



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber Level 6, 31 Victor Street, Chatswood

13 November 2017

commencing at 7:00pm

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1 PRESENT

Councillors

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

Officers

Ms D Just (General Manager), Ms M Smith (Community, Culture & Leisure Director), Mr D Frost (Customer & Corporate Director), Mr G McDonald (Planning & Infrastructure Director), Mr I Arnott (Planning Manager), Ms A Casey (Culture & Leisure Manager), Mr A Patterson (Acting Governance Manager), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Minutes Secretary)

2 DISCLOSURES OF INTEREST - COUNCILLORS

- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 18.3: 36-38 Hercules Street & 256-260 Victoria Avenue, Chatswood NSW 2067 DA-2014/445/D
(Nature of Interest: I am a member of the Sydney North Planning Panel)
- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 20.7: Talus Reserve Proceedings Update
(Nature of Interest: My relationship to Steve Healy)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 23 October 2017, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Note Councillor Coppock is on leave previously granted.
- Councillors Eriksson and Mustaca requested Leave of Absence on Monday 13 November 2017.

RESOLUTION

That Council:

1. Note Councillor Coppock is on leave previously granted.
2. Grant Leave of Absence to Councillors Eriksson and Mustaca on Monday 13 November 2017.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

5 PETITIONS

NIL

6 OPEN FORUM

Nadene Anderson spoke on “a service we would like to offer within the community, specifically childcare with early intervention therapy for children with a diagnosis of Autism Spectrum Disorder”.

7 MAYORAL MINUTE

7.1 THE LATE LEITH WOODWARD

MEETING DATE: 13 NOVEMBER 2017

Purpose of Report

To consider the Mayoral Minute on the passing of Leith James Woodward, a former Town Clerk of Willoughby City Council.

Motion

Leith Woodward passed away on 9 October 2017, aged 93. Mr Woodward started his local government career in 1956 in Taree, where he grew up. After obtaining his qualifications, he was appointed Town Clerk of Nundle in 1963.

He joined Willoughby Council as Administrative Assistant in 1966 and was appointed Town Clerk in 1971 (the equivalent of today's General Manager). After 12 years in that role, and as he approached 60, Mr Woodward retired from Council in August 1983 on medical advice.

The Mayor at the time, Noel Reidy, said in the *North Shore Times* that "Mr Woodward has been a great town clerk. It's a pity he has to go". Mayor Ready also said, in the invitation to the dinner to honour Mr Woodward that he "has always made himself available to the residents of this Municipality and has contributed to the success of the community and its many organisations. I know that Leith appreciates the importance of making sure everyone receives a 'fair go'."

His wife Heather recalls that Mr Woodward enjoyed his time at the Council and appreciated the support from his staff and Aldermen, as Councillors were then called.

Leith and Heather retired to Foster where they spent eight years. They then relocated to Booker Bay on the Central Coast to be closer to their children, enjoy their 6 grandchildren, and most recently the first great-grandchild.

Leith will be sadly missed by his wife Heather, his family, friends and by everyone who knew him.

RECOMMENDATION

That Council adopt the Mayoral Minute on the passing of Leith Woodward and write a letter of condolence to the family.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

7.2 MAYOR'S DIARY: COUNCIL MEETING NOTES – 13 NOVEMBER 2017

TUESDAY 24 OCTOBER			
Mayor	7.30 am	LGNSW Breakfast Presentation	Parliament House, Sydney
WEDNESDAY 25 OCTOBER			
Mayor Crs Norton, Tuon	11.30 am	Citizenship Ceremony	Chambers
Mayor	7.15 pm	Award Presentations to Scout Group	O.H. Reid Reserve
THURSDAY 26 OCTOBER			
Mayor	9 am	Sydney City Commission Briefing	Mantra Hotel, Parramatta
Crs Norton, Tuon	10 am	Opening of LifeSource Community Care Facility – Food Care	175 Lower Gibbes Street
FRIDAY 27 OCTOBER			
Cr Norton	5 pm	Dougherty Apartments Residents “Happy Hour”	Dougherty Centre
Mayor Crs Norton, Tuon, Zhu	6 pm	Willoughby Shorts Film Festival	The Concourse
Mayor	8 pm	St Thomas’ Arts & Craft Show Opening Night	St Thomas’ School
SATURDAY 28 OCTOBER			
Cr Saville	12.30 pm	SCCG Council	N Sydney Council
Crs Norton, Saville	7 pm	WSOC Concert	The Concourse
SUNDAY 29 OCTOBER			
Mayor	11.45 am	Grandparents Day	The Concourse
Mayor	3.30 pm	Willoughby Swim Club Presentation Day	Willoughby Park Bowls Club
MONDAY 30 OCTOBER			
Mayor	10 am	Korean Flag Raising Ceremony	Council Chambers
TUESDAY 31 OCTOBER			
Cr Saville	7 pm	Waste Forum	Dougherty Centre
WEDNESDAY 1 NOVEMBER			
Mayor	12 noon	Diversity & Women in Leadership Event	Axicom. St Leonards
Crs Tuon, Zhu	6.30 pm	“Mates in the House” Dinner	Parliament House
THURSDAY 2 NOVEMBER			
Crs Norton, Tuon	6 pm	Opening of Photo Expo: “Soaring”	The Concourse ArtSpace
FRIDAY 3 NOVEMBER			
SATURDAY 4 NOVEMBER			
Mayor	6.45 am	Willoughby Parkrun	Burra Road, Artarmon
Mayor	All day	Mayor’s Seminar	LGNSW Board Room, Margaret St.
Cr Campbell	11 am	Opening of Chinese Painting Expo	Chinese Cultural Centre
Cr Zhu	6.30 pm	Reception : NSFA Anniversary	Kirribilli Club
Crs Norton, Saville	7.30 pm	Combined Concert: WSOC & Kuringai Philharmonic Orchestra	The Concourse

