



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, 31 Victor Street, Chatswood

13 June 2017

commencing at 7:00pm

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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, M Stevens and N Wright

Officers

Ms D Just (General Manager), Mr B Wicks (Interim Customer & Corporate Director), Mr G McDonald (Interim Planning & Infrastructure Director), Ms M Smith (Community, Culture & Leisure Director), Mr P Collins (Works Services Manager), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Minutes Secretary)

2 DISCLOSURES OF INTEREST - COUNCILLORS AND STAFF

NIL

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 22 May 2017, copies of which have been circulated to each member of Council, be confirmed noting the following additional point to the resolution at Item 12.1 Minutes of the Traffic Committee Meeting on 19 April 2017 that:

That Council:

1. *Refer*
2. *Request*
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 MUSTACA

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Rutherford

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillors Coppock and Hooper are on leave previously granted.

RESOLUTION

That Council note Councillors Coppock and Hooper are on leave previously granted.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

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

Against: Nil

Absent: Councillor Rutherford

5 PETITIONS

5.1 PETITION - 58 EDDY ROAD, CHATSWOOD - DA2017/86

| | |
|-----------------------------|---|
| RESPONSIBLE OFFICER: | ANDREW PATTERSON – ACTING GOVERNANCE MANAGER |
| AUTHOR: | PATRICIA SHELDRAKE – MINUTES SECRETARY |
| CITY STRATEGY LINK: | 3.1.2 QUALITY LIVING AMENITY FOR RESIDENTS |
| MEETING DATE: | 13 JUNE 2017 |

Purpose of Report

A petition, containing 16 signatures, has been sent to Council in opposition of the proposed Development Application for 58 Eddy Road, Chatswood – DA2017/86. The proposal is for demolition of an existing dwelling and construction of a two storey dwelling, fencing and associated works. Councillor Saville noted that an additional page of signatures is to be submitted.

RESOLUTION

That Council receive and note the petition relating to DA2017/86 – 58 Eddy Road, Chatswood and that it be referred to the relevant Planning Officer for consideration.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Rutherford

Councillor Mustaca tabled a petition containing 37 signatures relating to View Street Park, Chatswood West and the proposal to name View Street Park as the “Jim McCredie Park”

RESOLUTION

That Council receives the petition relating to View Street Park, Chatswood West and the proposal to name View Street Park as the “Jim McCredie Park”

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

Voting

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

Against: Nil

Absent: Councillor Rutherford

6 OPEN FORUM

Stephanie Croft – President, Federation of Willoughby Progress Associations spoke on Council's responsibilities and focus and acknowledged Council's commitment.

7 MAYORAL MINUTE

7.1 MAYORAL MINUTE - WEBCASTING OF COUNCIL MEETINGS

MEETING DATE: 13 JUNE 2017

Purpose of Report

To consider implementing webcasting of Council meetings at Willoughby City Council in a way that acknowledges risks of defamation action, promotes public engagement, is financially sound and consistent with the guidelines for Council decision making during merger proposal periods.

Procedural Motion

That Stephanie Croft – President, Federation of Willoughby Progress Associations address the meeting.

MOTION

That Council:

- 1. Seek the most suitable provider of webcasting or podcasting equipment and services, having regard to both cost and quality criteria across capital and maintenance considerations;**
- 2. Place on public exhibition the changes required to the Code of Meeting Practice to enable webcasting or podcasting as shown in Attachment 1 to this report (such changes were presented to Council on 27 February 2017 as Attachment 1 to Item 16.2 Webcasting Council Meetings);**
- 3. Publish a public notice on 15 June 2017 to notify the 42 day submission period regarding the proposed changes to the Code of Meeting Practice;**
- 4. Following public exhibition, and having regard to the submissions received, consider adopting the revised Code of Meeting Practice and implementing webcasting or podcasting at its meeting on 7 August 2017; and**
- 5. Note that this motion is consistent with the guidelines on Council decision-making during merger proposal periods.**

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Voting

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

Against: Councillors Mustaca and Rozos

7.2 MAYORAL MINUTE – 2017 QUEEN’S BIRTHDAY HONOURS**MEETING DATE: 13 JUNE 2017**

Purpose of Report

To inform Council of the residents in Willoughby who received an award in the 2017 Queen’s Birthday Honours List.

