



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

28 May 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, H, Eriksson, 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 G McDonald (Planning & Infrastructure Director), Mr Stephen Naven (Interim Chief Financial Officer), Mr Ian Arnott (Planning Manager), Mr A Patterson (Acting Governance Manager), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Minutes Secretary)

Legal Representative

Robert Tassell, Partner, Pikes & Verekers Lawyers

2 DISCLOSURES OF INTEREST - COUNCILLORS

- Councillor Wright declared via a Disclosures of Interest Form, a non-pecuniary, less than substantial interest in Item 16.2: Investment Report April 2018
(Nature of Interest: I am an employee of the Westpac Banking Group. As the report is for noting and I have no control over the Willoughby City Council's investment decisions, I am confident that this is a less than substantial interest that requires no further action.)
- Councillor Fernandez declared via a Disclosures of interest Form, a non-pecuniary, less than substantial interest in Item 19.1 Notice of Motion – Bales Park Floodlights
(Nature of Interest: My son is a junior community member of the Northbridge Football Club. I am not a member of the club or executive or general committee and therefore will not be leaving the chamber.)
- Councillor Saville declared via a Disclosures of Interest Form, a non-pecuniary, less than substantial interest in Item 20.5: Confidential – report of Conduct Reviewer
(Nature of Interest: I have known the councillor over four terms of Council, in his capacity and mine as councillors. I will stay in chambers as I believe that I can vote independently.)
- Councillor Giles-Gidney declared via a Disclosures of Interest Form, a non-pecuniary, less than substantial interest in Item 18.3: Tender 113995 – Natural Area Restoration Services 2018-23 and Item 20.1: Confidential Report Tender 113995 Natural Area
(Nature of Interest: One of the selected panel members, Lilly Pilly Indigenous Landscapes Pty Ltd, does occasional gardening work at my home.)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 14 May 2018, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor Campbell requested Leave of Absence from 4 – 30 July 2018.

RESOLUTION

That Council grant Leave of Absence to Councillor Campbell from 4 – 30 July 2018.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

5 PETITIONS

NIL

6 OPEN FORUM

NIL

7 MAYORAL MINUTE**7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 28 MAY 2018**

TUESDAY 15 MAY			
Mayor Cr Norton, Saville, Tuon, Zhu	7.30 am	Sustainability Forum Breakfast	The Concourse
WEDNESDAY 16 MAY			
Mayor Cr Zhu	7.30 am	Budget Breakfast – organised by Chatswood Chamber of Commerce	The Chatswood Club
Cr Norton	10.30 am	Dougherty Residents Willoughby String Quartet Performance	Dougherty Apartments
Mayor Crs Norton, Tuon	11.30 am	Citizenship Ceremony	Council Chambers
Cr Norton	2 pm	Dougherty Apartments Board Meeting	Dougherty Apartments
Cr Rutherford	2pm	Funeral Mass for Norma Carapiet	Armenian Apostolic Church at Macquarie Street, Chatswood
Mayor	3 pm	Funeral of Norma Carapiet	Magnolia Chapel, Macquarie Park
Cr Rutherford		Talk by Dr Brendan Nelson	Chatswood RSL Club
THURSDAY 17 MAY			
Mayor	6.30 pm	Opening of Northbridge Quilters Expo	Gallery 307, Sailors Bay Road
FRIDAY 18 MAY			
SATURDAY 19 MAY			
Cr Rozos	2 pm	77 th Anniversary Service: Battle of Crete	Martin Place Cenotaph, Sydney
Mayor Cr Eriksson: Deputy Mayor Crs Fernandez, Zhu	6.30 pm	Rotary Fireworks	Northbridge Oval
Crs Norton, Rutherford	7 pm	Opening Night of WTC <i>Strictly Ballroom</i>	The Concourse
SUNDAY 20 MAY			
Cr Eriksson: Deputy Mayor Cr Norton, Campbell, Tuon, Zhu	9 am	Inaugural Pet Festival	Artarmon Reserve
Crs Norton, Saville	1.30 pm	Child and Family Expo	The Concourse
Cr Norton	2.30 pm	Willoughby Symphony Chamber Music Series: <i>Tall Tales</i>	Zenith Theatre
Cr Eriksson: Deputy Mayor Cr Zhu	7 pm	Commemoration Gala: 200 years of Chinese Migration to Australia	Sydney Town Hall
MONDAY 21 MAY			
TUESDAY 22 MAY			
Cr Norton	5 pm	Heritage Advisory Committee	Banksia Room WCC
Crs Norton, Rutherford	7.30 pm	Castle Cove P.A. Meeting	Castle Cove Community Centre

