



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

27 November 2017

commencing at 7:00pm

TABLE OF CONTENTS

| | |
|---|-----------|
| TABLE OF CONTENTS | 2 |
| 1 PRESENT | 5 |
| 2 DISCLOSURES OF INTEREST - COUNCILLORS | 5 |
| 3 CONFIRMATION OF MINUTES | 6 |
| 4 APOLOGIES AND LEAVE OF ABSENCE | 6 |
| 5 PETITIONS | 7 |
| 6 OPEN FORUM | 7 |
| 7 MAYORAL MINUTE | 8 |
| 7.1 REMOVAL OF MATURE TREES AS PART OF THE SYDNEY METRO PROJECT (DIVE SITE) | 8 |
| 7.2 MAYOR'S DIARY: COUNCIL MEETING NOTES – 27 NOVEMBER 2017 | 10 |
| 8 GENERAL MANAGER'S LATE REPORT | 12 |
| 8.1 GENERAL MANAGERS LATE REPORT – TALUS STREET EOI UPDATE..... | 12 |
| 9 MATTERS FOR DEFERRAL, REFERRAL TO INSPECTION AND/OR PROCEDURAL PRIORITY | 13 |
| 10 MATTERS NOT REQUIRING ELABORATION OR DEBATE | 13 |
| 11 MATTERS BROUGHT FORWARD BY THE PUBLIC | 14 |
| 12 REPORTS FROM COMMITTEES | 15 |
| 12.1 BICYCLE CONSULTATIVE COMMITTEE MEETING 3/2017 - 8 AUGUST 2017..... | 15 |
| 12.2 ACCESS ADVISORY COMMITTEE MEETING HELD 11 OCTOBER 2017 | 16 |
| 12.3 WILLOUGHBY SYMPHONY ADVISORY COMMITTEE MEETING - 26 OCTOBER 2017..... | 17 |
| 12.4 MULTICULTURAL SERVICES ADVISORY COMMITTEE MEETING HELD 27 SEPTEMBER 2017 | 18 |
| 12.5 SAILORS BAY WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 19 THE RAMPART, CASTLECRAG - DA-2012/464/A..... | 19 |
| 12.6 MIDDLE HARBOUR WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 10 ALLAMBIE ROAD, CASTLE COVE - DA- 2017/81 | 20 |
| 13 DEFERRED MATTERS | 21 |
| 14 CORRESPONDENCE | 21 |
| 15 REPORTS FROM OFFICERS - GENERAL MANAGER | 22 |
| 15.1 COMMUNITY STRATEGIC PLAN - ENGAGEMENT STRATEGY..... | 22 |
| 16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE | 23 |
| 16.1 PUBLIC PRESENTATION OF THE 2016-17 FINANCIAL STATEMENTS AND AUDITOR'S REPORTS..... | 23 |
| 16.2 QUARTERLY BUDGET REVIEW 2017-18 - SEPTEMBER QUARTER..... | 24 |
| 16.3 INVESTMENT REPORT FOR THE MONTH OF OCTOBER 2017 | 25 |

| | | |
|-----------|--|-----------|
| 16.4 | PERFORMANCE AGREEMENT PANEL APPOINTMENT | 26 |
| 16.5 | ATTENDANCE AT LGNSW ANNUAL CONFERENCE BY COUNCILLOR MUSTACA..... | 27 |
| 16.6 | 2017 MODEL CODE OF CONDUCT AND MODEL PROCEDURES - CONSULTATION DRAFTS | 28 |
| 16.7 | MAKE PUBLIC THE CONFIDENTIAL RESOLUTION FROM COUNCIL MEETING HELD 13 MARCH 2017 - TENDER 103052 GORE HILL PARK REDEVELOPMENT AND TENDER 104609 GORE HILL OVAL SYNTHETIC SURFACING | 30 |
| 17 | REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE | 31 |
| 17.1 | THE CONCOURSE PERFORMING ARTS SUBSIDY - ROUND 2 APPLICATIONS 2017/18..... | 31 |
| 17.2 | 2018-2019 REGISTRATION OF INTEREST (ROI) CONCESSIONAL HIRE OF COMMUNITY FACILITIES | 32 |
| 17.3 | REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR ROTARY CLUB OF NORTHBRIDGE | 34 |
| 17.4 | FORSYTH PARK PLAN OF MANAGEMENT - ADOPTION..... | 35 |
| 17.5 | LOWANNA PARK - PLAYGROUND IMPROVEMENTS PLAN | 36 |
| 18 | REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE | 37 |
| 18.1 | TENDER 104773 - ASSESSMENT OF TENDERS FOR THE COURT RESURFACING AT THE WILLIS RECREATION AND SPORTS CENTRE..... | 37 |
| 18.2 | TENDER 111063 - ASSESSMENT OF TENDERS FOR THE REFURBISHMENT OF THE CHANGE ROOMS AT THE WILLOUGHBY LEISURE CENTRE, 2 SMALL STREET, WILLOUGHBY..... | 38 |
| 18.3 | 258 SAILORS BAY ROAD, NORTHBRIDGE - DEVELOPMENT OF REAR PORTION OF THE BUILDING..... | 40 |
| 18.4 | 9 THE BARBICAN, CASTLECRAIG - BACKGROUND INFORMATION FOR LAND AND ENVIRONMENT COURT PROCEEDINGS - DA 2017/87 | 41 |
| 18.5 | REVIEW OF COUNCILCAB SERVICE..... | 42 |
| 18.6 | SUB SUB LEASE WITH DOUGHERTY APARTMENTS RETIREMENT HOUSING PROJECT | 43 |
| 18.7 | EASEMENT TO DRAIN WATER BENEFITING COUNCIL THROUGH PRIVATE PROPERTY..... | 45 |
| 18.8 | BUSHLAND RESERVE ACTION PLANS - NOVEMBER 2017 | 46 |
| 18.9 | ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000 - ISSUES PAPER SUBMISSIONS..... | 47 |
| 18.10 | CURRENT DEVELOPMENT APPLICATION AND PLANNING PROPOSAL REPORT AS AT 8 NOVEMBER 2017 | 48 |
| 18.11 | REPORT TO SYDNEY (NORTH) PLANNING PANEL FOR NOTING - 151-161 MOWBRAY ROAD, WILLOUGHBY (WILLOUGHBY GIRLS SCHOOL) - DA 2017/255 | 49 |
| 18.12 | REPORT TO SYDNEY (NORTH) PLANNING PANEL FOR NOTING - 151 - 161 MOWBRAY ROAD WILLOUGHBY (WILLOUGHBY PUBLIC SCHOOL) - DA 2017/257 | 51 |
| 19 | NOTICE OF MOTION | 53 |
| 19.1 | NOTICE OF MOTION - SUPPORT OF PUBLIC TRANSPORT | 53 |

20 CONFIDENTIAL ITEMS.....54

20.1 CONFIDENTIAL - TENDER 104773 - COURT RESURFACING AT THE
WILLIS RECREATION AND SPORTS CENTRE54

20.2 CONFIDENTIAL - TENDER 111063 - ASSESSMENT OF TENDERS
FOR THE REFURBISHMENT OF THE CHANGE ROOMS AT
WILLOUGHBY LEISURE CENTRE, 2 SMALL STREET, WILLOUGHBY54