SUNDAY 5 NOVEMBER			
Mayor	All day	Mayor's Seminar	LGNSW Board Room, Margaret St.
Cr Norton	3 pm	Willoughby Band Concert	Zenith Theatre
MONDAY 6 NOVEMBER			
Mayor Crs Mustaca, Norton, Saville, Tuon	7 am	Greater Sydney Commission Briefing	Hornsby RSL Club
TUESDAY 7 NOVEMBER			
WEDNESDAY 8 NOVEMBER			
Mayor Crs Norton, Tuon	8.30 am	Audit Committee	Banksia Room
Mayor Crs Tuon, Zhu	11.30 am	Citizenship Ceremony	Chambers
THURSDAY 9 NOVEMBER			
Mayor	1.30 pm	Local Wildlife Storybook Awards	Chatswood Library
Mayor Cr Zhu	6 pm	NSROC Meeting	Lane Cove Council
FRIDAY 10 NOVEMBER			
SATURDAY 11 NOVEMBER			
Mayor Crs Campbell, Mustaca, Norton, Rutherford, Tuon, Zhu	10.30 am	Remembrance Day Commemoration	Garden of Remembrance
Mayor Crs Tuon, Zhu	1.30 pm	"Pink Elite" Opening	The Sebel, Chatswood
SUNDAY 12 NOVEMBER			
Cr Saville	11.30 am	Permapatch Community Garden Open Day	
MONDAY 13 NOVEMBER			
Mayor	10 am	Launch of K-Mart Wishing Tree Appeal	K-Mart, Chatswood Chase

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 17.2	Expressions of Interest – Talus Street Reserve
Item 18.2	100 Hampden Road Artarmon – DA-2017/232
Item 18.3	36-38 Hercules Street & 256-260 Victoria Avenue, Chatswood NSW 2067 DA-2014/445/D
Item 18.5	Tender Number 107822 – Assessment of Tenders to Develop and Operate a Childcare Facility at 3 Abbott Road, Artarmon
Item 19.1	Notice of Motion – NSW Waste Disposal

RESOLUTION

That the remaining items, viz:

Item 12.1	Sailors Bay Ward Councillors Inspection Committee Meeting – 2 Noonbinna Crescent Northbridge DA-2017/129
Item 12.2	Naremburn Ward Councillors Inspection Committee Meeting – 20 Selwyn Street, Artarmon DA-2017/155
Item 16.1	Council Meeting Dates and Christmas/New Year Recess
Item 17.1	Tender 111225 – Chatswood Park Playground & View Street Park Playground Upgrades
Item 17.4	Registration of interest – Concession Application for Roseville Chase Rotary Club
Item 17.5	Market Garden Park Playground Plan
Item 18.4	Tender Number 109258 – Assessment of Tenders for the Recurrent Servicing of Fire Safety Equipment
Item 18.6	Tender Number 110056 – Assessment of Tenders for the Provision of Plumbing Services
Item 18.7	Tender Number 109256 – Assessment of Tenders for the Provision of Trade and Labour Hire Services
Item 18.8	Tender Number 109255 – Assessment of Tenders for the Provision of Indoor Cleaning Services

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

Recommittal Motion

That Council recommit Item 17.3: Artarmon Bowling Club Building – Citizens Panel Recommendations

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 17.3	Artarmon Bowling Club Building – Citizens Panel Recommendations
Item 18.1	20 Selwyn Street, Artarmon DA-2017/155

12 REPORTS FROM COMMITTEES

12.1 SAILORS BAY WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 2 NOONBINNA CRESCENT NORTHBRIDGE DA-2017/129

ATTACHMENTS: 1. IMPLICATIONS
 2. MINUTES OF SAILORS BAY WARD
 COUNCILLORS INSPECTION COMMITTEE
 MEETING - 2 NOONBINNA CRESCENT
 NORTHBRIDGE - SAILORS BAY - DA-2017/129

RESPONSIBLE OFFICER: IAN ARNOTT - PLANNING MANAGER

AUTHOR: TEENA STRYDOM - GOVERNANCE
 ADMINISTRATION OFFICER

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

MEETING DATE: 13 NOVEMBER 2017

PURPOSE OF REPORT

To list on the agenda the minutes of the Ward Councillors Inspection Committee that took place on 11 October 2017.

