



# **Willoughby City Council**

## **ORDINARY COUNCIL**

### **MINUTES**

Council Chamber, Level 6, 31 Victor Street, Chatswood

12 February 2018

commencing at 7:00pm

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## 1 PRESENT

### Councillors

**Her Worship the Mayor Councillor G Giles-Gidney, Councillors C Campbell, D Fernandez, H Eriksson, T Mustaca, W Norton, 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 P Chugh (Development Assessment Officer), Mr A Patterson (Acting Governance Manager), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Minutes Secretary)**

## 2 DISCLOSURES OF INTEREST - COUNCILLORS

- Councillor Eriksson declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Confidential Item 18.1: 629-639 Pacific Highway, Chatswood – Planning Proposal and Item 18.2: 654-666 Pacific Highway, 1 Freeman Road, 2A Oliver Road, Chatswood – DA 2016/18/A – Report to Sydney (North) Planning Panel  
*(Nature of Interest: I am an alternate member of the Sydney North Planning Panel)*
- Councillor Eriksson declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 20.1: Confidential – Report of Conduct Reviewer  
*(Nature of Interest: While not directly involved, I am named in the report. However I will stay in the chamber for the discussion)*
- Councillor Wright declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 16.5: Investment Report for the month of December 2017  
*(Nature of Interest: I am an employee of the Westpac Group. I have no involvement in Council's investment decisions and I am only voting to receive the report)*
- Councillor Saville declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 12.1: Minutes – Traffic Committee Meeting 5/2017 – 18 October 2017  
*(Nature of Interest: Reference is made to parking on Eddy Road. I live on Eddy Road, some distance away from the location of parking matters to which this item refers. I believe I can vote independently and in the public interest with respect to this item)*
- Councillor Saville declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 18.4: Local Planning Panel Appointments and Delegations  
*(Nature of Interest: Former Councillor Rob Wilson is listed as community representative on the Planning Panel. I have worked on a previous council with*

*former Councillor Wilson and met for coffee with mutual friends. I believe I can vote independently and in the public interest)*

- Councillor Norton declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 18.4: Local Planning Panel Appointments and Delegations  
*(Nature of Interest: I served with former Councillor Wilson 2008-2012. He stood with me at the last council election. However, as I was not a member of the selection panel and have no input into its processes I do not believe I have a conflict which precludes my participating in this item. I have confirmed this with the Governance Manager)*
- Councillor Fernandez declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 18.4: Local Planning Panel Appointments and Delegations  
*(Nature of Interest: Due to my previous working roles as a planner I have come across individuals on the list and therefore consider it prudent to not be involved in the decision process)*
- Councillor Fernandez declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 18.7: Bicentennial Oval, Small Street, Willoughby – Installation of Floodlights DA-2017/253  
*(Nature of Interest: I am a member of the Northbridge Football Club and my children are as well. Therefore, I consider it prudent not to be involved in the decision process)*
- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 18.1: 629-639 Pacific Highway, Chatswood – Planning Proposal and Item 18.2: 654-666 Pacific Highway, 1 Freeman Road, 2A Oliver Road, Chatswood – DA 2016/18/A – Report to Sydney (North) Planning Panel  
*(Nature of Interest: I am a member of the Sydney North Planning Panel)*

### 3 CONFIRMATION OF MINUTES

#### RESOLUTION

**That the Minutes of the Ordinary Meeting of Council held 11 December 2017, copies of which have been circulated to each member of Council, be confirmed.**

**MOVED COUNCILLOR MUSTACA**

**SECONDED COUNCILLOR ZHU**

**CARRIED**

#### Voting

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

**Against:** Nil

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## 4 APOLOGIES AND LEAVE OF ABSENCE

- Councillors Coppock and Rozos requested Leave of Absence on Monday 12 February 2018.
- Councillor Eriksson requested Leave of Absence from 12 March – 8 April 2018
- Councillor Campbell requested Leave of Absence from 13-16 February 2018

### RESOLUTION

That Council:

1. **Grant Councillors Coppock and Rozos Leave of Absence on Monday 12 February 2018.**
2. **Grant Councillor Eriksson Leave of Absence from 12 March – 8 April 2018**
3. **Grant Councillor Campbell Leave of Absence from 13-16 February 2018**

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ZHU

**CARRIED**

### Voting

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

**Against:** Nil

## 5 PETITIONS

### 5.1 PETITION - FOR REMOVAL OF TWO EUCALYPTUS TREES ON COUNCIL'S NATURE STRIP AT 7 MATHESON AVENUE, CHATSWOOD

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>PATRICIA SHELDRAKE – MINUTES SECRETARY</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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#### PURPOSE OF REPORT

To consider a petition containing 32 signatures in support of the removal of two Eucalyptus trees on Council's nature strip at 7 Matheson Avenue, Chatswood.

#### RESOLUTION

**That Council receive and note the petition from residents in support of the removal of two Eucalyptus trees on Council's nature strip at 7 Matheson Avenue, Chatswood and refer it to the Planning and Infrastructure Director.**

**MOVED COUNCILLOR MUSTACA**

**SECONDED COUNCILLOR WRIGHT**

**CARRIED**

#### Voting

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

**Against:** Nil



**6 OPEN FORUM**

NIL

## 7 MAYORAL MINUTE

### 7.1 MAYORAL MINUTE - 2018 AUSTRALIA DAY HONOURS AWARDS

**MEETING DATE:** 12 FEBRUARY 2018

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#### **PURPOSE OF REPORT**

To inform Council of the residents in Willoughby who received awards in the 2018 Australia Day Honours List

#### **MOTION**

I am pleased to inform Council that the following residents were recognised in the 2018 Australia Day Honours Awards.

#### **Member of the Order of Australia (AM)**

##### **BLYTH, Fiona Mary**

Artarmon

For significant service to medical research and education in the field of public health, pain management and ageing, and to health policy reform.

##### **BRANAGAN, David Francis**

Willoughby

For significant service to the geological sciences as an academic, researcher and author, to professional groups, and to the community.

##### **KRTSCHIL, Hartmut**

Late of Willoughby

For significant service to biosecurity and quarantine systems, to compliance development, and to the freight transport industry.

##### **FRANGOPOULOS, Angelos Marcelo**

Northbridge

For significant service to the broadcast media sector, to higher education and the promotion of journalistic standards, and to the community

#### **Medal of the Order of Australia (OAM)**

##### **SHAW, Alexander Lachlan**

Castlecrag

For service to the community through a range of organisations

#### **Companion of the Order of Australia (AC)**

##### **TEESSON, Maree Rose**

Chatswood

For eminent service to medicine, particularly to the prevention and treatment of substance use disorders, as a researcher and author, to innovative mental health policy development, to education, and as a role model for young researchers.

**Officer of the Order of Australia (AO)****EASTMAN, Creswell John**

St Leonards

For distinguished service to medicine, particularly to the discipline of pathology, through leadership roles, to medical education, and as a contributor to international public health projects.

**HANDELSMAN, David Joshua**

Middle Cove

For distinguished service to medicine, particularly to reproductive endocrinology and andrology, as a clinician, author and researcher, to the science of doping in sport, and to medical education.

**Public Service Medal (PSM)****LAGAIDA, Robert Murjanto**

Willoughby

For outstanding public service to financial management in the health care sector in New South Wales.

**RECOMMENDATION**

**That Council send letters congratulating the recipients on their awards in the 2018 Australia Day Honours List.**

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

## 7.2 MAYORAL MINUTE - THE LATE HAROLD CEDRIC SPIES

**MEETING DATE:** 12 FEBRUARY 2018

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### **PURPOSE OF REPORT**

To consider the Mayoral Minute on the passing of Harold Cedric Spies.

