



# **Willoughby City Council**

## **ORDINARY COUNCIL**

### **MINUTES**

Council Chamber, Level 6, 31 Victor Street, Chatswood

8 October 2018

commencing at 7:00pm

## TABLE OF CONTENTS

<b>TABLE OF CONTENTS</b> .....	<b>2</b>
<b>1 PRESENT</b> .....	<b>4</b>
<b>2 DISCLOSURES OF INTEREST</b> .....	<b>4</b>
<b>3 CONFIRMATION OF MINUTES</b> .....	<b>4</b>
<b>4 APOLOGIES AND LEAVE OF ABSENCE</b> .....	<b>4</b>
<b>5 PETITIONS</b> .....	<b>6</b>
<b>6 OPEN FORUM</b> .....	<b>6</b>
<b>7 MAYORAL MINUTE</b> .....	<b>7</b>
7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 8 OCTOBER 2018 .....	7
<b>8 GENERAL MANAGER'S LATE REPORT</b> .....	<b>8</b>
<b>9 MATTERS FOR DEFERRAL, REFERRAL TO INSPECTION AND/OR PROCEDURAL PRIORITY</b> .....	<b>8</b>
<b>10 MATTERS NOT REQUIRING ELABORATION OR DEBATE</b> .....	<b>8</b>
<b>11 MATTERS BROUGHT FORWARD BY THE PUBLIC</b> .....	<b>8</b>
<b>12 REPORTS FROM COMMITTEES</b> .....	<b>8</b>
<b>13 DEFERRED MATTERS</b> .....	<b>9</b>
13.1 NOTICE OF MOTION - DUMPING OF FILL IN PARK EAST OF FLAT ROCK DRIVE .....	9
<b>14 CORRESPONDENCE</b> .....	<b>10</b>
<b>15 REPORTS FROM OFFICERS - GENERAL MANAGER</b> .....	<b>10</b>
<b>16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE</b> .....	<b>11</b>
16.1 ANNUAL DISCLOSURE OF INTEREST RETURNS - 2017/18.....	11
16.2 COUNCILLOR REPRESENTATION ON COMMITTEES AND EXTERNAL ORGANISATIONS .....	12
16.3 CODE OF CONDUCT - COMPLAINT STATISTICS .....	14
<b>17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE</b> .....	<b>15</b>
<b>18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE</b> .....	<b>16</b>
18.1 METRO RAIL 'DIVE' SITE CHATSWOOD - POTENTIAL FUTURE USE FOR SOCIAL INFRASTRUCTURE .....	16
18.2 PLANNING PROPOSAL FOR 282 - 284 VICTORIA AVENUE, CHATSWOOD.....	18
<b>19 NOTICE OF MOTION</b> .....	<b>20</b>
19.1 NOTICE OF MOTION - WOMEN'S REFUGE .....	20
<b>20 CONFIDENTIAL ITEMS</b> .....	<b>21</b>
20.1 CONFIDENTIAL - REPORT OF CONDUCT REVIEWER (CR015).....	21
<b>21 QUESTIONS</b> .....	<b>23</b>

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## 1 PRESENT

Her Worship the Mayor Councillor G Giles-Gidney, Councillors H Eriksson, T Mustaca, W Norton, J Rutherford, L Saville, C Tuon, N Wright and B Zhu

### Officers

Ms D Just (General Manager), Ms S Connor (Acting Community, Culture & Leisure Director), Mr D Frost (Customer & Corporate Director), Mr G McDonald (Planning & Infrastructure Director), Mr T Hopwood (Governance, Risk & Corporate Planning Manager), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Minutes Secretary)

## 2 DISCLOSURES OF INTEREST

- Councillor Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary significant interest in Item 18.2: Planning Proposal for 282-284 Victoria Avenue, Chatswood  
(Nature of Interest: I am a member of the Sydney North Planning Panel)
- Councillor Rutherford declared, via a Disclosures of Interest form, a non-pecuniary significant interest in Item 18.2: Planning Proposal for 282-284 Victoria Avenue, Chatswood  
(Nature of Interest: I am a member of the Sydney North Planning Panel)

## 3 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 24 September 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, Campbell, Eriksson, Mustaca, Norton, Rutherford, Saville, Tuon, Wright and Zhu.