RESOLUTION

That Council:

- 1 Receive the Minutes of the Sailors Bay Ward Councillors Inspection Committee Meeting held 11 October 2017 relating to 2 Noonbinna Crescent Northbridge - DA2017/129 for alterations and third floor addition to dwelling, removal of garage, driveway and construction of double garage, retaining walls, fencing, swimming pool, landscaping and associated works.

- 2 Note the resolution adopted by the Committee:

That the application be approved in accordance with the Officer's recommendation subject to the following:

- A. *Incorporation of a condition requiring minimising reflectivity from roof and external finishes.*
- B. *Incorporation of a condition requiring translucent/opaque glass to the glazing to the entrance.*

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

**12.2 NAREMBURN WARD COUNCILLORS INSPECTION COMMITTEE
MEETING - 20 SELWYN STREET ARTARMON DA-2017/155**

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES OF NAREMBURN WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 20 SELWYN STREET ARTARMON - DA-2017/155
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	TEENA STRYDOM - GOVERNANCE ADMINISTRATION OFFICER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

To list on the agenda the minutes of the Ward Councillors Inspection Committee that took place on 25 October 2017.

RESOLUTION

That Council:

- 1. Receive the Minutes of the Naremburn Ward Councillors Inspection Committee meeting held 25 October 2017 relating to 20 Selwyn St Artarmon - Naremburn - DA-2017/155 for alterations and additions to dwelling, construction of swimming pool and associated works.**
- 2. Note the resolution adopted by the Committee:**

That the application be referred to full Council for determination.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

NIL

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 COUNCIL MEETING DATES AND CHRISTMAS / NEW YEAR RECESS

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	VLADIMIR GREPL – GOVERNANCE OFFICER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

To consider the Council recess for the Christmas / New Year period and to delegate authority to the Mayor and General Manager to deal with urgent matters that may arise during the recess.

RESOLUTION

That Council:

1. Hold its last meeting for 2017 on Monday 11 December and resume with a Council meeting on Monday 12 February 2018;
2. Authorise Ward Councillor Committees to hold their last meeting on Friday 15 December 2017 and resume on Monday 15 January 2018;
3. Delegate authority to the Mayor and General Manager to deal with matters considered by them to be urgent during the Christmas/New Year recess, subject to:
 - a) compliance with relevant legislation;
 - b) the limitations to delegations under section 377 of the *Local Government Act 1993*;
 - c) matters that are considered urgent in nature or would cause undue delays to stakeholders;
 - d) consultation with Ward Councillors for decisions involving development applications and planning proposals; and
 - e) decision being deferred where Council policy provides no clear guidelines.
4. A list of matters dealt with under delegated authority be presented to Council at its meeting on 12 February 2018.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 TENDER 111225 - CHATSWOOD PARK PLAYGROUND & VIEW STREET PARK PLAYGROUND UPGRADES

ATTACHMENTS:	1. IMPLICATIONS
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:	13 NOVEMBER 2017

PURPOSE OF REPORT

To advise Council on the assessment of Tender 111225 for Chatswood Park Playground & View Street Park Playground Upgrades and to seek Council's approval to appoint a tenderer to carry out these works.

RESOLUTION

That Council:

1. **Accept the tender from the top ranked tenderer in the attached confidential report for Chatswood Park & View Street Park Playground Upgrades.**
2. **Make public the successful tender's name following the 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 SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

17.2 EXPRESSIONS OF INTEREST - TALUS STREET RESERVE

ATTACHMENTS:	1. IMPLICATIONS 2. EOI TALUS STREET RESERVE 3. DRAFT LEASE
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY CULTURE & LEISURE DIRECTOR
AUTHOR:	KEN SHELSTON – PROJECTS OFFICER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

To approve the calling of Expressions of Interest (EOI) for the operation of tennis and / or related recreational activities at the Talus Street Reserve Tennis Complex, Naremburn.

MOTION

That Council:

- 1. Endorse the Expressions of Interest and draft lease documents for the Talus Street Reserve Tennis Complex, Naremburn.**
- 2. Approve the issuance and advertisement of the Expression of Interest for the operation of tennis and / or related recreational activities at the Talus Street Reserve Tennis Complex, Naremburn.**

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Campbell, Fernandez, Norton, Rozos, Rutherford, Tuon, Zhu and Wright.