### **MOTION**

Harold Spies passed away peacefully in Castlecrag Private Hospital on 18 December 2017, aged 97 years. A resident of Castlecrag, Harold worked tirelessly in the areas of conservation and for the community.

Harold left school at the age of 15 during the Great Depression but studied at night to obtain qualifications which resulted in his career in microbiology including lecturing in microbiology at Sydney Technical College. He remained a life-long learner.

Harold made an enormous contribution by involving himself in many voluntary organisations including the Willoughby Environment Protection Association (WEPA) on which he was an active executive member for over 35 years, the Castlecrag Conservation Association, which he served as president for many years, and as a committee member of the Castlecrag Progress Association.

Harold was a founding member of WEPA and a champion for conservation issues. He provided inspiration and sage advice on a wide variety of WEPA policies, campaigns and projects and was always on hand to plan campaigns, write for the newsletter, lead walks, work on bush regeneration projects and to man WEPA's many stalls. Harold also produced the Castlecrag Conservation Society's newsletter "Conservation Update" and also helped organise and man stalls for the Conservation Society

Harold was a member of the Willoughby Council Open Space Committee in the early 1980s. Chaired variously by Mayors Noel Reidy and John Squire, its goal was the achievement of better management for our bushland. It was the forerunner to the Bushland Advisory Committee, of which Harold was a foundation member and for which he prepared weed maps of various reserves.

Harold was a member of the two first bush regeneration teams in Willoughby, which worked in Artarmon Reserve, Harold Reid Reserve, Mills Point Lookout and Cheyne Walk Reserve. Commencing in 1980 under the auspices of the National Trust, the teams were discontinued in 1983. From 1985 - 2012 he worked on the WEPA team on the Sugarloaf Bush Regeneration Project. When he was physically no longer able to work in the bush, he continued to work on the administration of the Project.

He was also a member of the successful WEPA campaign to bring an end to the dumping of fill in Flat Rock Gully which had continued unabated in spite of many council resolutions that it should cease and which threatened to drown the valley in fill.

Harold led several walks for council in local reserves, educating members of the public about fungi. He also produced educational displays - on weeds, native plants, the Sugarloaf Project, water catchments and environmental campaigns - which were displayed at the Willoughby Spring Fair and the Castlecrag Fair on both the WEPA and Conservation Society stalls.

Harold was awarded Willoughby Citizen of the Year in 2004. He worked with his wife, Gay, the Willoughby Citizen of the Year Award recipient in 2002, on conservation of urban bushlands, particularly through WEPA. Harold was a passionate bush regenerator for more than 30 years. He was inducted into the Nature Conservation Council's Alan Strom Hall of Fame in 2008, an award for his constant and invaluable contribution to the environment.

In recognition of Harold's service to WEPA, and more importantly to the community and environment in the Willoughby City Council area, Harold was unanimously awarded Life Membership of WEPA at the 2017 Annual General Meeting.

Harold's last few years provided many physical challenges but he was lovingly cared for by his devoted wife, Gay, at home in Castlecrag, surrounded by the bushland he loved and nurtured.

He will be fondly remembered by all family and friends.

## **RESOLUTION**

**That Council note the passing of Harold Cedric Spies and write a letter of condolence to the family.**

**MOVED COUNCILLOR GILES-GIDNEY**

**CARRIED**

## 7.3 MAYOR'S DIARY: COUNCIL MEETING NOTES – 12 FEBRUARY 2018

TUESDAY 12 DECEMBER			
Mayor Cr Rutherford	12 noon	Christmas Lunch - Italian Group	Beauchamp Park
WEDNESDAY 13 DECEMBER			
Mayor	11.15 am	Christmas Lunch - Italian Group	Willoughby Park
Mayor	12.15 pm	WGHS Presentation Day	The Concourse
Mayor	1.30 pm	MOW Christmas Celebrations	Dougherty Centre
Mayor	4 pm	Link Housing: Scholarships Event	Dougherty Centre
THURSDAY 14 DECEMBER			
Mayor	12.30 pm	RSL Sub-Branch Christmas Lunch	Chatswood RSL Club
Mayor	5 pm	CHS Annual Excellence Awards	The Concourse
Mayor Deputy Mayor : Cr Eriksson Crs Rozos, Rutherford, Tuon, Zhu	6.30 pm	N. Sydney Community Christmas Drinks	Northbridge Golf Club
SATURDAY 16 DECEMBER			
Mayor	12.30 pm	Opening of new store: <i>COOMO furniture</i>	Home HQ, Artarmon
Mayor	1.45 pm	Chatswood Bowls Club Presentations	Chatswood Bowls Club
TUESDAY 19 DECEMBER			
Mayor	7.50 am	30 <sup>th</sup> Anniversary Celebrations for K-Mart Wishing Tree Appeal	Chatswood Chase
THURSDAY 21 DECEMBER			
Mayor	11.15 am	Opening of new <i>Gelatissimo</i> store	Wilkes Avenue, Artarmon
TUESDAY 2 JANUARY			
Cr Norton	11.15 am	Funeral of Harold Spies	N. Suburbs Crematorium
SUNDAY 7 JANUARY			
Mayor	2 pm	NSTA Presentation Day	Talus Street
WEDNESDAY 24 JANUARY			
Cr Norton	1 pm	Mini-Maestros Concert	The Concourse
Mayor	2.15 pm	Summer Reading Presentations	Chatswood Library
FRIDAY 26 JANUARY			
Mayor Crs Campbell, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Zhu	9 am	Australia Day Celebrations	The Concourse
Cr Saville		Yabun Festival	Victoria Park
SUNDAY 28 JANUARY			
Cr Saville	10 - 4 pm	Sydney Coastal Council Tour wetlands and inter-tidal areas	

THURSDAY 1 FEBRUARY			
Mayor	4 pm	Armistice Grants Committee Meeting	North Sydney
SATURDAY 3 FEBRUARY			
Mayor Cr Tuon	11.30 am	BLIA – Lunar New Year Celebrations	King Dynasty, Chatswood
Crs Norton, Saville	7 pm	WSOC Concert	The Concourse
TUESDAY 6 FEBRUARY			
Mayor Crs Norton, Rutherford, Tuon, Zhu	11.30 am	Media Launch of Willoughby Chinese New Year Festival: <i>The Year of the Dog</i>	Council Chambers
WEDNESDAY 7 FEBRUARY			
Cr Saville	3.30-5 pm	Community Participation Committee	North Shore Hospital
Mayor Crs Norton, Tuon, Zhu	5.30 pm	<i>Silkari</i> New Year Celebrations	88 Archer Street
THURSDAY 8 FEBRUARY			
Mayor	2 pm	Opening of Art Exhibition	Chinese Cultural Centre
Cr Norton	3 pm	Representing the Board at the Dougherty Apts GM's afternoon tea	Dougherty Centre
Mayor Cr Zhu	6 pm	Chinese Lunar New Year Reception	Chinese Consulate, Sydney
SATURDAY 10 FEBRUARY			
Cr Saville	2.15 - 4pm	Willoughby District Historical Society - AGM	Chatswood Library
MONDAY 12 FEBRUARY			
Mayor	12 noon	CNY Celebration with MOSAIC Taiwanese Group	King Dynasty, Chatswood
Mayor	1.30 pm	"Person in Pink" Cancer Council Event	Watermark, Castle Cove

## 8 GENERAL MANAGER'S LATE REPORT

### 8.1 9 CENTENNIAL AVENUE, CHATSWOOD - INTERIM HERITAGE ORDER

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b> <b>2. NOTICE OF MOTION- 9 CENTENNIAL AVE, CHATSWOOD</b> <b>3. DRAFT HERITAGE INVENTORY SHEET</b>
<b>RESPONSIBLE OFFICER:</b>	<b>IAN ARNOTT - PLANNING MANAGER</b>
<b>AUTHOR:</b>	<b>JANE HOSIE – STRATEGIC PLANNER</b>
<b>CITY STRATEGY LINK:</b>	<b>3.1.3 LOCAL CHARACTER</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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#### PURPOSE OF REPORT

The purpose of this report is to obtain a Council resolution to make an Interim Heritage Order under Part 3 of the *Heritage Act 1977* in relation to 9 Centennial Avenue, Chatswood to protect the existing building and curtilage of the site from imminent demolition.