WEDNESDAY 23 MAY			
Mayor	11.45 am	National Simultaneous Storytime	Chatswood Library
Cr Norton	12 pm	<i>Live at Lunch</i>	The Concourse
Cr Saville		Meeting on site & Land & Environment Court Hearing	9 Centennial Avenue
Cr Norton	5.30 pm	Gordon Waterhouse Memorial Music Scholarship: Chatswood Rotary Event	Zenith Theatre
THURSDAY 24 MAY			
FRIDAY 25 MAY			
Mayor Crs Campbell, Fernandez, Norton, Rozos, Rutherford, Tuon, Wright, Zhu	5.30 pm	Vivid – Lights On!	The Concourse & Chao Ba
SATURDAY 26 MAY			
Cr Saville		Uluru Statement Walk	City
Cr Norton	11 am	Funeral of David Sung	Sydney College of Arts, Rozelle
SUNDAY 27 MAY			

7.2 MAYORAL MINUTE – THE LATE NORMA MAY CARAPIET**MEETING DATE: 28 MAY 2018**

PURPOSE OF REPORT

To consider the Mayoral Minute on the passing of Norma Carapiet.

MOTION

Norma Carapiet passed away on Thursday 10 May 2018, aged 72 years. The NSW Parliament Hansard noted her as having served with distinction in the Willoughby Electorate Office for the past 11 years. She will also be remembered for the kindness and friendly manner to the many people she encountered.

Norma May Brown was born in Paddington on 4 October 1945. She had an older sister Lesley and was the eldest triplet to Julie and Gordon. Norma attended Drummoyne Primary School and Riverside Girls High School in Gladesville. After school and secretarial training, she worked for 20 years in the family business, Brown's Hardware.

When she married Saro in 1970, Norma also embraced the Armenian culture and values. She and Saro had two daughters, Nicole and Kristy.

Norma participated in a number of committees, such as being the treasurer of the Share Club. She was also a long-standing treasurer of the Roseville College tuckshop, in which role she was tenacious and highly regarded by the Parents and Friends Committee for the quality of her bookkeeping as well as her professionalism.

She volunteered her work to the Liberal Party for many years, which led to a position in the Willoughby Electoral Office for 11 years. She was very proud when the Member became Premier during that time.

Norma will be remembered by many in the Willoughby City area and our condolences go to her family at this time. Her memorial service was held on Wednesday 16 May 2018.

RECOMMENDATION

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

MOVED COUNCILLOR GILES-GIDNEY**CARRIED**

Councillors Mustaca, Coppock and Rutherford acknowledged the passing of Norma Carapiet, Councillor Mustaca noting his regret for not being able to attend the memorial service.

8 GENERAL MANAGER'S LATE REPORT

8.1 DAVID SUNG'S CONTRIBUTION TO WILLOUGHBY CITY COUNCIL

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

CITY STRATEGY LINK: 6.3.3 COUNCIL HAS AN APPROPRIATELY TRAINED, SKILLED AND SUPPORTED WORK FORCE

MEETING DATE: 28 MAY 2018

PURPOSE OF REPORT

To inform Council on the passing of David Sung, Council's Design Services Manager, and to note his contribution to Willoughby City Council.

DISCUSSION

David Sung passed away suddenly on 15 May 2018. Many staff recalled seeing him just a day earlier with no sign of ill health. His passing has come as a shock to us all.

A celebration of David's life was held on Saturday 26 May at the Sydney College of the Arts at Rozelle.

David commenced with Council on 5 February 2002 in the position of Engineering Services Manager, now Design Services Manager. Previously he worked at Leichhardt, Woollahra, Sydney City and Kogarah Councils and is well known in local government and engineering communities. He is also highly regarded in the parking industry, having made extensive improvements at Leichhardt and Willoughby Councils.

