



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber
31 Victor Street, Chatswood

9 October 2017

commencing at 7:00pm

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1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors C Campbell, S Coppock, H Eriksson, D Fernandez, T Mustaca, W Norton, A Rozos, J Rutherford, L Saville, C Tuon, N Wright and B Zhu

Officers

Ms D Just (General Manager), Mr G McDonald (Planning & Infrastructure Director), Ms M Smith (Community, Culture & Leisure Director), Mr D Frost (Customer & Corporate Director), Mr M Duffy (Interim Chief Financial Officer), Mr V Grepl (Governance Officer) and Ms L Keeling (Executive Assistant to General Manager)

2 DISCLOSURES OF INTEREST - COUNCILLORS

- Councillor Wright declared via a Disclosures of Interest Form, a non-pecuniary, less than substantial interest in Item 16.1: Investment Report - August 2017 (*Nature of Interest: I am an employee of Westpac with whom Willoughby City Council has investments. I have no singular control of Willoughby City Council investments and the report is only for noting*)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 25 September 2017, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor Saville requested Leave of Absence from 20-22 October 2017
- Councillor Mustaca requested Leave of Absence from 18-25 October 2017
- Councillor Fernandez requested Leave of Absence from 6-11 November 2017

RESOLUTION

That Council:

1. Grant Leave Absence to Councillor Saville from 20-22 October 2017
2. Grant Leave of Absence to Councillor Mustaca from 18-25 October 2017
3. Grant Leave of Absence to Councillor Fernandez from 6-11 November 2017

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR NORTON

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

5 PETITIONS

NIL

6 OPEN FORUM

Gary Anderson spoke on a number of issues including free speech and Council regulations.

7 MAYORAL MINUTE

7.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017

MEETING DATE: 9 OCTOBER 2017

The Mayor advised Council that this year's Local Government NSW Annual Conference will be held from Monday 4 December until Wednesday 6 December at the Hyatt Regency in Sydney.

The Mayor asked Councillors to think about whether they would like to attend the conference, either as a voting delegate or an observer. Further details will be provided to Councillors regarding registration at the next Council meeting.

7.2 MAYOR'S DIARY: COUNCIL MEETING NOTES – 9 OCTOBER 2017

WEDNESDAY 27 SEPTEMBER			
Cr Saville		Funeral Service: Dr Michael Dally	Eastern Suburbs Memorial Park
THURSDAY 28 SEPTEMBER			
Deputy Mayor: Cr Eriksson	6 pm	Reception – 68 th Anniversary of the Founding of PRC	Consulate: 39 Dunblane Street, Camperdown
FRIDAY 29 SEPTEMBER			
Cr Norton	5 pm	Board Representative at “Happy Hour”	Dougherty Apartments
THURSDAY 5 OCTOBER			
Crs Mustaca, Norton, Rutherford, Tuon, Zhu	6 pm	National Day Celebrations of the Republic of China (Taiwan)	Four Seasons Hotel, Sydney
SATURDAY 7 OCTOBER			
Cr Zhu	11 am	Opening of Songshi Li's Traditional Chinese Painting Art Exhibition	Chinese Cultural Centre
Crs Norton, Tuon, Zhu	afternoon	Diwali Festival	Chatswood Mall
Cr Saville	2 pm 3.30 pm	WDHS Cavalcade of Fashion WDHS Museum Exhibition	WDHS Museum
Cr Zhu	6 pm	Inaugural Ceremony of the 3 rd Term Committee of AFEAI & The Mid-Autumn Festival Party	King Dynasty Restaurant, Chatswood
SUNDAY 8 OCTOBER			
Deputy Mayor: Cr Eriksson	11.30 am	Dedication of Khatchkar on the 50 th Anniversary of the UCA Armenian Evangelical Church	UCA Armenian Evangelical Church Frenchs Road, Willoughby

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 17.1 | Tender 110734 – Naremburn Ovals 1&2 – Renew Drainage, Irrigation and Oval Surfaces |
| Item 18.2 | Procurement for further work on Chatswood CBD Planning & Urban Design Strategy |
| Item 18.3 | Short-Term Holiday letting in NSW Options Paper Submission |
| Item 19.1 | Notice of Motion – Sydney Metro Site Plans - Mowbray House at Risk of Demolition |

RESOLUTION

That the remaining items, viz:

- | | |
|-----------|--|
| Item 14.1 | Councillors' Information Booklet 3 October 2017 |
| Item 16.1 | Investment Report – August 2017 |
| Item 16.2 | Annual Disclosure of Interest Returns – 2016/17 |
| Item 18.1 | Tender no. 109255 – Assessment of Tenders for the Provision of Indoor Cleaning Services |

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

NIL

12 REPORTS FROM COMMITTEES

NIL

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

14.1 COUNCILLORS' INFORMATION BOOKLET - 3 OCTOBER 2017

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	DEAN FROST – 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:	9 OCTOBER 2017

Purpose of Report

To list on the Council Agenda the Councillors' Information Booklet, circulated to all Councillors on 3 October 2017.