20.3 CONFIDENTIAL - 9 THE BARBICAN, CASTLECRAG - PROSPECTS IN
DEFENDING LAND AND ENVIRONMENT COURT APPEAL - DA
2017/8755

20.4 CONFIDENTIAL - CENTURY VENUES THE CONCOURSE LICENCE
AGREEMENT NEGOTIATIONS 201755

20.5 CONFIDENTIAL - OUTCOMES ACHIEVED - VIVID SYDNEY AT
CHATSWOOD 201755

21 QUESTIONS59

1 PRESENT

Her Worship the Mayor Councillor G Giles-Gidney, Councillors C Campbell, H Eriksson, D Fernandez, T Mustaca, W Norton, A Rozos, 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 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)

Auditors

Ms Weini Liao, Director, Financial Audit Services, Audit Office of NSW

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 18.11: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Girls School) – DA2017/255 and Item 18.12: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Public School) – DA2017/257
(Nature of Interest: I am a member of the Sydney North Planning Panel)
- Councillor H Eriksson declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 18.11: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Girls School) – DA2017/255 and Item 18.12: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Public School) – DA2017/257
(Nature of Interest: I am a member of the Sydney North Planning Panel as part of my role as Deputy Mayor)
- Councillor W Norton declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 18.11: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Girls School) – DA2017/255 and Item 18.12: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Public School) – DA2017/257
(Nature of Interest: I work for the Department of Education as a Senior Psychologist. I have no involvement in this matter as a Department of Education employee)
- Councillor W Norton declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 18.6: Sub Sub lease with Dougherty Apartments Retirement Housing Project
(Nature of Interest: I am Council's representative on the Board)

- Councillor D Fernandez declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 17.3: Registration of Interest – Concession Application for Rotary Club of Northbridge
(Nature of Interest: I am a general member of Rotary Club of Northbridge)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 13 November 2017, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor Coppock is on leave previously granted.
- Councillors Rutherford and Saville requested Leave of Absence for Monday 27 November 2017

RESOLUTION

That Council:

1. Note Councillor Coppock is on leave previously granted.
2. Grant Leave of Absence to Councillors Rutherford and Saville on Monday 27 November 2017.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

5 PETITIONS

NIL

6 OPEN FORUM

Anna Greco spoke on community gardens on the Artarmon Bowling Green.

7 MAYORAL MINUTE

7.1 REMOVAL OF MATURE TREES AS PART OF THE SYDNEY METRO PROJECT (DIVE SITE)

MEETING DATE: 27 NOVEMBER 2017

Purpose of report

To advise Council that mature trees near the intersection of Mowbray Road and the Pacific Highway were removed as part of the Sydney Metro Project (Dive Site)

Motion

Council staff undertook a site visit today and observed that six trees along the Mowbray Road boundary within the Ausgrid site had been removed and a further seventh tree had been removed opposite the Hampden Road intersection. The removal of the tree at the Hampden Rd intersection complies with the RMS' requirement for the installation of the traffic signals.

Of particular concern however, was that one of the six trees within the site was a mature Sydney Blue gum which Council had made reference to in its submission to the EIS requesting that this tree be retained.

An extract of Council's submission, which quotes the report made by Council's arborist in relation to the subject blue gum, is provided below:

- *The tree has a very healthy canopy that has potential to be highly productive for floral resource for native nectarivorous and granivorous fauna;*
- *These trees generally provide valuable feeding sites for a wide range of parrots, including rainbow and musk lorikeets, Australian king parrots and crimson rosellas;*
- *They are a significant food source for other faunas such as Microbats, such as the locally present Threatened Species the Eastern Bentwing bat, which hunt flying insects around large flowering gums at night; and*
- *Provide safe refuge for roosting birds that move across the urban landscape as these larger remnant trees are particularly important regionally for this reason.*

It is therefore required that:

- *The subject tree be retained and protected in accordance with AS 4970 – 2009 Protection of trees on development sites, and*
- *Remediation of surrounding dive and substation sites to include parkland that reinstates local endemic flora species in support of previous mentioned points.*

The Department of Planning did consider Council's submission in regard to the trees within the Dive Site. The Department of Planning's response to Willoughby Council's submission regarding the subject blue gum referenced the following points:

- *For the purposes of these assessments it has conservatively been assumed that all trees within the construction footprint would be removed.*
- *Mitigation measure LV5 identifies that trees would be retained where feasible and reasonable.*

- *Further, mitigation measure LV2 commits to protecting any trees to be retained in accordance with AS4970 – 2009 Protection of trees on development sites and adjoining properties.*

As the Sydney Blue gum was on the property boundary it was assumed that the tree would be retained in accordance with the mitigation measures LV2 and LV5 described above.

The retention of the tree was further substantiated in recent discussions with the contractor, John Holland, who advised that trees along the Pacific Highway and Mowbray Rd would be trimmed to facilitate access by construction vehicles to the site. The contractor did not indicate to Council staff that in fact, there were plans for the trees to be removed along Mowbray Rd.

A subsequent monthly update for November that was received by the traffic team referred to removing and mulching trees at the Chatswood Dive Site. No other details were given as to the exact number of trees to be removed or which ones were planned to be removed. Council staff were not advised that the trees referred to in the November update included the blue gum that had been specifically identified in Council's June 2016 submission in response to the EIS.

RESOLUTION

That Council writes to the Premier, Minister for Transport and Minister for the Environment expressing its outrage that mature trees that were identified for retention by Council were removed by the contractor undertaking the work on the Sydney Metro (Dive site) without due consideration to Council and the community's concerns.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

Councillors Mustaca and Rozos voted against the Mayoral Minute

7.2 MAYOR'S DIARY: COUNCIL MEETING NOTES – 27 NOVEMBER 2017

| TUESDAY 14 NOVEMBER | | | |
|---|----------|---|---------------------------------------|
| Mayor | 10 am | Zero Waste Initiative Launch | Chatswood Chase |
| Mayor Crs Campbell, Rozos, Rutherford, Tuon, Zhu | 12 noon | Lunch with Consul General of Republic of Korea | The Residence,, Belleview Hill |
| Mayor Crs Fernandez, Tuon | 7.45 pm | WSPA Meeting | 2 Artarmon Road |
| WEDNESDAY 15 NOVEMBER | | | |
| Mayor | 10.30 am | Visit to Wby Community Pre-School | Nareburn |
| Mayor | 1.30 pm | Live at Lunch | The Concourse |
| Mayor | 7.30 pm | North Shore Local Business Awards | Sydney Leagues Club |
| THURSDAY 16 NOVEMBER | | | |
| Mayor Deputy Mayor: Cr Eriksson Crs Norton, Rutherford, Tuon, Zhu | 6.30 pm | Lighting up of Christmas Tree Presentation of Awards for Flags | The Concourse |
| FRIDAY 17 NOVEMBER | | | |
| Cr Tuon | 10 am | Korea Australia Policy Seminar | |
| SATURDAY 18 NOVEMBER | | | |
| Cr Norton | 10 am | Shopping Centre Drop-in Session | The Quadrangle, Castlecrag |
| SUNDAY 19 NOVEMBER | | | |
| Mayor Crs Norton, Tuon, Zhu | 10.30 am | Meet the Artist – Event with Terri Tang | King Dynasty Restaurant |
| Mayor Cr Zhu | 11.10 am | Opening of Dental Clinic | Lemongrove Centre |
| Mayor Crs Rutherford, Tuon, Zhu | 12 noon | Armenian Cultural Event: Kermesse | Armenian Church grounds, Chatswood |
| Crs Norton, Tuon | 3 pm | Walter Burley Griffin Talk | The Incinerator |
| Mayor | 2.30 pm | Willoughby Shield Presentations | Northbridge Golf Club |
| MONDAY 20 NOVEMBER | | | |
| Mayor | 11 am | “Sod Turning” | Gore Hill Oval |
| TUESDAY 21 NOVEMBER | | | |
| Mayor | 6 pm | Lord Mayor’s Christmas Reception | Sydney Town Hall |
| Cr Norton | 6 pm | Local Centre Workshop: Castlecrag | Council Chambers |
| Cr Norton | 7.30 pm | Chatswood East Progress Assoc. Mtg. | Dougherty Centre |
| WEDNESDAY 22 NOVEMBER | | | |
| Mayor | 10 am | Glenaeon Founders Day Ceremony | Glenaeon School, Middle Cove |
| Cr Norton | 6 pm | Shorelink Meeting | North Sydney Council |

