



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, 31 Victor Street, Chatswood

10 July 2017

commencing at 7:00pm

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1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors S Coppock, H Eriksson, W Norton, A Rozos, J Rutherford, L Saville, M Stevens and M Sloane

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 M Duffy (Interim Chief Financial Officer), Mr I Arnott (Planning Manager), Mr M Cashin (Community Life Manager), Mr A Patterson (Acting Governance Manager), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Minutes Secretary)

2 DISCLOSURES OF INTEREST - COUNCILLORS

- Councillor Sloane declared, via a Disclosures of Interest form, a non-pecuniary, less than substantial interest in item 18.3: Submission Regarding State Environmental Planning Policy (Vegetation) Explanation of Intended Effect
(Nature of Interest: I currently work for the Department responsible for development and implementation of the new legislation.)
- Councillor Norton declared, via a Disclosures of Interest form, a non-pecuniary, less than substantial interest in Item 17.1: Overview – Community Small Grants Program 2017/18
(Nature of Interest: I am a member of Chatswood East Progress Association – I am not a member of its executive.)
- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a pecuniary interest in Item 18.4: Renewal of Lease for Premises at 112 Victoria Avenue, Chatswood
(Nature of Interest: I host “On the Air with the Mayor”, a monthly radio programme and also once a month I am a guest on “The Gentleman’s Club. These are unpaid community programmes.)
- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a pecuniary interest in Item 18.1: Planning Proposal 12 Frederick Street, St Leonards and Confidential Item 20.3 12 Frederick Street, St Leonards VPA
(Nature of Interest: Relationship to Dexus CEO.)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 26 June 2017, copies of which have been circulated to each member of Council, be confirmed, noting that the Mayoral Diary should include Councillors Norton and Rutherford attending the Chatswood Eastside Progress Association meeting on 20 June 2017.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Stevens

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillors Mustaca, Hill, Hooper, Stevens and Wright requested Leave of Absence for Monday 10 July 2017.

RESOLUTION

That Council grant Leave of Absence to Councillors Mustaca, Hill, Hooper, Stevens and Wright for Monday 10 July 2017.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Stevens

Recommittal Motion

That Council:

1. Recommit Item 4: Apologies and Leave of Absence noting that Councillor Stevens joined the meeting at 7:11pm.
2. Note Councillor Stevens has requested Leave of Absence from 1 – 31 August 2017.
3. Grant Councillor Stevens Leave of Absence from 1 – 31 August 2017.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

5 PETITIONS

NIL

6 OPEN FORUM

NIL

7 MAYORAL MINUTE**7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 10 JULY 2017**

| TUESDAY 27 JUNE | | | |
|--------------------------|---------|--|--|
| Mayor | 11 am | Visit to <i>Fanryu</i> Exhibition | Chinese Cultural Centre, Chatswood |
| Mayor | 6.30 pm | Rotary Club of Chatswood Sunrise | Dougherty Centre |
| Mayor | 7.30 pm | Rotary Club of Northbridge Changeover Dinner | Boronia House, Mosman |
| WEDNESDAY 28 JUNE | | | |
| Mayor | 9 am | Planning Panels Secretariat Meeting | Christie Convention Centre |
| Cr Rutherford | 3 pm | 28 th MOSAIC Meeting: Multicultural Services Advisory Committee | MOSAIC Centre |
| Mayor | 6.45 pm | Chatswood Rotary Changeover Dinner | Chatswood Golf Club |
| THURSDAY 29 JUNE | | | |
| | | | |
| FRIDAY 30 JUNE | | | |
| Cr Rutherford | 7.30 pm | Opening of 11 th Biennial Art & Photography Exhibition: <i>Futurism</i> | Armenian Cultural Centre, Penshurst Street |
| SATURDAY 1 JULY | | | |
| Cr Norton | 11 am | Opening of Li Xiao Ru Art Exhibition of Chinese Calligraphy and Painting | Chinese Cultural Centre, Chatswood |
| SUNDAY 2 JULY | | | |
| | | | |
| MONDAY 3 JULY | | | |
| Cr Saville | 11 am | NAIDOC Launch | Hyde Park |
| TUESDAY 4 JULY | | | |
| | | | |
| WEDNESDAY 5 JULY | | | |
| | | | |
| THURSDAY 6 JULY | | | |
| Crs Norton, Saville | 10 am | Natural Heritage & Bushland Advisory Committee: Site Inspection | Northbridge |
| FRIDAY 7 JULY | | | |
| Mayor | 9 am | Stronger Communities Program Meeting | 2 Elizabeth Place, North Sydney |
| SATURDAY 8 JULY | | | |
| | | | |
| SUNDAY 9 JULY | | | |
| Mayor | 1 pm | Opening of Aroma Gallery | The Quadrangle, Castlecrag |