RESOLUTION

That Council receive the Councillors' Information Booklet circulated to all Councillors on 3 October 2017.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 INVESTMENT REPORT - AUGUST 2017

ATTACHMENTS:	1. IMPLICATIONS 2. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS 3. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2017)
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	BILL LOFTHOUSE – FINANCIAL ACCOUNTANT
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	9 OCTOBER 2017

Purpose of Report

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

RESOLUTION

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

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

16.2 ANNUAL DISCLOSURE OF INTEREST RETURNS - 2016/17

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	PATRICIA SHELDRAKE – MINUTES SECRETARY
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	9 OCTOBER 2017

Purpose Of Report

To table the Disclosures of Interest by Designated Officers lodged for the 12 months ending 30 June 2016.

RESOLUTION

That Council acknowledge the tabling of the Disclosures of Interest by Designated Officers lodged for the 12 months ending 30 June 2017.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 TENDER 110734 - NAREMBURN OVALS 1 & 2 - RENEW DRAINAGE, IRRIGATION AND OVAL SURFACES

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY CULTURE & LEISURE DIRECTOR
AUTHOR:	HOLLY COWDERY – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY LINK:	4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE
MEETING DATE:	9 OCTOBER 2017

Purpose Of Report

To advise Council on the assessment of Tender 110734 for Naremburn Ovals 1 & 2 – Renew Drainage, Irrigation and Oval Surfaces and to seek Council's approval to appoint a tenderer to carry out these works.

RESOLUTION

That Council:

1. Accept the tender from the tenderer ranked Number 1 in the attached confidential report for Naremburn Ovals 1 & 2 – Renew Drainage, Irrigation and Oval Surfaces.
2. Make public the successful tenderer's name following Council's resolution to accept the tender.
3. Authorise the Mayor and the General Manager to affix the Common Seal of Council to the contract documents.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 TENDER NUMBER 109255 - ASSESSMENT OF TENDERS FOR THE PROVISION OF INDOOR CLEANING SERVICES

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID DI BIASE – PROPERTY AND CONSTRUCTION SERVICES MANAGER
CITY STRATEGY LINK:	4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE
MEETING DATE:	9 OCTOBER 2017

Purpose of Report

To seek Council's approval for the engagement of a contractor for Tender number 109255 for the provision of indoor cleaning services.

RESOLUTION

That Council:

1. Accept the tender from the Tenderer ranked number 1 in the attached confidential report for a period of 2 years with an option for 3 years with an estimated total contract value of \$4,000,000.
2. Make public the successful tenderer's name following Council's resolution to accept the tender.
3. Authorise the Mayor and the General Manager to affix the Common Seal of Council to the contract documents.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

18.2 PROCUREMENT FOR FURTHER WORK ON CHATSWOOD CBD PLANNING AND URBAN DESIGN STRATEGY

ATTACHMENTS:	1. IMPLICATIONS 2. COUNCIL RESOLUTION OF 26 JUNE 2017 3. FIGURE 6.2.6 OF THE DRAFT CBD PLANNING AND URBAN DESIGN STRATEGY
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	9 OCTOBER 2017

Purpose of Report

To seek an exemption under Section 55(3)(i) of the *Local Government Act 1993* to the \$150,000 tender threshold to enable Architectus to be engaged to provide further solar access diagrams to incorporate into the Chatswood CBD Planning and Urban Design Strategy.