#### MOTION

**That Council resolve to issue an Interim Heritage Order in relation to 9 Centennial Avenue, Chatswood in accordance with Part 3 of the *Heritage Act 1977*.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR WRIGHT**

**CARRIED**

#### Voting

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

**Against:** Councillor Mustaca



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

- Item 16.1 Delivery Program Six Monthly Progress Report July – December 2017

## 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 12.5 Bicycle Consultative Committee Meeting 4/2017 – 28 November 2017  
 Item 12.8 Global Friendship Committee Meeting held 15 November 2017  
 Item 17.1 Increase to the Concourse Venue Performing Arts Subsidy  
 Item 18.2 654-666 Pacific Highway, 1 Freeman Road, 2A Oliver Road, Chatswood – DA 2016/18/A – Report to Sydney (North) Planning Panel  
 Item 18.3 Deed of Consent and Licence Anderson Street and Charlotte Lane, Chatswood  
 Item 18.6 Variations to Development Standards (Use of Clause 4.6)  
 Item 19.1 Notice of Motion – Share Bikes and E-Bikes in the Willoughby LGA

## RESOLUTION

That the remaining items, viz:

- Item 12.1 **Minutes – Traffic Committee meeting 5/2017 – 18 October 2017**  
 Item 12.2 **Minutes – Traffic Committee Meeting 6/2017 – 29 November 2017**  
 Item 12.3 **West Ward Councillors Inspection Committee Meeting – 42 Eddy Road, Chatswood DA-2017/120**  
 Item 12.4 **Naremburn Ward Councillors Inspection Committee Meeting – 2/9-13 Campbell Street, Artarmon DA-2017/321**  
 Item 12.6 **Companion Animals Advisory Committee Meeting – 18 July 2017**  
 Item 12.7 **Bicentennial Reserve and Flat Rock Gully Advisory Committee – 28 November 2017**  
 Item 12.9 **Willoughby Seniors' Advisory Committee meeting held 14 November 2017**  
 Item 16.2 **Request by Councillor Saville to attend the Climate Leadership Conference in March 2018**  
 Item 16.3 **Matters dealt with under Delegated Authority**  
 Item 16.4 **Make Public Confidential Resolutions from Closed Council Meetings**  
 Item 16.5 **Investment Report for the month of December 2017**  
 Item 16.6 **Gifts and Benefits Annual Report 2017**  
 Item 16.7 **Petitions Update**  
 Item 17.2 **Tender 107676 – Assessment of Tenders for the Operation of Poolside Café at Willoughby Leisure Centre**  
 Item 18.5 **Continuing to support the Better Business Partnership – A Shared Council Service**  
 Item 18.8 **Applications Determined under Delegated Authority 1 October 2017 to 31 December 2017**

**Item 18.9 Tender 112449 – Assessment of Tenders for the Provision of Security Patrol Services to the Willoughby LGA**

**be adopted in accordance with the recommendations in the reports.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

Councillor Fernandez declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 18.4: Local Planning Panel Appointments and Delegations due to his previous work as a planner and relationship with individuals on the list. He indicated he would not be involved in the decision process. Councillor Fernandez remained in the chamber during voting on this topic but there was no debate.

## **11 MATTERS BROUGHT FORWARD BY THE PUBLIC**

Item 13.1	Notice of Motion – Talus Street Reserve Lease
Item 18.1	629-639 Pacific Highway, Chatswood – Planning Proposal
Item 18.4	Local Planning Panel Appointments and Delegations
Item 18.7	Bicentennial oval, Small Street, Willoughby – Installation of Floodlights DA-2017/253

## 12 REPORTS FROM COMMITTEES

### 12.1 MINUTES - TRAFFIC COMMITTEE MEETING 5/2017 - 18 OCTOBER 2017

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. MINUTES TRAFFIC COMMITTEE MEETING HELD 18 OCTOBER 2017</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>GORDON FARRELLY – TRAFFIC AND TRANSPORT TEAM LEADER</b>
<b>CITY STRATEGY LINK:</b>	<b>4.2.2 BALANCE TRAFFIC MANAGEMENT</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

---

#### PURPOSE OF REPORT

To advise Council of the outcome of the latest Traffic Committee Meeting held on 18 October 2017.

#### RESOLUTION

That Council:

1. Note and adopt the recommendations arising from the 18 October 2017 Traffic Committee Meeting.
2. In light of further community support and community feedback, will be bringing forward to the Traffic Committee on 21 February 2018 a recommendation to commence new consultation of the modified resident parking scheme and associated on-street parking restrictions in Artarmon East.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

#### Voting

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

**Against:** Nil

**12.2 MINUTES - TRAFFIC COMMITTEE MEETING 6/2017 - 29 NOVEMBER 2017**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. MINUTES TRAFFIC COMMITTEE MEETING HELD 29 NOVEMBER 2017</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>GORDON FARRELLY –TRAFFIC &amp; TRANSPORT TEAM LEADER</b>
<b>CITY STRATEGY LINK:</b>	<b>4.2.1 INCREASED USE OF ACTIVE AND PUBLIC TRANSPORT 4.2.2 BALANCE TRAFFIC MANAGEMENT</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

---

**PURPOSE OF REPORT**

To advise Council of the outcome of the Traffic Committee Meeting held on 29 November 2017.

**RESOLUTION**

That Council:

- 1. Note and adopt the recommendations arising from the 29 November 2017 Traffic Committee meeting.**
- 2. Note the recommendations for Item 4.1 Cevu Avenue, Willoughby and Item 4.4 Devonshire Street, Chatswood, below, and that Council has completed the construction of the temporary pedestrian in Devonshire Street.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

### 12.3 WEST WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 42 EDDY ROAD, CHATSWOOD DA-2017/120

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES OF WEST WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 42 EDDY ROAD, CHATSWOOD DA-2017/120
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:	12 FEBRUARY 2018

---

#### PURPOSE OF REPORT

To list on the agenda the minutes of the Ward Councillors Inspection Committee that took place on 13 December 2017

#### RESOLUTION

1. That Council receive the Minutes of the West Ward Councillors Inspection Committee Meeting held on 13 December 2017 relating to 42 Eddy Road, Chatswood - DA-2017/120 for demolition of existing dwelling and construction of attached dual occupancy, garages 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 Deferred Commencement condition:*

#### **Amendments**

*Prior to the issue of final consent, the proposal is to be amended in the following manner:*

- a) *The eastern wall of the family room and kitchen to the eastern dwelling is to be setback an additional one metre from the eastern boundary (total setback 2.07metres);*
- b) *The en-suite and robe of bedroom 3 of the eastern dwelling is to be deleted with the roof of the ground floor extended accordingly and the roof above the first floor modified to reflect the amended floor plan;*
- c) *The north facing first floor balconies off the master bedrooms of both dwellings are to be deleted and the ground floor hipped roof extended across the full frontage of both dwellings. This is to include replacement of the master bedroom sliding glass doors with windows and modification of the central vertical window features at both levels to provide minimum sill heights of one metre.*

- d) *Exterior finishes of the proposed building shall be of colour, texture and materials compatible with the character of the surrounding area.*

*There is no objection to the reduction in floor space from upper levels being utilised within the subfloor area at the rear of the Lower Ground Floor.*

*All plans and elevations are to be modified detailing these amendments and are required to be submitted to Council for approval prior to issue of final consent.*

*(Reason: Ensure compliance)*

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**12.4 NAREMBURN WARD COUNCILLORS INSPECTION COMMITTEE  
MEETING - 2/9-13 CAMPBELL STREET ARTARMON DA-2017/321**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. MINUTES OF NAREMBURN WARD COUNCILLORS INSPECTION COMMITTEE MEETING - 2/9-13 CAMPBELL STREET ARTARMON</b>
<b>RESPONSIBLE OFFICER:</b>	<b>IAN ARNOTT - PLANNING MANAGER</b>
<b>AUTHOR:</b>	<b>TEENA STRYDOM - GOVERNANCE ADMINISTRATION OFFICER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

---

**PURPOSE OF REPORT**

To list on the agenda the minutes of the Naremburn Ward Councillors Inspection Committee that took place on 17 January 2018.