Discussion

I am pleased to inform Council that the following residents were recognised in the 2017 Queen’s Birthday Honours Awards:

Officer of the General Division of the Order of Australia (AO)**Professor Mohamed Hassan KHADRA**

Chatswood

For distinguished service to medicine in the field of urology as a surgeon, clinician and mentor, to rural and remote medical education, and to literature as an author and playwright.

Member of the Order of Australia (OAM)**Dr David Robert STARTE**

Northbridge

For services to medicine as a paediatrician.

RESOLUTION

That Council congratulates Professor Mohamed Hassan Khadra and Dr David Robert Starte on their award in the 2017 Queen’s Birthday Honours List.

MOVED COUNCILLOR GILES-GIDNEY**CARRIED****Voting**

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

Against: Nil

7.3 MAYORAL MINUTE – MEETING WITH THE PREMIER HON GLADYS BEREJIKLIAN MP – 26 MAY 2017**MEETING DATE: 13 JUNE 2017**

Her Worship the Mayor Councillor G Giles-Gidney and the General Manager met with the Premier the Hon Gladys Berejiklian MP on 26 May 2017.

Her Worship the Mayor Councillor G Giles-Gidney reported on the meeting noting in particular discussions on:

- The implications of reclassification of Council in the Metropolitan Small category;
- Change of route for metro cabling in Hercules Street;
- Northern Beaches tunnel and issues raised by sporting groups in relating to effect on sporting sites;
- Right-hand turn in Eastern Valley Way;
- Northbridge Plaza car park – in holding pattern due to amalgamations;
- 1-5 Railway Street – seeking meeting with The Hon Andrew Constance, MP, Minister for Transport and Infrastructure

7.4 MAYORAL MINUTE – AUSTRALIAN ISRAEL TRADE MISSION AND VISIT TO SISTER CITY NOR NORK YEREVAN ARMENIA**MEETING DATE: 13 JUNE 2017**

Her Worship the Mayor Councillor G Giles-Gidney reported on her visit to Israel with the Israel Australian-Israel Chamber of Commerce Women Leaders Trade Mission.

The Mayor joined 40 Australian Women on the Trade Mission meeting with the Deputy Mayor of Tel Aviv sharing challenges regarding infrastructure and traffic and seeing first-hand how digital and innovation is adopted.

The Mayor's itinerary allowed for a two day trip to Nor Nork Yerevan Armenia meeting with the Minister for Diaspora, the Mayor of Yerevan, the Catholicos of the Armenian Apostolic Church of Holy Resurrection Sydney and the Head of Nor Nork where she took the opportunity to formally sign a Friendly City Agreement which was established some time ago.

RESOLUTION

That Council write a letter of thanks to Sarkis and Zepur Mouradian to acknowledge their assistance with the program in Armenia and to the course convener of the Australian-Israel Chamber of Commerce to acknowledge participants on the Trade Mission.