**Against:** Nil

## 4 APOLOGIES AND LEAVE OF ABSENCE

- Councillors Coppock provided confirmation that he required Leave of Absence for the period 8 – 26 October 2018, which he indicated he may need at the Council Meeting held 24 September 2018.
- Fernandez and Rozos are on leave previously granted.
- Councillor Rutherford requested Leave of Absence on Wednesday 24 October 2018
- Councillor Saville requested Leave of Absence on Wednesday 24 October 2018 and Monday 12 November 2018 subject to confirmation.

**RESOLUTION**

That Council:

1. Grant Leave of Absence to Councillors Coppock following his confirmation that he required leave for the period 8-24 October 2018.
2. Fernandez and Rozos are on leave previously granted.
3. Grant Leave of Absence to Councillor Rutherford on Wednesday 24 October 2018.
4. Grant Leave of Absence to Councillor Saville on Wednesday 24 October 2018 and Monday 12 November 2018 if required.

**MOVED COUNCILLOR ERIKSSON**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil

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## **5 PETITIONS**

NIL

## **6 OPEN FORUM**

Luke Silcock spoke on what he believed are the broader negative impacts on the Naremburn community from the proposed Northern Beaches Tunnel and Western Harbour Tunnels and called for full consideration of public transport options, including bus links and bus lanes between Chatswood and the Northern Beaches.

Larissa Penn spoke on what she believed are the broader negative impacts on the Willoughby community from the proposed tunnels and called for Willoughby Council to conduct its own impact assessment and make a submission into the planning process on behalf of its residents.

## 7 MAYORAL MINUTE

### 7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 8 OCTOBER 2018

TUESDAY 25 SEPTEMBER			
Mayor	2.30 pm	North Shore Regional Volunteer of the Year Award Ceremony	Northbridge Golf Club
WEDNESDAY 26 SEPTEMBER			
Mayor Deputy Mayor: Cr Rutherford Crs Norton, Tuon	11.30 pm	Citizenship Ceremony	Chambers
Deputy Mayor: Cr Rutherford Cr Norton	3 pm	Multicultural Committee Meeting	MOSAIC Centre
THURSDAY 27 SEPTEMBER			
Mayor	2.45 pm	Judging at Miss Australia Chinese Pageant – Leadership Forum	ACETCA, Haymarket
Mayor Crs Eriksson, Fernandez, Tuon, Zhu	6 pm	North Sydney Community Awards	Norths, Cammeray
Deputy Mayor: Cr Rutherford (representing the Mayor)	6 pm	Reception: Anniversary of Founding of People's Republic of China	Chinese Consulate, Camperdown
Cr Saville	6 pm	Metro Community Drop In	Chatswood Bowling Club
Cr Norton	6.30 pm	Screening of film "Back Track Boys"	Zenith Theatre
FRIDAY 28 SEPTEMBER			
Cr Saville	3 – 5 pm	Drought Collection	Chatswood Mall
SATURDAY 29 SEPTEMBER			
Deputy Mayor: Cr Rutherford Cr Norton	3 pm	NavUtsav-2018 Indian Festival	Dougherty Centre
Cr Zhu	5.30 pm	Outstanding Chinese Contribution Event	Westfield, Chatswood
TUESDAY 2 OCTOBER			
Deputy Mayor: Cr Rutherford Cr Norton	9 am	Cultural Events Committee Meeting	Banksia Room
WEDNESDAY 3 OCTOBER			
Deputy Mayor: Cr Rutherford (representing the Mayor) Crs Norton, Saville	12 noon	25 Year Celebration: Lower North Shore Community Connect Transport	Norths, Cammeray
SATURDAY 6 OCTOBER			
Cr Norton	9.30 am	FPA Meeting	Dougherty Centre
Mayor	11 am	Opening of Art Expo: Fans of Imperial China	Chinese Cultural Centre
Mayor	2.30 pm	Opening of Art Show: In Bloom	The Incinerator Art Space
Mayor Cr Norton	3.45 pm	Willoughby Badminton Association Presentations	Willoughby Leisure Centre

**8 GENERAL MANAGER'S LATE REPORT**

NIL

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

NIL

**10 MATTERS NOT REQUIRING ELABORATION OR DEBATE**

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

Item 16.2	Councillor Representation on Committees and External Organisations
Item 16.3	Code of Conduct – Complaint Statistics
Item 18.1	Metro Rail 'Dive' Site Chatswood – potential future use
Item 19.1	Notice of Motion – Women's Refuge

**RESOLUTION**

That the remaining item, viz:

Item 16.1 Annual Disclosure of Interest Returns – 2017/18

be adopted in accordance with the recommendation in the report.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