**RESOLUTION**

- 1. That Council receive the Minutes of the Naremburn Ward Councillors Inspection Committee Meeting held on 17 January 2018 relating to 2/9-13 Campbell Street Artarmon for use and internal fitout of existing industrial premises for recreation facility (Indoor) and installation of signage.**

- 2. Note the resolution adopted by the Committee:**

*That the application be approved in accordance with the Officer's recommendation subject to Conditions 4, 32 and 33 being modified to read as follows:*

**4. Noise Mechanical Services**

*To minimise the impact of noise onto neighbouring occupancies, all mechanical services shall be designed and installed to ensure ambient noise levels are maintained. Details of the proposed equipment, siting and any attenuation required shall accompany the application for Construction Certificate.  
(Reason: Amenity, environmental compliance and health)*

**32. Loading and Unloading**

*All loading and unloading of goods and the drop off and pick up of patrons are to be conducted wholly within the site. Under no circumstances are loading/unloading activities including drop off and pick up to be conducted from vehicles standing kerbside in Campbell Street or on the ramp to the upper level car park.  
(Reason: Access and amenity)*

**33. Hours of Operation, Number of Sessions**

*The hours of operation of the skate park are to be restricted to 9:00am to 10:00pm, seven (7) days a week.*

*A maximum of 4 sessions per day and each session is for 3 hours. A minimum of 15 minutes break between each session.*

**33A. Trial Period for Maximum Number of 35 Patrons**

*The maximum number of patrons present on site at any one time is 35, 2 staff and 2 spectators.*

*The approval for 35 patrons is on a trial basis for twelve (12) months from the date of this consent to determine the impact on the amenity of the neighbouring occupancies and on parking and traffic impacts in the area.*

*Upon the expiration of this 12 month period, a maximum of 25 patrons, 2 staff and 2 spectators are permitted to be present at any one time.*

*The vehicle parking, drop off/pick up of patrons and vehicle turnaround are to be conducted wholly within the subject site.*

*A further development application or S96 application may be lodged no sooner than 3 months prior to the expiration of this 12 month period for Council's consideration of the continuation of the use for a maximum of 35 patrons.*

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil



**12.5 BICYCLE CONSULTATIVE COMMITTEE MEETING 4/2017 - 28  
NOVEMBER 2017**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. MINUTES - BICYCLE CONSULTATIVE COMMITTEE MEETING – 28 NOVEMBER 2017</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>NOAH VAN RAAPHORST-KING –SUSTAINABLE PROJECTS OFFICER – TRANSPORT</b>
<b>CITY STRATEGY LINK:</b>	<b>4.2.2 BALANCE TRAFFIC MANAGEMENT</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

---

**PURPOSE OF REPORT**

To advise Council of the outcome of the latest Bicycle Consultative Committee Meeting held on 28 November 2017.

**RESOLUTION**

**That Council receive and adopt the recommendations arising from the 28 November 2017 Bicycle Consultative Committee Meeting.**

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil

**12.6 COMPANION ANIMALS ADVISORY COMMITTEE MEETING - 18 JULY 2017**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. MINUTES OF COMPANION ANIMALS ADVISORY COMMITTEE MEETING - 18 JULY 2017</b>
<b>RESPONSIBLE OFFICER:</b>	<b>ANDREW PATTERSON – ACTING GOVERNANCE MANAGER</b>
<b>AUTHOR:</b>	<b>TEENA STRYDOM – GOVERNANCE ADMINISTRATION OFFICER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To provide Council with the minutes of the Willoughby City Council Companion Animals Advisory Committee meeting held 18 July 2017.

**RESOLUTION**

**That Council receive and note the minutes of the Willoughby City Council Companion Animals Advisory Committee meeting held 18 July 2017.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**12.7 BICENTENNIAL RESERVE AND FLAT ROCK GULLY ADVISORY COMMITTEE - 28 NOVEMBER 2017**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. MINUTES - BICENTENNIAL RESERVE AND FLAT ROCK GULLY ADVISORY COMMITTEE - 28 NOVEMBER 2017</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MELANIE SMITH – COMMUNITY, CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>JULIE WHITFIELD - OPEN SPACE CO-ORDINATOR</b>
<b>CITY STRATEGY LINK:</b>	<b>1.3.1 ACCESSIBLE OPEN SPACE AND RECREATIONAL FACILITIES FOR THE COMMUNITY ARE PROVIDED</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To provide Council with the minutes of the Bicentennial Reserve and Flat Rock Gully Committee Advisory meeting held 28 November 2017.

**RESOLUTION**

**That Council receive and note the minutes of the Bicentennial Reserve and Flat Rock Gully Advisory Committee meeting held 28 November 2017.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**12.8 GLOBAL FRIENDSHIP COMMITTEE MEETING HELD 15 NOVEMBER 2017**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. MINUTES - GLOBAL FRIENDSHIP COMMITTEE MEETING - 15 NOVEMBER 2017</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MELANIE SMITH – COMMUNITY, CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>MELANIE SMITH - COMMUNITY, CULTURE &amp; LEISURE DIRECTOR</b>
<b>CITY STRATEGY LINK:</b>	<b>1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To provide Council with the minutes of the Global Friendship Committee meeting held Wednesday 15 November 2017.

**RESOLUTION**

**That Council receive and note the minutes of the Global Friendship Committee meeting held Wednesday 15 November 2017 noting that point 6 should read “Council altered the Global Friendship Committee Terms of Reference quorum to: 1 elected member and 3 committee members”.**

**MOVED COUNCILLOR NORTON**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

**Voting**

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

**Against:** Nil

**12.9 WILLOUGHBY SENIORS' ADVISORY COMMITTEE MEETING HELD 14 NOVEMBER 2017**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - IMPLICATIONS 2. MINUTES - WILLOUGHBY SENIORS' ADVISORY COMMITTEE - 14 NOVEMBER 2017 3. REPORT - WILLOUGHBY SENIORS' ADVISORY COMMITTEE - NOVEMBER 2017</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MELANIE SMITH – COMMUNITY, CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>ELLEN MILLER - ACTING, DOUGHERTY COMMUNITY SERVICES GROUP LEADER</b>
<b>CITY STRATEGY LINK:</b>	<b>1.2.2 PROVIDE AND ADVOCATE FOR APPROPRIATE FACILITIES AND SERVICES FOR ALL AGES</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To provide Council with the minutes and report of the Willoughby Seniors' Advisory Committee meeting held Tuesday 14 November 2017.

