



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

12 March 2018

commencing at 7:00pm

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1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors C Campbell, S Coppock, D Fernandez, T Mustaca, W Norton, J Rutherford, A Rozos, 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 I Arnott (Planning Manager), Mr A Patterson (Acting Governance Manager), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Minutes Secretary)

2 DISCLOSURES OF INTEREST - COUNCILLORS

- Councillor D Fernandez declared, via a Disclosures of Interest form, a non-pecuniary less than substantial interest in Item 17.3: Registration of Interest – Concession Application for Rotary Club of Northbridge
(Nature of Interest: I am a member of the Rotary Club of Northbridge – I will remain in the Chamber as I am a general member and not party to decision making at the Club)
- Councillor S Coppock declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Items 16.3: Code of Conduct Review Panel and Confidential Item 20.2: Code of Conduct Review Panel
- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary substantial interest in Item 18.1: 3-31 Walter St and 462 Willoughby Rd, Willoughby – Planning Proposal
(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 26 February 2018 copies of which have been circulated to each member of Council, be confirmed, noting the following amendments:

- **Open Forum – Simone Wilks spoke on toxic landfill and single use plastic at Council events.**
- **General Manager's late report – General Manager's comments on Michael Duffy's contribution to Willoughby City Council to be included in the Minutes.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor Eriksson is on leave previously granted.
- Councillor Wright requested Leave of Absence from 2:30pm Monday 19 March to Friday 23 March 2018
- Councillor Tuon requested Leave of Absence on Monday 26 March 2018

RESOLUTION

That Council:

1. **Note Councillor Eriksson is on leave previously granted.**
2. **Grant Councillor Wright Leave of Absence from 2:30pm Monday 19 March to Friday 23 March 2018.**
3. **Grant Councillor Tuon Leave of Absence on Monday 26 March 2018**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Fernandez, Mustaca, Norton, Rozos, 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

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

PURPOSE OF REPORT

Councillor Zhu tabled a petition containing 60 signatures in support for the residents of 7 Matheson Avenue Chatswood in petitioning for the removal of two Eucalyptus trees on Council's nature strip.

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 NORTON

CARRIED

Voting

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

Against: Nil

6 OPEN FORUM

NIL

7 MAYORAL MINUTE

7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 12 MARCH 2018

THURSDAY 1 MARCH			
Crs Norton, Saville	10 am	Natural Heritage Committee Site Meeting	Tunks Park
Mayor Cr Rutherford	6 pm	Preview of Art Works at New Expo <i>Imag((in))ing</i>	Ewart Gallery, Laurel Street
Mayor	6.30 pm	Preview organised by <i>Everyday Cashmere</i>	Shops 7 and 8 A at the Quadrangle Castlecrag
FRIDAY 2 MARCH			
Cr Norton	6 pm	Dance to the Nines	Dougherty Centre
SATURDAY 3 MARCH			
Mayor Deputy Mayor: Cr Eriksson Crs Norton, Rozos, Rutherford, Tuon	2 pm	Opening of Art Expo: <i>Grit!</i>	The Incinerator Art Space
SUNDAY 4 MARCH			
Mayor Cr Zhu	10 am	Official Opening of Grace City Church	Dougherty Centre
Mayor	11 am	Inauguration of Rev Dr Antonio Chan	Chatswood Church of Christ
MONDAY 5 MARCH			
TUESDAY 6 MARCH			
Mayor	12.45 pm	Official Opening of Bank of Sydney	420 Victoria Avenue, Chatswood
WEDNESDAY 7 MARCH			
Cr Norton	8.30 am	Audit Committee Meeting	Banksia Room
Mayor	11 am	Visit to Puddleducks Childcare Centre	Herbert Street, St Leonards
Mayor	7.30 pm	Castlecrag Progress Association Mtg.	Glenaeon School, Castlecrag
Cr Norton	9 pm	Annual General Meeting of WSOC	Uniting Church, Roseville
THURSDAY 8 MARCH			
Mayor	12 noon	LGNSW Women's Day Lunch	Doltone House, Hyde Park
Mayor Crs Norton, Tuon	6 pm	Women in Willoughby Event	Zenith Theatre
FRIDAY 9 MARCH			

7.2 MAYORAL MINUTE – FLAT ROCK BASEBALL DIAMOND A SUGGESTED WORK SITE FOR WESTERN HARBOUR TUNNEL AND BEACHES LINK CONSTRUCTION

MEETING DATE: 12 MARCH 2018

PURPOSE OF REPORT

To propose a response to the suggestion that the Flat Rock Baseball Diamond be used as a work site for the Western Harbour Tunnel and Beaches Link Construction.