Over the past 16 years David has signed off on some 500 civil works plans for Willoughby Council. He has contributed to the integration of large-scale infrastructure into the local area in projects such as the Lane Cove tunnel, Sydney Metro and the Northern Beaches tunnel.

The acting program director for the Sydney Metro has advised that "*David's contribution has been integral to the progress of the Metro to date and will be forever engrained in its future success. The metro team could not speak highly enough of David, noting his collaboration, integrity and good humour to facilitate positive outcomes. David was a pleasure to work with and a credit to Council.*"

In 2012, Institute of Public Works Engineering Australasia NSW Division awarded David the "*Engineering Excellence Award for the Chatswood Flood Mitigation and Stormwater Reuse Scheme.*" David initiated the idea of the integrated stormwater detention system in The Concourse entertainment facility.

He has championed training for young engineers and encouraged women's entry into the profession. With his support, about 70 Australian students and 10 International students have gone through Willoughby's engineering internship program during his time.

One of David's sons has said that "Work was a big part of dad's life. He loved it and really defined himself a lot by his work." And we can say he did his work well.

David loved to travel and share his experiences with colleagues. While on leave, he would sometimes email photos as diverse as parking meters and Roman ruins for the lessons we can learn in infrastructure management. He was a great cook and loved his food. At lunchtimes he'd often be seen purchasing fresh supplies for that evening's creation. He would like to eat lunch with his colleagues and discuss work issues, talk politics and mull on daily intrigues.

David was proud of his boys and spoke fondly of them. He'd mention often about where Alistair was playing music or what works Jeremy was undertaking. He also talked about his wife Lynne's pursuits in the arts and her exhibitions.

David's loss extends beyond his long term professional contribution to Willoughby. He was a gentle and supportive person by nature and created a sense of team and belonging for both his staff and his peers. He will be greatly missed.

RESOLUTION

That Council note the passing of David Sung, Council's Design Services Manager, on 15 May 2018 and send a letter of condolence to David's wife Lynne and their family.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

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	Quarterly Budget Review 2017/18 – March Quarter
Item 16.2	Investment Report for the Month of April 2018
Item 17.1	Tender 114588 – Bicentennial Oval Floodlights
Item 17.2	Out of Term Application – the Concourse Performing Arts Subsidy
Item 17.4	Council Committee Review – Previous Membership

RESOLUTION

That the remaining items, viz:

Item 12.1	Access Advisory Committee Meeting held 11 April 2018
Item 16.3	Fees for Councillors and Mayor 2018-2019
Item 16.4	Make public Confidential Resolutions from Closed Council Meeting
Item 17.3	Concession Application for Venue Hire
Item 18.1	Submission on the Department of Planning and Environment Discussion Paper: Planning for the Future of Retail and Proposed Amendments to the Standard Instrument: Better Planning for the Retail Sector April 2018
Item 18.2	Willoughby Local Planning Panel – Submissions Policy
Item 18.3	Tender 113995 – Natural Area Restoration Services 2018-23
Item 18.4	Variations to Development Standards (Use of Clause 4.6)
Item 18.5	Current Development Application and Planning Proposal Report as at 2 April 2018
Item 18.6	Applications Determined under Delegated Authority 1 January 2018-31 March 2018

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

Item 19.1 Notice of Motion – Bales Park Floodlights

Item 19.2 Notice of Motion – Vegetation Policy and Procedures

12 REPORTS FROM COMMITTEES

12.1 ACCESS ADVISORY COMMITTEE MEETING HELD 11 APRIL 2018

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – ACCESS ADVISORY COMMITTEE – 11 APRIL 2018
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

To provide Council with the minutes of the Access Advisory Committee meeting held 11 April 2018.