**CARRIED**

**Voting**

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

**Against:** Nil

**11 MATTERS BROUGHT FORWARD BY THE PUBLIC**

Item 13.1	Notice of Motion – Dumping of fill in park east of Flat Rock Drive
Item 18.2	Planning Proposal for 282-284 Victoria Avenue, Chatswood

**12 REPORTS FROM COMMITTEES**

NIL



## 13 DEFERRED MATTERS

### 13.1 NOTICE OF MOTION - DUMPING OF FILL IN PARK EAST OF FLAT ROCK DRIVE

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID ROBERTS – ENVIRONMENT MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	8 OCTOBER 2018

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#### 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:

- Luke Silcock
- Larissa Penn

#### MOTION

That Council:

1. Approach the Premier, Minister for Roads, Environment and Planning and leader of the Opposition, Shadow members, Greens MP David Shoebridge to alert them of council opposition to the current RMS proposal to use the park east and west of Flat Rock Drive and use the site as a major construction site.
2. Affirm that public transport, including rail, is a preferred option.
3. Urge the government and RMS to reconsider the current proposal and explore other options, including rail, away from high risk, environmental and conservation areas.
4. Supports the formation of a Community Liaison Committee, comprised of local community representatives, for the duration of any planned construction work undertaken by RMS at Flat Rock.
5. Request an extension to the consultation period so Council can gather independent information and provide a submission on behalf of residents.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR WRIGHT

**LOST**

#### Voting

**For the Motion:** Councillors Norton, Saville and Wright.

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

**14 CORRESPONDENCE**

NIL

**15 REPORTS FROM OFFICERS - GENERAL MANAGER**

NIL

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

### 16.1 ANNUAL DISCLOSURE OF INTEREST RETURNS - 2017/18

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:	8 OCTOBER 2018

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#### PURPOSE OF REPORT

To table the Disclosure of Interest by Designed Persons lodged for the 12 months ending 30 June 2018.

#### RESOLUTION

That Council acknowledge the tabling of the Disclosures of interest by Designated Persons lodged for the 12 months ending 30 June 2018.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

**CARRIED**

#### Voting

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

**Against:** Nil

## 16.2 COUNCILLOR REPRESENTATION ON COMMITTEES AND EXTERNAL ORGANISATIONS

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. COUNCILLOR REPRESENTATION CRITERIA 3. 2017 COUNCILLOR NOMINATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>VLADIMIR GREPL – GOVERNANCE OFFICER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.2 – DEMONSTRATE LEADERSHIP AND ADVOCACY FOR LOCAL PRIORITIES</b>
<b>MEETING DATE:</b>	<b>8 OCTOBER 2018</b>

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### PURPOSE OF REPORT

To nominate Councillor representatives to committees and external organisations until September 2019.

### RESOLUTION

That Council:

- 1. Continue the current Councillor representation on the following committees, boards and external organisations until September 2019 noting that Councillor Wright has replaced Councillor Rutherford on the District Bush Fire Management Committee:**

#### **Council statutory committee**

- 1.1. Audit, Risk and Improvement Committee**  
(2 Councillors) – Councillors Norton and Tuon

#### **External organisations**

- 1.2. Dougherty Apartments Board**  
(Council's Member representative and a Director, a Director, alternate Council Member representative) – Councillor Norton as Council member representative and a Director, Melanie Smith as a Director, Councillor Rozos as the alternate Council member representative
- 1.3. District Bush Fire Management Committee**  
(1 Councillor) – Councillor Wright (alternates – Councillors Eriksson and Saville)
- 1.4. Northern Sydney Regional Organisation of Councils (NSROC)**  
(Mayor and 1 Councillor, 1 Councillor to be an alternate delegate) – Mayor Gail Giles-Gidney, Councillor Zhu as delegate, Councillor Campbell as alternate
- 1.5. Sydney North Planning Panel**  
(Mayor by convention, with the Deputy Mayor as the alternate) – Mayor Gail Giles-Gidney and Deputy Mayor Rutherford
- 1.6. NSW Public Library Association**  
(1 Councillor) – Councillor Zhu

- 1.7. **Sydney Coastal Councils Group**  
(2 Councillors) – Councillors Fernandez and Saville (Councillor Norton as alternate)
2. **Retain current Councillor representatives on Council management and advisory committees; and**
3. **Nominate Councillor representatives on Council management and advisory committees following the conclusion of the advisory committee review (scheduled for February 2019).**

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR TUON**

**CARRIED**

**Voting**

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

**Against:** Nil

**16.3 CODE OF CONDUCT - COMPLAINT STATISTICS**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. CODE OF CONDUCT COMPLAINT STATISTICS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>TODD HOPWOOD – GOVERNANCE RISK AND CORPORATE PLANNING MANAGER</b>
<b>AUTHOR:</b>	<b>TODD HOPWOOD – GOVERNANCE RISK AND CORPORATE PLANNING MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>8 OCTOBER 2018</b>

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**PURPOSE OF REPORT**

To report to Council the Code of Conduct complaints statistics for the 12 month period up to September, 2018.