**RESOLUTION**

**That Council receive and note the minutes and report of the Willoughby Seniors' Advisory Committee meeting held Tuesday 14 November 2017.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

## 13 DEFERRED MATTERS

### 13.1 NOTICE OF MOTION - TALUS STREET RESERVE LEASE

RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	DEBRA JUST – GENERAL MANAGER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	12 FEBRUARY 2018

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#### PURPOSE OF REPORT

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

#### Procedural Motion

That Suzie Gold address the meeting.

#### MOTION

That Council defer this matter.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

**LOST**

#### Voting

**For the Motion:** Councillors Mustaca, Saville and Zhu.

**Against:** Councillors Giles-Gidney, Campbell, Eriksson, Fernandez, Norton, Rutherford, Tuon and Wright.

**MOTION**

That councillors be provided:

- a) a legal briefing on the chronological history
- b) advice that the new lease is lawful and complies with the principles of the Brereton judgement 2016
- c) Receive advice from an eminent barrister as to council's exposure regarding the Aboriginal Land Claim.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**LOST**

**Voting**

**For the Motion:** Councillors Fernandez and Saville.

**Against:** Councillors Giles-Gidney, Campbell, Eriksson, Mustaca, Norton, Rutherford, Tuon, Wright and Zhu.

**14 CORRESPONDENCE**

NIL

**15 REPORTS FROM OFFICERS - GENERAL MANAGER**

NIL



## 16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

### 16.1 DELIVERY PROGRAM SIX MONTHLY PROGRESS REPORT JULY - DECEMBER 2017

ATTACHMENTS:	1. IMPLICATIONS 2. SIX MONTHLY PROGRESS REPORT (TO BE DISTRIBUTED SEPARATELY) 3. BUSINESS IMPROVEMENT PROGRAM DETAILS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	JIM DONALDSON – PROJECT DELIVERY CO-ORDINATOR
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	12 FEBRUARY 2018

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#### PURPOSE OF REPORT

To update Council on the progress of the first six months of the 2017/18 Operational Plan from July to December 2017.

#### MOTION

That Council defer this matter to the next meeting.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR SAVILLE

**CARRIED**

#### Voting

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

**Against:** Nil

**16.2 REQUEST BY COUNCILLOR SAVILLE TO ATTEND THE CLIMATE LEADERSHIP CONFERENCE IN MARCH 2018**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. CONFERENCE AGENDA AND LIST OF SPEAKERS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>VLADIMIR GREPL – GOVERNANCE MANAGER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To consider a request by Councillor Saville to attend the Climate Leadership Conference in Sydney on 15 to 16 March 2018.

**RESOLUTION**

**That Council authorise Councillor Saville to attend the Climate Leadership Conference in Sydney on 15 to 16 March 2018 according to the provisions in Council's *Payment of Expenses and the Provision of Facilities to the Mayor and Councillors* policy.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**16.3 MATTERS DEALT WITH UNDER DELEGATED AUTHORITY**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>VLADIMIR GREPL – GOVERNANCE OFFICER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

---

**PURPOSE OF REPORT**

To report to Council on matters dealt with by the Mayor and the Acting General Manager under delegated authority during the Christmas/New Year period.

**RESOLUTION**

**That Council receive the report outlining matters dealt with under delegated authority during the Christmas/New Year recess.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**16.4 MAKE PUBLIC CONFIDENTIAL RESOLUTIONS FROM CLOSED COUNCIL MEETINGS**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. CONFIDENTIAL RESOLUTION – 6-30 ARTARMON ROAD – LEGAL ADVICE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>VLADIMIR GREPL – GOVERNANCE OFFICER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To make public the confidential resolutions from the Closed Council meeting held 13 March 2017 relating to 6-30 Artarmon Road – Legal Advice.

**RESOLUTION**

**That Council note the provision to the public of confidential resolutions made on 13 March 2017 relating to 6-30 Artarmon Road – Legal Advice.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**16.5 INVESTMENT REPORT FOR THE MONTH OF DECEMBER 2017**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2017) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>MICHAEL DUFFY – CHIEF FINANCIAL OFFICER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

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

**RESOLUTION**

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

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**16.6 GIFTS AND BENEFITS ANNUAL REPORT 2017**

<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>PATRICIA SHELDRAKE – MINUTES SECRETARY</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

---

**PURPOSE OF REPORT**

To present a summary of the Gifts and Benefits Register to Council for the 2017 calendar year in accordance with the requirements of Council's *Gifts and Benefits Policy* and *Code of Conduct*.

**RESOLUTION**

**That Council note the 2017 Gifts and Benefits Annual Report as required by the Council's *Gifts and Benefits Policy*.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**16.7 PETITIONS UPDATE**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. LISTING OF PETITIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>PATRICIA SHELDRAKE – MINUTES SECRETARY</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To present an updated list of petitions that have been submitted to Council.

**RESOLUTION**

**That Council receive and note the updated listing of petitions.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

## 17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

### 17.1 INCREASE TO THE CONCOURSE VENUE PERFORMING ARTS SUBSIDY

ATTACHMENTS:	1. IMPLICATIONS 2. THE CONCOURSE PERFORMING ARTS SUBSIDY – REVISED GUIDELINES
RESPONSIBLE OFFICER:	MELANIE SMITH – DIRECTOR COMMUNITY, CULTURE AND LEISURE
AUTHOR:	MICHAEL CASHIN – MANAGER COMMUNITY LIFE
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	12 FEBRUARY 2018

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#### PURPOSE OF REPORT

For Council to endorse an increase to *'The Concourse Performing Arts Subsidy'* maximum funding from \$3,000 to \$5,000 per application and approve the recommended amendments to *The Concourse Performing Arts Subsidy Grant Guidelines* to limit funding for recurring projects to three (3) funding allocations.

#### RESOLUTION

That Council:

1. Endorse an increase in the maximum allocation of funds under *The Concourse Performing Arts Subsidy* from \$3,000 to \$5,000 per application.
2. Endorse the amendment of *The Concourse Performing Arts Subsidy Grant Guidelines* to limit funding for recurring projects to three (3) funding allocations.

MOVED COUNCILLOR TUON

SECONDED COUNCILLOR SAVILLE

**CARRIED**

#### Voting

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

**Against:** Nil



**17.2 TENDER 107676 - ASSESSMENT OF TENDERS FOR THE OPERATION OF POOLSIDE CAFE AT WILLOUGHBY LEISURE CENTRE**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MELANIE SMITH – COMMUNITY, CULTURE AND LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>MICHAEL CASHIN – COMMUNITY LIFE MANAGER</b>
<b>CITY STRATEGY LINK:</b>	<b>1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

Award Tender 107676 for the operation of the Poolside Café, located at Willoughby Leisure Centre, with an estimated total contract value of \$256,000.

**RESOLUTION**

**That Council:**

- 1. Accept the tender from the Tenderer ranked number 1 in the attached confidential report for a period of five (5) years with an option to extend this contract for an additional three (3) years for an estimated total value of \$256,000 over the term of the contract.**
- 2. That the successful tenderer's name be made 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.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

## 18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

### 18.1 629-639 PACIFIC HIGHWAY, CHATSWOOD - PLANNING PROPOSAL

ATTACHMENTS:	<ol style="list-style-type: none"><li>1. IMPLICATIONS</li><li>2. COUNCIL DETAILED ASSESSMENT</li><li>3. COUNCIL ASSESSMENT OF DEPARTMENT OF PLANNING AND ENVIRONMENT'S "A GUIDE TO PREPARING PLANNING PROPOSALS"</li><li>4. PLANNING PROPOSAL CONCEPT PLANS</li><li>5. DRAFT DEVELOPMENT CONTROL PLAN PROVISIONS</li><li>6. PROPOSED WRITTEN AMENDMENTS TO WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012</li><li>7. PROPOSED WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012 LAND ZONING HEIGHT OF BUILDINGS, FLOOR SPACE RATIO AND SPECIAL PROVISIONS AREA MAPS</li></ol>
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RESPONSIBLE OFFICER: IAN ARNOTT - PLANNING MANAGER

AUTHOR: CRAIG O'BRIEN – STRATEGIC PLANNER

CITY STRATEGY LINK: 6.2.1 A COMMUNITY THAT IS INFORMED OF KEY COUNCIL POLICIES, SERVICES AND ACTIVITIES AND CAN PARTICIPATE IN THE DECISION MAKING PROCESS

MEETING DATE: 12 FEBRUARY 2018

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#### PURPOSE OF REPORT

The purpose of this report is to seek endorsement for the forwarding of the Planning Proposal for 629 – 639 Pacific Highway, Chatswood, to the Department of Planning and Environment for a Gateway Determination under Section 56 of the *Environmental Planning and Assessment Act 1979* and proceed to public exhibition.