MOVED COUNCILLOR GILES-GIDNEY**CARRIED****Voting**

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

Against: Nil

7.5 MAYOR'S DIARY: COUNCIL MEETING NOTES – 13 JUNE 2017

| TUESDAY 23 MAY | | | |
|--|----------|--|---|
| Mayor | 4 pm | Presentation to Scholarship Winner from Ossu - Mr Rosito Ruas | Mayor's Office |
| Mayor | 7.30 pm | Rotary Club of Northbridge – Thank you dinner for <i>Fireworks</i> Event | Northbridge Golf Club |
| WEDNESDAY 24 MAY | | | |
| Mayor | 7.30 am | LGNSW Planning Breakfast | Parliament House, Sydney |
| Mayor | 11.30 am | National Simultaneous Storytime | Chatswood Library |
| Cr Mustaca | 2.15 pm | Funeral for Mrs Beryl Jenkins | Northern Suburbs Crematorium |
| Mayor | 6 pm | Official Launch of "Playtime" | Westfield, Chatswood |
| THURSDAY 25 MAY | | | |
| Mayor | 6 pm | Launch of Charity Event -"Stars of the North 2017" | Willoughby Hotel |
| Cr Saville | 6 pm | Micro plastics and the marine environment | Lane Cove Library |
| FRIDAY 26 MAY | | | |
| Mayor | 12.30 pm | Solar Communities Event | Willoughby Community Pre-School |
| Mayor Crs Norton, Rutherford, Saville | 3 pm | Official Opening of James White Path | Castle Cove Park |
| Mayor | 4 pm | Meeting with The Premier | Willoughby Electorate Office |
| Mayor Crs Norton, Rutherford, Saville | 5.15 pm | Vivid - Lights On | The Concourse |
| Mayor | 6.50 pm | Bank of China Reception | The Concourse Pavilion |
| TUESDAY 30 MAY | | | |
| Mayor | 6.30 pm | Visit to Artarmon Guides | Girl Guide Hall, Thompson Avenue |
| WEDNESDAY 31 MAY | | | |
| Cr Rutherford | | Korean Art Exhibition | NSW Parliament House Macquarie St., Sydney |
| THURSDAY 1 JUNE | | | |
| Cr Saville | 4 pm | Sydney Coastal Councils Executive meeting | City of Sydney Council |
| SATURDAY 3 JUNE | | | |
| Cr Saville | | Indigenous Voices | Hunters Hill |
| WEDNESDAY 7 JUNE | | | |
| | | | |
| THURSDAY 8 JUNE | | | |
| Mayor | | Visit to Sister City | Yerevan, Armenia |
| Cr Rutherford | 1.00 pm | JCC Meeting | Banksia Room, Willoughby Council |
| FRIDAY 9 JUNE | | | |
| Mayor | | Visit to Sister City | Yerevan, Armenia |
| Cr Saville | 7 pm | Australian Chamber Orchestra Concert | Concourse |
| SATURDAY 10 JUNE | | | |
| Mayor | | Visit to Sister City | Yerevan, Armenia |
| Cr Saville | | Guringai festival Kelly's Bush Walk and Talk | Woolwich |

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 7.1 Mayoral Minute – Webcasting of Council Meetings
Item 19.1 Notice of Motion – Marriage Equality

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 15.1 Mark McDonald's Contribution to Willoughby City Council
Item 16.1 Exemption from Tendering
Item 18.2 Procurement of Ground Control Australia Pty Ltd

RESOLUTION

That the remaining items, viz:

Item 12.1 Minutes and Plans – Natural Heritage and Bushland Advisory Committee
Item 14.1 Councillors' Information Booklets – 9 and 16 May 2017
Item 17.1 Tender No 107134 – Management of Affordable Housing
Item 18.1 Closure of Bridge Street, Artarmon and Consolidation into the Cameron Avenue Car Park
Item 18.3 Request to Waive Road Closure Fee for Horsley Road by St Thomas Primary School

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillors Mustaca, Rozos and Rutherford

12 REPORTS FROM COMMITTEES

12.1 MINUTES AND PLANS - NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE

| | |
|-----------------------------|---|
| ATTACHMENTS: | <ol style="list-style-type: none">1. MINUTES - NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE – 6 APRIL 20172. EXPLOSIVES RESERVE AND H.C. PRESS PARK DRAFT RESERVE ACTION PLAN3. PUBLIC EXHIBITION REPORT – EXPLOSIVES RESERVE AND H.C. PRESS PARK – DRAFT RESERVE ACTION PLAN4. HAROLD REID RESERVE DRAFT RESERVE ACTION PLAN5. PUBLIC EXHIBITION REPORT – HAROLD REID RESERVE – DRAFT RESERVE ACTION PLAN6. NSW RURAL FIRE SERVICE BUSH FIRE PRONE LAND MAP |
| RESPONSIBLE OFFICER: | GREG MCDONALD – INTERIM PLANNING AND INFRASTRUCTURE DIRECTOR |
| AUTHOR: | ALFRED BERNHARD – BUSHLAND TEAM LEADER |
| CITY STRATEGY LINK: | 2.1.1 CONSERVE AND MAINTAIN WILLOUGHBY'S NATURAL ECOSYSTEMS |
| MEETING DATE: | 13 JUNE 2017 |

Purpose of Report

To present to Council the Minutes of the Natural Heritage and Bushland Advisory Committee meeting held on 6 April 2017.

RESOLUTION

That Council:

1. Recertifies the Bush Fire Prone Land Map as amended by the NSW Rural Fire Service.
2. Note the Minutes and adopt the Recommendations of the Natural Heritage and Bushland Advisory Committee from the meeting held on 6 April 2017.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillors Mustaca, Rozos and Rutherford.

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

14.1 COUNCILLORS' INFORMATION BOOKLETS - 23 MAY, 30 MAY, 6 JUNE AND 13 JUNE 2017

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | LINO DI LERNIA – 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 JUNE 2017 |

Purpose of Report

To list on the Council Agenda the weekly Councillors' Information Booklets, circulated to all Councillors on 23 May 2017, 30 May, 5 June and 13 June.