8 GENERAL MANAGER'S LATE REPORT

NIL

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

NIL

10 MATTERS NOT REQUIRING ELABORATION OR DEBATE

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

| | |
|-----------|--|
| Item 13.2 | Notice of Motion: Chatswood Pool |
| Item 13.4 | Notice of Motion: Strategies that promote smaller and/or energy efficient vehicles in council car parks and using council meters |
| Item 17.2 | Tender 104605 – Event Staging and Equipment Hire |
| Item 17.4 | View Street Park Playground Improvements Plan |
| Item 18.3 | Submission regarding State Environmental Planning Policy (Vegetation) Explanation of Intended Effect |
| Item 18.4 | Renewal of Lease for Premises at 112 Victoria Avenue, Chatswood |

RESOLUTION

That the remaining items, viz:

| | |
|-----------|---|
| Item 14.1 | Councillors' Information Booklets – 27 June and 3 July 2017 |
| Item 16.1 | Investment Report May 2017 |
| Item 17.1 | Overview – Community Small Grants program 2017/18 |
| Item 17.3 | 2017/18 Community Grants Out of Term Application – Event Seed Funding |
| Item 18.2 | Tender Summary – Assessment of Tender for the Supply and Delivery of Ready Mixed Concrete – Tender No 108842 |

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

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

Against: Nil

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 18.1 Planning Proposal 12 Frederick Street, St Leonards

12 REPORTS FROM COMMITTEES

NIL

13 DEFERRED MATTERS

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

| | |
|----------------------|---|
| RESPONSIBLE OFFICER: | DEBRA JUST – GENERAL MANAGER |
| AUTHOR: | DEBRA JUST – GENERAL MANAGER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 10 JULY 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)

RESOLUTION

That Council withdraw this matter

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

13.2 NOTICE OF MOTION: CHATSWOOD POOL

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | DEBRA JUST – GENERAL MANAGER |
| AUTHOR: | DEBRA JUST – GENERAL MANAGER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 10 JULY 2017 |

Purpose of Report

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

Motion

That processes be expedited to:

1. provide councillors with a chronological history of key agreements pertaining to the Chatswood Pool; and
2. return the swimming facility located in the Regency Building, Chatswood to the community for whom it was originally, with affordable access to the much needed community asset.
3. explore further options for access to the Regency Building, Chatswood for local families two times a week.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ROZOS

LOST

Voting

For the Motion: Councillors Rozos, Saville and Stevens.

Against: Councillors Giles-Gidney, Coppock, Eriksson, Norton, Rutherford and Sloane.

13.3 NOTICE OF MOTION: INVESTMENT PROVIDERS

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | DEBRA JUST – GENERAL MANAGER |
| AUTHOR: | DEBRA JUST – GENERAL MANAGER |
| CITY STRATEGY LINK: | 6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION |
| MEETING DATE: | 10 JULY 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

RESOLUTION

That Council defer this matter to the next meeting.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Nil

13.4 NOTICE OF MOTION: STRATEGIES THAT PROMOTE SMALLER AND/OR ENERGY EFFICIENT VEHICLES IN COUNCIL CAR PARKS AND USING COUNCIL METERS

