



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

23 July 2018

commencing at 7:00pm

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1 PRESENT

Her Worship the Mayor Councillor G Giles-Gidney, Councillors H Eriksson, D Fernandez, T Mustaca, W Norton, J Rutherford, A Rozos, L Saville, C Tuon 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), Mr T Hopwood (Governance, Risk & Corporate Planning Manager), Mr V Grepf (Governance Officer) and Ms P Sheldrake (Minutes Secretary)

2 DISCLOSURES OF INTEREST - COUNCILLORS

- Councillor Wright declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 16.2: Investment Report for the Month of June 2018
(Nature of Interest: I am an employee of the Westpac Group. Council is only being asked to receive the report and I have no control over Council investments.)
- Councillor Wright declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Items 18.4: 9 Centennial Avenue, Chatswood – Heritage Review, Item 19.1: Notice of Motion – 688-692 Pacific Highway, Chatswood and Item 21.3: Questions on Notice from Councillor Saville – Interim Heritage Order and Heritage Listing – 9 Centennial Avenue, Chatswood
(Nature of Interest: One of the speakers who has registered to address Council is known to me as a fellow member of a local community organisation. I see the speaker approximately once a month and have not discussed these issues with him. I believe our relationship to be sufficiently distant as to not affect my vote.)
- Councillor Norton declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 17.4: Project Deed and Licence Agreement – Department of Education for Mowbray Public School Oval Floodlights, Item 19.1: Notice of Motion – 688-692 Pacific Highway, Chatswood and item 5.1: Petition – Opposing Development at 688-692 Pacific Highway – Chatswood – DA2017/300
(Nature of Interest: I am employed as a Senior Psychologist, Educator by the Department of Education. I have no involvement with the matters on the agenda by my employment. My employment will not affect my decisions on these matters and I will stay in the chamber)
- Councillor Saville declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 18.4: 9 Centennial Avenue, Chatswood – Heritage Review
(Nature of Interest: I have chaired Council's HAC. As a member of WDHS and the local community I have long term interest in local heritage and have so advocated. I compiled some of the material for the heritage nomination for 9 Centennial Avenue approximately ten years ago in a voluntary capacity. I intend to vote based on evidence and will vote independently and will remain in chambers to represent our community and honour my role as Councillor)

- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 18.2: Castle Cove Golf Course Lease, Deepwater Road, Castle Cove
(Nature of Interest: I have participated in a golf clinic at the club and for the past four months have played a number of nine hole games. In order to be conservative I am leaving the chamber for this item)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 25 June 2018, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Councillor Campbell is on leave previously granted.
 - Councillors Coppock and Zhu requested Leave of Absence for Monday 23 July 2018.
 - Councillor Eriksson requested Leave of Absence on 9 and 10 August and 13 and 14 August 2018.
-

RESOLUTION

That Council:

1. **Note Councillor Campbell is on leave previously granted.**
2. **Grant Councillors Coppock and Zhu Leave of Absence for Monday 23 July 2018.**
3. **Grant Councillor Eriksson Leave of Absence on 9 and 10 August and 13 and 14 August 2018.**

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

5 PETITIONS

5.1 PETITION - OPPOSING DEVELOPMENT AT 688-692 PACIFIC HIGHWAY, CHATSWOOD - DA2017/300 AND PETITION AGAINST DEVELOPMENT PROPOSAL AT 16 WARNERS AVENUE, WILLOUGHBY DA2018/191

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	PATRICIA SHELDRAKE – MINUTES SECRETARY
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To consider a petition containing over 160 signatures opposing of development at 688-692 Pacific Highway, Chatswood and to receive a petition tabled opposing the development at 16 Warners Avenue, Willoughby DA2018/191.

Procedural Motion

That Marina Ilic address the meeting.

RESOLUTION

That Council receive and note the petition from residents in opposition of the development at 688-692 Pacific Highway, Chatswood and refer it to the Planning & Infrastructure Director.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

Councillor Fernandez tabled a petition containing 58 signatures opposing the development at 16 Warners Avenue, Willoughby DA2018/191

RESOLUTION

That Council receive and note the petition from residents in opposition of the proposed development at 16 Warners Avenue, Willoughby and refer it to the Planning & Infrastructure Director.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

6 OPEN FORUM

NIL

7 MAYORAL MINUTE**7.2 MAYOR'S DIARY: COUNCIL MEETING NOTES – 23 JULY 2018**

TUESDAY 26 JUNE			
Mayor	7.30 am	Breakfast Meeting with Progress Association representatives	Mayor's Office
Cr Saville	5 pm	Consultant Review Heritage Advisory Committee	Banksia Room
Mayor	7 pm	Northbridge Rotary Changeover Dinner	Orso Restaurant
WEDNESDAY 27 JUNE			
Mayor	7.45 pm	Castlecrag Progress Association Mtg	Glenaeon School
THURSDAY 28 JUNE			
Mayor	12 noon	Launch of Michelle Lee's Ocean Race boat and John Marchant's Viking boat	Tunks Park
FRIDAY 29 JUNE			
Cr Norton	5 pm	Residents' Happy Hour	Dougherty Apartments
SATURDAY 30 JUNE			
SUNDAY 1 JULY			
Mayor	2.30 pm	Opening of Northbridge Art Show	Gallery 307 - Sailors Bay Road
MONDAY 2 JULY			
TUESDAY 3 JULY			
Crs Norton, Rutherford	9 am	Consultant Review Cultural Events Committee	Banksia Room
Cr Norton	6 pm	Willoughby Park Committee Meeting	Willoughby Park Centre
WEDNESDAY 4 JULY			
THURSDAY 5 JULY			
Crs Norton, Saville	10 am	Consultant Review Bushland Natural Heritage Advisory Committee	The Depot
FRIDAY 6 JULY			
Mayor	6.30 pm	Welcome Dinner with Mayor of Gwydir	Warialda
SATURDAY 7 JULY			
Mayor	All day	Orange Festival Activities	Bingara
SUNDAY 8 JULY			
Mayor	Morning	Orange Festival Activities	Bingara
MONDAY 9 JULY			
TUESDAY 10 JULY			
Mayor	10 am	Launch of the <i>Bye Bye Plastic</i> Campaign	Tonic Lane Café, Neutral Bay
WEDNESDAY 11 JULY			

