its regular financial reporting to council, provide information on the state of divestment from fossil fuels
3. Request that LGNSW prepare and maintain information regarding financial institutions in which councils may invest, which are committed to fossil free investments and lending

THIS MATTER WAS DEFERRED TO THE COUNCIL MEETING TO BE HELD 10 JULY 2017.

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 DISPOSAL OF EXCAVATED MATERIAL AND SPOIL FROM WITHIN THE WILLOUGHBY COUNCIL AREA - TENDER NO 107323

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

20.2 16 TO 26 LINDEN WAY CASTLECRAG - PROSPECTS IN THE LAND & ENVIRONMENT COURT APPEAL REGARDING REFUSAL OF DEVELOPMENT APPLICATION (DA 2016/457)

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

20.1 DISPOSAL OF EXCAVATED MATERIAL AND SPOIL FROM WITHIN THE WILLOUGHBY COUNCIL AREA - TENDER NO 107323

Recommendation Summary

That Council:

1. Council accept the tender from tenderer ranked No. 1, Benedict Recycling Pty Ltd, for the Disposal of Excavated Material and Spoil from within the Willoughby Council area for the tendered price.

2. The Mayor and General Manager be authorised to affix the Common Seal of Council to the successful tender documents.
3. Make resolution 1 above public once the contract for Tender 107323 has been awarded.

20.2 16 TO 26 LINDEN WAY CASTLECRAG - PROSPECTS IN THE LAND & ENVIRONMENT COURT APPEAL REGARDING REFUSAL OF DEVELOPMENT APPLICATION (DA 2016/457)

Recommendation Summary

That Council delegate to the General Manager the management of the Land and Environment Court Appeal (2017/00059460) commenced by Jayson Mai against Council's deemed refusal of Development Application 2016/457 for demolition of existing structures and construction of an attached dual occupancy, swimming pool and associated structures at 16 and 26 Linden Way, Castlecrag, in accordance with the General Manager's delegations.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

RESOLUTION

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

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

21 QUESTIONS

NIL

The meeting concluded at 08:20pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 22 May 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.