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER
AUTHOR: DEBRA JUST – GENERAL MANAGER
CITY STRATEGY LINK: 4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE: 10 JULY 2017

Purpose of Report

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

Motion

1. That Willoughby City Council allocates resources to investigate and prepare strategies that promote smaller and/or energy efficient vehicles in council car parks and using council meters.
2. That parking meters have a message inscribed or attached stating that Willoughby Council collects fees for parking and a portion of the fees contributes to active transport and community transport strategies such as the loop bus.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR STEVENS

THE MOVER AND SECONDER WITHDREW THIS ITEM

14 CORRESPONDENCE

14.1 COUNCILLORS' INFORMATION BOOKLETS - 27 JUNE AND 3 JULY 2017

RESPONSIBLE OFFICER: BEN WICKS – 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: 10 JULY 2017

Purpose of Report

To list on the Council Agenda the weekly Councillors' Information Booklets, circulated to all Councillors on 27 June and 4 July 2017.

RESOLUTION

That Council receive the Councillors' Information Booklets circulated to all Councillors on 27 June and 4 July 2017.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

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

Against: Nil

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 INVESTMENT REPORT MAY 2017

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. COUNCIL'S INVESTMENT HOLDINGS 2. COUNTERPARTY CHART |
| RESPONSIBLE OFFICER: | BEN WICKS – INTERIM DIRECTOR CUSTOMER AND CORPORATE |
| AUTHOR: | BILL LOFTHOUSE - FINANCIAL ACCOUNTANT |
| CITY STRATEGY LINK: | 6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION |
| MEETING DATE: | 10 JULY 2017 |

Purpose of Report

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

RESOLUTION

That Council receive the Statement of Bank Balances and investments Holdings for May 2017.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 OVERVIEW - COMMUNITY SMALL GRANTS PROGRAM 2017/18

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. SUMMARY – NOT RECOMMENDED APPLICANTS OF THE COMMUNITY SMALL GRANTS PROGRAM 2017/18 |
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY, CULTURE AND 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: | 10 JULY 2017 |

Purpose of Report

To seek Council's endorsement of the recommendations for the distribution of grant funds through Council's 2017/18 Community (Small) Grants Program and The Concourse Performing Arts Subsidy.

RESOLUTION

That Council:

- 1. Acknowledge the unallocated grant funds of \$16,213 remaining in the Community Small Grants program for the "Out-of-term" funding applications received by Council within the 2017/18 financial year which comply with the Grant Program Guidelines.**
- 2. Acknowledge the unallocated grant funds of \$63,600 remain in The Concourse Performing Arts Subsidy program for allocation to "Out-of-term" funding applications received by Council before the December 2017 funding round and which comply with the Grant Program Guidelines.**
- 3. Endorse the Officer's recommendations for the distribution of grant funds through the 2017/18 Community Small Grants Program - Community Development, Individual / Sports, Arts and Cultural and The Concourse Performing Arts Subsidy streams as follows:**

Category 1a: Community Development

- a. The Shepherd Centre – For Deaf Children (A music therapy program to assist in the development of listening speech and language skills): \$4,000.**
- b. Willoughby Community Men's Shed Incorporated (Special Needs Member Support): \$2,000.**
- c. Action Foundation For Mental Health Inc. (Weekly lunch for adults of men and women suffering from mental health issues): \$2,000.**