ORDINARY COUNCIL MEETING

23 JULY 2018

Mayor	9.30 am	NAIDOC Week Celebration	Koala Cottage, Tulloh Street
Cr Norton	4 pm	Access Committee	The Dougherty Centre
THURSDAY 12 JULY			
Mayor Cr Saville	Morning	Visit to Sustainability Stall – highlighting <i>Problems with Plastics</i>	Chatswood Mall
FRIDAY 13 JULY			
SATURDAY 14 JULY			
SUNDAY 15 JULY			
Cr Tuon	2.30 pm	Sydney Eisteddfod Operatic Finals	The Concourse
MONDAY 16 JULY			
TUESDAY 17 JULY			
Cr Saville	7 pm	Environmental Protection Association Meeting	Glenaeon School
WEDNESDAY 18 JULY			
Cr Norton	3 pm	Dougherty Board Meeting	Dougherty Apartments
THURSDAY 19 JULY			
SATURDAY 21 JULY			
Cr Norton	6 pm	WTC Production: <i>Mame</i>	The Concourse
SUNDAY 22 JULY			
MONDAY 23 JULY			
Mayor	10.30 am	Morning Tea Celebrating 101 st Birthday of Phyllis Delahunty	St Peters on the Green

8 GENERAL MANAGER'S LATE REPORT

NIL

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

Councillor Saville deferred Item 19.2: Notice of Motion – Plastics and Marine Wildlife to the next meeting.

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 12.1 Minutes – Traffic Committee Meeting 3/2018 – 20 June 2018
- Item 12.3 Access Advisory Committee held 13 June 2018
- Item 13.1 Policy Concerning Council's Delegate of a Development Application
- Item 16.1 Local Government NSW (LGNSW) Annual Conference 2018 – Motions
- Item 17.2 Tender 114999 – Northbridge Oval Synthetic Surface Renewal
- Item 17.3 Willoughby City Council's Community Small Grants Program 2018/2019
- Item 17.4 Project Deed & Licence Agreement – Department of Education for Mowbray Public School Oval Floodlights
- Item 18.1 Submission to Council to Wave Council Fees – Castle Cove Fun Run
- Item 18.2 Castle Cove Golf Course Lease, Deepwater Road, Castle Cove
- Item 19.3 Notice of Motion – Uluru Statement

RESOLUTION

That the remaining items, viz:

- Item 12.2 Minutes – Global Friendship Committee Held 19 April 2018
- Item 12.4 Companion Animals Advisory Committee Meeting – 10 April 2018
- Item 16.2 Investment Report for the Month of June 2018
- Item 17.1 Tender 114104 – Beauchamp Park and Bicentennial Reserve Playing Field Redevelopment
- Item 18.3 Flat Rock Gully Reserve Action Plan
- Item 18.5 Variations to Development Standards
- Item 18.6 Current Development application and Planning Proposal Report as at 9 July 2018
- Item 18.7 Applications Determined under Delegated Authority 1 April 2018 to 30 June 2018

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

- Item 18.4 9 Centennial Avenue, Chatswood – Heritage Review**
- Item 19.1 Notice of Motion – 688-692 Pacific Highway, Chatswood**
- Item 19.2 Notice of Motion – Plastics and Marine Wildlife**

12 REPORTS FROM COMMITTEES

12.1 MINUTES - TRAFFIC COMMITTEE MEETING 3/2018 - 20 JUNE 2018

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES TRAFFIC COMMITTEE MEETING HELD 20 JUNE 2018 (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GORDON FARRELLY –TRAFFIC & TRANSPORT TEAM LEADER
CITY STRATEGY OUTCOME:	2.1 – ENHANCE TRANSPORT CHOICES AND CONNECTIONS THROUGHOUT THE CITY
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To advise Council of the outcome of the Traffic Committee Meeting held on 20 June 2018.

RESOLUTION

That Council note and adopt the recommendations arising from the 20 June 2018 Traffic Committee meeting with the removal of references to Stoker Park in the heading and first point of the recommendation in Item 6.1: Willoughby Park, Willoughby East and North Willoughby and Stoker Park, Castlecrag – Street Parking Management

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

12.2 MINUTES - GLOBAL FRIENDSHIP COMMITTEE HELD 19 APRIL 2018

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES - GLOBAL FRIENDSHIP COMMITTEE MEETING – 19 APRIL 2018
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	RITA LEUNG - MULTICULTURAL SERVICES TEAM LEADER
CITY STRATEGY OUTCOME:	2.3 – CELEBRATE AND ENCOURAGE OUR DIVERSITY
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To provide Council with the minutes of the Global Friendship Committee meeting held 19 April 2018.

RESOLUTION

That Council receive and note the minutes of the Global Friendship Committee meeting held 19 April 2018.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

12.3 ACCESS ADVISORY COMMITTEE HELD 13 JUNE 2018

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – ACCESS ADVISORY COMMITTEE – 13 JUNE 2018
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY OUTCOME:	2.7 – PROMOTE ACCESSIBLE SERVICES FOR THE COMMUNITY
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To provide Council with the minutes of the Access Advisory Committee meeting held 13 June 2018.

RESOLUTION

That Council receives and notes the minutes of the Access Advisory Committee meeting held 13 June 2018.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

12.4 COMPANION ANIMALS ADVISORY COMMITTEE MEETING - 10 APRIL 2018

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES OF COMPANION ANIMALS ADVISORY COMMITTEE MEETING - 10 APRIL 2018
RESPONSIBLE OFFICER:	TODD HOPWOOD - GOVERNANCE, RISK & CORPORATE PLANNING MANAGER
AUTHOR:	TEENA STRYDOM - GOVERNANCE ADMINISTRATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To provide Council with the minutes of the Willoughby City Council Companion Animals Advisory Committee meeting held 10 April 2018.

RESOLUTION

That Council receive and note the minutes of the Willoughby City Council Companion Animals Advisory Committee meeting held 10 April 2018.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

13 DEFERRED MATTERS

13.1 POLICY CONCERNING COUNCIL'S DELEGATE OF A DEVELOPMENT APPLICATION

ATTACHMENTS:	1. IMPLICATIONS 2. COUNCIL REPORT 28 MAY 2018
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To consider a Notice of Motion by Councillor Coppock in respect to an operational policy for consideration of development applications deferred by Council at its meeting of 12 June 2018 for a further report.