ORDINARY COUNCIL MEETING**27 NOVEMBER 2017**

| | | | |
|---|----------|--|------------------------------------|
| Mayor Deputy Mayor: Cr Eriksson Crs Norton, Zhu | 7.45 pm | Northbridge Progress Association Mtg | Northbridge Golf Club |
| THURSDAY 23 NOVEMBER | | | |
| Mayor Cr Saville | 10-2 pm | North Sydney Seniors Expo. | Norths, Abbott Street, Cammeray |
| Cr Norton | 6 pm | Local Centre Workshop: Northbridge | Council Chambers |
| FRIDAY 24 NOVEMBER | | | |
| Mayor Crs Norton, Saville, Tuon | 12 noon | MOSAIC Christmas Party | The Concourse |
| Mayor | 4 pm | Centenary of Armistice Committee | 2 Elizabeth Plaza |
| SATURDAY 25 NOVEMBER | | | |
| Cr Norton | 6.30 pm | StreetWork Annual Christmas Dinner | Uniting Church, Clanwilliam Street |
| SUNDAY 26 NOVEMBER | | | |
| Mayor | 9.30 am | Farewell for Rev Michael Thomas | Uniting Church, Clanwilliam Street |
| Mayor | 12.30 pm | Farewell for Fr Paul Finucane | OLOD School Hall |
| MONDAY 27 NOVEMBER | | | |
| Mayor | 12 noon | Committee for Sydney Mayors Roundtable | UTS, Ultimo |

8 GENERAL MANAGER'S LATE REPORT

8.1 GENERAL MANAGERS LATE REPORT – TALUS STREET EOI UPDATE

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS |
| RESPONSIBLE OFFICER: | DEBRA JUST – GENERAL MANAGER |
| AUTHOR: | MELANIE SMITH – DIRECTOR COMMUNITY, CULTURE AND LEISURE |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To update Council on correspondence received from the NSW Department of Industry in relation to the Aboriginal Land Claim on the Talus Street Reserve and the implication on the Expression of Interested process for the lease.

MOTION

That Council:

- 1. Note the update regarding receipt of correspondence from the NSW Department of Industry in relation to the Aboriginal Land Claim on the Talus Street Reserve and delegate authority to the General Manager to amend the EOI in accordance with the request of the Department of Industry, Lands and Forestry.**
- 2. Enter into discussions with the Aboriginal Lands Council with regard to the land claim on the Talus Street Reserve.**

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Councillors Mustaca and Norton

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

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 15.1 | Community Strategic Plan – Engagement Strategy |
| Item 16.1 | Public Presentation of the 2016/17 Financial Statements and Auditor's Reports |
| Item 16.2 | Quarterly Budget Review 2017/18 – September Quarter |
| Item 16.4 | Performance Agreement Panel Appointment |
| Item 16.6 | 2017 Model Code of Conduct and Model Procedures – Consultation Drafts |
| Item 18.3 | 258 Sailors Bay road, Northbridge – Development of Rear Portion of the Building |
| Item 18.5 | Review of CouncilCab Service |
| Item 18.6 | Sub Sub Lease with Dougherty Apartments Retirement Housing Project |
| Item 18.9 | Environmental Planning and Assessment Regulation 2000 – Issues Paper Submissions |
| Item 18.11 | Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Girls School) – DA2017/255 |
| Item 18.12 | Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Public School) – DA2017/257 |

RESOLUTION

That the remaining items, viz:

| | |
|-----------|--|
| Item 12.1 | Bicycle Consultative Committee Meeting 3/2017 – 8 August 2017 |
| Item 12.2 | Access Advisory Committee Meeting held 11 October 2017 |
| Item 12.3 | Willoughby Symphony Advisory Committee Meeting – 26 October 2017 |
| Item 12.4 | Multicultural Services Advisory Committee Meeting held 27 September 2017 |
| Item 12.5 | Sailors Bay Ward Councillors Inspection Committee Meeting – 19 The Rampart, Castlecrag – DA-2012/464/A |
| Item 12.6 | Middle Harbour Ward Councillors Inspection Committee Meeting – 10 Allambie Road, Castle Cove – DA-2017/81 |
| Item 16.3 | Investment Report for the Month of October 2017 |
| Item 16.5 | Attendance at LGNSW Annual Conference by Councillor Mustaca |
| Item 16.7 | Make Public the Confidential Resolution from Council Meeting held 13 March 2017 – Tender 103052 Gore Hill Park Redevelopment and Tender 104609 Gore Hill oval Synthetic Surfacing |
| Item 17.1 | The Concourse Performing Arts Subsidy – Round 2 Applications 2017/18 |
| Item 17.2 | 2018-2019 Registration of interest (ROI) Concessional Hire of Community Facilities |

-
- | | |
|------------|--|
| Item 17.3 | Registration of Interest – Concession Application for Rotary Club of Northbridge |
| Item 17.4 | Forsyth Park Plan of Management – Adoption |
| Item 17.5 | Lowanna Park – Playground Improvements Plan |
| Item 18.1 | Tender 104773 – Assessment of Tenders for the Court Resurfacing at the Willis Recreation and Sports Centre |
| Item 18.2 | Tender 111063 – Assessment of Tenders for the Refurbishment of the Change Rooms at the Willoughby Leisure Centre, 2 Small Street, Willoughby |
| Item 18.4 | 9 The Barbican, Castlecrag – Background Information for Land and Environment Court Proceedings – DA2017/87 |
| Item 18.7 | Easement to Drain Water Benefiting Council through Private Property |
| Item 18.8 | Bushland Reserve Action Plans – Adoption of Plans |
| Item 18.10 | Current Development application and Planning proposal Report as at 8 November 2017 |

Councillor D Fernandez declared a non-pecuniary substantial interest in Item 17.3: Registration of Interest – Concession Application for Rotary Club of Northbridge as a general member of Rotary Club, Northbridge and took no part in the debate or vote on this topic

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

NIL

12 REPORTS FROM COMMITTEES

12.1 BICYCLE CONSULTATIVE COMMITTEE MEETING 3/2017 - 8 AUGUST 2017

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. MINUTES - BICYCLE CONSULTATIVE COMMITTEE MEETING - 8 AUGUST 2017 |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | NOAH VAN RAAPHORST-KING –SUSTAINABLE PROJECTS OFFICER – TRANSPORT |
| CITY STRATEGY LINK: | 4.2.2 BALANCE TRAFFIC MANAGEMENT |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To advise Council of the outcome of the latest Bicycle Consultative Committee Meeting held on 8 August 2017.