- d. **Phoenix House Youth Services Inc. (Art Therapy program that focuses on youth who have been disengaged in school and experience behavioural problems): \$2,500.**
- e. **Cancer Council (A free weekly program run over 8 weeks for cancer survivors, carers, partners and family members run within the Willoughby LGA): \$4,000.**
- f. **Northside Baptist Preschool Centre (Northbridge) (Create an edible garden focusing on aboriginal education and culture): \$2,125.**
- g. **KU Chatswood Community Preschool (To implement a bush tucker garden and native bee hive as part of a comprehensive educational project): \$2,606.33.**
- h. **St Philip Neri School Parents & Friends Association (to host a series of parental seminars covering topics such as Child Wellbeing, Digital Safety and STEM): \$4,000.**
- i. **Lower North Shore Domestic Violence Network (printing and updating the 'Bouncing Back' booklet designed for parents and children who have experienced family violence): \$1,000.**
- j. **Armenian Church Council of Australia in NSW (to run a festival which celebrates and shares Armenian culture including arts, costume, music and food): \$1,000.**
- k. **Apples And Honey Preschool (To purchase Aboriginal and Torres Strait Islander learning and play equipment to include in the educational program): 3,138.10.**
- l. **KYDS Youth Development Service Incorporated (Early interventional mental health education workshops in local Willoughby LGA school): \$4,000.**
- m. **The Humour Foundation (To assist with costs of training and development of volunteer Clown Doctors to deliver their program at The Royal North Shore Hospital to the Children's Ward): \$4,000.**
- n. **Chatswood Occasional Child Care (To purchase interactive toys, art supplies and play science for early childhood learning and development): \$1,819.75.**
- o. **Northside Community Forum (to train drivers and volunteers from DARTS service. This project will have an impact on people using wheelchairs and local volunteers): \$2,000.**
- p. **Lane Cove and North Side Community Services (to run a series of workshops with professionally trained music and dance instructors or a weekly social activity for a group of adults with a disability): \$1,000.**
- q. **Willoughby Friends of Ossu Inc. (To investigate cultural exchange opportunities between Ossu and Willoughby involving local schools and volunteers): \$3,850.**
- r. **Chatswood East Progress Association (To develop a website which will assist residents in the Chatswood East area to access up to date information): \$3,100.**

Individual /Sports

- a. **Gordon Rugby Club (assist with the costs of travel and accommodation of seven team members to attend The Gold Coast for The Australian University Games): \$2,000.**

Category 2: Arts and Cultural

- a. Workshop Arts Centre (for Festival of Other Arts exhibiting the innovative and creative art works or local artists): \$2,500.
- b. The Armenian Church Council of Australia in N.S.W (Exhibit Hand Made Art craft, clerical costumes, books and photographs to promote cultural diversity): \$3,000.

The Concourse Performing Arts Subsidy - Round 1

- a. Nova Employment (to host the Focusonability awards to celebrate the achievements of people with a disability through short film): \$3,000.
- b. Chatswood High School Parents & Friends Association (to showcase the high school Orchestra & String Ensemble alongside Professional Jazz Musician James Morrison): \$3,000.
- c. Our Lady of Dolour's Catholic Primary School Parents and Friends Association (to hold a two night Creative Arts Festival showcasing the students musical and dance performances): \$3,000.
- d. Sydney Eisteddfod (The Eisteddfod hosts 33 choir and instrumental concerts at The Concourse, the funding is to assist with the hire of the venue): \$3,000.
- e. Mercy Catholic College Parents & Friends Association (show creative Arts music and drama faculty class performances): \$3,000.
- f. Hamazkaine Armenian Educational and Cultural Society Australia (to hold The Sayat Nova concert an Ensemble of 22 professional singers and musicians based in the Republic of Armenia): \$3,000.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

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

Against: Nil

17.2 TENDER 104605 - EVENT STAGING AND EQUIPMENT HIRE

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY CULTURE AND LEISURE DIRECTOR |
| AUTHOR: | SAMANTHA CONNOR – MEDIA, MARKETING AND EVENTS MANAGER |
| CITY STRATEGY LINK: | 6.3.2 COUNCIL SERVICES ARE DELIVERED TO A QUALITY STANDARD, ARE SUSTAINABLE AND RESPONSIVE TO COMMUNITY NEEDS |
| MEETING DATE: | 10 JULY 2017 |

Purpose of Report

To seek Council's approval for the engagement of suitably qualified and experienced contractors to provide event staging and equipment hire.