RESOLUTION

That Council grant an exemption under Section 55(3)(i) of the *Local Government Act 1993* to the \$150,000 tender threshold to enable officers to engage Architectus to revise solar access diagrams in the Chatswood CBD Planning and Urban Design Strategy. This is to reflect the Council resolution of 26 June 2017 noting the extenuating circumstances being that the work required is based upon work already undertaken by Architectus and is reliant on information already held by their office.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

18.3 SHORT -TERM HOLIDAY LETTING IN NSW OPTIONS PAPER SUBMISSION

ATTACHMENTS:	1. IMPLICATIONS 2. SHORT-TERM HOLIDAY LETTING IN NSW OPTIONS PAPER 3. SUBMISSION – SHORT-TERM HOLIDAY LETTING
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	CRAIG O'BRIEN – STRATEGIC PLANNER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	9 OCTOBER 2017

Purpose of Report

The purpose of this report is to seek endorsement of a draft submission to be forwarded when final to the Department of Planning and Environment in respect of the Short-Term Holiday Letting in NSW Options Paper July 2017.

RESOLUTION**That Council:**

- 1. Endorse the attached draft submission on the Short-term Holiday Letting in NSW Options Paper July 2017**
- 2. Delegate authority to the General Manager to make any minor amendments which do not alter the policy intent and forward the submission to the Department of Planning & Environment on behalf of Council.**
- 3. Note that the reference to maximum number of days per calendar year should not be applicable to metropolitan areas.**

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

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Councillor Norton

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION: SYDNEY METRO SITE PLANS - MOWBRAY HOUSE AT RISK OF DEMOLITION

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

AUTHOR: DEBRA JUST – GENERAL MANAGER

CITY STRATEGY LINK: 3.1.3 LOCAL CHARACTER

MEETING DATE: 9 OCTOBER 2017

Purpose of Report

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

MOTION

That Council Officers investigate this new information regarding risk of demolition to heritage listed Mowbray House as a matter of urgency.

That Council Officers write to the Premier, Minister for Transport, Leader of the Opposition and other relevant MPs to advocate for its heritage protection during and post construction.

RESOLUTION

That Council Officers investigate this new information regarding risk of demolition to heritage listed Mowbray House as a matter of urgency.

That Council Officers seek further information from the Heritage consultant (AMBS) in response to questions from all Councillors.

That Council Officers write to the Premier, Minister for Transport, Leader of the Opposition and other relevant MPs to advocate for its heritage protection during and post construction.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

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 NUMBER 110734 – NAREMBURN OVALS 1&2 RENEW DRAINAGE, IRRIGATION & OVAL SURFACES

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 TENDER NUMBER 109255 – ASSESSMENT OF TENDERS FOR THE PROVISION OF INDOOR CLEANING SERVICES

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 CONFIDENTIAL TENDER NUMBER 110734 – NAREMBURN OVALS 1&2 RENEW DRAINAGE, IRRIGATION & OVAL SURFACES

Recommendation Summary

That Council:

1. Accept the tender from RN Paddison trading as Turf Drain for Naremburn Ovals 1 & 2 – Renew Drainage, Irrigation and Oval Surfaces with a contract value of \$553,164.

2. Make public the successful tenderer's name following Council's resolution to accept the tender.

20.2 CONFIDENTIAL TENDER NUMBER 109255 – ASSESSMENT OF TENDERS FOR THE PROVISION OF INDOOR CLEANING SERVICES

Recommendation Summary

That Council:

1. Accept the tender from TJS Services Group Pty Ltd, for the provision of trade and labour hire services for an initial period of 2 years with an option to extend this contract for an additional 3 years for an estimated total spend of \$4,000,000 over the term of the contract.
2. Make public the successful tenderer's name following Council's resolution to accept the tender.
3. Authorise the Mayor and the General Manager to affix the Common Seal of Council to the contract documents.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

RESOLUTION

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

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ZHU

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

21 QUESTIONS

21.1 QUESTION ON NOTICE FROM COUNCILLOR COPPOCK: FLAT ROCK CREEK FLOOD STUDY

RESPONSIBLE OFFICER: GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR

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

MEETING DATE: 9 OCTOBER 2017

Question

What is Council's legislative basis for the conducting of this Study?

How does Council intend to "tag" Lots in Deposited Plans with the results of the final version of the Study?