Against: Councillor Saville

17.3 ARTARMON BOWLING CLUB BUILDING - CITIZENS PANEL RECOMMENDATIONS

ATTACHMENTS:	1. IMPLICATIONS 2. REPORT – STRAIGHT TALK – SUMMARY OF THE CITIZENS PANEL 3. CITIZENS PANEL RECOMMENDATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	ANGELA CASEY – CULTURE AND LEISURE MANAGER
CITY STRATEGY LINK:	1:2:1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE TO THE COMMUNITY
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

To provide Council with the recommendations developed by the Citizens Panel regarding the future options for the former Artarmon Bowling Club building and to outline the next steps for the project.

Procedural Motion

That the following people address the meeting:

- Anna Grego
- Glenda Hewitt
- Peter Wilton

RESOLUTION

That Council:

1. Note the recommendations from the Citizens Panel, as outlined below:

We wish to respect the legacy of the club to create a harmonious and safe environment that partners with Council, neighbours and the community to create respect, honesty and cohesiveness. We seek to build value and opportunity for our community on an ongoing basis.

Principle 1: Needs and uses

The club house needs to provide versatile space which will allow complementary and efficient uses for the community. This will be achieved by:

- 1) Ensuring that the space is accessible to all community members (mobility access)
- 2) Ensuring that one user does not impact adversely on other users of the space. The space should be shared by all, with no dominant tenant.
- 3) Dividing the Clubhouse into multiple yet flexible spaces -while still maintaining the large open space- to offer versatility, while still

providing adequate storage and external access for different spaces and ensuring that amenities (e.g. toilets and kitchen) can be shared by all.

Principle 2: Low impact

Respect the legacy of the Clubhouse to create a harmonious, safe environment that respects neighbours, the surrounding bushland and the community. This should include:

- 1) Appropriate/well-managed evening use to ensure reduced impact on local residents.
- 2) Due to the location of the club house (residential area, on a cul de sac), parking and traffic impacts need to be managed.

Principle 3: Financial sustainability

We recommend that after the initial upgrade of the Clubhouse, which will be paid for by Council, that the facility be run on a sustainable and/or cost-neutral basis. This will ensure that barriers for use by community groups are minimised whilst not creating an ongoing expense for Council. We also propose a differentiated cost model with lower costs for beneficial community uses and non-subsidised costs for private or for-profit uses.

Principle 4: Community engagement

We recommend that Council implement a higher level of ongoing community engagement in the future planning, operations and uses of the club.

Our recommendations should form part of the design brief for the refurbishment of the Clubhouse. The panel wishes to continue to work in partnership with Council on the future of the building.

2. Note the positive contribution made by members of the Citizens Panel in reviewing the future options for the Artarmon Bowling Club building during September 2017 and write a letter of thanks acknowledging their contribution.
3. Note that the wording of Council's resolution of the 24 July 2017 prevented the Citizens Panel from considering the demolition of the Artarmon Bowling Club building, the suitability of its location or the availability of other community facilities in proximity.
4. Receive a report by March 2018 from Officers on the suitability of the location of the Artarmon Bowling Club building as a community facility as well as a preliminary assessment of alternative locations for a community facility in Artarmon.
5. Note that officers will now finalise the Landscape and Recreation brief for the Artarmon Parklands, and commence the master planning process.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR TUON

CARRIED

Voting

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

Against: Nil

17.4 REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR ROSEVILLE CHASE ROTARY CLUB

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	ERIN COLWELL – SPORTSGROUND ADMINISTRATION TECHNICAL OFFICER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

To seek Council's approval for a 100% (Category D) concessional rate of hire for Roseville Chase Rotary Club to hire Castle Cove Oval for their Community Fun Run Event on Sunday 30 July 2018 from 6am to 10.30am.

RESOLUTION

That Council approve a 100% (Category D) concessional rate of hire at a value of \$608 for the Community Fun Run Event to be held by Roseville Chase Rotary Club on Sunday 30 July 2018 for the hire of Castle Cove Oval.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

17.5 MARKET GARDEN PARK - PLAYGROUND PLAN

ATTACHMENTS:	1. IMPLICATIONS 2. MARKET GARDEN PARK COMMUNITY CONSULTATION SUMMARY REPORT 3. MARKET GARDEN PARK PLAYGROUND PLAN
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:	13 NOVEMBER 2017

PURPOSE OF REPORT

For Council to adopt the Playground Plan for Market Garden Park.

RESOLUTION

That Council adopts the *Market Garden Park – new Playground Plan* dated October 2017.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 20 SELWYN STREET ARTARMON - DA-2017/155

ATTACHMENTS:	1. IMPLICATIONS 2. WARD REPORT AND ATTACHMENTS 3. ADDITIONAL CONDITIONS 4. AMENDED PLAN
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	JANE MCMILLAN – DEVELOPMENT ASSESSMENT OFFICER
CITY STRATEGY LINK:	3.1.3 LOCAL CHARACTER
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

The purpose of this report is for Council to determine DA 2017/155 for alterations and additions to dwelling, construction of swimming pool, and associated works at 20 Selwyn Street Artarmon.