RESOLUTION**That Council:**

- 1. Accept the tender submission by the tenderer ranked number 1 in accordance with the specification for Tender 104605 Event Staging and Equipment Hire.**
- 2. Delegate authority to the General Manager and Mayor to execute contract documents associated with this tender under the Common Seal of Council.**

MOVED COUNCILLOR ROZOS**SECONDED COUNCILLOR ERIKSSON****CARRIED****Voting**

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

Against: Nil

17.3 2017/18 COMMUNITY GRANTS OUT OF TERM APPLICATION - EVENT SEED FUNDING

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

AUTHOR: SAMANTHA CONNOR – MEDIA MARKETING AND EVENTS MANAGER

CITY STRATEGY LINK: 1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED

MEETING DATE: 10 JULY 2017

Purpose of Report

To seek Council's endorsement for an out of term application for grant funds through Council's 2017/18 Community Small Grants Program – Events Seed Funding from Naremburn Progress Association.

RESOLUTION

That Council endorse the out of term distribution of \$2,250 in grant funds through the Event Seed Funding stream of the 2017/18 Community Small Grants Program to the Naremburn Progress Association to host the Naremburn Community Film Night.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

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

Against: Nil

17.4 VIEW STREET PARK PLAYGROUND IMPROVEMENTS PLAN

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. VIEW STREET PARK PLAYGROUND IMPROVEMENTS PLAN 2. VIEW STREET PARK COMMUNITY CONSULTATION SUMMARY REPORT |
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR |
| AUTHOR: | MEREDITH PATERSON – OPEN SPACE PROJECTS OFFICER |
| CITY STRATEGY LINK: | 1.3.1 ACCESSIBLE OPEN SPACE AND RECREATIONAL FACILITIES FOR THE COMMUNITY ARE PROVIDED |
| MEETING DATE: | 10 JULY 2017 |

Purpose of Report

For Council to adopt the Playground Improvements Plan for View Street Park.

RESOLUTION

That Council:

- 1. Adopt the View Street Park Playground Improvements Plan dated May 2017**
- 2. Endorse the NSW Geographical Names Board Guidelines that the names of persons (as placenames) should only be given posthumously, and retain the name of View Street Park at this time.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR STEVENS

CARRIED

Voting

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

Against: Nil

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 PLANNING PROPOSAL 12 FREDERICK STREET, ST LEONARDS

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. GATEWAY DETERMINATION 2. SUBMISSIONS 3. DRAFT AMENDMENTS TO WDCP |
| RESPONSIBLE OFFICER: | IAN ARNOTT - PLANNING MANAGER |
| AUTHOR: | JANE GIBSON – STRATEGIC PLANNER |
| CITY STRATEGY LINK: | 1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY |
| MEETING DATE: | 10 JULY 2017 |

Purpose of Report

To advise Council of the outcome of the exhibition of the Planning Proposal for part 12 Frederick Street, St Leonards and obtain Council's endorsement to proceed with the amendment to Willoughby Local Environmental Plan 2012 (WLEP 2012) and Willoughby Development Control Plan (WDCP).

Procedural Motion

Colin Rockliff, Dexus Property Group registered to address the meeting but did not speak as the Officer's Recommendation was adopted by the Council.

RESOLUTION

That Council:

1. Support the Planning Proposal and draft amendments to Willoughby Local Environment Plan 2012 for the land at part Lot 1 DP 591747, known as part 12 Frederick Street, St Leonards.
2. Adopt the amendment to Willoughby Local Environmental Plan 2012 in accordance with Section 59 of the Environmental Planning and Assessment Act 1979, so as to change Willoughby Local Environmental Plan 2012, and give effect to the Planning Proposal in the following manner:
 - a. Amend Schedule 1 of WLEP 2012 by adding Use of certain land at Part 12 Frederick Street, St Leonards
 - (1) this clause applies to part 12 Frederick Street, St Leonards that comprises part Lot 1 DP 591747 identified as "Area 15" on the Floor Space Ratio map
 - (2) Development for the purpose of a hospital is permitted with development consent.