MOTION

ABC News reported today that a preliminary environmental study for the Western Harbour Tunnel and Beaches Link was prepared for the NSW Government. The confidential study, which was leaked to ABC and Fairfax Media, considers four different routes and says that while the final route will have the least impact on residents, there are a number of environmental concerns including noise, water pollution and impact to recreation and harbour industries.

White Bay near Pyrmont, Balmain and Rozelle was identified as the main casting site for the concrete tunnels that will line the ocean floor at two undersea crossings at Balmain and Seaforth.

Another site identified in the study as a 'team and construction work site', is the Flat Rock Baseball Diamond in Naremburn. While it is unclear exactly what the site will be used for, it will likely see high levels of truck movements for up to 12 hours per day with significant traffic, noise and environmental pollution impacts to residents.

I have previously approached the Premier in regard to this issue and will continue to strongly advocate for sports facilities in the area.

Flat Rock Baseball Diamond is used 4 to 6 days per week and accommodates 685 people per week across the sports of Baseball, Soccer and School sports. User groups include:

- North Sydney Junior Baseball Club
- North Sydney Leagues Baseball Club
- Northbridge Football Club
- North Sydney Boys High School
- Willoughby Girls High School
- Japanese Baseball Club

Since 2013/14, \$555,000 has been spent on the Baseball Diamond to replace perimeter fencing, install temporary junior baseball nets and install floodlights. As recently as 2016/17 upgrades were completed to improve drainage, irrigation and playing surfaces.

If the proposal to use the baseball diamond is approved, this could also impact users of the Netball courts and Bicentennial Oval which are in close proximity, as well as the Park Run group and local residents who use the walkway to Artarmon Reserve and other key locations in the area.

Furthermore, the Baseball fields at Aquatic Reserve at Frenchs Forest are likely to be impacted by aquatic centre expansion plans. If these facilities become unavailable too, there will be no first class Baseball facilities on the entire North Shore.

The Regional Sports Ground Strategy Review completed in December 2017 by the Northern Sydney Regional Organisation of Councils found that there will be a critical shortage of sports fields within the next few years. It states that based on current models, there is a need to increase sports fields 26% by 2026 in order to meet population and sports demands. Even if this increase is achieved, Willoughby will still reach full capacity within 2 years. Therefore, it is of utmost importance that Council continues to advocate for local sporting groups by expressing concern to the Premier and Ministers relevant to this issue.

RESOLUTION

- 1. That the Mayor and General Manager meet with the NSW Premier to express Council's concerns in relation to the environmental study which proposes that the Flat Rock Baseball Diamond be used as a construction site during the Western Harbour Tunnel and Beaches Link construction and the environmental impact that these works may have on the harbour.**
- 2. That Council write to the Premier and relevant ministers including the Minister for Transport Andrew Constance, Minister for Local Government The Hon Gabrielle Upton and Minister for Sport and Recreation The Hon Mick Murray, to express concern regarding the impact on the harbour environment and local sporting facilities and seek a solution for a construction site alternative to the proposed Flat Rock Baseball Diamond.**
- 3. The Mayor and General Manager explore the opportunity to create an alliance of impacted councils and to facilitate a coalition of community groups to ensure that North Shore residents continue to have access to community sporting facilities and reserves during the construction of the Western Harbour Tunnel and Beaches Link.**

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

8 GENERAL MANAGER'S LATE REPORT

NIL

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

NIL

10 MATTERS NOT REQUIRING ELABORATION OR DEBATE

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

- Item 16.1 Consultation Draft – Model Code of Meeting Practice for Local Councils in NSW
- Item 16.3 Code of Conduct Review Panel
- Item 17.1 Thomas park – Playground Improvements Plan
- Item 19.2 Notice of Motion – Supporting NSW National Parks and Wildlife Service

RESOLUTION

That the remaining items, viz:

- Item 16.2 Consultation on proposed Councillor induction and Professional Development Guidelines
- Item 17.2 Tender 113681 – Mowbray Public School Oval Floodlights
- Item 17.3 Registration of interest – Concession Application for Rotary Club of Northbridge