Answer

Council conducts Flood Studies in adherence with the NSW Flood Prone Land Policy to identify and assign appropriate flood related land use planning controls, which is a statutory responsibility assumed by local governments under the *Environmental Planning and Assessment Act*. This is in accordance with Section 733 of the *Local Government Act 1993* that provides indemnity, as long as Council is undertaking the process in adherence with the relevant manual and standards:

Section 733 Exemption from liability--flood liable land, land subject to risk of bush fire and land in coastal zone

- (1) *A council does not incur any liability in respect of:*
- (a) *any advice furnished in good faith by the council relating to the likelihood of any land being flooded or the nature or extent of any such flooding, or*
 - (b) *anything done or omitted to be done in good faith by the council in so far as it relates to the likelihood of land being flooded or the nature or extent of any such flooding.*
- ...
- (4) *Without limiting any other circumstances in which a council may have acted in good faith, a council is, unless the contrary is proved, taken to have acted in good faith for the purposes of this section if the advice was furnished, or the thing was done or omitted to be done, substantially in accordance with the principles contained in the relevant manual most recently notified under subsection (5) at that time.*
- (5) *For the purposes of this section, the Minister for Planning may, from time to time, give notification in the Gazette of the publication of:*
- (a) *a manual relating to the management of flood liable land, or ..."*

Council engages qualified and experienced consultants to undertake its flood studies in accordance with the state policy and undertake the study in accordance with the procedures outlined in the Floodplain Development Manual. The aim was to update the existing studies within the catchment and to allow Council to undertake a grant assisted Risk Management Study and Plan this financial year.

Upon completion of the project and adoption by Council, it is intended to supersede the existing flood related classifications with the recommendations of the consultants. These recommendations are based upon the 1% AEP (1:100 ARI) Flood Levels from the results of the study.

The flood affected classification will be represented as a condition in Pathway and on the S149 (2) & (5) certificate section – 7A. This classification only identifies that the land is subject to flood related controls and does not specify if the dwelling is affected. The modelling flood heights are available for owners to undertake their own survey to ascertain the degree of flood affectation on their land and / or their dwelling.

All flood affected properties have the same wording regardless of catchment or classification shown below:

7A FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

- (1) *Development on that land or part of the land for the purposes of dwelling houses, dual occupancies, multi-dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls*
 - (2) *Development on that land or part of the land for any other purpose is subject to flood related development controls*
- NB. This response does not imply that development for particular purposes is permissible on the land. Development is permissible in accordance with the zoning and land use as set out in Question 2. ZONING AND LANDUSE of this Certificate*

Council has adopted the 1% flood event as the standard for flood planning for both residential and non-residential uses. These standards can be found in the Willoughby Development Control Plan.

Council ascertains the 1% flood event by reference to the maps outlined in the Overland Flooding Investigation and relevant flood studies which are available for inspection at Council's offices during business hours and from Council's web site.

This process is consistent with that undertaken in previous studies, most recently Blue Gum Creek.

21.2 QUESTION ON NOTICE FROM COUNCILLOR COPPOCK: PUBLIC (FREE) WI FI INTO CHATSWOOD MALL**RESPONSIBLE OFFICER: DEAN FROST – CUSTOMER & CORPORATE DIRECTOR****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 9 OCTOBER 2017**

Question

What is the status of Council's plans to introduce Public (Free) Wi Fi into Chatswood Mall?

Answer

Council implemented free Wi-Fi in Chatswood Mall in 2013 and has been providing the service to the public ever since. The service is provided and managed by a third party supplier. On average around 5,000 unique sessions occur each month.

21.3 QUESTION ON NOTICE FROM COUNCILLOR COPPOCK: COUNCIL'S ENFORCEMENT POLICY AGAINST ILLEGAL BROTHELS IN ARTARMON**RESPONSIBLE OFFICER: IAN ARNOTT - PLANNING MANAGER****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 9 OCTOBER 2017**

Question

Does Council have a current compliance and enforcement policy on the operation of illegal brothels in the City? If there is no active current compliance and enforcement policy, when did the enforcement policy that Council did have, cease?

Answer

Brothels (or sex services premises) are regulated under the *Environmental Planning & Assessment Act, 1979*.

Where necessary, Council exercises its powers under the provisions of the *Environmental Planning & Assessment Act, 1979* to require illegal brothel activity to cease.

The *Brothels Legislation Amendment Act 2007* commenced on 1 October, 2007 and amended the *Environmental Planning & Assessment Act, 1979* by including increased enforcement powers for councils and other regulatory authorities to take action against brothels that are operating unlawfully.

The Council's procedure for investigating brothels was last updated in November 2013 and details:

- who should attend the site
- how the investigation should be conducted
- the penalties to be imposed if illegal brothel activity is occurring
- the remedy in respect to closure of the brothel and enforcement action
- issue of Compliance Costs Notices for Council to recover costs and expenses
- consideration of commencement of criminal proceedings
- delegations for undertaking action

This procedure is followed in respect to any complaint of illegal brothel activity. Investigation of complaints alleging illegal brothel activity is undertaken in accordance with Council's Complaints Handling Policy and Customer Service Charter.