RESOLUTION

That Council receive and note the minutes of the Access Advisory Committee meeting held 11 April 2018.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

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 QUARTERLY BUDGET REVIEW 2017/18 - MARCH QUARTER

ATTACHMENTS:	<ol style="list-style-type: none">1. IMPLICATIONS2. BUDGET VARIATIONS DECEMBER QUARTER3. QUARTERLY BUDGET REVIEW STATEMENT4. LEGAL EXPENSES5. PRINCIPAL ACTIVITIES VARIATIONS6. PROJECTS & CAPITAL WORKS7.1 THE CONCOURSE FINANCIALS7.2 THE CONCOURSE CONSULTANTS COMPARISON8. CROWN RESERVES INCOME & EXPENDITURE9. CY PRES SCHEME RESERVES10. DEVELOPER CONTRIBUTIONS
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RESPONSIBLE OFFICER: DEAN FROST – CUSTOMER & CORPORATE DIRECTOR

AUTHOR: STEPHEN NAVEN – INTERIM CHIEF FINANCIAL OFFICER

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

MEETING DATE: 28 MAY 2018

PURPOSE OF REPORT

To provide a quarterly update on Council's progress towards attaining Operational Plan Budget and Financial Performance targets during the third quarter 1 January 2018 to 31 March 2018.

RESOLUTION

That Council:

1. Note the report;
2. Approve the reduction in operating budget expenditure of \$1.26M and reduction in operating budget income of \$7.73M resulting in a net decrease to the operating surplus for the 2017/18 March Quarter of \$6.47M.
3. Approve the reduction in Capital Expenditure for the 2017/18 Financial Year of \$9.10M.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

Councillor Rutherford acknowledged Stephen Naven's efforts in making the quarterly reports more readable.

16.2 INVESTMENT REPORT FOR THE MONTH OF APRIL 2018

ATTACHMENTS:	1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2018) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS
RESPONSIBLE OFFICER:	DEAN FROST - CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY LINK:	6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

To detail the Council Bank balances and Investment portfolio performance as at 30 April 2018.

RESOLUTION

That Council receive the Statement of Bank Balances and Investment Holdings as at 30 April 2018.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

16.3 FEES FOR COUNCILLORS AND MAYOR 2018-2019

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	VLADIMIR GREPL – GOVERNANCE OFFICER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

To inform Council of the *2018 Annual Report and Determination* from the Local Government Remuneration Tribunal and to adopt the Mayoral and Councillors' fees for the 2018-2019 financial year.

RESOLUTION

That Council sets the annual fees payable to the Councillors and Mayor from 1 July 2018 to 30 June 2019 at the maximum level for Metropolitan Small category (\$19,790 Councillor Annual Fee and \$43,150 Mayor Additional Fee) based on the 2018 determination of the Local Government Remuneration Tribunal.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

16.4 MAKE PUBLIC CONFIDENTIAL RESOLUTIONS FROM CLOSED COUNCIL MEETING

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	DEAN FROST - CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	VLADIMIR GREPL - GOVERNANCE OFFICER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	28 MAY 2018

1. PURPOSE OF REPORT

To make public confidential resolutions from closed Council meetings as resolved by Council.

RESOLUTION

That Council note the provision to the public of the Confidential Resolutions from the following Closed Council Meetings:

1. 10 July 2017 - 12 Frederick Street, St Leonards VPA

Make public the content of the confidential report on the VPA following the execution of the VPA as a final agreement.

2. 27 November 2017 - Outcomes Achieved – Vivid Sydney at Chatswood 2017

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

3. 13 February 2017 - Tender 103052 Gore Hill Park Redevelopment and Tender 104609 Gore Hill Oval Synthetic Surfacing

2. Award TENDER 104609 GORE HILL OVAL SYNTHETIC SURFACING to Turf One but that the contract is not entered into until a successful negotiation has been reached in accordance with point 8 below.

4. Note that at this point in time only Haslin has the necessary Federal Government accreditation to proceed with the project and that Glascott is in the process of obtaining that accreditation.

5. Council note that the current Tender price submitted by Haslin is [REDACTED] greater than that of Glascott as outlined in Figure 4.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 TENDER 114588 - BICENTENNIAL 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:	28 MAY 2018

PURPOSE OF REPORT

To award Tender 114588 for Bicentennial Oval Floodlights.

MOTION

That Council:

1. Accept the tender from the top ranked tenderer in the separate confidential report with a total contract value of \$231,000.
2. Make public the successful tender's name following the Council's resolution to accept the tender.
3. Authorise the General Manager to execute the contract.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Councillor Coppock

17.2 OUT OF TERM APPLICATION - THE CONCOURSE PERFORMING ARTS SUBSIDY

ATTACHMENTS:	1. IMPLICATIONS 2. APPLICATION SUMMARY
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:	28 MAY 2018

PURPOSE OF REPORT

To seek Council's endorsement for distribution of The Concourse Performing Arts Subsidy grant funds.