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

- Item 18.1 3-31 Walter Street and 462 Willoughby Road, Willoughby – Planning Proposal
- Item 19.1 Notice of Motion – Council Cab Service

12 REPORTS FROM COMMITTEES

NIL

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

NIL

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 CONSULTATION DRAFT - MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

ATTACHMENTS:	1. IMPLICATIONS 2. SUBMISSION TO OLG 3. DIFFERENCES BETWEEN MODEL CODE AND WCC POLICY 4. CONSULTATION DRAFT - PRE-MEETING BRIEFING SESSIONS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	EVA MARTINEZ - POLICY & SUBMISSIONS SPECIALIST
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	12 MARCH 2018

PURPOSE OF REPORT

To consider and endorse the submission to the Office of Local Government concerning the Consultation Draft - *Model Code of Meeting Practice* for Local Councils in NSW December 2017.

MOTION

That Council:

- 1 Endorse the submission to the Office of Local Government (OLG) regarding the Consultation Draft in Attachment 2. The submission supports the adoption of the pre meeting briefing sessions.
- 2 Submit to the OLG that the Code should include a non-mandatory provision similar to the *Willoughby City Council Code of Meeting Practice - Policy* section (10)(4).

(10)(4) A breach of the Code of Conduct will be deemed to have occurred if a Councillor or Councillors wilfully retire from a Council Meeting with the intent of the Council losing its Quorum or intentionally withhold a Quorum by not attending.

MOVED COUNCILLOR SAVILLE

LAPSED FOR WANT OF A SECONDER

MOTION**That Council:**

- 1 Endorse the submission to the Office of Local Government (OLG) regarding the Consultation Draft in Attachment 2. The submission supports the adoption of non-mandatory provisions to be mandated with the exception of provisions '3.34-3.39 Pre meeting briefing sessions', submitting they remain non-mandatory.**
- 2 Submit to the OLG that the Code should include a non-mandatory provision similar to the *Willoughby City Council Code of Meeting Practice - Policy* section (10)(4).**

(10)(4) A breach of the Code of Conduct will be deemed to have occurred if a Councillor or Councillors wilfully retire from a Council Meeting with the intent of the Council losing its Quorum or intentionally withhold a Quorum by not attending.

MOVED COUNCILLOR WRIGHT**SECONDED COUNCILLOR ZHU****CARRIED****Voting****For the Motion:** Councillors Giles-Gidney, Campbell, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.**Against:** Councillor Coppock

16.2 CONSULTATION ON PROPOSED COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT GUIDELINES

ATTACHMENTS:	1. IMPLICATIONS 2. GUIDELINES FOR CONSULTATION 3. CIRCULAR NO 17-39
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:	12 MARCH 2018

PURPOSE OF REPORT

To provide a response to the Office of Local Government (OLG) on a consultation draft of guidelines to assist councils to deliver professional development to their mayors and councillors.

RESOLUTION

That Council:

- 1. Endorse the proposed new regulations issued by the Office of Local Government in its Circular No 17-39 to assist councils to develop and deliver induction and ongoing professional development activities for their mayor and councillors; and**
- 2. Write to the OLG to notify Council's agreement with the proposed regulation.**

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

16.3 CODE OF CONDUCT REVIEW PANEL

ATTACHMENTS:	1. IMPLICATIONS 2. SELECTION CRITERIA 3. SELECTED APPLICANTS
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:	12 MARCH 2018

PURPOSE OF REPORT

To consider the appointment of a panel of Code of Conduct Reviewers recommended by the Northern Sydney Regional Organisation of Councils (NSROC) to deal with any Code of Conduct complaints against Councillors and the General Manager.

RESOLUTION

That Council

- 1 Endorse the recommended Willoughby City Council Panel of Conduct Reviewers as outlined in the Selection Report Summary at Attachment 2 to this Report.**
- 2 Appoint the Willoughby City Council Panel of Conduct Reviewers for a four year term, subject to a two year performance review.**

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

Due to Councillor Coppock declaring a non-pecuniary substantial interest in Item 16.3: Code of Conduct Review Panel he withdrew from the meeting taking no part in the discussion or voting on this topic.