RESOLUTION

That Council receive and adopt the recommendations arising from the 8 August 2017 Bicycle Consultative Committee Meeting.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

12.2 ACCESS ADVISORY COMMITTEE MEETING HELD 11 OCTOBER 2017

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. MINUTES –ACCESS ADVISORY COMMITTEE - 11 OCTOBER 2017 |
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR |
| AUTHOR: | MICHAEL CASHIN – COMMUNITY LIFE MANAGER |
| CITY STRATEGY LINK: | 1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To provide Council with the minutes of the Access Advisory Committee meeting held 11 October 2017.

RESOLUTION

That Council receive and note the minutes of the Access Advisory Committee meeting held 11 October 2017.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

12.3 WILLOUGHBY SYMPHONY ADVISORY COMMITTEE MEETING - 26 OCTOBER 2017

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. MINUTES - WILLOUGHBY SYMPHONY ADVISORY COMMITTEE - 26 OCTOBER 2017 |
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR |
| AUTHOR: | ANNETTE BROWN - OPERATIONS OFFICER - WILLOUGHBY SYMPHONY ORCHESTRA |
| CITY STRATEGY LINK: | 1.1.4 ART AND CULTURAL ACTIVITIES PROVIDE ENRICHING OPPORTUNITIES FOR PEOPLE |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To provide Council with the minutes of the Willoughby Symphony Advisory Committee meeting held Thursday 26 October 2017.

RESOLUTION

That Council notes the minutes of the Willoughby Symphony Advisory Committee meeting held Thursday 26 October 2017.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

**12.4 MULTICULTURAL SERVICES ADVISORY COMMITTEE MEETING HELD
27 SEPTEMBER 2017**

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. IMPLICATIONS 2. MINUTES – MULTICULTURAL SERVICES ADVISORY COMMITTEE – 27 SEPTEMBER 2017 3. REPORT – MULTICULTURAL SERVICES – JULY TO SEPTEMBER 2017 |
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR |
| AUTHOR: | RITA LEUNG – MULTICULTURAL SERVICES TEAM LEADER |
| CITY STRATEGY LINK: | 1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To provide Council with the minutes of the Multicultural Services Advisory Committee meeting held 27 September 2017.

RESOLUTION

That Council receive and note the minutes of the Multicultural Services Advisory Committee meeting held 27 September 2017.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

12.5 SAILORS BAY WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 19 THE RAMPART, CASTLECRAG - DA-2012/464/A

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. IMPLICATIONS 2. MINUTES OF SAILORS BAY WARD COUNCILLORS INSPECTION COMMITTEE MEETING – 19 THE RAMPART, CASTLECRAG – DA-2012/464/A |
| RESPONSIBLE OFFICER: | IAN ARNOTT - PLANNING MANAGER |
| AUTHOR: | PATRICIA SHELDRAKE – MINUTES SECRETARY |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 11 DECEMBER 2017 |

PURPOSE OF REPORT

To list on the agenda the minutes of the Ward Councillors Inspection Committee Meeting held 16 November 2017.

RESOLUTION

That Council:

- 1. Receive the Minutes of the Sailors Bay Ward Councillors Inspection Committee meeting held 16 November 2017 relating to 19 The Rampart, Castlecrag, for a S82A Review – Garage door to approved carport.**
- 2. Note the resolution adopted by the Committee:**

“That the application be approved in accordance with the Officer’s recommendation.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

12.6 MIDDLE HARBOUR WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 10 ALLAMBIE ROAD, CASTLE COVE - DA-2017/81

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. IMPLICATIONS 2. MINUTES OF MIDDLE HARBOUR WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 10 ALLAMBIE ROAD CASTLE COVE - DA-2017/81 |
| 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: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To list on the agenda the minutes of the Ward Councillors Inspection Committee that took place on 1 November 2017.

RESOLUTION

That Council:

- 1. Receive the Minutes of the Middle Harbour Ward Councillors Inspection Committee meeting held 1 November 2017 relating to 10 Allambie Road, Castle Cove, for demolition of existing dwelling and construction of attached dual occupancy dwellings and associated works.**
- 2. Note the resolution adopted by the Committee:**

That the application be approved in accordance with the Officer's recommendation.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

NIL

15 REPORTS FROM OFFICERS - GENERAL MANAGER

15.1 COMMUNITY STRATEGIC PLAN - ENGAGEMENT STRATEGY

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. INTEGRATED PLANNING & REPORTING GUIDELINES – ESSENTIAL ELEMENTS 3. DRAFT ENGAGEMENT STRATEGY |
| RESPONSIBLE OFFICER: | DEBRA JUST – GENERAL MANAGER |
| AUTHOR: | SCOTT FORSDIKE – STRATEGIC ADVISOR |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

The purpose of this report is for Council to receive and note the Draft Engagement Strategy to assist in delivering the Community Strategic Plan (Willoughby City Strategy).

RESOLUTION

That Council note the Draft Engagement Strategy and that it will continue to evolve through the life of the project.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

16.2 QUARTERLY BUDGET REVIEW 2017-18 - SEPTEMBER QUARTER

| | |
|-----------------------------|--|
| ATTACHMENTS: | <ol style="list-style-type: none">1. IMPLICATIONS2. BUDGET VARIATIONS SEPTEMBER QUARTER3. QUARTERLY BUDGET REVIEW STATEMENT4. LEGAL EXPENSES5. PRINCIPAL ACTIVITIES VARIATIONS6. PROJECTS & CAPITAL WORKS7.1 THE CONCOURSE FINANCIALS7.2 THE CONCOURSE CONSULTANTS COMPARISON8. CROWN RESERVES INCOME & EXPENDITURE9. CY PRES SCHEME RESERVES10. DEVELOPER CONTRIBUTIONS |
| RESPONSIBLE OFFICER: | DEAN FROST – CUSTOMER & CORPORATE DIRECTOR |
| AUTHOR: | MICHAEL DUFFY – CHIEF FINANCIAL OFFICER VERA XU – MANAGEMENT ACCOUNTANT |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To provide a quarterly update on Council's progress towards attaining Operational Plan Budget and Financial Performance targets during the first quarter 1 July 2017 to 30 September 2017.

RESOLUTION

That Council:

1. **Note the report;**
2. **Approve the increase in operating budget expenditure of \$366K and increase in operating budget income of \$280K resulting in a net decrease to the operating surplus for the 2017/18 September Quarter of \$86K and approve the increase in Capital Expenditure for the 2017/18 September Quarter of \$12K.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

16.3 INVESTMENT REPORT FOR THE MONTH OF OCTOBER 2017

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2017) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS |
| RESPONSIBLE OFFICER: | DEAN FROST – CUSTOMER & CORPORATE DIRECTOR |
| AUTHOR: | MICHAEL DUFFY – CHIEF FINANCIAL OFFICER BILL LOFTHOUSE – FINANCIAL ACCOUNTANT |
| CITY STRATEGY LINK: | 6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

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

RESOLUTION

That Council receive the **Statement of Bank Balances and Investment Holdings as at 31 October 2017**.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

16.4 PERFORMANCE AGREEMENT PANEL APPOINTMENT

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS |
| RESPONSIBLE OFFICER: | DEAN FROST – CUSTOMER & CORPORATE DIRECTOR |
| AUTHOR: | CHRISTINE DAVIS – STRATEGIC HUMAN RESOURCES MANAGER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To establish a review panel to conduct the General Manager's Performance Agreement in consultation with the General Manager.