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

#### Procedural Motion

That Nick Juradowitch, Director Ingham Planning Pty Ltd address the meeting and answer questions of the Councillors.

**RESOLUTION**

That Council:

- 1) Support for public exhibition the Planning Proposal, as modified by Council, and draft amendments to *Willoughby Local Environmental Plan 2012*:
  - a) To add Clause 4.4 (2D) as follows:
    - 2D. Subclause (2A) (b) (i) does not apply to any land shown in Area 8 on the Special Provisions Area Map, with affordable housing here to be included in the gross floor area of the building for determining the maximum floor space ratio of the building.
  - b) To add Clause 6.23 as follows:
    - 6.23. Minimum commercial floor space within the Mixed Use zone  
  
Land zoned B4 Mixed Use is to contain a minimum commercial floor space component of 1:1.
  - c) To add Clause 6.24 as follows:
    - 6.24 Design Excellence
      - “(1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.
      - (2) This clause applies to development involving the erection of a new building on land shown in Area 8 on the Special Provisions Area Map.
      - (3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.
  - d) To amend the Land Zoning Map (Sheet LZN\_004) for 629 – 639 Pacific Highway, Chatswood, to B4 Mixed Use.
  - e) To amend the Height of Buildings Map (Sheet HOB\_004) for 629 – 639 Pacific Highway, Chatswood, to 90 metres.
  - f) To amend the Floor Space Ratio Map (Sheet FSR\_004) for 629 – 639 Pacific Highway, Chatswood, to 6:1 (including affordable housing).
  - g) To amend the Special Provisions Area Map (Sheet SPA\_004) to show 629 – 639 Pacific Highway, Chatswood, as Area 8.
- 2) Support for public exhibition the accompanying *Development Control Plan* provisions specific to 629 – 639 Pacific Highway, Chatswood, subject to the following amendments:
  - a) In Section 8, an amalgamation plan be included, requiring 629 Pacific Highway and 639 Pacific Highway to be consolidated for redevelopment to occur.

- b) Amend Section 2 Building Form, A. Building Height and Floor Space Ratio, Performance Criteria, Point 1 to read:
  - 1. Provide a slender tower building form.
- c) Delete Section 2 Building Form, A. Building Height and Floor Space Ratio, Performance Criteria, Point 5.
- d) Amend Section 2 Building Form, A. Building Height and Floor Space Ratio, Controls, Point 4 to read:
  - 4. Provide a maximum podium height of 8 metres addressing the Pacific Highway, Gordon Avenue and Hammond Lane.
- e) Amend Section 5 Car parking and Access, Part A Provision, Controls to add:
  - 3. Opportunities should be explored to reduce on-site car parking through the provision of shared residential visitor / commercial car parking and car share spaces.
- f) Amend Section 6 Design Excellence and Building Sustainability, Part B Sustainability Criteria, Performance Criteria, to add"
  - 6. A wind assessment is to be provided at Development Application stage.
- g) Amend Section 9 Substations to:
  - 9. Substations and Services
- h) Amend Section 9 Substations and Services, Controls, Point 1:
  - 1. Substations to be provided within buildings, not within the streets, open spaces or setbacks, and are to be designed to ensure protection of residents from Electro Magnetic Radiation (EMR) emissions.
- i) Amend Section 10 Public Art, Controls, Point 1 to read:
  - 1. A development achieving an FSR uplift should contribute towards public art in accordance with Willoughby's Public Art Policy which may include public art being provided on the site or a monetary contribution for an installation elsewhere in the CBD.
- j) Delete Section 11 Affordable Housing, Controls, Point 2.
- k) Add Section 12 Overland Flooding
  - 12. Overland Flooding
  - Performance Criteria
    - 1. An overland flooding assessment is to be provided at Development Application stage.

- 3) Request the proponent provide a revised traffic report prior to public exhibition that:
  - a) Contains a high level assessment of trip distribution and mode choice.
  - b) Reconsiders retail trip generation, applying a first principles approach.
- 4) Forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination under Section 56 of the *Environmental Planning and Assessment Act 1979*.
- 5) Advise the Department of Planning and Environment that the Planning Manager, Mr Ian Arnott is nominated as delegate to process and finalise the Planning Proposal.

**MOVED COUNCILLOR CAMPBELL**

**SECONDED COUNCILLOR WRIGHT**

**CARRIED**

**Voting**

**For the Resolution:** Councillors Campbell, Fernandez, Mustaca, Norton, Rutherford, Tuon and Zhu.

**Against:** Councillors Wright and Saville

**Absent:** Councillors Giles-Gidney and Eriksson.

Due to Item 18.1: 629-639 Pacific Highway, Chatswood – Planning Proposal being a Sydney North Planning Panel (SNPP) matter, Councillors Giles-Gidney and Eriksson declared a non-pecuniary substantial interest as respectively a member and alternate 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 and Deputy Mayor's absence for this item.

**18.2 654 - 666 PACIFIC HIGHWAY, 1 FREEMAN ROAD, 2A OLIVER ROAD  
CHATSWOOD - DA 2016/18/A - REPORT TO SYDNEY (NORTH)  
PLANNING PANEL**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. ASSESSMENT REPORT TO SYDNEY (NORTH) PLANNING PANEL (TO BE DISTRIBUTED SEPARATELY) 3. ARCHITECTURAL PLANS (TO BE DISTRIBUTED SEPARATELY)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>IAN ARNOTT - PLANNING MANAGER</b>
<b>AUTHOR:</b>	<b>POOJA CHUGH – DEVELOPMENT PLANNER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS 5.1.1 LOCAL BUSINESS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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### **PURPOSE OF REPORT**

To inform Council that Development Application 2016/18/A for 'alterations to the building envelope, addition of two adaptable units at level 10 of building A, addition of bedrooms, changes to basement level 3 and associated internal and external changes to the approved shop-top housing development' at 654-666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood' will be considered by the Sydney (North) Planning Panel at its meeting of 14 February 2018.

The original proposal was regionally significant development as identified in Schedule 4A of the *Environmental Planning and Assessment Act (EP&A Act)*. It had a capital investment value (CIV) over \$20million. The current Section 96(2) modification application is therefore reported to Sydney North Planning Panel (SNPP) for determination.