RESOLUTION

That Council defer this item to the next meeting.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Eriksson

14 CORRESPONDENCE

NIL

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 LOCAL GOVERNMENT NSW (LGNSW) ANNUAL CONFERENCE 2018 - MOTIONS

ATTACHMENTS:	1. IMPLICATIONS 2. RATIONALE TO SUPPORT MOTIONS 3. DRAFT CONFERENCE PROGRAM
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	PATRICIA SHELDRAKE – MINUTES SECRETARY
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To consider possible motions to be presented to the Local Government NSW (LGNSW) Annual Conference to be held in Albury in October 2018.

RESOLUTION

That Council consider submitting the following motions to LGNSW for debate at the LGNSW Annual Conference:

- 1. PROPOSED MOTION (Clr Saville): That Local Government NSW:**
 - 1. Support the Uluru Statement from the Heart.**
 - 2. Acknowledge Aboriginal and Torres Strait Islander people as the Traditional Owners of this country and pay respects to their traditional on-going spiritual and cultural connections**
 - 3. Thank those who gathered at the 2017 National Constitutional Convention in Uluru for their persistence and patience.**

- 2. PROPOSED MOTION (Clr Norton) that Local Government NSW:**

Make representations to the State Government requesting a more robust process to ensure that owners of companion animals are recorded with more accuracy in the NSW Companion Animals Register. This would include accurate identification of owners when companion animals are registered.

- 3. Note the previously ENDORSED MOTION (25 June 2018) will be submitted: That Local Government NSW:**

Conduct a comprehensive urgent investigation and review of the Principal Certifying Authority System in New South Wales.

MOVED COUNCILLOR FERNANDEZ

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

16.2 INVESTMENT REPORT FOR THE MONTH OF JUNE 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 OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

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

RESOLUTION

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

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 TENDER 114104 - BEAUCHAMP PARK AND BICENTENNIAL RESERVE PLAYING FIELD REDEVELOPMENT

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MEREDITH PATERSON – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY OUTCOME:	3.3 – PROMOTE AN ACTIVE AND HEALTHY LIFESTYLE
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To award Tender 114104 for Beauchamp Park and Bicentennial Reserve Playing Field Redevelopment.

RESOLUTION

That Council:

1. Accept the tender from the top ranked tenderer in the separate confidential report with a total contract value of \$967,151.20.
2. Make public the successful tenderer'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 ERIKSSON

CARRIED

Voting

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

Against: Nil

17.2 TENDER 114999 - NORTHBRIDGE OVAL SYNTHETIC SURFACE RENEWAL

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MEREDITH PATERSON – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY OUTCOME:	3.3 – PROMOTE AN ACTIVE AND HEALTHY LIFESTYLE
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To award Tender 114999 for Northbridge Oval Synthetic Surface Renewal.

MOTION

That Council:

- 1. Accept the tender from the top ranked tenderer in the separate confidential report with a total contract value of \$978,345.10.**
- 2. Make public the successful tenderer's name following the Council's resolution to accept the tender.**
- 3. Authorise the General Manager to execute the contract.**

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR FERNANDEZ

CARRIED

The Motion on being put to the meeting was carried to become the resolution of Council.

Voting

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

Against: Councillor Saville

17.3 WILLOUGHBY CITY COUNCIL'S COMMUNITY SMALL GRANTS PROGRAM 2018/2019

ATTACHMENTS:	1. IMPLICATIONS 2. NOT RECOMMENDED - COMMUNITY SMALL GRANTS 3. NOT RECOMMENDED – THE CONCOURSE PERFORMING ARTS SUBSIDY
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE AND LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY OUTCOME:	2.7 – PROMOTE ACCESSIBLE SERVICES FOR THE COMMUNITY
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To seek Council's endorsement of the recommendations for the distribution of grant funds through Council's 2018/19 **Community (Small) Grants Program** and the 2018/19 **The Concourse Performing Arts Subsidy**.

RESOLUTION

That Council:

- 1. Acknowledge the unallocated grant funds of \$20,729.55 remaining in the Community Small Grants Program for the "Out-of-term" funding applications received by Council within the 2018/19 financial year which comply with the Grant Program Guidelines.**
- 2. Acknowledge the unallocated grant funds of \$65,736 remaining in The Concourse Performing Arts Subsidy program for allocation to "Out of term" funding applications received by Council before the December 2018 funding round and which comply with the Grant Program Guidelines.**
- 3. Endorse the Officer's recommendations for the distribution of grant funds through the 2018/19 Community Small Grants Program – Community Development, Arts and Cultural and The Concourse Performing Arts Subsidy streams as follows:**

Category 1A – Community Development

- a. Willoughby Community Men's Shed Inc. (special needs member support): \$2,000.
- b. Chatswood South Perma Patch Inc. (to improve access to the Dairy Community Garden): \$4,000.
- c. Australian Multiple Births Association NSW Inc. (to provide professional services for multiple birth families): \$2,000.
- d. Lower North Shore Branch NSW Justices Association Inc. (to celebrate the 10-year anniversary of Chatswood Library community JP desk with training event): \$2,430.
- e. Lower North Shore Branch Multicultural Network (to develop a guide for newly arrived migrants for finding training and employment or setting up new businesses): \$3,200
- f. St Thomas' Over 50's Group (a social group for the over 50's age group that attend the St Thomas Church): \$3,600
- g. KYDS Youth Development Service Inc. (to provide subsidies to young people who cannot afford the cost of early intervention mental health workshops): \$4,000.
- h. Willoughby Swim Club (to purchase and install an Honour Board at Willoughby Leisure Centre): \$3,644.
- i. StreetWork Australia (Urban Art classes in Chatswood for 'at risk' young people): \$4,000.
- j. Apples and Honey Preschool (Active Healthy Kids Program for children): \$3,980.45.
- k. Lower North Shore Domestic Violence Network (updating and reprinting of DV resource 'Domestic Violence is a Crime): \$2,281.
- l. Willoughby Kids House (to purchase children's sporting equipment): \$1,057.
- m. Willoughby Friends of Ossu (to produce a promotional video that will create awareness and develop ongoing relationships between the people of Willoughby and Ossu): \$2,640.
- n. Chatswood Occasional Child Care Centre (to purchase two basic iPads to provide quality educational and cultural resources to children): \$1,098.
- o. Dance Chance Inc. (to produce an end of year concert to showcase the talents of their clients who have intellectual and physical disabilities): \$2,074.
- p. Fighting Chance Australia (a work experience program for people with disability): \$1,160
- q. Sydney Community Services (wellness activities for young persons with disabilities): \$2,250.
- r. Phoenix House Youth Services (a therapeutic drumming program for at risk young people): \$1,140.
- s. The Humour Foundation (a free weekly Clown Doctors program at Royal North Shore Hospital): \$2,000.
- t. North Sydney Junior Baseball Association Inc. (to attract and retain professional coaching personnel for its baseball players and volunteer coaches across 12 teams): \$500.