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 THOMSON PARK - PLAYGROUND IMPROVEMENTS PLAN

ATTACHMENTS:	1. IMPLICATIONS 2. THOMSON PARK PLAYGROUND IMPROVEMENTS PLAN 3. THOMSON PARK COMMUNITY CONSULTATION SUMMARY REPORT 4. LOCATION MAP
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	AMY BARNES – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY LINK:	1.3.1 ACCESSIBLE OPEN SPACE AND RECREATIONAL FACILITIES FOR THE COMMUNITY ARE PROVIDED
MEETING DATE:	12 MARCH 2018

PURPOSE OF REPORT

For Council to adopt the Playground Improvements Plan for Thomson Park, Artarmon.

RESOLUTION

That Council adopt the Thomson Park – Playground Improvements Plan dated January 2018.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR TUON

CARRIED

Voting

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

Against: Nil

17.2 TENDER 113681 - MOWBRAY PUBLIC SCHOOL OVAL FLOODLIGHTS

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	AMY BARNES – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY LINK:	1.3.2 HEALTHY LIVING AND WELLBEING ARE ENCOURAGED
MEETING DATE:	12 MARCH 2018

PURPOSE OF REPORT

To award Tender 113681 for Mowbray Public School Oval Floodlights.

RESOLUTION

That Council:

- 1. Accept the tender from the top ranked tenderer in the attached confidential report with a total contract value of \$149,336.**
- 2. Make public the successful tenderer's name following the Council's resolution to accept the tender.**
- 3. Authorise the Mayor and the General Manager to execute the contract.**

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Campbell, Coppock, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, 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:	12 MARCH 2018

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 12pm 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, Coppock, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Against: Nil

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 3-31 WALTER ST AND 462 WILLOUGHBY RD, WILLOUGHBY - PLANNING PROPOSAL

ATTACHMENTS:

1. IMPLICATIONS
2. COUNCIL DETAILED ASSESSMENT
3. COUNCIL ASSESSMENT OF DEPARTMENT OF PLANNING AND ENVIRONMENT'S 'A GUIDE TO PREPARING PLANNING PROPOSALS'
4. PLANNING PROPOSAL CONCEPT PLANS (SEPARATELY DISTRIBUTED)
5. PROPOSED WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012 LAND ZONING, HEIGHT OF BUILDINGS AND FLOOR SPACE RATIO MAPS
6. PROPOSED AMENDMENTS TO SITE SPECIFIC DEVELOPMENT CONTROL PLAN PROVISIONS
7. ROADS AND MARITIME SERVICES (RMS) ADVICE DATED 7 NOVEMBER 2017

RESPONSIBLE OFFICER: IAN ARNOTT-PLANNING MANAGER

AUTHOR: JANE HOSIE-STRATEGIC PLANNER

CITY STRATEGY LINK: 3.1.1 PLAN FOR HOUSING CHOICE

MEETING DATE: 12 MARCH 2018

PURPOSE OF REPORT

To seek Council determination to refer a Planning Proposal for 3-31 Walter St and 462 Willoughby Rd, Willoughby 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 Andrew Darroch, Merson Planning address the meeting and answer questions of the Councillors.

MOTION

That Council not support the application for public exhibition Planning Proposal 2017/1 relating to 3-31 Walter St, 462 Willoughby Rd, Willoughby and draft amendments to *Willoughby Local Environmental Plan 2012*.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR NORTON

CARRIED

Voting

For the Motion: Councillors Campbell, Coppock, Fernandez, Norton, Rutherford, Saville, Tuon and Wright.

Against: Councillors Mustaca, Rozos and Zhu

Absent: Councillor Giles-Gidney

Due to Councillors Giles-Gidney declaring a non-pecuniary substantial interest in Item 18.1: 3-31 Walter St and 462 Willoughby Rd, Willoughby – Planning Proposal as a member of the Sydney North Planning Panel she withdrew from the meeting taking no part in the discussion or voting on this topic.