RESOLUTION

That Council receive the Councillors' Information Booklets circulated to all Councillors on 23 May, 30 May, 6 June and 13 June 2017

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillors Mustaca, Rozos and Rutherford

15 REPORTS FROM OFFICERS - GENERAL MANAGER

15.1 MARK MCDONALD'S CONTRIBUTION TO WILLOUGHBY CITY COUNCIL

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

CITY STRATEGY LINK: 6.3.3 COUNCIL HAS AN APPROPRIATELY TRAINED, SKILLED AND SUPPORTED WORK FORCE

MEETING DATE: 13 JUNE 2017

Purpose of Report

To inform Council of the passing of Mark McDonald and to note his contribution to Willoughby City Council.

Discussion

Mark McDonald passed away last Wednesday, 7 June 2017. In his four years at Council Mark touched the lives of many people through his roles, capacities and personal qualities.

Mark started with Willoughby Council on 16 September 2013 as the Financial Services Manager. On 6 July 2015 he became the Chief Financial Officer.

Mark was a highly skilled finance professional who soundly guided Council's finances. He has built a lasting legacy through his professionalism and strong work ethic that is evident in the regard his colleagues have for him and in the healthy state of Council finances.

Mark was always a willing contributor to efforts for solving vexing issues. As an Acting Director on several occasions for the Customer & Corporate Directorate, he readily extended his support across a number of teams. He was a boss who looked after his team. He cared about Willoughby Council.

Mark was also a contagious personality at those times when celebration and acknowledgment of others was fitting. His wicked sense of humour helped make everyone more at ease, whether in a tense meeting or at a social function. Many colleagues knew Mark as a dedicated family man and father of two daughters, and as a friend.

Mark stepped down from work at the end of October 2016 following the onset of illness. He returned part-time in 2017 for several weeks. As recently as the start of May he briefed Councillors on Council's forthcoming budget.

Prior to joining Willoughby, Mark worked with Mosman Council from 1993 as a Financial Accountant and then Manager Finance. He started his career with Waverley Council in 1987 as an Accounts Payable Clerk, Accounts Receivable Clerk and Senior Finance Officer.

RESOLUTION

That Council note the passing of Mark McDonald, Council's Chief Financial Officer, on 7 June 2017 and send a letter of condolence to Mark's wife Cath and their family

MOVED COUNCILLOR GILES-GIDNEY

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 EXEMPTION FROM TENDERING

| | |
|----------------------|---|
| RESPONSIBLE OFFICER: | LINO DI LERNIA – CUSTOMER & CORPORATE DIRECTOR |
| AUTHOR: | JAMES WAIN – PROCUREMENT CO-ORDINATOR |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 13 JUNE 2017 |

Purpose of Report

Seek an exemption from tendering under section 55 3(i) of the *Local Government Act 1993*.

MOTION

That Council:

- Go to tender for annual software maintenance contract for Council's core corporate systems, Council's document management system and PlanningXchange software.
- Approve the annual advertising expenditure in the North Shore Times to Nationwide News due to the unavailability of competitive tenders and that a satisfactory result would not be achieved by inviting tenders.
- Approve the public liability, professional indemnity and property insurance to Statewide Mutual due to the unavailability of competitive tenders and that a satisfactory result would not be achieved by inviting tenders.
- Approve the workers compensation insurance to Statecover Mutual due to the unavailability of competitive tenders and that a satisfactory result would not be achieved by inviting tenders.

MOVED COUNCILLOR SAVILLE

LAPSED FOR WANT OF A SECONDER

MOTION

That Council:

- **Approve the annual software maintenance contract for council's core corporate systems to Infor Global Solutions due to the unavailability of competitive tenders and that a satisfactory result would not be achieved by inviting tenders.**
- **Approve the annual software maintenance contract for council's document management system and PlanningXchange software to Technology One due to the unavailability of competitive tenders and that a satisfactory result would not be achieved by inviting tenders.**
- **Approve the annual advertising expenditure in the North Shore Times to Nationwide News due to the unavailability of competitive tenders and that a satisfactory result would not be achieved by inviting tenders.**
- **Approve the public liability, professional indemnity and property insurance to Statewide Mutual due to the unavailability of competitive tenders and that a satisfactory result would not be achieved by inviting tenders.**
- **Approve the workers compensation insurance to Statecover Mutual due to the unavailability of competitive tenders and that a satisfactory result would not be achieved by inviting tenders.**

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

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

Against: Councillor Saville

Absent: Councillor Hill, Mustaca, Rozos and Rutherford.