RESOLUTION

That Council distribute grant funds of \$5,000 under The Concourse Performing Arts Subsidy Program to Conviction Group Incorporated.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

17.3 CONCESSION APPLICATION FOR VENUE HIRE

ATTACHMENTS:	1. IMPLICATIONS 2. APPLICATION SUMMARY
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

To seek Council's approval for a 100% (Category D) concessional rate of hire at Dougherty Community Centre for the following applicants:

1. Artarmon Daily Reflections Alcoholics Anonymous Group
2. Narcotics Anonymous.

RESOLUTION

That Council approves a 100% (Category D) concessional rate of hire at the Dougherty Community Centre for the following applicants:

1. Artarmon Daily Reflections Alcoholics Anonymous Group to the value of \$3,500 per annum
2. Narcotics Anonymous to the value of \$5,200 per annum.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

17.4 COUNCIL COMMITTEE REVIEW - PREVIOUS MEMBERSHIP

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – DIRECTOR COMMUNITY, CULTURE AND LEISURE
AUTHOR:	MELANIE SMITH – DIRECTOR COMMUNITY, CULTURE AND LEISURE
CITY STRATEGY LINK:	1.1.1 THE COMMUNITY CAN PARTICIPATE IN CITY LIFE
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

To expand the scope of the Review of Council Committees to include the Haven Amphitheatre Committee.

To seek Council's approval to rollover previous community membership of the following Council Committees to continue until such time as the Review of Council Committees is concluded.

- MOSAIC Advisory Committee
- Bicentennial Reserve and Flat Rock Gully Advisory Committee
- Haven Amphitheatre Committee
- Global Friendship Committee
- Heritage Advisory Committee
- Companion Animals Advisory Committee

RESOLUTION

That Council:

- 1. Endorse the inclusion of the Haven Amphitheatre Committee in the Review of Council Committees.**
- 2. Endorse the rollover of the Terms of Reference for the following Committees and allow the previous membership to continue until such times as the Review of Council Committees is resolved:**
 - **MOSAIC Advisory Committee**
 - **Bicentennial Reserve and Flat Rock Gully Advisory Committee**
 - **Haven Amphitheatre Committee**
 - **Global Friendship Committee**
 - **Heritage Advisory Committee**
 - **Companion Animals Advisory Committee**

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

Absent: Councillor Wright

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 SUBMISSION ON THE DEPARTMENT OF PLANNING AND ENVIRONMENT DISCUSSION PAPER: PLANNING FOR THE FUTURE OF RETAIL AND PROPOSED AMENDMENTS TO THE STANDARD INSTRUMENT: BETTER PLANNING FOR THE RETAIL SECTOR APRIL 2018

ATTACHMENTS:	<ol style="list-style-type: none">1. IMPLICATIONS2. DISCUSSION PAPER: PLANNING FOR THE FUTURE OF RETAIL APRIL 2018 (TO BE DISTRIBUTED SEPARATELY)3. PROPOSED AMENDMENTS TO THE STANDARD INSTRUMENT: BETTER PLANNING FOR THE NSW RETAIL SECTOR APRIL 2018 (TO BE DISTRIBUTED SEPARATELY)4. SUBMISSION
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
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:	28 MAY 2018

PURPOSE OF REPORT

The purpose of this report is to seek Council's retrospective endorsement of a submission that has been forwarded to the NSW Department of Planning and Environment in respect to the following documents:

- *Discussion Paper: Planning for the Future of Retail April 2018*
- *Proposed Amendments to the Standard Instrument: Better Planning for the NSW Retail Sector April 2018*

RESOLUTION

That Council retrospectively endorse the attached submission on the *Discussion Paper: Planning for the Future of Retail April 2018* and *Proposed Amendments to the Standard Instrument: Better Planning for the NSW Retail Sector April 2018*.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

18.2 WILLOUGHBY LOCAL PLANNING PANEL - SUBMISSIONS POLICY

ATTACHMENTS:	1. IMPLICATIONS 2. LOCAL PLANNING PANELS DIRECTION – DEVELOPMENT APPLICATIONS
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
CITY STRATEGY LINK:	6.3.4 COUNCIL WORKS WITH STATE AND REGIONAL ORGANISATIONS
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

The purpose of this report is for Council to determine its position in respect to adoption of a Submissions Policy for the purpose of referral of Development Applications to the Willoughby Local Planning Panel for determination.