- b. Amend Clause 4.4A Exceptions to Floor Space Ratio as follows
*“The maximum floor space ratio for buildings on land identified as “Area 15” on the Floor Space Ratio Map is:
(a) in the case of buildings that are, or part of, a hospital - 3:1 or
(b) in any other case – 1:1 or (if the site area is greater than 1,000 square metres and the site coverage does not exceed 45% of the site area) -1.5:1”*
3. Support and adopt the draft changes to Willoughby Development Control Plan Part F.6 Planning Principles for certain IN1 land in Artarmon and St Leonards as indicated in Attachment 3 of this report.
4. Forward the Planning Proposal to the Department of Planning & Environment for finalisation.

MOVED COUNCILLOR SLOANE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Resolution: Councillors Coppock, Eriksson, Norton, Rozos, Rutherford, Saville, Sloane and Stevens.

Against: Nil

Absent: Councillor Giles-Gidney

Due to Councillor Giles-Gidney declaring a non-pecuniary substantial interest in Item 18.1: Planning Proposal 12 Frederick Street, St Leonards due to her relationship to the Dexus CEO, she withdrew from the meeting taking no part in the discussion or voting on this topic.

Deputy Mayor Coppock assumed the Chair in the Mayor's absence for this item.

18.2 TENDER SUMMARY - ASSESSMENT OF TENDER FOR THE SUPPLY AND DELIVERY OF READY MIXED CONCRETE - TENDER NO 108842

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | SUNIL GAMAGE – WORKS ENGINEER |
| CITY STRATEGY LINK: | 4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE |
| MEETING DATE: | 10 JULY 2017 |

Purpose of Report

To inform Council of the tender prices submitted for the Supply and Delivery of Ready Mixed Concrete and to recommend a supplier for an initial two year period ending 30 June 2019.

RESOLUTION**That Council:**

- 1. Accept the tender from both tenderers for the supply and delivery of Ready Mixed Concrete within the Willoughby Council area as a schedule of rates contract for a period of 2 years with an option to extend this contract for an additional 12 months for an estimated total spend of \$800,000.**
- 2. Authorise the Mayor and General Manager to affix the Common Seal of Council to the successful tender documents.**

MOVED COUNCILLOR SAVILLE**SECONDED COUNCILLOR COPPOCK****CARRIED****Voting**

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

Against: Nil

18.3 SUBMISSION REGARDING STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION) EXPLANATION OF INTENDED EFFECT

| | |
|-----------------------------|---|
| ATTACHMENTS: | <ol style="list-style-type: none">1. COUNCIL DRAFT SUBMISSION REGARDING STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION) - EXPLANATION OF INTENDED EFFECT2. STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION) – EXPLANATION OF INTENDED EFFECT MAY 2017 |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | IAN ARNOTT – PLANNING MANAGER ANTHONY POWE – CONSULTANT LANDSCAPE ADVISER |
| CITY STRATEGY LINK: | 6.2.1 A COMMUNITY THAT IS INFORMED OF KEY COUNCIL POLICIES, SERVICES AND ACTIVITIES AND CAN PARTICIPATE IN THE DECISION MAKING PROCESS |
| MEETING DATE: | 10 JULY 2017 |

Purpose of Report

The purpose of this report is to seek endorsement of a submission to be forwarded to the Department of Planning and Environment in respect of a proposed new State Environmental Planning Policy (Vegetation) - Explanation of Intended Effect ([Attachment 2](#)).

RESOLUTION

That Council:

1. **Endorse the attached submission on the Draft State Environmental Planning Policy (Vegetation) - Explanation of Intended Effect May 2017 raising concerns which include:**
 - **The Explanation of Intended Effects is a summary document and the detail contained in any draft State Environmental Planning Policy (Vegetation) is required to provide fully informed comment.**
 - **Council will require additional resourcing for undertaking Biodiversity Assessment and calculation of the offset credits.**
 - **No clear justification has been provided for removing provisions from Local Environmental Plans for replacement with the proposed State Environmental Planning Policy.**
 - **It is unclear how the proposed system will provide for processes of review or appeal.**
 - **Significant effect on threatened species should be a trigger for declaration as State Significant Infrastructure for the purposes of the State Environmental Planning Policy.**