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 TENDER NO. 107134 - MANAGEMENT OF AFFORDABLE HOUSING

RESPONSIBLE OFFICER: MELANIE SMITH – COMMUNITY CULTURE AND LEISURE DIRECTOR

AUTHOR: MICHAEL CASHIN – COMMUNITY LIFE MANAGER

CITY STRATEGY LINK: 3.1.1 PLAN FOR HOUSING CHOICE
3.1.2 QUALITY LIVING AMENITY FOR RESIDENTS

MEETING DATE: 13 JUNE 2017

Purpose of Report

To recommend Council award **Tender 107134 Affordable Housing Management of Affordable Housing** to the tenderer ranked No. 1 as listed in the confidential tender assessment report.

RESOLUTION

That Council:

1. **Accept the tender submission by tenderer ranked No. 1 in accordance with the specification for Tender 107134 Affordable Housing.**
2. **Release the details of the tenderer ranked No 1 following Council adopting the recommendations contained in the confidential report Item 3.2; and**
3. **Delegate authority to the General Manager and Mayor to execute contract documents associated with this tender under the Common Seal of Council.**

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillors Mustaca, Rozos and Rutherford

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 CLOSURE OF BRIDGE STREET, ARTARMON AND CONSOLIDATION INTO THE CAMERON AVENUE CAR PARK

| | |
|----------------------|---|
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | ANNA VECCHIO – PROPERTY LEASING OFFICER |
| CITY STRATEGY LINK: | 6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION |
| MEETING DATE: | 13 JUNE 2017 |

Purpose of Report

To finalise the closure of Bridge Street, Artarmon and consolidation into the Cameron Avenue car park.

RESOLUTION

That Council:

1. Authorise the Mayor and General Manager to affix the seal of Council to all relevant documents relating to the road closure of Bridge Street, Artarmon.
2. Approve that the land be classified as operational once the closure has been finalised.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillors Mustaca, Rozos and Rutherford

18.2 PROCUREMENT OF GROUND CONTROL AUSTRALIA PTY LTD

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | PAUL COLLINGS – WORKS SERVICES MANAGER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 13 JUNE 2017 |

Purpose of Report

To advise Council of a breach of section 55 of the *Local Government Act 1993* in relation to the purchase of goods and services that exceed the tendering threshold and to request a tender exemption for these purchases.

MOTION

That Council approve a tender exemption in accordance with S55(3)(i) of the *Local Government Act 1993* for purchases from Ground Control over the past 2 years as the threshold was exceeded due to extenuating circumstances of an extremely dry period increasing the volume of turf beyond the forecast amount.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

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

Against: Councillor Saville

Absent: Councillor Hill, Mustaca, Rozos and Rutherford

18.3 REQUEST TO WAIVE ROAD CLOSURE FEE FOR HORSLEY ROAD BY ST THOMAS PRIMARY SCHOOL

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. ST THOMAS SCHOOL'S ART & CRAFT SHOW |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | DAVID SUNG – DESIGN SERVICES MANAGER DANIEL SUI – SENIOR TRAFFIC ENGINEER |
| CITY STRATEGY LINK: | 1.1.1 THE COMMUNITY CAN PARTICIPATE IN CITY LIFE |
| MEETING DATE: | 13 JUNE 2017 |

Purpose of Report

To seek Council's approval to waive the Road Occupancy Permit Fee for the temporary closure of Horsley Street by St Thomas Primary School. The closure is in relation to the School's planned Art and Craft Show scheduled for Saturday 28 and Sunday, 29 October 2017.

RESOLUTION

That Council waive the \$2,800 road closure permit fee for the St Thomas Primary School Arts and Craft Show, which will be held on 28 and 29 October 2017.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillors Mustaca, Rozos and Rutherford

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION: MARRIAGE EQUALITY

| | |
|----------------------|--|
| RESPONSIBLE OFFICER: | DEBRA JUST – GENERAL MANAGER |
| AUTHOR: | DEBRA JUST – GENERAL MANAGER |
| CITY STRATEGY LINK: | 1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED |
| MEETING DATE: | 13 JUNE 2017 |

Purpose of Report

Councillors Hill and Eriksson have indicated their intention to move the following Notice of Motion:

Procedural Motion

That the following people address the meeting:

- Trent Gardiner
- Reverend David Lim
- Senior Minister Tim Swan
- Fiona Matthews
- Gladys T
- Katrina Wintle
- Thomas Shanahan

RESOLUTION:

That Council resolve itself into a Committee of the Whole to discuss this matter.