RESOLUTION

That Council:

- 1. Establish a Review Panel, comprising the Mayor, Deputy Mayor, Councillor Rutherford as the General Manager's appointee and Councillor Campbell as Council's representative, to determine the General Manager's Performance Agreement.**
- 2. Authorise the Review Panel to complete the Performance Agreement and subsequent interim and annual reviews of the General Manager's performance.**
- 3. Appoint an independent facilitator to:**
 - provide the required training prior to the review meeting; and**
 - facilitate the process of determining the contents of the Performance Agreement at the review meeting.**
- 4. Request the Review Panel report back to Council with regards to the content of the Performance Agreement.**
- 5. Determine appointments to the Review Panel to be for one year.**

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

16.5 ATTENDANCE AT LGNSW ANNUAL CONFERENCE BY COUNCILLOR MUSTACA

| | |
|-----------------------------|--|
| 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: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To consider Councillor Mustaca's request to attend the LGNSW Annual Conference.

RESOLUTION

That Council nominate Councillor Mustaca to attend the 2017 LGNSW Conference as an observer.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

16.6 2017 MODEL CODE OF CONDUCT AND MODEL PROCEDURES - CONSULTATION DRAFTS

| | |
|-----------------------------|--|
| ATTACHMENTS: | <ol style="list-style-type: none">1. IMPLICATIONS2. SUMMARY OF KEY CHANGES3. <i>THE MODEL CODE OF CONDUCT – 2017 DRAFT (TO BE DISTRIBUTED SEPARATELY)</i>4. <i>PROCEDURES FOR THE ADMINISTRATION OF THE MODEL CODE OF CONDUCT – 2017 DRAFT (TO BE DISTRIBUTED SEPARATELY)</i> |
| RESPONSIBLE OFFICER: | DEAN FROST – CUSTOMER & CORPORATE DIRECTOR |
| AUTHOR: | ANDREW PATTERSON – ACTING GOVERNANCE MANAGER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To inform Council of the 2017 consultation drafts of the *Model Code of Conduct* and the *Procedures for the Administration of The Model Code of Conduct* circulated by the Office of Local Government (OLG).

RESOLUTION

That Council:

1. Note the contents of the 2017 drafts of *The Model Code of Conduct* and the *Procedures for the Administration of The Model Code of Conduct*.
2. Delegates to the General Manager the finalisation of a submission to the Office of Local Government which is consistent with the terms articulated within the body of this report.
3. Include the following additional points in the submission to the Office of Local Government:
 - Consultation Draft
 - Page 12 Point 3.15 – onerous reporting requirements
 - Page 19 Point 4.27 – Councillors' privacy issues are compromised
 - Page 29 Part 6 – personal benefit reporting requirements are too onerous
 - Page 39 Point 8.21(b) – ambiguous and vague. Requires clarity on social media comments
 - Page 40 Point 8.22 – requires clarity around records
 - Page 44 Points 9.11-9.14 – consider non-disclosure requirements

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

16.7 MAKE PUBLIC THE CONFIDENTIAL RESOLUTION FROM COUNCIL MEETING HELD 13 MARCH 2017 - TENDER 103052 GORE HILL PARK REDEVELOPMENT AND TENDER 104609 GORE HILL OVAL SYNTHETIC SURFACING

| | |
|-----------------------------|--|
| 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: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To make public the confidential resolutions from the Closed Council meeting held 13 March 2017.

RESOLUTION

That Council note the provision to the public of the following confidential resolutions made on 13 March 2017 in relation to Item 20.1:Tender 103052 Gore Hill Park Redevelopment and Tender 104609 Gore Hill Oval Synthetic Surfacing:

That Council:

- 1. Accept the tender offer from Turf One for Tender 104609 Gore Hill Oval Synthetic Surfacing.*
- 2. Delegate authority to the General Manager to negotiate, execute and administer the contracts relating to the Tender 104609 Gore Hill Oval Synthetic Surfacing.*
- 3. Reject all tenders received for Tender 103052 Gore Hill Park Redevelopment and enter into negotiations on reduced scope with suitable suppliers.*
- 4. Note that fresh Tenders will not be called as the Federal Government funding associated with this project is required to be acquitted before new Tenders would be able to be evaluated, awarded and the project completed.*
- 5. Delegate authority to the General Manager to undertake the negotiations with suitable suppliers and enter into a contract on behalf of Council to provide the services defined in Tender 103052 Gore Hill Park Redevelopment.*

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 THE CONCOURSE PERFORMING ARTS SUBSIDY - ROUND 2 APPLICATIONS 2017/18

| | |
|----------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. RECOMMENDED APPLICANTS – ROUND 2 |
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR |
| AUTHOR: | MICHAEL CASHIN – COMMUNITY LIFE MANAGER |
| CITY STRATEGY LINK: | 1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To seek Council's endorsement of recommendations for the distribution of the grants funds through Council's 2017/18 **The Concourse Performing Arts Subsidy – Round 2**.

RESOLUTION

That Council endorse the Officer's recommendations for the distribution of grant funds through the 2017/18 **The Concourse Performing Arts Subsidy** streams as follows:

1. Haven Promotions (a concert by Patricia O'Callaghan singing Leonard Cohen's songs to raise funds for the rebuilding of the Haven Amphitheatre stage): \$3,000.
2. Artarmon Public School Parents and Citizens Association (to hold the end of year school presentation ceremony and have a showcase of musical performances by the students) \$3,000.
3. Castle Hill RSL Youth Band (to showcase Two National Award winning concert bands of wind band's music including major works from Australian composers and the launch of the senior band The North Wind Ensemble first CD): \$3,000.
4. Willoughby Girls High School Parents and Citizens Association (to hold the end of years school presentation ceremony and have a showcase of musical and cultural group's performances) \$3,000.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

17.2 2018-2019 REGISTRATION OF INTEREST (ROI) CONCESSIONAL HIRE OF COMMUNITY FACILITIES

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. CATEGORY D RECOMMENDATIONS 3. ROI CONCESSIONAL HIRE 2018/19 - SUMMARY OF APPLICATIONS RECEIVED |
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR |
| AUTHOR: | MICHAEL CASHIN - COMMUNITY LIFE MANAGER |
| CITY STRATEGY LINK: | 1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To seek Council endorsement of 100% (Category D) concessional hire applications under the 2018-19 Registration of Interest (ROI) Concessional Hire process.

For Council to note the 25% (Category B) and 50% (Category C) applicants approved within the Community Culture and Leisure Director's delegation as per *Council's Community Facilities Hire Policy*.

RESOLUTION

That Council endorses the following groups as eligible to receive a 100% concession (Category D) for the 2018 – 2019 ROI period, on the hire of Council facilities as per Council's Community Facilities Hire Policy.