RESOLUTION

That Council:

- 1. Note that very few applications receive between 4-9 submissions.**
- 2. Adopt the Minister’s direction that only applications with ten or more submissions be forwarded to the WLPP and applications with between 4 and 9 submissions inclusive be considered by staff under delegation with the additional consideration of the internal panel.**

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

18.3 TENDER 113995 - NATURAL AREA RESTORATION SERVICES 2018-23

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	CHRIS WILLIAMS – CREEKS PROJECTS COORDINATOR
CITY STRATEGY LINK:	2.1.1 CONSERVE AND MAINTAIN WILLOUGHBY'S NATURAL ECOSYSTEMS
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

To advise Council on the assessment of Tender 113995 for Natural Area Restoration Services 2018 - 2023 and to seek Council's approval to appoint a Panel to carry out these works.

RESOLUTION

That Council:

- 1. Accept the tenders from the approved tenderers in the confidential report to form a panel of service providers for Natural Area Restoration Services for a 5 year period.**
- 2. Make public the successful tenderers' names following the Council's resolution to accept the tenders.**
- 3. Authorise the General Manager to execute the contract.**

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

18.4 VARIATIONS TO DEVELOPMENT STANDARDS (USE OF CLAUSE 4.6)

ATTACHMENTS:	1. IMPLICATIONS 2. APPLICATIONS WITH VARIATIONS TO DEVELOPMENT STANDARDS QUARTER 3
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

To provide details to Councillors of all development applications determined during the third quarter from 1 January 2018 to 31 March 2018 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 third quarter.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

**18.5 CURRENT DEVELOPMENT APPLICATION AND PLANNING PROPOSAL
REPORT AS AT 2 APRIL 2018**

ATTACHMENTS:	1. IMPLICATIONS 2. LIST OF APPLICATIONS
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	DEVELOPMENT PLANNERS, BUILDING SURVEYORS
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

To provide quarterly details to Councillors of all current Development Applications and Planning Proposals as at 2 April 2018.

RESOLUTION

That Council note the information on Development Applications (including those to be determined by the Sydney North Planning Panel) and Planning Proposals Report to 2 April 2018.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

**18.6 APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY 1
JANUARY 2018 TO 31 MARCH 2018**

1. IMPLICATIONS
2. APPLICATIONS DETERMINED – QUARTER 3

RESPONSIBLE OFFICER: GREG MCDONALD - PLANNING &
INFRASTRUCTURE DIRECTOR

AUTHOR: IAN ARNOTT – PLANNING MANAGER

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

MEETING DATE: 28 MAY 2018

PURPOSE OF REPORT

To provide Council with a list of applications determined under delegated authority during quarter 3 from 1 January 2018 to 31 March 2018.

RESOLUTION

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

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION - BALES PARK FLOODLIGHTS 21 MAY 2018

RESPONSIBLE OFFICER:	DEBRA JUST - GENERAL MANAGER
AUTHOR:	JULIE WHITFIELD – OPEN SPACE COORDINATOR
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	28 MAY 2018

1. PURPOSE OF REPORT

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

Procedural Motion

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

- John Whiteing
- Georgia Cheyne
- Peter Carroll
- Carolyn Fox
- Brian Norton
- Kevin Slaven
- Rory Grace
- Linda Carroll
- Ben Wright
- David Bezer
- Harry Constantain

MOTION

That Willoughby City Council discontinue funding for and in connection with the proposal to install floodlights at Bales park (8 galvanised silver/grey light poles x 18 metres high) due to the significant broad-based community opposition to the allocation of funds from Willoughby City Council's current capital works program and budget to that proposal.

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR MUSTACA

NOT PUT

AMENDMENT

That Council receives a report by August 2018 outlining:

- Schedule of Council sports grounds that are currently lit
- A schedule of sports grounds identified to be upgraded from unlit to lit
- The criteria used to determine which sports grounds receive lighting
- The process for converting a sports ground from unlit to lit including;
 - The community consultation process
 - Approvals and budget process
- No further work is to be undertaken in respect to Bales Park lighting until the above work is completed.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Councillors Coppock, Norton, Rozos, Rutherford and Saville.