Procedural Motion

That the following people address the meeting:

- Elizabeth Bowden
- Camille Fayle
- Luke Fayle
- Rhiannon Baker
- Ian Baker
- Clare Carter

MOTION

That Council approve Development Application 2017/155 for alterations and additions to dwelling, construction of swimming pool, and associated works at 20 Selwyn Street Artarmon subject to:

- The conditions contained in the Ward Inspection Committee Report at Attachment 2
- Two additional conditions agreed to be included in the consent at the Ward Councillors Inspection Committee Meeting at Attachment 3.

MOVED COUNCILLOR TUON

SECONDED COUNCILLOR ROZOS

LOST

Voting**For the Motion:** Councillors Giles-Gidney, Rozos and Tuon**Against:** Councillors Campbell, Fernandez, Norton, Rutherford, Saville, Zhu and Wright.**RESOLUTION**

That Council refuse Development Application 2017/155 for alterations and additions to dwelling, construction of swimming pool, and associated works at 20 Selwyn Street Artarmon noting the location of the carport forward of the building line is contrary to the following five provisions of Part H of Willoughby Development Control Plan:

- **H.2.1 – No new structure should be built forward of the established street building line**
- **H.2.2 – Existing site vehicular access is to be utilised**
- **H.2.2 – Development which removes existing access must not preclude future carports or garages behind the building line**
- **H.2.2 – Garages and carports are to be located behind the building alignment wherever physically possible**
- **H.3.2 – Retaining existing side driveways and rear parking facilities.**

MOVED COUNCILLOR WRIGHT**SECONDED COUNCILLOR SAVILLE****CARRIED****Voting****For the Resolution:** Councillors Giles-Gidney, Campbell, Fernandez, Norton, Rozos, Rutherford, Saville, Tuon, Zhu and Wright.**Against:** Nil

18.2 100 HAMPDEN ROAD ARTARMON - DA-2017/232

ATTACHMENTS:	1. IMPLICATIONS 2. SCHEDULE OF CONDITIONS 3. SITE DESCRIPTION AND AERIAL PHOTO 4. CONTROLS & DEVELOPMENT STATISTICS 5. SECTION 79C ASSESSMENT 6. SUBMISSIONS TABLE 7. NOTIFICATION MAP
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	DIMITRI GOTSIS – DEVELOPMENT ASSESSMENT OFFICER
CITY STRATEGY LINK:	5.1.1 LOCAL BUSINESS 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

To seek Council determination of Development Application 2017/232 for fitout and use of premises for a liquor outlet, signage and associated works at 100 Hampden Road, Artarmon.

RESOLUTION

That Council approve Development Application 2017/232 for fitout and use of premises for a liquor outlet, signage and associate works at 100 Hampden Road, Artarmon, and delegated authority be granted to the General Manager to issue the consent notice, subject to conditions contained in Attachment 2.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

18.3 36-38 HERCULES STREET, 17 ALBERT AVENUE & 256-260 VICTORIA AVENUE, CHATSWOOD NSW 2067 DA-2014/445/D

ATTACHMENTS:	1. IMPLICATIONS 2. SNPP ASSESSMENT REPORT (DA2014/445/D)
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	ANA VISSARION - DEVELOPMENT PLANNER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

To inform Council that Modification Application 2014/445/D for 'S96 - *to include changes to driveway, lift, apartments layouts, heritage building and modification to conditions*' will be considered by Sydney North Planning Panel (SNPP) for electronic determination after 15 November 2016.

Members of the SNPP should retire from the Council Chambers during the consideration of this agenda item.

RESOLUTION

That Council:

- 1. Receive the Assessment Report submitted to the Sydney North Planning Panel for DA-2014/445/D seeking consent to "*Include changes to driveway, lift, apartments layouts, heritage building and modification to conditions*" at 36-38 Hercules Street, 17 Albert Avenue and 256-260 Victoria Avenue, Chatswood NSW 2067.**
- 2. Make a submission to the Sydney North Planning Panel for DA-2014/445/D seeking retention of Condition 133 requiring a minimum of 3 hours free parking for visitors to the commercial/retail premises.**

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

For the Resolution: Councillors Campbell, Fernandez, Norton, Rozos, Rutherford, Saville, Tuon, Zhu and Wright.

Against: Nil

Absent: Councillor Giles-Gidney

Due to Item 18.3: 36-38 Hercules Street & 256-260 Victoria Avenue, Chatswood NSW 2067 DA-2014/445/D being a Sydney North Planning Panel (SNPP) matter, Councillor Giles-Gidney declaring a non-pecuniary substantial interest as a member of the SNPP and withdrew from the meeting taking no part in the discussion or voting on this topic.