Category 2: Arts and Cultural

- a. Mercy College P & F Association (an installation for Willoughby City Council's Foyer Exhibition space, that will use papercuts, light and projection): \$3,000.

The Concourse Performing Arts Subsidy – Round 1

- a. NOVA Employment (to host the Focusonability Film Festival): \$5,000.
- b. Our Lady of Dolours Catholic Primary School (to hold a Creative Arts Festival showcasing the students' performances of music and dance): \$5,000.
- c. Northern Sydney Symphonic Wind Ensemble (to hold a festival that celebrates concerts and jazz bands music performed by local school bands): \$5,000.
- d. Sydney Eisteddfod (to hold a performing arts festival with approximately 350 events): \$3,000.

MOVED COUNCILLOR TUON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

17.4 PROJECT DEED & LICENCE AGREEMENT - DEPARTMENT EDUCATION FOR MOWBRAY PUBLIC SCHOOL OVAL FLOODLIGHTS

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD- OPEN SPACE CO-ORDINATOR
CITY STRATEGY OUTCOME:	3.3 – PROMOTE AN ACTIVE AND HEALTHY LIFESTYLE
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To receive Council's approval to delegate authority to the General Manager to execute the Project Deed and Licence Agreement with the Department of Education for the installation of floodlights by Council on the Mowbray Public School Oval.

MOTION

That Council:

Delegate authority to the General Manager to execute the 2018 Project Deed and Licence Agreement with the NSW Department of Education for:

- 1. the installation of floodlights on Mowbray Public School Oval, and**
- 2. the Council maintenance and community use of Mowbray Public School Oval.**

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ERIKSSON

CARRIED

The Motion on being put to the meeting was carried to become the resolution of Council.

Voting

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

Against: Councillor Mustaca and Saville.

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 SUBMISSION TO COUNCIL TO WAIVE COUNCIL FEES - CASTLE COVE FUN RUN

ATTACHMENTS:	<ol style="list-style-type: none">1. IMPLICATIONS2. ROSEVILLE CHASE ROTARY SUBMISSION TO WAIVE FEES FOR FUN RUN3. CERTIFICATION AS A CHARITABLE ORGANIZATION4. DONATIONS FOR 2016-2017
RESPONSIBLE OFFICER:	GREG MCDONALD - Director Infrastructure & Planning
AUTHOR:	GORDON FARRELLY – TRAFFIC AND TRANSPORT TEAM LEADER
CITY STRATEGY OUTCOME:	1.1.1 THE COMMUNITY CAN PARTICIPATE IN CITY LIFE
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To seek Council's approval for a 50% (Category C) concessional rate of the Road Occupancy Permit Fee for the temporary closure of various streets in Castle Cove by Rotary Club of Roseville Chase. The closure is in relation to the Rotary Castle Cove Fun Run scheduled for Sunday 29 July 2018.

RESOLUTION

That Council approve a 100% concessional rate on the Road Occupancy Permit Fee (\$825.00) for the Rotary Castle Cove Fun Run, which will be held on 29 July 2018.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Nil

18.2 CASTLE COVE GOLF COURSE LEASE, DEEPWATER ROAD, CASTLE COVE

ATTACHMENTS:	1. IMPLICATIONS 2. DRAFT LEASE
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID DI BIASE – PROPERTY AND CONSTRUCTION SERVICES MANAGER
CITY STRATEGY OUTCOME:	3.2 – CREATE RECREATION SPACE FOR ALL
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To seek Council's consent to enter into a lease agreement with the Castle Cove Country Club Limited for the operation of the Castle Cove Golf Course.

RESOLUTION

That Council:

- 1. Subject to there being no objections received as part of the s47 notification process, enter into a lease agreement with the Castle Cove Country Club Limited for the operation of the Castle Cove Golf Course, for a ten (10) year term with a ten (10) year option, with a commencing rent of \$12,500 per annum.**
- 2. Be provided with a further report should there be any objections as a consequence of the s47 notification process.**
- 3. Authorise the General Manager to execute the lease and any other associated legal documents between Council and the Castle Cove Country Club Limited.**

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR NORTON

CARRIED

Voting

For the Resolution: Councillors, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, and Wright.

Against: Nil

Absent: Councillors Giles-Gidney and Tuon

Her Worship the Mayor Councillor Giles-Gidney declaring a non-pecuniary, less than significant interest in Item 18.2: Castle Cove Golf Course Lease, Deepwater Road, Castle Cove Albert Avenue, Chatswood due to her participation in a golf clinic and playing at the Club and withdrew from the meeting taking no part in the discussion or voting on this topic.

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

18.3 FLAT ROCK GULLY RESERVE ACTION PLAN

ATTACHMENTS:	1. IMPLICATIONS 2. FLAT ROCK GULLY RESERVE ACTION PLAN 3. PUBLIC EXHIBITION SUMMARY REPORT – FLAT ROCK GULLY – RESERVE ACTION PLAN
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	STUART HALL – NATURAL ASSETS OFFICER
CITY STRATEGY OUTCOME:	1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE AND ECOLOGICAL SYSTEMS
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To present to Council the Flat Rock Gully Reserve Action Plan for adoption.

RESOLUTION

That Council adopt the Flat Rock Gully Reserve Action Plan.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

18.4 9 CENTENNIAL AVENUE, CHATSWOOD - HERITAGE REVIEW

ATTACHMENTS:	1. IMPLICATIONS 2. INTERIM HERITAGE ORDER 3. HERITAGE STUDY REVIEW – ARCHITECTURAL PROJECTS APRIL 2018 4. PLANNING PROPOSAL
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	JANE GIBSON-STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	2.2 – RESPECT AND CELEBRATE OUR HISTORY AND HERITAGE SITES
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To seek Council determination of a Planning Proposal which seeks to list 9 Centennial Avenue, Chatswood as a heritage item of local significance.

Procedural Motion

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

- Kathy Mo
- Steve Wu
- Peter Hayes
- David Grover

AMENDMENT

That Council defer the matter until the appeal by the property owner is heard by the Court.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

LOST

Voting

For the Amendment: Councillors Eriksson, Mustaca, Rozos and Rutherford.

Against: Giles-Gidney, Fernandez, Norton, Saville, Tuon and Wright.