The amendment became the motion and when put was carried

Voting

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

Against: Councillors Coppock, Norton, Rozos, Rutherford and Saville.

*Councillor Saville was present in the Chambers at the time of the vote but did not vote. According to clause 36 of Council's Code of Meeting Practice, "A Councillor who is present at a meeting of the Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion".

19.2 NOTICE OF MOTION - VEGETATION POLICY AND PROCEDURES

RESPONSIBLE OFFICER:	DEBRA JUST - GENERAL MANAGER
AUTHOR:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
CITY STRATEGY LINK:	2.1.2 THE COMMUNITY VALUES THE NATURAL ENVIRONMENT
MEETING DATE:	28 MAY 2018

PURPOSE OF REPORT

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

Procedural Motion

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

- Andrew Reeves
- Katherine Ng
- Rita Richter

MOTION

1. That Council staff prepare a vegetation policy and procedures by November 2018 that can be applied to private and public land that recognises the importance of the environment to Willoughby residents and the benefits trees and vegetation play in the life of all residents in Willoughby.
2. The policy should address the suitability of trees, circumstances for replanting of new trees appropriate to the surrounding environment, the proximity of trees to private property and concerns regarding community safety, the benefits trees and vegetation play in the amenity of the area, the benefits vegetation plays in habitat provision, the risks of bushfire and appropriate management of vegetation fuel loads.
3. Staff take into consideration neighbouring and existing Willoughby Council policies in the development of this policy.
4. That Council Officers take into consideration the outcomes and findings of any future tree canopy studies undertaken by Council.
5. That Council officers consider safety issues around trees.
6. That Council officers consider the Queen's Canopy Commonwealth policy
7. That Council officers look at approval processes involved in both permits and development applications including officers' discretion.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Councillor Saville

MOTION

That Council move a procedural motion to extend the meeting beyond the 10:30pm conclusion.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

20 CONFIDENTIAL ITEMS

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

Procedural Motion

That:

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

20.1 CONFIDENTIAL REPORT TENDER 113995 NATURAL AREA RESTORATION SERVICES 2018-23

Reason for Confidentiality

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

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

20.2 CONFIDENTIAL -TENDER 114588 - BICENTENNIAL OVAL FLOODLIGHTS COUNCIL REPORT

Reason for Confidentiality

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

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

20.3 CONFIDENTIAL - 6-30 ARTARMON ROAD, WILLOUGHBY (CHANNEL 9 SITE)

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) 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

20.4 CONFIDENTIAL REPORT - CVTC LICENCE AGREEMENT UPDATE**Reason for Confidentiality**

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

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

20.5 CONFIDENTIAL - 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.

Confidential Item 20.4 – CVTC Licence Agreement Update was brought forward by the Chair as Robert Tassell, Partner, Pikes & Verekers Lawyers was present at the meeting to answer Councillors’ questions.

20.4 CONFIDENTIAL REPORT - CVTC LICENCE AGREEMENT UPDATE**Recommendation Summary**

That Council:

- 1. Note the outcome of the negotiations for the ‘Agreement to Vary Licence (the Variation)’.**
- 2. Note the progress report on the assessment of long term operating models for The Concourse Performing Arts Facilities and the Civic Pavilion.**
- 3. Note the reporting schedule of CVTC’s performance for the 2017/18 and 2018/19 financial years.**

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Nil

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

RESOLUTION

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

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

20.1 CONFIDENTIAL REPORT TENDER 113995 NATURAL AREA RESTORATION SERVICES 2018-23**Recommendation Summary**

That Council:

1. **Accept the tenders from the approved tenderers to form a panel of service providers for Natural Area Restoration Services for a 5 year period:**

- **Australia Area Management and Repair Pty Ltd**
- **Australian Bushland Restoration**
- **Bandicoot Brush Regen Pty Ltd**
- **BARRC**
- **Bowerbird Emporium**
- **Bracey's Environmental Services**
- **Bush-it Pty Ltd**
- **Doin Regen**
- **Fire Support NSW**
- **Harbour Regeneration**
- **Judy Morris**
- **Lilly Pilly Indigenous Landscapes Pty Ltd**