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

18.4 TENDER NUMBER 109258 – ASSESSMENT OF TENDERS FOR THE RECURRENT SERVICING OF FIRE SAFETY EQUIPMENT

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:	13 NOVEMBER 2017

PURPOSE OF REPORT

To advise Council on the evaluation of Tender 109258 for the recurrent servicing of fire safety equipment and award Tender 109258 for the recurrent servicing of fire safety equipment with an estimated total contract value of \$200,000.

RESOLUTION

That Council:

- 1. Accept the tender from the top ranked tenderer in the attached confidential report for a period of 2 years with an option to extend this contract for an additional 3 years for an estimated total spend of \$200,000 over the term of the contract.**
- 2. Make public the successful tenderer's name following the 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 SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

18.5 TENDER NUMBER 107822 - ASSESSMENT OF TENDERS TO DEVELOP AND OPERATE A CHILDCARE FACILITY AT 3 ABBOTT ROAD, ARTARMON

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:	13 NOVEMBER 2017

PURPOSE OF REPORT

To advise Council on the evaluation of Tender 107822 to develop and operate a childcare facility at 3 Abbott Rd, Artarmon and award Tender 107822 for the redevelopment and provision of childcare services at 3 Abbott Rd, Artarmon, with an estimated net present value of \$5,136,274.

RESOLUTION

That Council:

- 1. Accept the tender from Foundation Education Holdings Pty Ltd to develop and operate a childcare facility at 3 Abbott Rd, Artarmon, for a period of ten (10) years with two options of ten (10) years with an estimated net present value of \$5,136,274.**
- 2. Authorise the Mayor and the General Manager to affix the Common Seal of Council to the associated documents.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

Absent: Councillor Wright

18.6 TENDER NUMBER 110056 - ASSESSMENT OF TENDERS FOR THE PROVISION OF PLUMBING 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 INFRASTRUCTUREICK - CITY STRATEGY LINK>>
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

To advise Council on the evaluation of Tender 110056 for the provision of plumbing services and award Tender 110056 for the provision of plumbing services with an estimated total contract value of \$500,000.

OFFICER'S RECOMMENDATION

That Council:

- 1. Accept the tenders from the two top ranked tenderers in the attached confidential report 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 \$500,000 over the term of the contract.**
- 2. Make public the successful Tenderers' names following the 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 SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

18.7 TENDER NUMBER 109256 - ASSESSMENT OF TENDERS FOR THE PROVISION OF TRADE AND LABOUR HIRE 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:	13 NOVEMBER 2017

PURPOSE OF REPORT

To advise Council on the evaluation of Tender 109256 for the provision trade and labour hire services and award Tender 109256 for the provision of trade and labour hire services with an estimated total contract value of \$500,000.

RESOLUTION

That Council:

- 1. Accept the tenders from the top three ranked tenderers in the attached confidential report 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 \$500,000 over the term of the contract.**
- 2. Make public the successful Tenderers' names following the 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 SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

18.8 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:	13 NOVEMBER 2017

PURPOSE OF REPORT

To seek Council's approval to correct a typographical error in the Officer's Recommendation 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 TJS Services Group Pty Ltd, for the provision of indoor cleaning 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 the 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 SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION - NSW WASTE DISPOSAL

RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	DEBRA JUST – GENERAL MANAGER
CITY STRATEGY LINK:	2.1.2 THE COMMUNITY VALUES THE NATURAL ENVIRONMENT
MEETING DATE:	13 NOVEMBER 2017

PURPOSE OF REPORT

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

MOTION

That, following the ABC Four Corners programme which investigated where NSW waste may be disposed, Council:

- 1(a) undertake an audit of the waste services provided to Willoughby residents, including where Willoughby's waste is disposed; and
- (b) that a subsequent report be provided to councillors and the community outlining the various waste streams and where Willoughby's waste is disposed.
2. The report to quantify the proportion of the waste levy that is returned to council and how it is spent.
3. Advise council of any strategies that council could implement to improve resource efficiency, re-use, recycling, waste minimisation and waste management generally.

COUNCILLOR SAVILLE WITHDREW THIS MOTION

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.

Councillor Giles-Gidney declaring a non-pecuniary substantial interest Confidential Item 20.7: Talus Reserve Proceedings Update, because of her relationship to Steve Healy, and withdrew from the meeting taking no part in the discussion or voting on this topic.

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

20.1 CONFIDENTIAL - TENDER 111225 FOR CHATSWOOD PARK PLAYGROUND & VIEW STREET PARK PLAYGROUND UPGRADES

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

20.2 AWARD OF CONTRACT AFTER NEGOTIATIONS FOR TENDER 103052 GORE HILL PARK REDEVELOPMENT

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2) (d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

20.3 CONFIDENTIAL - TENDER NUMBER 107822 - ASSESSMENT OF TENDERS TO DEVELOP AND OPERATE A CHILDCARE FACILITY AT 3 ABBOTT ROAD, ARTARMON