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

### **MOTION**

**That Council receive the Assessment Report referred to the Sydney (North) Planning Panel for determination for DA-2016/18/A seeking approval for alterations to the building envelope, addition of two adaptable units at level 10 of building A, addition of bedrooms, changes to basement level 3 and associated internal and external changes to the approved shop-top housing development at 654-666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood but maintain existing conditions and heights.**

**MOVED COUNCILLOR SAVILLE**

**LAPSED FOR WANT OF A SECONDER**

**MOTION:**

**That Council receive the Assessment Report referred to the Sydney (North) Planning Panel for determination for DA-2016/18/A seeking approval for alterations to the building envelope, addition of two adaptable units at level 10 of building A, addition of bedrooms, changes to basement level 3 and associated internal and external changes to the approved shop-top housing development at 654-666 Pacific Highway, 1 Freeman Road and 2A Oliver Road, Chatswood.**

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR ZHU**

**CARRIED**

**Voting**

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

**Against:** Councillor Saville.

**Absent:** Councillors Giles-Gidney and Eriksson.

Due to Item 18.2: 654-666 Pacific Highway, 1 Freeman Road, 2A Oliver Road, Chatswood – DA2016/18/A being a Sydney North Planning Panel (SNPP) matter, Councillors Giles-Gidney and Eriksson declared a non-pecuniary substantial interest as respectively a member and alternate 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 and Deputy Mayor's absence for this item.

**18.3 DEED OF CONSENT AND LICENCE ANDERSON STREET AND CHARLOTTE LANE, CHATSWOOD**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>DAVID DIBIASE – PROPERTY AND CONSTRUCTION SERVICES MANAGER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To seek Council's consent to enter into a Deed of Consent and Licence with P.T. Limited (Westfield) for Footway Dining on Anderson Street and Charlotte Lane, Chatswood

**MOTION**

**That Council defer this matter pending further investigation**

**MOVED COUNCILLOR MUSTACA**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

**Voting**

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

**Against:** Nil



## 18.4 LOCAL PLANNING PANEL APPOINTMENTS AND DELEGATIONS

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. GENERAL MANAGER'S DELEGATION INCORPORATING PROPOSED CHANGES 3. WARD COUNCILLOR INSPECTION COMMITTEE POLICY AND DELEGATION</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>IAN ARNOTT – PLANNING MANAGER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.3.4 COUNCIL WORKS WITH STATE AND REGIONAL ORGANISATIONS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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### PURPOSE OF REPORT

To endorse appointments to the Willoughby Local Planning Panel, (previously referred to as the Independent Hearing and Assessment Panel), update Council on progress in the implementation of the Willoughby Local Planning Panel (WLPP) and amend delegations to align with legislation changes.

### RESOLUTION

That Council:

- 1. Note the appointment by the Minister of Abigail Goldberg as the Chair and Garry West and Penny Holloway as Alternate Chairs for the Willoughby Local Planning Panel;**
- 2. Note the selection and ratify the appointment of Philippa Hayes, Robert Wilson, Emma Booth and Robert Freestone as the Community Representatives for the Willoughby Local Planning Panel;**
- 3. Note the update on the process for selection of Expert Members for the Willoughby Local Planning Panel;**
- 4. Delegate authority to the General Manager to complete the process of selection and appointment of the Expert Members and Alternate Members to the Willoughby Local Planning Panel with the advice from the selection committee which is to include the Mayor, the Planning and Infrastructure Director and the Planning Manager and notify Council prior to the first meeting of the Willoughby Local Planning Panel;**
- 5. Delegate authority to the General Manager to determine all development applications, modification applications, applications for review of determination and Part V applications submitted under the *Environmental Planning and Assessment Act, 1979*, and issue the relevant Notices of Determination in order to align with the amended legislation;**

6. Revoke clause 13 – Determinations, of Schedule 3 (Environmental Services Matters) of the current Instrument of Delegation to the General Manager;
7. Revoke clause 3 – Ward Councillor Inspection Committees of the current Instrument of Delegations to Committees of Council;
8. Revoke the Ward Councillor Committee Policy.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**18.5 CONTINUING TO SUPPORT THE BETTER BUSINESS PARTNERSHIP - A SHARED COUNCIL SERVICE**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. BBP MEMORANDUM OF UNDERSTANDING</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>NATHAN JOHN – SUSTAINABLE BUSINESS PROGRAMS TEAM LEADER</b>
<b>CITY STRATEGY LINK:</b>	<b>5.1.1 LOCAL BUSINESS 5.1.3 ENGAGE WITH LOCAL BUSINESS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To seek Council approval to continue as a Partner Council and Host Council of the Better Business Partnership (BBP) program by signing a new Memorandum of Understanding between BBP's Partner Councils.

**RESOLUTION**

That Council:

- 1. Endorse the Better Business Partnership Phase 3 Memorandum of Understanding; and**
- 2. Authorise the General Manager to execute the BBP Memorandum of Understanding.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**18.6 VARIATIONS TO DEVELOPMENT STANDARDS (USE OF CLAUSE 4.6)**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. APPLICATIONS WITH VARIATIONS TO DEVELOPMENT STANDARDS QUARTER 2</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>IAN ARNOTT – PLANNING MANAGER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To provide details to Councillors of all development applications determined during the second quarter from 1 October 2017 to 31 December 2017 with variations in development standards as reported to the Department of Planning and Infrastructure.

**RESOLUTION**

**That Council note the applications with variations to development standards in the second quarter.**

**MOVED COUNCILLOR MUSTACA**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

**Voting**

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

**Against:** Nil

**18.7 BICENTENNIAL OVAL, SMALL STREET, WILLOUGHBY INSTALLATION OF FLOODLIGHTS DA-2017/253**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. SCHEDULE OF CONDITIONS 3. SITE DESCRIPTION, AERIAL PHOTO AND ZONING MAP 4. SUBMISSIONS TABLE 5. REFERRAL COMMENTS 6. SECTION 79C ASSESSMENT 7. NOTIFICATION MAP 8. ARCHITECTURAL PLANS (DISTRIBUTED SEPARATELY)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>IAN ARNOTT – PLANNING MANAGER</b>
<b>AUTHOR:</b>	<b>JOHN BRUNTON – CONSULTANT PLANNER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To seek Council's determination of Development Application 2017/253 for installation of five (5) light towers and floodlights at Bicentennial Oval, Small Street, Willoughby. Council is the applicant for the development.

The application is reported to Council for determination noting that Council is the applicant for the development.

**Procedural Motion**

**That the following people address the meeting and answer questions of the Councillors:**

- **Andy Lukas**
- **Dr Nicola Ward**
- **Kate Lamb**
- **Mike Smith**
- **Sean Leonard**
- **Les Tyrpenou**

**MOTION**

That Council:

1. Approve Development Application 2017/253 for installation of five (5) light towers with floodlights at Bicentennial Oval, Small Street, Willoughby and grant delegated authority to the General Manager to issue the Consent Notice in accordance with the conditions contained in Attachment 2.
2. Refer to the Traffic Committee to investigate ways to incorporate resident parking and line marking.
3. Refer to Council Officers to investigate ways of managing the use of the pagoda.

**MOVED COUNCILLOR ERIKSSON**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

**For the Motion:** Councillors Giles-Gidney, Campbell, Eriksson, Mustaca, Tuon and Zhu.

**Against:** Councillors Norton, Rutherford, Saville and Wright.

**Absent:** Councillor Fernandez

Due to Councillor Fernandez declaring a non-pecuniary substantial interest in Item 18.7: Bicentennial Oval, Small Street, Willoughby – installation of Floodlights DA-2017/253 due to being a member of Northbridge Football Club he withdrew from the meeting taking no part in the discussion or voting on this topic.

**18.8 APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY 1  
OCTOBER 2017 TO 31 DECEMBER 2017**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. APPLICATIONS DETERMINED – QUARTER 2</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>IAN ARNOTT – PLANNING MANAGER</b>
<b>CITY STRATEGY LINK:</b>	<b>6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

To provide Council with a list of applications determined under delegated authority during quarter 2 from 1 October 2017 to 31 December 2017.