MOTION**That Council:**

1. **Support for public exhibition, a Planning Proposal to list 9 Centennial Avenue West Chatswood in Schedule 5 of *Willoughby Local Environmental Plan 2012* as an item of local significance.**
2. **Forward the Planning Proposal to the Department of Planning & Environment seeking a Gateway Determination under Section 3.34 of the *Environmental Planning & Assessment Act 1979*.**
3. **Advise the Department of Planning & Environment that the Planning Manager, Mr Ian Arnott be nominated as delegate and finalise the Planning Proposal.**
4. **Create a Willoughby Heritage Inventory sheet for 9 Centennial Ave reflecting the outcomes of the heritage assessment prepared by Architectural Projects.**

MOVED COUNCILLOR SAVILLE**SECONDED COUNCILLOR WRIGHT****CARRIED**

The Motion on being put to the meeting was carried to become the resolution of Council.

Voting

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

Against: Councillors Eriksson and Mustaca

18.5 VARIATIONS TO DEVELOPMENT STANDARDS

ATTACHMENTS:	1. IMPLICATIONS 2. APPLICATIONS WITH VARIATIONS TO DEVELOPMENT STANDARDS QUARTER 4
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To provide details to Councillors of all development applications determined during the fourth quarter from 1 April 2018 to 30 June 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 fourth quarter.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

**18.6 CURRENT DEVELOPMENT APPLICATION AND PLANNING PROPOSAL
REPORT AS AT 9 JULY 2018**

ATTACHMENTS:	1. IMPLICATIONS 2. LIST OF APPLICATIONS
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	DEVELOPMENT PLANNERS, BUILDING SURVEYORS
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

To provide quarterly details to Councillors of all current Development Applications and Planning Proposals as at 9 July 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 9 July 2018.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

**18.7 APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY 1
APRIL 2018 TO 30 JUNE 2018**

1. IMPLICATIONS
2. APPLICATIONS DETERMINED – QUARTER 4

RESPONSIBLE OFFICER: GREG MCDONALD - PLANNING &
INFRASTRUCTURE DIRECTOR

AUTHOR: IAN ARNOTT – PLANNING MANAGER

CITY STRATEGY OUTCOME: 5.1 – BE HONEST, TRANSPARENT AND
ACCOUNTABLE IN ALL THAT WE DO

MEETING DATE: 23 JULY 2018

PURPOSE OF REPORT

To provide Council with a list of applications determined under delegated authority during quarter 4 from 1 April 2018 to 30 June 2018.

RESOLUTION

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

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION - 688-692 PACIFIC HIGHWAY, CHATSWOOD

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
CITY STRATEGY OUTCOME:	5.3 – BALANCE THE CREATION OF NEW PUBLIC ASSETS WITH THE UPGRADE OF EXISTING PUBLIC ASSETS
MEETING DATE:	23 JULY 2018

PURPOSE OF REPORT

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

Procedural Motion

That the following people address the meeting:

- Marina Ilic
- David Grover

MOTION

That Willoughby City Council re-zones property 688 - 692 Pacific Highway, Chatswood to special purposes Education SP2, and accordingly amends the LEP to incorporate the re-zoning.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

LOST

Voting

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

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

19.2 NOTICE OF MOTION - PLASTICS AND MARINE WILDLIFE**RESPONSIBLE OFFICER: DEBRA JUST - GENERAL MANAGER****AUTHOR: GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR****CITY STRATEGY OUTCOME: 1.4 – REDUCE ENERGY, WATER AND RESOURCE WASTE AND ENCOURAGE REUSE AND RECYCLING****MEETING DATE: 23 JULY 2018**

PURPOSE OF REPORT

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

MOTION

That Willoughby City Council takes a strong stand against the use of plastics within the LGA and that

- 1. Council removes single use plastics including bottles, straws, bags and plastic cutlery from council facilities and services, and that council encourages the use of tap water, and/or people using their own containers**
- 2. Develops a policy or action plan for all food outlets to remove single use plastics and**
- 3. All new applications for food premises agree not to use single use plastics as part of consent condition**

RESOLUTION

That Council defer Councillor Saville’s motion to the next meeting.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

19.3 NOTICE OF MOTION - ULURU STATEMENT

RESPONSIBLE OFFICER: MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR

AUTHOR: MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR

CITY STRATEGY OUTCOME: 12.3 – CELEBRATE AND ENCOURAGE OUR DIVERSITY

MEETING DATE: 25 JUNE 2018

PURPOSE OF REPORT

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

MOTION

That Willoughby City Council:

1. Supports the Uluru Statement from the Heart.
2. Acknowledges Aboriginal and Torres Strait Islander people as the Traditional Owners of this country and pay respect to their traditional on-going spiritual and cultural connections.
3. Thanks those who gathered at the 2017 National Constitutional Convention in Uluru for their persistence and patience.
4. Sends the motion for the next LGNSW Conference.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR WRIGHT

CARRIED

The Motion on being put to the meeting was carried to become the resolution of Council.

Voting

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

Against: Councillors Eriksson, Rozos and Rutherford.

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.

Council moved into closed session at 9.55pm.

20.1 CONFIDENTIAL - TENDER 114104 - BEAUCHAMP PARK AND BICENTENNIAL RESERVE PLAYING FIELD REDEVELOPMENT

Reason for Confidentiality

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

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

20.2 CONFIDENTIAL TENDER 114999 - NORTHBRIDGE OVAL - SYNTHETIC SURFACE RENEWAL

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 - TENDER 114104 - BEAUCHAMP PARK AND BICENTENNIAL RESERVE PLAYING FIELD REDEVELOPMENT**Recommendation Summary****That Council:**

1. **Accept the tender from R and N Paddison for Beauchamp Park & Bicentennial Park Playing Field Redevelopment for a lump sum contract value of \$967,151.20.**
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 documents.**

MOVED COUNCILLOR WRIGHT**SECONDED COUNCILLOR ERIKSSON****CARRIED****Voting****For the Recommendation:** Councillors Giles-Gidney, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon and Wright.**Against:** Nil**20.2 CONFIDENTIAL TENDER 114999 - NORTHBRIDGE OVAL - SYNTHETIC SURFACE RENEWAL****Recommendation Summary****That Council:**

1. **Accept the tender from Tuff Turf N Co P/L for Northbridge Oval Synthetic Surface Renewal for a lump sum contract value of \$978,345.10.**
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 documents.**

MOVED COUNCILLOR FERNANDEZ**SECONDED COUNCILLOR ERIKSSON****CARRIED****Voting****For the Recommendation:** Councillors Giles-Gidney, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Tuon and Wright.**Against:** Councillor Saville

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

Council moved into open session at 10:06pm.