**Procedural Motion**

That the motion be put without debate.

**MOTION**

That Council:

- 1. Receive and note the report on the Code of Conduct Complaints Statistics.**
- 2. Officers bring a report back to Council on the cost of Code of Conduct Complaints for the past ten years on a per year basis.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR NORTON**

**CARRIED**

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

**Voting**

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

**Against:** Councillors Giles-Gidney, Eriksson and Zhu.

**Recommittal Motion**

That Council recommit this item to provide further clarification by email to Councillors in respect to Item 2(g) of Attachment 2.

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

NIL

## 18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

### 18.1 METRO RAIL 'DIVE' SITE CHATSWOOD - POTENTIAL FUTURE USE FOR SOCIAL INFRASTRUCTURE

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	JANE GIBSON – STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	3.2 – CREATE RECREATION SPACES FOR ALL
MEETING DATE:	8 OCTOBER 2018

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#### PURPOSE OF REPORT

To provide advice to Council following the Resolution dated 12 June 2018 regarding questions raised by Councillor Campbell in relation to the process for future zoning of the “*Sydney Metro Dive Site*”. This site lies at the northeast corner of Pacific Highway and Mowbray Road, Chatswood within the Chatswood CBD extension area. A response has been held over to the 8 October 2018 meeting as Councillor Campbell has advised he would not be attending the 24 September 2018 meeting.

#### MOTION

That Council:

1. Note that it is now known that approximately one-third of the site is to be retained permanently for rail infrastructure.
2. Note that Sydney Metro has advised a reasonable return will be expected under the business case for the site.
3. Note that the availability of the site for development is unlikely to meet the timing needs of School Infrastructure NSW.
4. Note that Council’s endorsed *CBD Planning and Urban Design Strategy* has been supported by the Greater Sydney Commission and is currently awaiting a response from the Department of Planning and Environment.
5. Note that a number of Planning Proposals have now been considered and supported by Council under the provisions set out in the *CBD Strategy*.
6. Note the process outlined in this report for amending the zoning on the dive site.
7. Continue to negotiate for social infrastructure (education and open space) to be included with any future development of the Sydney Metro Dive site.
8. Write to the local member and Premier of New South Wales, the Minister for Roads, the Minister for Transport, and the Minister for Environment & Planning, requesting that they consider the needs of the community regarding open space, bicycle paths and educational use when planning the future use of this site.



9. Write to the local member and Premier of New South Wales, the Minister for Roads, the Minister for Transport, and the Minister for Environment & Planning, as well as the NSW Leader of the Opposition, reminding them that:
- a. The intersection of Pacific Highway & Mowbray Road is one of the busiest intersections in the state.
  - b. The community consultation from 2016 with the Minister of Planning left residents with the impression that the Pacific Highway would be widened as part of this project to help relieve congestion and allow a right turn into Mowbray Road West from Pacific Highway southbound after the permanent closing of the Nelson Street bridge—or alternatively, an extra slip lane to facilitate a left hand turn into Mowbray Road eastbound.
  - c. The western side of the dive site appears to be feasible to facilitate the widening of the Pacific Highway in the area.
  - d. Council would support the widening of the Pacific Highway at this intersection to help alleviate congestion, recognising that whilst no overall solutions are easy, this nonetheless provides an opportunity to help.