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

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION - COUNCIL CAB SERVICE

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:	12 MARCH 2018

PURPOSE OF REPORT

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

Procedural Motion

That the following people address the meeting:

- Howard Harrison
- Mahrukh Batliwalla

RESOLUTION

1. Defer cessation of Council's Cab services from 30 June 2018 by 8 months so that Council can investigate a more equitable service and a report be brought back to Council before the last meeting of the year.
2. Send a thank you note to John, the driver of the Council Cab service.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

19.2 NOTICE OF MOTION - SUPPORTING NSW NATIONAL PARKS AND WILDLIFE SERVICE

RESPONSIBLE OFFICER:	DEBRA JUST - GENERAL MANAGER
AUTHOR:	DEBRA JUST - GENERAL MANAGER
CITY STRATEGY LINK:	2.1.2 THE COMMUNITY VALUES THE NATURAL ENVIRONMENT
MEETING DATE:	12 MARCH 2018

PURPOSE OF REPORT

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

MOTION

That Council:

1. **Acknowledge that there are more than forty million visits to NSW National Parks each year with an overwhelming 94 per cent of visitors being satisfied or very satisfied with their experience.**
2. **Note that Willoughby forms a boundary with Lane Cove National Park, and is close to Kuringai and other national parks on the North Shore – Note that a significant number of Willoughby residents visit NSW National Parks.**
3. **Note with concern the budget and staff cuts and restructures currently taking place within the NSW National Parks and Wildlife Service (NPWS) and the risk this places to the economy, visitor safety, public amenity and the environment.**
4. **Call on the NSW Government to treat NPWS staff with the respect they deserve and to stop the undermining of national parks.**
5. **Write to the NSW Premier, The Hon. Gladys Berejiklian MP, the NSW Minister for the Environment, The Hon. Gabrielle Upton MP, the Shadow Minister for the Environment, Penny Sharpe MLC and the Greens NSW Environment Spokesperson, Dr Mehreen Faruqi MLC expressing the concerns raised in this resolution; and**
6. **Distribute this resolution to relevant community and environment groups and the Public Services Union.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

LOST

Voting

For the Motion: Councillors Fernandez, Mustaca, Norton, Rozos, Saville and Wright.

Against: Giles-Gidney, Campbell, Coppock, Rutherford, Tuon, and Zhu.

Absent: Nil

As the vote was equal, the Mayor exercised her casting vote against the motion.

20 CONFIDENTIAL ITEMS

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

Procedural Motion

That:

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

20.1 TENDER 113681 - MOWBRAY PUBLIC SCHOOL OVAL FLOODLIGHTS - CONFIDENTIAL

Reason for Confidentiality

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

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

20.2 CONFIDENTIAL - CODE OF CONDUCT REVIEW PANEL

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 - SPONSORSHIPS PROGRESS FOR VIVID SYDNEY AT CHATSWOOD 2018

Reason for Confidentiality

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

**20.1 TENDER 113681 – MOWBRAY PUBLIC SCHOOL OVAL FLOODLIGHTS –
CONFIDENTIAL****Recommendation Summary**

That Council accept the tender from REES Electrical for Mowbray Public School Oval Floodlights.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Councillor Saville

20.2 CONFIDENTIAL - CODE OF CONDUCT REVIEW PANEL**Recommendation Summary**

That Council endorse the contents of the Confidential NSROC EOI panel recommendation (Attachment 2).

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

Due to Councillor Coppock declaring a non-pecuniary substantial interest in Confidential Item 20.2: Code of Conduct Review Panel he withdrew from the meeting taking no part in the discussion or voting on this topic.

20.3 CONFIDENTIAL - SPONSORSHIPS PROGRESS FOR VIVID SYDNEY AT CHATSWOOD 2018**Recommendation Summary**

That Council receive the information on the sponsorships progress for Vivid Sydney at Chatswood 2018.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

RESOLUTION

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

MOVED COUNCILLOR FERNANDEZ

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

21 QUESTIONS

NIL

- Her Worship the Mayor Councillor G Giles-Gidney left the meeting at 7:54pm during debate on Item 18.1: 3-31 Walter St and 462 Willoughby Rd, Willoughby – Planning Proposal and returned to the meeting at 8:56pm following the debate and vote on this topic.
- Former Deputy Mayor Coppock took the chair during the vote on Item 18.1: 3-31 Walter St and 462 Willoughby Rd, Willoughby – Planning Proposal
- Councillor Coppock left the meeting at 9:15pm during debate on Item 16.3: Code of Conduct Review Panel and returned to the meeting at 9:24pm following the debate and vote on this topic.
- Councillor Coppock left the meeting at 9:36pm during debate on Confidential Item 20.2: Code of Conduct Review Panel and returned to the meeting at 9:37pm following the debate and vote on this topic.

The meeting concluded 10:12pm

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 March 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.