**RESOLUTION**

**That Council note the information on Development Applications determined under delegated authority in the second quarter.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

**18.9 TENDER 112449 - ASSESSMENT OF TENDERS FOR THE PROVISION OF SECURITY PATROL SERVICES TO THE WILLOUGHBY LGA**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>DAVID DI BIASE – PROPERTY AND CONSTRUCTION SERVICES MANAGER</b>
<b>CITY STRATEGY LINK:</b>	<b>4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE</b>
<b>MEETING DATE:</b>	<b>12 FEBRUARY 2018</b>

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**PURPOSE OF REPORT**

Award Tender 112449 for the provision of security patrol services to the Willoughby LGA with an estimated total contract value of \$2,120,000.

**RESOLUTION**

That Council:

- 1. Accept the tender from the Tenderer ranked number 1 in the attached confidential report for a period of 2 years with an option to extend this contract for an additional 3 years for an estimated total spend of \$2,120,000 over the term of the contract.**
- 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.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil



## 19 NOTICE OF MOTION

### 19.1 NOTICE OF MOTION - SHARE BIKES AND E-BIKES IN THE WILLOUGHBY LGA

ATTACHMENTS:	1. WILLOUGHBY CITY COUNCIL BIKESHARE GUIDELINES
RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	DEBRA JUST – GENERAL MANAGER
CITY STRATEGY LINK:	4.2.2 BALANCE TRAFFIC MANAGEMENT
MEETING DATE:	12 FEBRUARY 2018

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#### PURPOSE OF REPORT

Councillor Wright has indicated his intention to move the following Notice of Motion.

#### MOTION

1. That Council collaborate with Canada Bay, City of Sydney, Inner West, Randwick, Ryde, Waverly and Woollahra and NSROC to encourage the safe use of share bikes and E-Bikes in the Willoughby LGA.
2. That the General Manager be delegated authority to finalise with other Councils strategies to work with bike operators to ensure, amongst other issues, that bikes are parked in appropriate areas and that damaged or discarded bikes are collected quickly.
3. That these strategies, once finalised are presented to Council and then to bike share operators in the Willoughby LGA.
4. That the Mayor write to relevant Ministers and the Member for Willoughby requesting contribution to the development of the guidelines - in order to implement them on state land and to give further consideration to a state-wide approach.
5. That the operators be given 3 months to comply with the guidelines and that Council be advised of updates after consultation with the other Councils.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SAVILLE

**CARRIED**

#### Voting

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

**Against:** Nil

## 20 CONFIDENTIAL ITEMS

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

### Procedural Motion

That:

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

### 20.1 CONFIDENTIAL - REPORT OF CONDUCT REVIEWER

#### Reason for Confidentiality

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

- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

### 20.2 CONFIDENTIAL - ASSIGNMENT OF LEASE SHOP 2, THE CONCOURSE

#### Reason for Confidentiality

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

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

### 20.3 CONFIDENTIAL - TENDER 107676 - ASSESSMENT OF TENDERS FOR THE OPERATION OF POOLSIDE CAFE AT THE WILLOUGHBY LEISURE CENTRE

#### 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 112449 - ASSESSMENT OF TENDERS FOR THE PROVISION OF SECURITY PATROL SERVICES TO THE WILLOUGHBY LGA

### 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

## 20.1 CONFIDENTIAL - REPORT OF CONDUCT REVIEWER

### Recommendation Summary

That Council:

1. Consider the report of the Conduct Reviewer and note the finding of the report that former Councillor Hooper breached Council's *Code of Conduct*;
2. Ratify the recommendation of the Conduct Reviewer to revise the *Use of Council's Computer Services* policy, by inserting the following clause:
  - 2.3 *The standards of acceptable usage in this policy apply to Councillors and Council staff when sending emails from any source, including private email accounts, when those emails are sent onto the Council's email system;*
3. Reaffirm that all official Council correspondence is conducted via formal Council systems and delegate to the General Manager to ensure that all communications issued by Council will be to the official Council email address and that this be incorporated into the relevant Council policies.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR FERNANDEZ

**CARRIED**

### Voting

**For the Recommendation:** Councillors Giles-Gidney, Campbell, Eriksson, Fernandez, Mustaca, Rutherford, Tuon, Wright and Zhu.

**Against:** Councillors Norton and Saville.

**20.2 CONFIDENTIAL - ASSIGNMENT OF LEASE SHOP 2, THE CONCOURSE****Recommendation Summary**

That Council:

1. Consent to the variation and assignment of registered lease AM4883066 from Food and Beyond Pty Ltd (assignor) to 2 Buddha Pty Limited (assignee) on the terms detailed in the report.
2. Delegate authority to the Mayor and General Manager to negotiate and execute under seal all documentation related to the variation, assignment, registration and any other deeds or licence agreements associated with the assignment of the lease.
3. Delegate authority to the Mayor and General Manager to negotiate and execute under seal any future leases, variations to lease, assignments, registrations and any other deeds or licence agreements associated with The Concourse commercial and retail tenancies in accordance with the *Local Government Act and Regulations*, the *Retail Leases Act 1994 (NSW)* and any other relevant legislation.

**MOVED COUNCILLOR MUSTACA**

**SECONDED COUNCILLOR NORTON**

**CARRIED**

**Voting**

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

**Against:** Nil

**20.3 CONFIDENTIAL - TENDER 107676 - ASSESSMENT OF TENDERS FOR THE OPERATION OF POOLSIDE CAFE AT THE WILLOUGHBY LEISURE CENTRE****Recommendation Summary**

That Council:

1. Accept the tender from Grandstand Group for the operation of the Poolside Café at the Willoughby Leisure Centre for a period of five (5) years with an option to extend this contract for an additional three (3) years for an estimated total value of \$256,000 over the term of the contract.
2. Authorise Resolution 1 be made 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.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

## **20.4 CONFIDENTIAL - TENDER 112449 - ASSESSMENT OF TENDERS FOR THE PROVISION OF SECURITY PATROL SERVICES TO THE WILLOUGHBY LGA**

### **Recommendation Summary**

**That Council:**

- 1. Accept the tender from Business Risks International Pty Ltd for the provision of security patrol 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 \$2,120,000 over the term of the contract.**
- 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.**

**MOVED COUNCILLOR NORTON**

**SECONDED COUNCILLOR RUTHERFORD**

**CARRIED**

**Voting**

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

**Against:** Nil

## **RESOLUTION**

**That the meeting revert to Open Council.**

**MOVED COUNCILLOR NORTON**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

**Voting**

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

**Against:** Nil

**RESOLUTION**

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

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

**Voting**

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

**Against:** Nil

## 21 QUESTIONS

NIL

- **Her Worship the Mayor Councillor G Giles-Gidney and Deputy Mayor Eriksson left the meeting at 8:39pm during debate on Item 18.1: 629-639 Pacific Highway, Chatswood – Planning Proposal and Item 18.2: 654-666 Pacific Highway, 1 Freeman road, 2A Oliver Road, Chatswood – DA2016/18/A – report to Sydney (North) Planning Panel and returned to the meeting at 9:04pm following the debate and vote on these topics.**
- **Former Deputy Mayor Mustaca took the chair during the vote on Item 18.1: 629-639 Pacific Highway, Chatswood – Planning Proposal and Item 18.2: 654-666 Pacific Highway, 1 Freeman road, 2A Oliver Road, Chatswood – DA2016/18/A – report to Sydney (North) Planning Panel**
- **Councillor Fernandez left the meeting at 7:49pm during debate on Item 18.7: Bicentennial Oval, Small street, Willoughby – Installation of Floodlights DA-2017/253 and returned to the meeting at 8:39pm following debate and vote on this topic.**

**The meeting concluded at 10:04pm**

**I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 12 February 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.**