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

20.4 CONFIDENTIAL - TENDER NUMBER 109256 – ASSESSMENT OF TENDERS FOR THE PROVISION OF TRADE AND LABOUR HIRE SERVICES

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

20.5 CONFIDENTIAL - TENDER NUMBER 109258 – ASSESSMENT OF TENDERS FOR THE RECURRENT SERVICING OF FIRE SAFETY EQUIPMENT

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

20.6 CONFIDENTIAL - TENDER NUMBER 110056 - ASSESSMENT OF TENDERS FOR THE PROVISION OF PLUMBING SERVICES

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

20.7 CONFIDENTIAL - TALUS RESERVE PROCEEDINGS UPDATE**Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(g) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

20.1 CONFIDENTIAL - TENDER 111225 FOR CHATSWOOD PARK PLAYGROUND & VIEW STREET PARK PLAYGROUND UPGRADES**Recommendation Summary**

That Council:

1. **Accept the tender from Go-Gardening for Chatswood Park & View Street Park Playground Upgrades for a lump sum contract value of \$204,431.04.**
2. **Make public the successful tenderer's name following the Council's resolution to accept the tender.**

20.2 AWARD OF CONTRACT AFTER NEGOTIATIONS FOR TENDER 103052 GORE HILL PARK REDEVELOPMENT**Recommendation Summary**

That Council:

1. **Note that a successful negotiation has been achieved and that Tender 103052 Gore Hill Park Redevelopment has been awarded to Glascott Landscape & Civil, with Turf One Pty Ltd as the nominated synthetic turf subcontractor.**
2. **Allocate the required contingency amount of \$1.06 million from the Developer Contributions Reserve.**

20.3 CONFIDENTIAL - TENDER NUMBER 107822 - ASSESSMENT OF TENDERS TO DEVELOP AND OPERATE A CHILDCARE FACILITY AT 3 ABBOTT ROAD, ARTARMON**Recommendation Summary**

That Council:

1. **Accept the tender from Foundation Education Holdings Pty Limited to develop and operate a childcare facility at 3 Abbott Rd, Artarmon, for a period of ten (10) years with two options of ten (10) years with an estimated net present value of \$5,136,274.**

2. Authorise the Mayor and the General Manager to finalise negotiations and enter into a thirty (30) year ground lease with Foundation Education Holdings Pty Limited and to affix the Common Seal of Council to the associated documents.

20.4 CONFIDENTIAL - TENDER NUMBER 109256 – ASSESSMENT OF TENDERS FOR THE PROVISION OF TRADE AND LABOUR HIRE SERVICES

Recommendation Summary

That Council:

1. Accept the tenders from Pro-Group Management Pty Ltd, Sydney Facility Services Group and Worne Constructions Pty Ltd for inclusion on a contractor panel 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 \$500,000 over the term of the contract.
2. Make public the successful tenderers' name following the 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.

20.5 CONFIDENTIAL - TENDER NUMBER 109258 – ASSESSMENT OF TENDERS FOR THE RECURRENT SERVICING OF FIRE SAFETY EQUIPMENT

Recommendation Summary

That Council:

1. Accept the tender from Synergy Fire Security Pty Ltd for the recurrent servicing of the fire safety equipment 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 \$200,000 over the term of the contract.
2. Make public the successful tenderer's name following the 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.

20.6 CONFIDENTIAL - TENDER NUMBER 110056 - ASSESSMENT OF TENDERS FOR THE PROVISION OF PLUMBING SERVICES

Recommendation Summary

That Council:

1. Accept the tenders from Answer Plumbing and PJC Plumbing Services Pty Ltd for inclusion on a contractor panel for the provision of plumbing 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 \$500,000 over the term of the contract.

2. Make public the successful Tenderers' name following the 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.

20.7 CONFIDENTIAL - TALUS RESERVE PROCEEDINGS UPDATE

Recommendation Summary

That Council note the update report regarding the 13 February 2017 Talus Reserve Strategy and the 2013 Proceedings and the alignment of the lease developed for Talus Reserve with Council's adopted strategy.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ZHU

CARRIED

Voting

For the Resolution: Councillors Campbell, Fernandez, Norton, Rozos, Rutherford, Saville, Tuon, Zhu and Wright.

Against: Nil

Absent: Councillor Giles-Gidney

RESOLUTION

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

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ZHU

CARRIED

Voting

For the Resolution: Councillors Campbell, Fernandez, Norton, Rozos, Rutherford, Saville, Tuon, Zhu and Wright.

Against: Nil

Absent: Councillor Giles-Gidney

21 QUESTIONS

21.1 QUESTION ON NOTICE FROM COUNCILLOR COPPOCK - SHARE BIKE OPERATIONS WILLOUGHBY CITY COUNCIL

RESPONSIBLE OFFICER: GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR

CITY STRATEGY LINK: 4.2.1 INCREASED USE OF ACTIVE AND PUBLIC TRANSPORT

MEETING DATE: 13 NOVEMBER 2017

Question

Does Council have a policy concerning the collection and return of OBike and ReddyGo bikes left around the City?