- ACLI Italian Christian Workers Association
- Adult Children Association AKA Adult Children of Alcoholics and Dysfunctional Families Sydney
- Alcoholics Anonymous x 3
- Artarmon Progress Association
- Castle Cove Progress Association Inc.
- Chatswood East Progress Association
- Chatswood West Ward Progress Association
- Federation of Willoughby Progress Associations Inc.
- Hoarding Support Group, Self Help
- Italian Senior Citizens Group of Willoughby
- Lifeline Harbour to Hawkesbury Inc.
- Lower North Shore Multiple Birth Association
- Naremburn Community Playgroup
- Naremburn Progress Association Inc.
- Northbridge Playgroup
- Northbridge Progress Association
- NSW Justices Association Lower North Shore Branch
- Older Women's Network Northside Wellness

- Rotary Club of Chatswood Sunrise
- Saturday Afternoon Music Group
- Sydney Metropolitan Wildlife
- Willoughby Bales Playgroup
- Willoughby District Historical Society & Museum
- Willoughby Senior Citizens
- Willoughby Senior Citizen's Knitting Group Club

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

17.3 REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR ROTARY CLUB OF NORTHBRIDGE

| | |
|-----------------------------|---|
| 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: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To seek Council's approval for a 100% (Category D) concessional rate of hire for Rotary Club of Northbridge to hire Northbridge Oval for their Community Fireworks Event on Saturday 12 May 2018 from 12 noon to 10pm.

RESOLUTION

That Council approve a 100% (Category D) concessional rate of hire at a value of \$760.00 for the Community Fireworks Event to be held by Rotary Club of Northbridge on Saturday 12 May 2018.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

Absent: Councillor Fernandez

Councillor D Fernandez declared a non-pecuniary substantial interest in Item 17.3: Registration of Interest – Concession Application for Rotary Club of Northbridge as a general member of Rotary Club, Northbridge and took no part in the debate or vote on this topic

17.4 FORSYTH PARK PLAN OF MANAGEMENT - ADOPTION

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. FORSYTH PARK - PLAN OF MANAGEMENT 3. PUBLIC HEARING REPORT 4. COMMUNITY FEEDBACK |
| RESPONSIBLE OFFICER: | MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR |
| AUTHOR: | JULIE WHITFIELD – OPEN SPACE CO-ORDINATOR |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

Council to consider the feedback from the public exhibition of the draft Plan of Management for Forsyth Park and the Public Hearing held on 11 October 2017, and to adopt a new Plan of Management for Forsyth Park, Northbridge.

RESOLUTION

That Council adopt the Forsyth Park Plan of Management dated June 2017.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

17.5 LOWANNA PARK - PLAYGROUND IMPROVEMENTS PLAN

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. IMPLICATIONS 2. LOWANNA PARK PLAYGROUND IMPROVEMENTS PLAN 3. LOWANNA 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: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

For Council to adopt the Lowanna Park - Playground Improvements Plan.

RESOLUTION

That Council adopts the Lowanna Park – Playground Improvements Plan dated November 2017.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 TENDER 104773 - ASSESSMENT OF TENDERS FOR THE COURT RESURFACING AT THE WILLIS RECREATION AND SPORTS CENTRE

| | |
|----------------------|---|
| ATTACHMENTS: | 1. IMPLICATIONS |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | JOSEPH GIANDOMENICO – SENIOR PROJECT MANAGER - PROPERTY |
| CITY STRATEGY LINK: | 4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To award Tender 104773 for the Court Resurfacing at The Willis Recreation and Sports Centre with a total contract value of \$98,750.

RESOLUTION

That Council:

1. Accept the tender from the Tenderer ranked number 1 in the attached confidential report with a total contract value of \$98,750.
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 ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

18.2 TENDER 111063 - ASSESSMENT OF TENDERS FOR THE REFURBISHMENT OF THE CHANGE ROOMS AT THE WILLOUGHBY LEISURE CENTRE, 2 SMALL STREET, WILLOUGHBY

| | |
|-----------------------------|--|
| 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: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To advise Council on the evaluation of Tender 111063 for the refurbishment of the change rooms at the Willoughby Leisure Centre, 2 Small Street, Willoughby;

Award Tender 111063 for the refurbishment of the change rooms at the Willoughby Leisure Centre, 2 Small Street, Willoughby, for a lump sum value of \$961,885.

RESOLUTION

That Council:

- 1. Accept the tenders from the Tenderer ranked Number 1 in the attached confidential report to refurbish the change rooms at the Willoughby Leisure Centre, 2 Small Street, Willoughby, with a lump sum value of \$961,885.**
- 2. Transfer savings of \$100,000 from the Willis Recreation and Sports Centre tennis court resurfacing Priority Improvement Program project to fund the shortfall in funding and contingency for the Willoughby Leisure Centre change rooms refurbishment project.**
- 3. That the successful Tenderer's name be made public following the Council's resolution to accept the tender.**
- 4. Authorise the Mayor and the General Manager to affix the Common Seal of Council to the associated documents.**

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

18.3 258 SAILORS BAY ROAD, NORTHBRIDGE - DEVELOPMENT OF REAR PORTION OF THE BUILDING

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. CONCEPT PLANS – DESIGN OPTION 1 3. COMMUNITY CONSULTATION RESULTS 4. CONCEPT PLANS – DESIGN OPTION 2 |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | DAVID DI BIASE – PROPERTY AND CONSTRUCTION SERVICES MANAGER |
| CITY STRATEGY LINK: | 1.2.2 PROVIDE AND ADVOCATE FOR APPROPRIATE FACILITIES AND SERVICES FOR ALL AGES |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To recommend a preferred development option for the rear section of 258 Sailors Bay Rd, Northbridge.

RESOLUTION

That former Councillor Rachel Hill and Tim Parker be permitted to address Council.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

RESOLUTION

That Council call for an EOI for a community facility and report back to Council.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

18.4 9 THE BARBICAN, CASTLECRAG - BACKGROUND INFORMATION FOR LAND AND ENVIRONMENT COURT PROCEEDINGS - DA 2017/87

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. WARD REPORT INCLUDING ATTACHMENTS 3. AMENDED PLANS – PROVIDED SEPARATELY (LODGED ON A “WITHOUT PREJUDICE” BASIS) |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | IAN ARNOTT – PLANNING MANAGER |
| CITY STRATEGY LINK: | 3.1.3 LOCAL CHARACTER |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To provide Council with background information, including the report to Sailors Bay Ward Councillor Committee, for the purpose of considering prospects in defending Land and Environment Court proceedings.

RESOLUTION

That Council consider the Ward report and resolution in conjunction with advice on successfully defending the current Land and Environment Court proceedings seeking deletion of Condition 3 of Development Consent 2017/87.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

18.5 REVIEW OF COUNCILCAB SERVICE

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. RIDE SHARE STATISTICS AND COSTS |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | NOAH VAN RAAPHORST-KING – SUSTAINABLE TRANSPORT OFFICER |
| CITY STRATEGY LINK: | 2.1.3 REDUCE POLLUTION |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

The purpose of this report is to provide Council with a recommendation for the future of the CouncilCab.

MOTION

That Council retain the CouncilCab service.

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR NORTON

LOST

Voting

For the Resolution: Councillors Fernandez, Norton, Rozos and Wright.

Against: Councillors Giles-Gidney, Campbell, Eriksson, Mustaca, Tuon and Zhu.

MOTION

That Council cease the CouncilCab service by 30 June 2018 and transition passengers to other community transport providers.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR TUON

CARRIED

Voting

For the Motion: Councillors Norton, Rozos and Wright.