Council received and investigated 19 complaints or allegations of illegal brothels over the period from 2014 to 2017.

Council also maintains knowledge of legal (approved) brothels in the area as they are required to have, and comply with, a Development Consent from Council.

21.4 QUESTION ON NOTICE FROM COUNCILLOR COPPOCK: COUNCIL S SURVEYS OF USERS OF CHILDCARE PLAY GROUNDS**RESPONSIBLE OFFICER: MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 9 OCTOBER 2017**

Question

What surveys are conducted of parents using Council's playgrounds as to the effectiveness of these playgrounds in fulfilling the parent's and their children's needs?

If surveys are conducted how might Councillors view the results?

Answer

Surveys of parents/carers are undertaken when existing Council playgrounds are upgraded. These upgrades are scheduled in the Council's Asset Management Plans for Playgrounds; this Plan is updated annually.

The results of the surveys are reported to Council when the upgrade/ improvement plan submitted for Council approval/ adoption.

21.5 QUESTION ON NOTICE FROM COUNCILLOR COPPOCK: COUNCIL S INVOLVEMENT WITH CARE IN THE HOME FOR WILLOUGHBY CITY RESIDENTS

RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	9 OCTOBER 2017

Question

What involvement, if any, does Council have with providing services for a fee or not to elderly residents residing in their own homes in the City Of Willoughby?

Answer

At Home with Willoughby Community Services promotes choice and independence through the delivery of quality, entry level aged care services. Our aim is to assist senior residents living in the Willoughby LGA to remain independent at home and connected to the community, for as long as possible.

These services include:

- Meals on Wheels – nutritious meals/sandwiches/salads delivered every weekday by volunteers.
- Linen - delivery of fresh linen/towels and help changing bed sheets.
- Shopping Services – flexible options to meet the clients individual needs, including:
 - Fortnightly shopping bus – client picked up from their home and taken to Chatswood CBD.
 - Internet Shopping – orders taken over the phone and placed online on behalf of client with Coles.
 - Companion shopping – volunteer picks client up from their home and takes them grocery shopping/chemist etc.
- Social Support - a variety of social support and leisure activities which provide social connection with the aim to reduce isolation. These include:
 - *Outing Bus* - 3 social outings per month to interesting locations around Sydney
 - *Social Circle Club* – meets weekly at the Dougherty Community Centre and provides the opportunity for peers to discuss various topics of interest, watch movies, play games etc.
 - *Home Visiting* – volunteers visit clients who are less mobile and tailor interactions to meet their needs such as reading the newspaper etc.
 - *Social Activities Group* – structured aged day care program which meets weekly at the Dougherty Community.

- *Meals on Wheels Social Lunches* – fortnightly lunches held at the Dougherty Community Centre where clients get to eat communally with their peers. Transport available for less mobile clients to attend.
 - *Seniors Walking Group* – gentle walking program for all levels of fitness in local parks followed by a picnic.
 - *Time to Grow* – connecting seniors who have garden space to share with volunteers who are interested in growing fresh food together. Community events and workshops which aim to reduce social isolation.
- Information and Advocacy - assisting local residents with navigating the Aged Care system.

21.6 QUESTION ON NOTICE FROM COUNCILLOR COPPOCK: NOISE POLLUTION FROM CHANDOS STREET**RESPONSIBLE OFFICER: IAN ARNOTT - PLANNING MANAGER****CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS****MEETING DATE: 9 OCTOBER 2017**

Question

On 10 April 2017 Council moved a resolution headed Noise Pollution from Chandos Street.

What has occurred in respect to this Council Resolution? If nothing has occurred, why has nothing occurred, and when might the Resolution be acted upon?

Answer

Council has a record of having received a complaint from a resident in Darvall Street, Naremburn that alleged being disturbed by noise during the early morning from garbage collections in Henry Lane. Council understands that garbage trucks were collecting garbage during the early morning by accessing the rear of properties that fronted Chandos Street, St Leonards via Henry Lane.

Council served notices under the provisions of the *Environmental Planning & Assessment Act, 1979* where premises had development consents with specific conditions to control the collection of garbage. The notices required compliance with the conditions for garbage collection.

Council also directed correspondence to the various garbage collection companies engaged in the activity, advising of the noise disturbances and requesting their cooperation in resolving the noise disturbances.

Since undertaking these actions Council has not received any further complaints regarding noise disturbances from garbage collections in the locality.

The Meeting concluded at 7:45pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 9 October 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.