RESOLUTION

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

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

21 QUESTIONS

21.1 QUESTIONS ON NOTICE FROM COUNCILLOR SAVILLE - WASTE REDUCTION

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID ROBERTS – ACTING ENVIRONMENT MANAGER
CITY STRATEGY LINK:	2.1.3 REDUCE POLLUTION
MEETING DATE:	23 JULY 2018

QUESTION

1. Did council try to implement its own 'Waste Free Events' policy during Vivid? If so, to what extent?
2. Was there an agreement between council, Vivid event organisers, and stall holders to adhere to the 'Waste Free Events' policy?
3. How did council and/or event organisers educate Vivid visitors to minimise/avoid waste generation?
4. Did council monitor and quantify waste generation during Vivid?
5. How much waste was generated in Chatswood Mall during Vivid, and by how much did the waste exceed the daily average?
6. Was a waste audit undertaken to estimate potential for improved waste separation and recycling?
7. Which organisation is responsible for paying for the waste generated at this event (i.e. WCC, ratepayers, Vivid organisers)?
8. Is data available regarding best practice strategies to avoid waste generation during Vivid?
9. What actions can council take to uphold its 'Waste Free Events' policy at any future events?

ANSWER

The 'Festivals and Events Policy' was adopted by Council 21 March 2011. It contains Key Principles and incorporates 'Sustainable Practices' such as strategies for waste management including avoidance, reuse and recycling.

This Policy applies to all events, whether public or private, held within the Willoughby City Government area that require Council approval, are produced by Council, are produced, presented or promoted in partnership with Council or attract Council funding/sponsorship.

The Vivid Festival Light Market was managed by an external company with significant experience in the operation of festival food markets, Motti and Smith. Food vendors and the managing agent were provided with the Chatswood Mall Market guidelines and conditions. These guidelines include a waste management section that points out ways to reduce waste and the type of materials allowed / recommended. All stalls were encouraged to use recyclable materials including utensils and packaging/containers. All food vendors participated in a site induction which included information on how to dispose of waste correctly.

Sustainability messaging was distributed to the public as part of the communications strategy which included information about the event using 100% Greenpower and encouraging use of public transport. Some installations had re-use and recycle messages, such as Crank Zappa, Junkyard Beats and the construction of the Light Market which was made of recycled materials, which were then recycled upon de-installation. These messages were promoted through the extensive public relations and marketing campaign delivered prior to and during the event.

Tech Shift Exponential (a Ted-Ex style event) was run by the Better Business Partnership with a heavy emphasis on renewable energy and sustainability.

Council conducts mandatory site inductions and continuously monitors compliance with the Chatswood Mall Market guidelines for all community events where market stalls are operated. These include Carols at Willoughby Park, Street Fair, Pet Festival and at the commencement of all sessions of the Chatswood Mall Markets (February, June and September) and the Christmas markets.

Waste management was monitored throughout the event to make sure the area was not dirty or had overflowing bins. There were larger crowds than expected during the first weekend of Vivid and adjustments were made to cleaning and waste removal services to ensure cleanliness of the mall. After the first weekend, the bins were not filled to maximum levels. External waste auditing services would be required to quantify waste generation should this be required for future events.

Waste and recycling services were provided by Council's domestic waste service provider, JJ Richards and Sons.

As part of the Festival and Events Policy, staff continually strive to adopt best practice and promote strategies for waste management including avoidance, reuse and recycling.

21.2 QUESTIONS ON NOTICE FROM COUNCILLOR SAVILLE - AFFORDABLE HOUSING

RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY LINK:	3.1.1 PLAN FOR HOUSING CHOICE
MEETING DATE:	23 JULY 2018

1. How does WCC measure Housing stress in Willoughby?

Housing stress in Willoughby is monitored using census data.

According to NSW Family and Community Services, housing that costs less than 30% of gross household income is considered affordable.

By this definition in 2016, 8.5% of Willoughby City's households were experiencing housing stress compared to 11.8% in Greater Sydney.

2. How does WCC quantify existing affordable housing supply in Willoughby (e.g. older style walk up flats along the main roads and shop top housing)?

Affordable housing supply is not defined by the type of dwelling, rather by affordability. If housing expenses are less than or equal to 30% of household income, the housing is considered affordable.

3. If council does not currently quantify existing affordable housing stock, how might council effectively quantify existing affordable housing stock, to avoid further loss of affordable housing dwellings?

A revised *Housing Strategy* is currently under development by Council. The *Housing Strategy* will necessitate changes to the *Willoughby Local Environmental Plan 2012* to ensure the consideration of Affordable Housing supply when assessing development applications.

Council cannot ensure the provision of housing affordability for all households in the Willoughby local government area. Council has a policy position to prioritise affordable housing supply for key workers. State Government has the primary responsibility for ensuring adequate supply of social housing and actively works with non-government organisations to achieve this.

The North District Plan suggest an Affordable Housing Target of 5-10% of new housing supply and suggests this supply will consist of **1250** new dwellings to 2021. Council can meet this target through a combination of partnership and development approaches. To support this target, Affordable Housing is a priority in the *WCC Delivery Plan 2017-2021* – outcome 3.6.

4. How much money has council accrued for affordable housing within WCC since it adopted its 4% affordable housing policy?

Council has accrued **\$11.7m** (as at 30 June 2018) for WCC affordable housing within WCC since it adopted its 4% affordable housing target through inclusionary zones identified in the

Willoughby Local Environmental Plan 2012. Proposals for the use of these funds will be developed for Council's consideration.

5 How many affordable housing dwellings have been accrued and operationalised for purpose?

Twenty-two affordable housing dwellings have been accrued and are managed by community housing provider Evolve Housing. A further 11 dwellings are under construction and due to be dedicated in the next 12 months.

6. The GSC plan for 5-10% affordable housing holds some statutory standing. How many dwellings have been acquired or are in construction since this plan was announced?

Eleven dwellings have been acquired since the *Draft North District Plan* was released. A further 11 dwellings are under construction and due to be dedicated in the next 12 months.

The Greater Sydney Commission's *North District Plan* suggests an affordable housing target of 5-10% of new residential dwelling approvals. Under the *Integrated Planning and Reporting* framework, regional plans are considered when developing Community Strategic Plans and Delivery Programs.