- Lindsay Horner
 - Marc Stettner TA Apunga Ecological Management
 - Mario and Resy Vella TA Bossley Bobcats
 - National Trust of Australia
 - Northside Enterprise Inc
 - Terra Australis Regeneration
 - W A Hamilton Masonry
 - Waratah Eco Works
2. Make public the successful tenderers' names following the Council's resolution to accept the tenders.
 3. Authorise the General Manager to execute the contract.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

**20.2 CONFIDENTIAL -TENDER 114588 - BICENTENNIAL OVAL FLOODLIGHTS
COUNCIL REPORT**

Recommendation Summary

That Council:

1. Accept the tender from Havencord Pty Ltd for Bicentennial Oval floodlights for a lump sum contract value of \$231,000.00.
2. That the successful tenderer's name be made public following the Council's resolution to accept the tender.
3. Authorise the General Manager to execute the contract.

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Councillors Coppock and Saville

20.3 CONFIDENTIAL - 6-30 ARTARMON ROAD, WILLOUGHBY (CHANNEL 9 SITE)**Recommendation Summary****That Council:**

1. Note the 'Response to Submissions' made on behalf of the proponents LEPC9 Pty Ltd to the Department of Planning and Environment.
2. Re-endorse the Council submission previously endorsed at the Council Meeting dated 11 December 2017.
3. Delegate authority to the General Manager to forward a Council response to the Department of Planning and Environment confirming the Council submission previously endorsed at the Council Meeting dated 11 December 2017, with the additional provision:
 - a) Changes to the layout for future development on the site as outlined in Modification 2 may be considered subject to:
 - i) A maximum of 400 dwellings,
 - ii) Satisfactorily addressing the urban design advice in the Revised Concept Plan Review, prepared by AJ and C, Architects and Urban Designers, for Willoughby Council, dated March 2018,
 - iii) Satisfactorily addressing the amendments and further information requirements contained in the conclusion of the Council submission previously endorsed at the Council Meeting dated 11 December 2017.
4. Support the need for a Public Hearing prior to any determination of Modification 2 by the Independent Planning Commission.
5. Raise with the Premier of NSW and Local Member for Willoughby the unsatisfactory situation that should the Independent Planning Commission make a determination favourable to the proponent, there is no further opportunity for the Council to negotiate a planning agreement with the proponent to seek public benefits in response to the growth and uplift on the site.
6. ...
7. Publicly release points 1-5 following Council resolution.
8. The content of point 6 remain confidential pending consideration of Modification 2 by the Independent Planning Commission.

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

20.5 CONFIDENTIAL - REPORT OF CONDUCT REVIEWER**Recommendation Summary****That Council:**

1. Note the findings of the Conduct Reviewer.
2. That Council does not adopt the recommendations of the Conduct Reviewer.
3. That Council's reason for not adopting the recommendations was that Council does not accept the finding of the Conduct Reviewer due to the differing perceptions of the participants in the conversation.
4. Make public Council's resolutions as above, following the closed part of this meeting, pursuant to clause 253 of the *Local Government (General) Regulation 2005*.

MOVED COUNCILLOR SAVILLE**SECONDED COUNCILLOR RUTHERFORD****CARRIED****Voting****For the Recommendation:** Councillors Mustaca, Norton, Rozos, Rutherford, Saville, Tuon and Wright.**Against:** Councillors Giles-Gidney, Campbell, Eriksson, Fernandez and Zhu.**Absent:** Councillor Coppock**RESOLUTION****That the meeting revert to Open Council.****MOVED COUNCILLOR WRIGHT****SECONDED COUNCILLOR ERIKSSON****CARRIED****Voting****For the Resolution:** Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.**Against:** Nil

RESOLUTION

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

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

21 QUESTIONS

NIL

- **Councillor Wright left the meeting at 10:21pm during debate on Item 17.4: Council Committee Review – Previous Membership and returned to the meeting at 10:23pm following the vote on this topic.**
- **Councillor Coppock left the meeting at 10:53pm during debate on Confidential Item 20.5: Report of Conduct Reviewer and did not return to chambers.**

The meeting concluded 12:12am

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 28 May 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.