2. Delegate authority to the General Manager to forward the submission to the Department of Planning & Environment on behalf of Council.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

**18.4 RENEWAL OF LEASE FOR PREMISES AT 112 VICTORIA AVENUE
CHATSWOOD**

| | |
|-----------------------------|--|
| 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: | 10 JULY 2017 |

Purpose of Report

To obtain Council's consent for the renewal of the lease for the premises at 112 Victoria Avenue, currently occupied by the Northside Broadcasting Co-operative Limited.

RESOLUTION**That Council:**

- 1. Enter into a new Lease agreement for a term of three years with Northside Broadcasting Co-operative Ltd with a commencing rental of \$720 per annum.**
- 2. Authorise the Mayor and General Manager to affix the seal of Council to the Lease and any other associated legal documents between Council and Northside Broadcasting Co-operative Ltd.**

MOVED COUNCILLOR NORTON**SECONDED COUNCILLOR RUTHERFORD****CARRIED****Voting**

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

Against: Nil

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION: LOCAL GOVERNMENT ELECTIONS 2017

| | |
|-----------------------------|--|
| RESPONSIBLE OFFICER: | DEBRA JUST – GENERAL MANAGER |
| AUTHOR: | DEBRA JUST – GENERAL MANAGER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 10 JULY 2017 |

Purpose of Report

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

Motion

That, at the forthcoming Local Government elections in September 2017, Willoughby City Council will conduct a poll of its residents to determine their preference to:

- a) remain as a stand-alone council, or
- b) support council amalgamation with a neighbouring council

RESOLUTION

That Council defer this matter to the next meeting.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

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

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 CONFIDENTIAL TENDER 104605 - EVENT STAGING AND EQUIPMENT HIRE - EVALUATION SCORES

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 CONFIDENTIAL - ASSESSMENT OF TENDER FOR THE SUPPLY AND DELIVERY OF READY MIXED CONCRETE - TENDER NO 108842

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

20.3 CONFIDENTIAL - 12 FREDERICK STREET, ST LEONARDS VPA

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

20.1 CONFIDENTIAL TENDER 104605 - EVENT STAGING AND EQUIPMENT HIRE - EVALUATION SCORES

Recommendation Summary

That Council release the name of the successful tenderer once the contract for Tender 104605 Event Staging and Equipment Hire has been awarded.

20.2 CONFIDENTIAL - ASSESSMENT OF TENDER FOR THE SUPPLY AND DELIVERY OF READY MIXED CONCRETE - TENDER NO 108842

Recommendation Summary

That Council release the names of the successful tenderers once the contract for the supply and delivery of Ready Mixed Contract within the Willoughby Council area has been awarded.

20.3 CONFIDENTIAL - 12 FREDERICK STREET, ST LEONARDS VPA

Recommendation Summary

That Council:

- 1. Endorse the terms and content of the draft VPA for 12 Frederick St subject to \$250,000 being towards sport and recreation facilities and/or traffic management in Willoughby Local Government Area and based on the planning proposal as lodged being 3:1 FSR and hospital use to be payable at the issue of the first Construction Certificate on the site for a hospital use.**
- 2. Authorise the General Manager to oversee full execution of the VPA that reflect this motion and sign under the Council Seal; and**
- 3. Make public the content of the confidential report on the VPA following the execution of the VPA as a final agreement.**

Due to Councillor Giles-Gidney declaring a non-pecuniary substantial interest in Confidential Item 20.3: 12 Frederick Street, St Leonards VPA due to her relationship to the Dexu CEO, she withdrew from the meeting taking no part in the discussion or voting on this topic.