For Willoughby, Affordable Housing is prioritised in in the *WCC Delivery Plan 2017-2021 – outcome 3.6*. To embed the *WCC Delivery Plan* objectives, Council is reviewing its *Housing Strategy* for Council endorsement in late 2018. The *Housing Strategy* will inform amendments to the *Willoughby Local Environment Plan LEP* to address affordable housing requirements of the *North District Plan*.

An *Affordable Housing Strategy* is also under development to ensure the strategic management of Council's affordable housing program to support the attainment of affordable housing targets within the *North District Plan*.

7. If council has accrued funds for the purpose of providing affordable housing, when will the construction of affordable housing be actualised?

Willoughby Council (Council) is reviewing options to deliver affordable key worker housing on two sites.

The subject sites are;

- 2 Elizabeth St, Artarmon
- Lots 11 and 15 - Barton Road, Artarmon

A feasibility assessment was completed by HILL PDA on these sites in 2018. Indicative modelling indicates that that up to 86 affordable housing dwellings could be delivered on these sites. A briefing will be made to Councillors on preliminary findings and options.

8. How can WCC maximise local affordable housing potential through enabling SEPP 70?

State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes) (SEPP 70) is a mechanism that allows specified councils to prepare an affordable housing contribution scheme for certain precincts, areas or developments within their local government area.

Currently, *SEPP 70* is limited to identified zones within Willoughby City, City of Sydney and Inner West local government areas, but has been identified by the State government as a highly effective planning tool to leverage affordable housing. As a result, four other metropolitan Councils (Ryde, Northern Beaches, Canada Bay and Randwick) have applied for inclusion in *SEPP 70* in 2018.

SEPP 70 is enabled through the *Willoughby Local Environmental Plan* to collect a 4% affordable housing contribution on up zoned developments in predetermined inclusionary zones.

The effectiveness of *SEPP 70* can be increased by revising the *Willoughby Local Environmental Plan* to increase the current 4% target and identify additional inclusionary zones.

The use of Voluntary Planning Agreements (VPA) are also recognised as an effective tool to prioritise the development of affordable housing.

9. When will council hold an affordable housing forum to elicit local need?

Community Housing Providers and the NSW government perform this role in our LGA, with support from local government.

10. What other strategies and actions are available for council to improve supply of affordable housing for essential workers and those in need?

Council is working closely with NSW Family and Community Services and St George Community Housing during the transfer of social housing to the Community Housing sector.

Council has identified affordable housing for keyworkers as a community need and prioritises its affordable housing programs for this group.

11. Can council estimate how many people are homeless/sleeping rough within our LGA each night? If so, how many?

There is no census or alternate data mechanism that captures the number of people 'sleeping rough' within Willoughby local government area. At the 2016 census, 225 people identified as 'homeless' persons within the Willoughby local government area, however, it is unknown how many of these persons were in temporary accommodation or sleeping rough.

Mission Australia is the funded specialist homelessness service provider for the Willoughby area but is unable to provide an estimate of the number of people sleeping rough in Willoughby each night.

12. Are there any refuges or public/social housing places within the Willoughby LGA, with capacity to house the number of homeless people and/or those sleeping rough locally?

There are no refuges or shelters for homeless people within the Willoughby LGA. Mission Australia support services help individuals and families who are homeless or at risk of homelessness. However, they don't provide specific homeless shelter in Willoughby. Mission Australia works with their partners (not profit organisations) such as Catholic Care to accommodate and help homeless people at Willoughby.

13. How can council work towards providing a refuge to meet the identified housing needs of those sleeping rough or homeless within WCC?

NSW Family and Community Services funds services to help to support people facing or experiencing homelessness in NSW. These services are called specialist homelessness services funded through the Going Home Staying Home program.

Mission Australia is the provider for the Willoughby LGA, operating the **Northern Sydney District Homelessness Early Intervention and Prevention Service**. This service intervenes early to prevent homelessness and provides support to tenants at risk of homelessness by addressing the issues that are placing their tenancies at risk. It also works with people residing in unsustainable and unsafe accommodation and assists them to find suitable long-term accommodation. Council has neither the skills nor resources to duplicate the services extended by identified service providers such as Mission Australia.

The service partners work with first-to-know providers, including Council, to help identify people at risk of homelessness as early as possible and provide flexible and practical assistance, support, case management and brokerage to help tenants keep their tenancies

21.3 QUESTIONS ON NOTICE FROM COUNCILLOR SAVILLE - INTERIM HERITAGE ORDER AND HERITAGE LISTING - 9 CENTENNIAL AVENUE, CHATSWOOD

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

AUTHOR: GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR

CITY STRATEGY LINK: 3.1.3 LOCAL CHARACTER

MEETING DATE: 23 JULY 2018

Procedural Motion

That Peter Hayes address the meeting.

QUESTION

- 1 Since 1990s there have been numerous resident and community submissions, Petitions and independent heritage reports recommending heritage listing for 9 Centennial Avenue, Chatswood. The previous owners objected to the listing because of the elderly mother who opposed the listing, however, the property is listed on Willoughby Heritage Inventory (WCC). The property was sold late 2017, and an Interim Heritage Order was placed on the building in February, 2018, upheld by the Land and Environment Court, 23 May, 2018.

For what period of time is the Interim Heritage Order (IHO), gazetted 14.2.2018, valid, and when does the IHO for 9 Centennial Ave., Chatswood expire?

2. What other orders has council issued to ensure protection of the building to allow heritage assessment of 9 Centennial Ave?
3. When will the heritage assessment report, undertaken by a heritage expert, engaged by council (as reported to the Land and Environment Court 23.5.18) be brought to council?
4. What has caused delay in the heritage assessment report coming to council, when it was anticipated to come before council on the 12.6.2018 (as reported to the Heritage advisory committee, refer Heritage Advisory Committee minutes)?
5. To what extent has council complied with its obligations to protect the property outlined in the letter from the minister to the Premier (attached)?
6. Has delay in expediting the heritage listing compromised the heritage values and potential for heritage listing?
7. How can council demonstrate that it will ensure full and proper heritage protection for 9 Centennial Ave., identified as having important architectural, and significant heritage values?
8. When will this matter be brought to council for resolution?