Against: Councillors Giles-Gidney, Campbell, Eriksson, Mustaca, Tuon and Zhu.

Absent: Councillor Fernandez

18.6 SUB SUB LEASE WITH DOUGHERTY APARTMENTS RETIREMENT HOUSING PROJECT

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. DRAFT SUB SUB LEASE |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | DAVID DIBIASE – PROPERTY & CONSTRUCTION SERVICES MANAGER |
| CITY STRATEGY LINK: | 6.3.2 COUNCIL SERVICES ARE DELIVERED TO A QUALITY STANDARD, ARE SUSTAINABLE AND RESPONSIVE TO COMMUNITY NEEDS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To seek Council's consent to enter into a seventy one (71) year Sub Sub Lease with Dougherty Apartments Residential Aged Care Facility and Retirement Village, for the management of Council's 40 hostel units located within the development.

RESOLUTION

That Council:

- 1. Enter into a Sub Sub Lease with Dougherty Apartments Residential Aged Care Facility and Retirement Village for a term of seventy one (71) years, commencing the 25 September 2012 and expiring on the 28 April 2084.**
- 2. Commission plans suitable for the lease registration process required by Land and Property Information.**
- 3. Enter into a memorandum of understanding with the Dougherty Apartments Residential Aged Care Facility and Retirement Village for the apportionment of costs for shared services.**
- 4. Authorise the Mayor and General Manager to affix the seal of Council to the Sub Sub Lease and any other associated legal documents between Council and The Dougherty Apartments Retirement Housing Project.**

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

Absent: Councillor Norton

Councillor Norton declared a non-pecuniary substantial interest in Item 18.6: Sub Sub lease with Dougherty Apartments Retirement Housing Project as Council's representative on the Board and took no part in the debate or vote on this topic.

18.7 EASEMENT TO DRAIN WATER BENEFITING COUNCIL THROUGH PRIVATE PROPERTY

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. TRANSFER GRANTING EASEMENT DOCUMENTS |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | JOSEPH BAZERGY – DEVELOPMENT CONTROL TEAM LEADER |
| CITY STRATEGY LINK: | 4.1.1 PLANNING MAINTENANCE AND OPERATION OF INFRASTRUCTURE |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To seek Council's approval to authorise the General Manager to accept and sign documents for the creation of a stormwater drainage easement at 31 Marlborough Road, Willoughby.

RESOLUTION

That Council:

- 1. Accept the recommendation for the creation of an easement to drain water 3.5 metres wide (and a further 2.6m wide upstream) over Council's stormwater pipe system that is located within lot 16, DP 14992, house number 31 Marlborough Road, Willoughby.**
- 2. Delegate authority to the General Manager to accept and endorse relevant documents for the creation of the above easement.**

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

18.8 BUSHLAND RESERVE ACTION PLANS - NOVEMBER 2017

| | |
|-----------------------------|---|
| ATTACHMENTS: | <ol style="list-style-type: none">1. IMPLICATIONS2. MARKET GARDEN PARK RESERVE ACTION PLAN 20173. PUBLIC EXHIBITION SUMMARY REPORT - MARKET GARDEN PARK RESERVE ACTION PLAN 20174. WARNERS PARK RESERVE ACTION PLAN 20175. PUBLIC EXHIBITION SUMMARY REPORT - WARNERS PARK RESERVE ACTION PLAN 20176. BEVERLEY BLACKLOCK RESERVE ACTION PLAN 20177. PUBLIC EXHIBITION SUMMARY REPORT - BEVERLEY BLACKLOCK RESERVE ACTION PLAN 20178. SUMMARY OF COMMUNITY COMMENTS - DRAFT 2 - BEVERLEY BLACKLOCK RESERVE ACTION PLAN 2017 |
| RESPONSIBLE OFFICER: | GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR |
| AUTHOR: | STUART HALL - NATURAL ASSETS OFFICER |
| CITY STRATEGY LINK: | 2.1.1 CONSERVE AND MAINTAIN WILLOUGHBY'S NATURAL ECOSYSTEMS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To present to Council the bushland Reserve Action Plans and Public Exhibition Summary Reports for Market Garden Park, Warners Park and Beverley Blacklock Reserve.

RESOLUTION

That Council adopt Reserve Action Plans for Market Garden Park, Warners Park and Beverley Blacklock Reserve.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

**18.9 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000 -
ISSUES PAPER SUBMISSIONS**

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. ISSUES PAPER SEPTEMBER 2017 3. SUBMISSION NOVEMBER 2017 4. PREVIOUS SUBMISSION ON ENVIRONMENTAL PLANNING AND ASSESSMENT BILL 2017 – DATED MARCH 2017 |
| RESPONSIBLE OFFICER: | IAN ARNOTT - PLANNING MANAGER |
| AUTHOR: | JANE GIBSON – STRATEGIC PLANNER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

The purpose of this report is to seek endorsement of a draft submission to be forwarded to the Department of Planning & Environment in respect of an Issues Paper Review of the *Environmental Planning and Assessment Regulation 2000*.

RESOLUTION

That Council:

- 1. Endorse the attached draft submission on the Issues Paper Review of the Environmental Planning and Assessment Regulation 2000; and**
- 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.**

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR TUON

CARRIED

Voting

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

Against: Nil

**18.10 CURRENT DEVELOPMENT APPLICATION AND PLANNING PROPOSAL
REPORT AS AT 8 NOVEMBER 2017**

| | |
|-----------------------------|--|
| ATTACHMENTS: | 1. IMPLICATIONS 2. LIST OF APPLICATIONS |
| RESPONSIBLE OFFICER: | IAN ARNOTT - PLANNING MANAGER |
| AUTHOR: | DEVELOPMENT PLANNERS, BUILDING SURVEYORS |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

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

RESOLUTION

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

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

18.11 REPORT TO SYDNEY (NORTH) PLANNING PANEL FOR NOTING - 151-161 MOWBRAY ROAD, WILLOUGHBY (WILLOUGHBY GIRLS SCHOOL) - DA 2017/255

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. IMPLICATIONS 2. ASSESSMENT REPORT - DA-2017/255 3. NOTIFICATION MAP 4. PLANS - A3 (ATTACHED SEPARATELY) |
| RESPONSIBLE OFFICER: | IAN ARNOTT - PLANNING MANAGER |
| AUTHOR: | JOHN MCKEE – CONSULTANT PLANNER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To inform Council that Development Application DA-2017/255 for upgrading to existing facilities at Willoughby Girls High School, landscaping and associated works will be considered by the Sydney (North) Planning Panel (SNPP) on 4 December, 2017.

The Sydney (North) Planning Panel is the consent authority for the application as it is a Crown development with the cost of development exceeding \$5million.

Members of the Sydney (North) Planning Panel should retire from Council Chambers during the consideration of the Agenda Item.

RESOLUTION

That Council receives and notes the Assessment Report to SNPP for DA-2017/255 for upgrading to existing facilities at Willoughby Girls High School, landscaping and associated works

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

Absent: Councillors Giles-Gidney and Eriksson

Due to Item 18.11: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Girls School) – DA2017/255 being a Sydney North Planning Panel (SNPP) matter, Councillors Giles-Gidney and Eriksson declaring a non-pecuniary

substantial interest as members of the SNPP and withdrew from the meeting taking no part in the discussion or voting on this topic.