If so what are the details of the policy?

If not, how does Council staff intend to deal with bikes left at shopping centres, on the side of busy roads and near sporting fixtures?

Answer

Bike sharing is an emerging and developing technology that makes cycling a convenient and cost-effective transport option. A bike share typically involves hiring a bicycle for a fee from an operator, which is either collected from a docking station or from the street (dockless bikes).

Willoughby City Council broadly supports the concept of bike sharing as it promotes cycling within the local government area, which provides benefits in terms of reducing congestion, improving public health and being a sustainable means of transport. It will form a part of Sydney's Transportation Future. Bike sharing schemes such as dockless bike sharing, will become a popular transportation alternative as a bicycle can be used for either a return or one way trip and does not require a docking station.

Reddy Go, which launched in August 2017, is the only operator within the Willoughby City Council. Reddy Go is a private operator with no affiliation from Council. Council's support for any scheme is conditional on operators following Willoughby City Council's 'Guidelines for Bike Sharing Operators'. It was agreed that the operation of bike sharing would be refined as required.

Council does not currently have a "Policy" as such regarding bikes associated with the new Bike Share industry. Council has its "Guidelines for Bike Sharing Operators". Council's guidelines currently cover:

- Customer Safety
- Responsible Bike Parking
- Avoiding Clutter
- A Safe and enjoyable user experience
- Better Transport Planning
- Advertising

- Helpful links to the NSW Road Rules and Willoughby Bike Routes Map

Under the *Impounding Act 1993* and *Local Government Act 1993*, Council's Rangers may impound unattended or abandoned articles such as bikes and also initiate action to address an obstruction and / or a nuisance.

The NSW Police may also initiate action for moving violations such as bike riders riding along a pedestrian footpath within the road reserve of a public road or riding without a helmet.

While there is no signed agreement in regards to collection of bikes, Reddy Go have informed Council staff that they would monitor the use of their bikes, and that they have a team of staff that collect and relocate bikes that are parked inappropriately, or have been left in locations where they are not being used. We have been in contact with their customer service staff when issues have arisen to request removal of bikes as required.

While Council is able to impound bikes, prevention of issues is desirable. To this effect Council will require legal advice to further understand its position and ability to place controls on such organisations, to prevent bikes from becoming a nuisance.

Council is also closely observing investigations being undertaken by other Council's in regards to its applications to Willoughby City Council.

A strategy moving forward will involve:

- Council's customer service staff will refer requests for bicycle removal to bike share operators.
- Seek Council's own legal advice in regards to Council's position and ability to place controls on such organisations.
- Meet with Council officers from other Councils with dockless bike sharing so that a uniform and consistent approach can be developed jointly.
- Monitor development of this matter as it gets further consideration at regional and state level through Industry groups such as LGNSW.
- Meeting with Reddy Go (and other bike share operators) to discuss what level of co-operation could be possible to address the operational matters raised. This would include the feasibility of using technologies such as "geofencing" or similar to remind users of correct parking locations.
- Dependant on legal advice, if feasible, implement a formal agreement such as a Memorandum of Understanding or other instrument, with each Bike Share operator for operating in the Willoughby City Council LGA.

21.2 QUESTION ON NOTICE FROM COUNCILLOR SAVILLE - EXTERNAL COMMITTEES

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:	13 NOVEMBER 2017

Question

Council is member of a number of important external committees. Previously the minutes of these meetings were included in the reports of the Standing Committees. For example the Sydney Coastal Council meeting minutes were included in the Environment committee report. Since council dissolved its standing committees, the minutes of the committees have not been formally reported to councillors.

In terms of good governance, where can the minutes of external committees and organisations including Sydney Coastal Council Group and NSROC, be formally reported to councillors to keep them informed of proceedings and relevant key information?

Answer

The minutes of external committees will be referred to Councillors through the weekly email run. Councillors may also view the minutes and other documentation on websites maintained by external organisations such as the Sydney Coastal Council Group, North Sydney Regional Organisations of Councils (NSROC) and the NSW Public Libraries Association. Council's website (under "Council meetings" tab) provides a list of external organisations on which Councillors are represented. The page provides links to these organisations so anyone interested can view their meeting minutes and other work.

- **Her Worship the Mayor Councillor G Giles-Gidney left the meeting at 9:55pm during debate on Item 18.3: 36-38 Hercules Street & 256-260 Victoria Avenue, Chatswood NSW 2067 DA-2014/445/D and Confidential Item 20.7: Talus Reserve Proceedings Update Reserve and took no part in the debate or vote on these topics.**
- **Former Deputy Mayor Norton took the chair during the vote on Item 18.3: 36-38 Hercules Street & 256-260 Victoria Avenue, Chatswood NSW 2067 DA-2014/445/D and Confidential Item 20.7: Talus Reserve Proceedings Update and remained in the chair to close the meeting.**

The Meeting concluded at 9.23pm

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 November 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.