ANSWER

1. The Interim Heritage Order will lapse 6 months from the date that it was made, being 14 August, 2018 unless Council has passed a resolution before that date to list the property as a Heritage Item in the LEP.
2. The following orders have been issued:
 1. Emergency Order under *Environmental Planning and Assessment Act 1979* requiring
 - a. Cease all demolition and removal work both internal and externally to the existing house and garage on the premises.
 - b. Make safe the premises by providing appropriate hoardings fences to prevent public access into the site.
 - c. Provide protection to the dwelling by way of cover (tarpaulin) or the like to the roof.
 2. Emergency Order under *Local Government Act*
 - a. Protection to the roof of the dwelling.
 - b. Making the site safe.
 - c. Sealing of open doors and windows
 - d. Maintaining the site in a healthy condition.
 3. Emergency Order under *Local Government Act*
Repair of a rip in the tarpaulin over the roof of the dwelling.

The three Emergency Orders have been complied with.

3. The heritage review for 9 Centennial Avenue is proposed to be reported to the meeting of 23 July 2018.
4. The Heritage Committee minutes state that it will be reported to one of the June Council meetings (exact dates to be clarified). It was originally intended to report the full heritage review to the meeting of 26 June. However, to consider the full heritage review, a Councillor Briefing was considered appropriate but was unable to be scheduled before this meeting. For this reason the review of 9 Centennial Avenue will be reported to the meeting of 23 July (prior to the expiration of 6 months) and the remainder of the review will be the subject of a Councillor Briefing in early August with the report targeted for the meeting of 13 August, 2018.
5. Council's staff have actively monitored the site and maintained communications with the owner and their agents. In this regard, staff have acted to ensure the building has been protected from the risk of damage and the site has been maintained in a safe and secure condition.

The letter from the Minister to the Premier highlights the avenue available to Council via Section 33, Part 11, Schedule 5 of the EP&A Act which gives Council the discretion to intervene. In determining when to intervene however the following would be taken into consideration.

- Council's Code of Conduct and treating customers with respect
- Respecting the rights of property owners
- Natural justice and procedural fairness
- Powers of entry and inspection (Council does not have unlimited powers)

- Work health and safety considerations of staff in undertaking the work
- Council is also committed to working cooperatively with its customers and as far as practicable arriving at an outcome that strikes a successful balance between competing interests and needs.
- Council will also normally only engage in costly legal processes when all other potential avenues have been exhausted.

It would not be appropriate for Council to utilise its powers to physically enter onto the premises to address a loose tarpaulin without providing the owner and / or their agents a reasonable opportunity to undertake and complete the work.

In this instance, the owner has been guided, and directed when necessary, to undertake the work, avoiding the need for Council to expend time and resources exercising powers to enter onto private premises to undertake various works. Given the favourable outcome of the building being adequately protected, the decision to not exercise those powers has demonstrated that the appropriate course of action has been taken.

6. There has been no significant delay since the issue of the Interim Heritage Order. The period of 6 months is provided because it is anticipated that it will take in the order of this amount of time to complete the work required.
7. Future protection of the property will depend on the outcome of the Council resolution at its meeting of 23 July, 2018. If Council resolves to list the building as a heritage item, the current level of staff resources do not allow for Council to provide continual monitoring of the site. There is a reliance on the owner to comply with the heritage order. If the owner fails to effect compliance, Council will utilise appropriate regulatory means to obtain compliance.
8. The matter will be brought to Council on the 23 July 2018.

21.4 QUESTIONS ON NOTICE FROM COUNCILLOR SAVILLE - CLADDING

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:	23 JULY 2018

QUESTION

1. To what extent has aluminium cladding, with similar properties to cladding associated with fires in London and Melbourne, been used on/in buildings within Willoughby City council LGA?
2. How many building containing combustible cladding have identified within Willoughby Council LGA?
3. Has council been informed of safety assessments undertaken on these buildings?
4. Will councillors receive a report on these assessments?
5. Is council aware whether the height of the buildings can deter effective fire fighting capacity, and if so what is the height?
6. What further actions can council take minimise risk and improve fire safety?

ANSWER

1. & 2. Reference is made to the Notice of Motion regarding the extent of use of aluminium cladding brought to Council at its 9 April 2018 meeting and the General Manager's comments which were noted by Council.

There are approximately between 20 and 25 high-rise residential and commercial buildings (excluding state owned properties) that may contain combustible external cladding. Council does not know the exact number of affected buildings because the vast majority of these buildings were approved under the private certification system applying in New South Wales and Council is not privy to such detailed information. The list of buildings in Willoughby LGA has been compiled from a combination of Council Officer research, Fire and Rescue advice and a list provided by State Government (Department of Finance and Innovation).

3. Apart from Council owned buildings, Council is unaware of any fire safety investigations having been carried out. Central coordination of all matters relating to cladding is being undertaken by the cladding taskforce which has representatives from local government, NSW Fire and Rescue and the NSW Government.
4. Councillors will be kept informed regarding Council owned properties at key milestones regarding fire safety investigations and maintenance requirements.

5. Under *Building Code of Australia* provisions, where the floor of the building exceeds 25 metres above street level the building is required to have internal sprinkler protection as the majority of fire fighting equipment does not reach beyond 25 metres. Following the Grenfell fire in London, Fire and Rescue NSW have procured a jet water cannon. It is understood that the jet stream from this device reaches approximately 72 metres for use in targeted buildings within Sydney.
6. Council officers have written to the relevant building owners to make them aware of the potential risk and recommend they investigate cladding material used on their building. To assist owners, officers provided the details of the developer, builder, architect and certifier.

The NSW Cladding Taskforce has also written directly to occupants of buildings with aluminium cladding indicating that Fire & Rescue NSW had inspected all high-rise residential buildings identified in an initial audit. As at 7 December 2017, about 200 buildings required further action. The letter also provided key contacts for further enquiries.

Following direction from Fire and Rescue NSW, officers are preparing Notice of Intent to Issue Fire Safety Orders for the properties that have high risk combustible material. The Notice of Intent provides owners with an opportunity to respond prior to the issuing of the Order. The Orders issued will require the dangerous cladding to be replaced with compliant material.

Most recently, Fire & Rescue NSW have also provided occupants with a copy of an advisory pamphlet on high rise fire safety tips and what to do in the event of a fire. Free home safety checks are also offered to check smoke alarms and to provide tips

- **Her Worship the Mayor Councillor G Giles-Gidney left the meeting at 8:58pm during debate on Item 18.2: Castle Cove Golf Course Lease, Deepwater Road, Castle Cove taking no part in the discussion or vote on this topic and returned to the meeting after the vote at 9:01pm. Deputy Mayor Eriksson assumed the Chair in the Mayor's absence for this item.**

The meeting concluded at 10:07pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 23 July 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.