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

**18.12 REPORT TO SYDNEY (NORTH) PLANNING PANEL FOR NOTING - 151 -
161 MOWBRAY ROAD WILLOUGHBY (WILLOUGHBY PUBLIC SCHOOL) -
DA 2017/257**

| | |
|-----------------------------|---|
| ATTACHMENTS: | 1. IMPLICATIONS 2. ASSESSMENT REPORT – DA 2017/257 3. NOTIFICATION MAP 4. PLANS – A3 (ATTACHED SEPARATELY) |
| RESPONSIBLE OFFICER: | IAN ARNOTT - PLANNING MANAGER |
| AUTHOR: | JOHN MCKEE – CONSULTANT PLANNER |
| CITY STRATEGY LINK: | 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS |
| MEETING DATE: | 27 NOVEMBER 2017 |

PURPOSE OF REPORT

To inform Council that Development Application DA-2017/257 for upgrading to existing facilities, including the construction of new buildings containing classrooms, hall and ancillary facilities at Willoughby Public School, will be considered by the Sydney North Planning Panel (SNPP) on 4 December, 2017.

The Sydney (North) Planning Panel is the consent authority for the application as it is a Crown development with the cost of development exceeding \$5million.

Members of the Sydney (North) Planning Panel should retire from Council Chambers during the consideration of the Agenda Item.

RESOLUTION

That Council receive and note the Assessment Report to Sydney (North) Planning Panel for DA-2017/257 for upgrading to existing facilities, including the construction of new buildings incorporating classrooms, hall and ancillary facilities at Willoughby Public School,

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

Absent: Councillors Giles-Gidney and Eriksson.

Due to Item 18.12: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Public School) – DA2017/257 being a Sydney North Planning

Panel (SNPP) matter, Councillors Giles-Gidney and Eriksson declared a non-pecuniary substantial interest as members of the SNPP and withdrew from the meeting taking no part in the discussion or voting on this topic.

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

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION - SUPPORT OF PUBLIC TRANSPORT

| | |
|-----------------------------|---|
| RESPONSIBLE OFFICER: | DEBRA JUST – GENERAL MANAGER |
| AUTHOR: | DEBRA JUST – GENERAL MANAGER |
| CITY STRATEGY LINK: | 4.2.1 INCREASED USE OF ACTIVE AND PUBLIC TRANSPORT |
| MEETING DATE: | 27 NOVEMBER 2017 |

1. PURPOSE OF REPORT

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

2. OFFICER'S RECOMMENDATION

That Council consider the Notice of Motion from Councillor Saville.

3. MOTION

That, in support of public transport:

- a) Willoughby City Council states that strongly supports affordable, safe, adequately resourced and funded public transport systems as essential for a sustainable city.
- b) that on behalf of WCC, the Mayor, and GM approach the NSW Premier (in writing and meeting with), to urge that the government continues to support, resource and fund public transport systems in Sydney. Copies of WCC correspondence sent to the Premier be forwarded to Minister for Transport, Leader of the Opposition, Shooters, Fishers and farmers, Christian Democrats and the Greens.
- c) that WCC urges the government to support and adopt the recommendations by State Transit to improve the performances of bus services.

THIS ITEM WAS DEFERRED TO THE NEXT MEETING.

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 104773 - COURT RESURFACING AT THE WILLIS RECREATION AND SPORTS CENTRE

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 111063 - ASSESSMENT OF TENDERS FOR THE REFURBISHMENT OF THE CHANGE ROOMS AT WILLOUGHBY LEISURE CENTRE, 2 SMALL STREET, WILLOUGHBY

Reason for Confidentiality

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

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

20.3 CONFIDENTIAL - 9 THE BARBICAN, CASTLECRAG - PROSPECTS IN DEFENDING LAND AND ENVIRONMENT COURT APPEAL - DA 2017/87**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

20.4 CONFIDENTIAL - CENTURY VENUES THE CONCOURSE LICENCE AGREEMENT NEGOTIATIONS 2017**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

20.5 CONFIDENTIAL - OUTCOMES ACHIEVED - VIVID SYDNEY AT CHATSWOOD 2017**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 104773 - COURT RESURFACING AT THE WILLIS RECREATION AND SPORTS CENTRE**Recommendation Summary****That Council:**

1. Accept the tender from Tuff Turf Pty Ltd for the Resurfacing of Courts 2, 3, 4, 5 & 6 at the Willis Recreation and Sports Centre with a total contract lump sum value of \$98,750.
2. Make the successful tenderer's name public 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.

20.2 CONFIDENTIAL - TENDER 111063 - ASSESSMENT OF TENDERS FOR THE REFURBISHMENT OF THE CHANGE ROOMS AT WILLOUGHBY LEISURE CENTRE, 2 SMALL STREET, WILLOUGHBY**Recommendation Summary****That Council:**

1. Accept the tender from Trinity Interiors Pty Ltd to refurbish the change rooms at the Willoughby leisure Centre, 2 Small Street, Willoughby for a lump sum value of \$961,885.
2. Transfer savings of \$100,000 from the Willis Recreation and Sports Centre tennis court resurfacing Priority Improvement Program project to fund the shortfall in funding and contingency for the Willoughby Leisure Centre change rooms refurbishment project.
3. That the successful Tenderer's name be made public following the Council's resolution to accept the tender.
4. Authorise the Mayor and the General Manager to affix the Common Seal of Council to the associated documents.

20.3 CONFIDENTIAL - 9 THE BARBICAN, CASTLECRAG - PROSPECTS IN DEFENDING LAND AND ENVIRONMENT COURT APPEAL - DA 2017/87**Recommendation Summary**

That Council:

- 1. Delegates to the General Manager the management of the Land and Environment Court Appeal 2017/249854 in respect to determination of Development Application 2017/87 for demolition of an existing dwelling and construction of a new two-storey dwelling, carport, vehicle turntable and associated works at 9 The Barbican, Castlecrag.**
- 2. Publicly release the resolution of Council in full.**

20.4 CONFIDENTIAL - CENTURY VENUES THE CONCOURSE LICENCE AGREEMENT NEGOTIATIONS 2017**Recommendation Summary**

That Council release the recommendation following the conclusion of negotiations with Century Venues The Concourse.

20.5 CONFIDENTIAL - OUTCOMES ACHIEVED - VIVID SYDNEY AT CHATSWOOD 2017**Recommendation Summary**

That Council receive the information on the outcomes achieved at Vivid Sydney at Chatswood 2017 in relation to visitation, customer experience and community impact. Information in this report will be publicly available via a media release once approval from Destination NSW is obtained.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

RESOLUTION

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

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

21 QUESTIONS

NIL

- Councillor Norton left the meeting at 9:16pm during debate on Item 18.6: Sub Sub lease with Dougherty Apartments Retirement Housing Project and took no part in the debate or vote on this topic.
- Her Worship the Mayor Councillor G Giles-Gidney and Deputy Mayor Eriksson left the meeting at 9:18pm during debate on Item 18.11: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Girls School) – DA2017/255 and Item 18.12: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Public School) – DA2017/257 and took no part in the debate or vote on these topics.
- Former Deputy Mayor Mustaca took the chair during the vote on Item 18.11: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Girls School) – DA2017/255 and Item 18.12: Report to Sydney (North) Planning Panel for Noting – 151-161 Mowbray Road, Willoughby (Willoughby Public School) – DA2017/257.

The Meeting concluded at 10:17pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 27 November 2017. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.