Deputy Mayor Coppock assumed the Chair in the Mayor's absence for this item.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Stevens

RESOLUTION

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

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR COPPOCK

CARRIED

Voting

Voting

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

Against: Nil

Absent: Councillor Stevens

21 QUESTIONS

21.1 QUESTION ON NOTICE FROM CLR SAVILLE - INDEPENDENT HEARING AND ASSESSMENT PANELS

| | |
|----------------------|---|
| RESPONSIBLE OFFICER: | DEBRA JUST – GENERAL MANAGER |
| AUTHOR: | ANDREW PATTERSON – GOVERNANCE MANAGER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 10 JULY 2017 |

Question

1. When and how will Willoughby City Council consider options and formally adopt a position regarding continuing council authority and/or supporting Independent Hearing and Assessment Panels (IHAPs) style systems?
2. How can Willoughby residents be confident that an outside body less familiar with local character would represent their views to the same standards upheld by our council?

Answer

Question 1:

In late 2016 the Department of Planning and Environment exhibited draft amendments to the *Environmental Planning and Assessment ACT (EP & Act) 1979* which included:

- Renaming Independent Hearing and Assessment Panels "Local Planning Panels";
- Enabling the Regulations to require a Council to establish a Local Planning Panel; and
- Establishing rules about the membership (two experts and a community representative) and functions of Local Planning Panels.

The exhibition included explanatory material which, in respect to the power to direct that a local planning panel must make determinations, stated:

"The Minister would exercise this power where it is needed to address sustained community concern about the timeliness or quality of a council's planning decisions, or about conflict of interest. Considerations for the Minister making a direction can be specified in the regulations."

Submissions in respect to the draft amendments were invited up until 31 March 2017.

Council, at its meeting of 27 March 2017 considered a report on the proposed amendments and subsequently resolved, inter-alia:

That Council:

1. *Endorse the submission on the draft Amendments to the Environmental Planning and Assessment Act, 1979 as Attachment 1 to this report.*

The submission in respect to the issue of Local Planning Panels stated:

Not mandating Local Panels is supported. However, Council requests that the regulations be made available so that Council can understand the criteria for the Minister's ability to require a Council to establish a Local Panel.

Willoughby Council supports the option of Local Panels and supports the standardisation of provisions for governance (model charter). Council recommends that there be an option for Local Panels to have mandatory consent power or advisory status as is the current situation.

The provisions in the Act should allow for more than two members with expertise to be included on the panel and clarification is required as to the definition of "community member".

Council's submission supported the option for use of Local Planning Panels but did not support the mandating of their use. The submission also requested that the Regulations be made available so that Council can understand the criteria for the Minister's ability to require the establishment of a Local Planning Panel. These Regulations have not been released to date.

Council has not been formally notified of changes to the draft Bill and the Planning NSW website still contains the documentation upon which Council made its submission.

Council's position regarding continuing council authority and/or supporting Independent Hearing and Assessment Panels (IHAPs) style systems is as outlined in the submission to the Department of Planning and Environment.

Question 2:

As this question invites opinion, it is not appropriate for Council officers to make any comment.

- Her Worship the Mayor Councillor G Giles-Gidney left the meeting at 7:17pm during debate on Item 18.1: Planning Proposal 12 Frederick Street, St Leonards and returned after the vote at 7:28pm.
- Deputy Mayor Councillor Coppock took the chair during the debate and vote on Item 18.1: Planning Proposal 12 Frederick Street, St Leonards.
- Her Worship the Mayor Councillor G Giles-Gidney left the meeting at 7:49pm during debate on Confidential Item 20.3: 12 Frederick Street, St Leonards VPA and returned after the vote at 8:22pm.
- Deputy Mayor Councillor Coppock took the chair during the vote on Confidential Item 20.3: 12 Frederick Street, St Leonards VPA.
- The meeting was adjourned at 8:13pm when a quorum was not present. Councillors present during the adjournment were Deputy Mayor Coppock, Councillors Norton, Rutherford, Saville, Stevens and Sloane. The meeting resumed at 8:16pm.
- Councillor Eriksson left the meeting at 8:01pm and returned at 8:16pm
- Councillor Rozos left the meeting at 8:13pm and returned at 8:18pm

The meeting concluded at 08:25pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 10 July 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.