MOVED COUNCILLOR STEVENS

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

MOTION

That Council:

1. Support a change in the Marriage Act to allow marriage equality between two people irrespective of sex, gender identity or sexual characteristics.

- 2a. Write to the Prime Minister and federal opposition leader informing them of Willoughby City Council's support of marriage equality.
- 2b. Urge the Prime Minister and the leader of the federal opposition to act in a bipartisan manner on this issue.
- 2c. Ask that a conscience vote be allowed in both the House of Representatives and the Senate on changes to the Marriage Act as soon as is practical but prior to the next federal election.
3. Upload Willoughby City Council's logo onto the following website to demonstrate our support for marriage equality <http://www.australianmarriageequality.org/local-council-motion-of-support/>

MOVED COUNCILLOR HILL

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Councillors Mustaca, Rozos, Rutherford and Stevens.

AMENDMENT

That Council defer this motion to enable Officers to undertake community consultation through "Have Your Say" and asking the Progress Associations to provide input.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR RUTHERFORD

LOST

Voting

For the Amendment: Councillors Giles-Gidney, Mustaca, Norton, Rutherford and Stevens.

Against: Councillors Eriksson, Hill, Rozos, Saville, Sloane and Wright.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

RESOLUTION

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

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR HILL

CARRIED

Voting

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

Against: Nil

20 CONFIDENTIAL ITEMS

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the option of the General Manager, the following business is confidential as referred to in Section 10A(2) of the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

Procedural Motion

That:

1. Council resolve itself into Closed Session with the Press and Public excluded from the meeting to deal with the following confidential items.
2. Council resolve into Committee of the Whole in order to deal with these confidential items.

20.1 ENGAGEMENT OF SUSTAINABLE SOLUTIONS INTERNATIONAL (SSI) TO CARRY OUT PROOF TESTING OF THE STORMWATER TREATMENT AND FLOOD MITIGATION PLANT AT THE CONCOURSE

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d)(i) 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 TENDER 107134 - MANAGEMENT OF AFFORDABLE HOUSING

Reason for Confidentiality

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

20.3 PROCUREMENT OF HANSON CONSTRUCTION MATERIALS PTY LTD

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d)(i) 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 ENGAGEMENT OF SUSTAINABLE SOLUTIONS INTERNATIONAL (SSI) TO CARRY OUT PROOF TESTING OF THE STORMWATER TREATMENT AND FLOOD MITIGATION PLANT AT THE CONCOURSE

Recommendation Summary

That Council:

- 1. Not call tenders for the proof testing of The Concourse stormwater treatment and flood mitigation plant in accordance with S55(3)(i) of the *Local Government Act* as the work is of a specialised nature and associated with high risk and only the original designers, Sustainable Solutions International, are in a position to test it thoroughly.**
- 2. Engage Sustainable Solutions International to a limit of \$90,000.**

20.2 TENDER 107134 - MANAGEMENT OF AFFORDABLE HOUSING

Recommendation Summary

That Council:

- 1. Note the additional information provided in the attachment to this report; and**
- 2. Award the tender for the Affordable Housing Management to Evolve Housing.**

20.3 PROCUREMENT OF HANSON CONSTRUCTION MATERIALS PTY LTD

Recommendation Summary

That Council approve a tender exemption in accordance with S55(3)(i) of the *Local Government Act 1993* for purchases from Hanson Construction Materials Pty Ltd over the last 2 ½ years as the threshold was exceeded due to extenuating circumstances in the unreliability of the concrete supply by the successful tenderer and given the difficulty in finding alternative suppliers, a satisfactory result would not have been achieved by inviting tenders.

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.**

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR SLOANE

CARRIED

Voting

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

Against: Nil

Absent: Councillors Mustaca, Rozos, Rutherford and Stevens

RESOLUTION

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

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillors Mustaca, Rozos, Rutherford and Stevens

21 QUESTIONS

NIL

- Councillors Mustaca, Rozos and Rutherford left the meeting at 8:39pm.
- Councillor Stevens left the meeting at 8:50pm.

The meeting concluded at 09:13pm

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