**MOVED COUNCILLOR CAMPBELL**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

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

**Voting**

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

**Against:** Nil

**18.2 PLANNING PROPOSAL FOR 282 - 284 VICTORIA AVENUE,  
CHATSWOOD**

<b>PP NO:</b>	<b>2018/2</b>
<b>ADDRESS:</b>	<b>282-284 VICTORIA AVENUE CHATSWOOD</b>
<b>PROPOSAL:</b>	<b>INCREASE HEIGHT TO 90 METRES AND FLOOR SPACE RATIO TO 10.5:1</b>
<b>PROPONENT:</b>	<b>APLUS DESIGN GROUP, ST LEONARDS</b>
<b>RECOMMENDATION:</b>	<b>NOT FORWARD THE PLANNING PROPOSAL TO THE DEPARTMENT OF PLANNING AND ENVIRONMENT FOR A GATEWAY DETERMINATION</b>
<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. COUNCIL DETAILED ASSESSMENT 3. COUNCIL ASSESSMENT OF DEPARTMENT OF PLANNING AND ENVIRONMENT'S 'A GUIDE TO PREPARING PLANNING PROPOSALS' 4. PLANNING PROPOSAL CONCEPT PLANS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>IAN ARNOTT – PLANNING MANAGER</b>
<b>AUTHOR:</b>	<b>CRAIG O'BRIEN – STRATEGIC PLANNER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>8 OCTOBER 2018</b>

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**PURPOSE OF REPORT**

The purpose of this report is to seek endorsement to not forward the Planning Proposal for 282 – 284 Victoria Avenue, Chatswood, to the Department of Planning and Environment for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979* and public exhibition.

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

**Procedural Motion**

**That Tony Leung address the meeting and answer questions of Councillors.**

**MOTION**

That Council:

- 1) **Not forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*, as the Planning Proposal:**
  - i. **Is a departure from the current height and floor space ratio controls on the site and is inconsistent with the strategic objectives of exclusively commercial land use.**
  - ii. **Is inconsistent with the Council endorsed *Chatswood CBD Planning and Urban Design Strategy* which prohibits residential land use on this site within the B3 Commercial Core.**
  - iii. **Is inconsistent with the strategic objectives of *the Greater Sydney Region Plan* and the *North District Plan* which encourages protection of the Chatswood CBD commercial core for employment purposes.**
- 2) **Notify APlus Design Group of Council's decision.**

**MOVED COUNCILLOR MUSTACA**

**SECONDED COUNCILLOR WRIGHT**

**CARRIED**

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

**Voting**

**For the Resolution:** Councillors Campbell, Eriksson, Mustaca, Norton, Saville, Tuon, Wright and Zhu.

**Against:** Nil

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

Due to Item 18.2: Planning Proposal for 282-284 Victoria Avenue, Chatswood being a Sydney North Planning Panel (SNPP) matter, Her Worship the Mayor Councillor Giles-Gidney and Deputy Mayor, Councillor Rutherford declared a non-pecuniary significant interest as members of the SNPP and withdrew from the meeting taking no part in the discussion or voting on this topic.

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

## 19 NOTICE OF MOTION

### 19.1 NOTICE OF MOTION - WOMEN'S REFUGE

**RESPONSIBLE OFFICER:** MICHAEL CASHIN – ACTING COMMUNITY, CULTURE & LEISURE DIRECTOR

**AUTHOR:** MICHAEL CASHIN – ACTING COMMUNITY, CULTURE & LEISURE DIRECTOR

**CITY STRATEGY OUTCOME:** 3.1 – FOSTER FEELINGS OF SAFETY, SECURITY AND CLEANLINESS

**MEETING DATE:** 8 OCTOBER 2018

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### PURPOSE OF REPORT

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

### MOTION

**That Council Officers bring a report to council outlining strategies that Council could undertake to assist women in need of shelter or refuge within the Willoughby LGA.**

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR RUTHERFORD**

**CARRIED**

**The motion on being put to the meeting was carried unanimously to become the resolution of Council.**

### Voting

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

**Against:** Nil

**Absent:** Councillor Wright

## 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 8:17pm.

Councillor Saville declared a non-pecuniary less than significant interest in Confidential Item 20.1: Report of Conduct Reviewer (CR015) due to her name appearing in the report. She remained in Chambers during discussion on this topic.

The General Manager declared a pecuniary interest in Confidential Item 20.1: Report of Conduct Reviewer (CR015) noting that whilst she is not the complainant and not the subject person of the Code of Conduct complaint, details relating to her contract and employment with Council are referenced in the conduct reviewer's report. The General Manager left the Chamber during discussion on this topic. The Customer & Corporate Director was Acting General Manager for this item.

### 20.1 CONFIDENTIAL - REPORT OF CONDUCT REVIEWER (CR015)

#### 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.

#### Recommendation Summary

That Council:

1. Refer the Statutory Declaration from the subject person to the Conduct Reviewer and seek a supplementary report from the reviewer in light of the content.
2. Defer consideration of the matter pending the receipt of the supplementary report.

**MOVED COUNCILLOR NORTON**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

**The motion on being put to the meeting was carried to become a recommendation of the Committee of the Whole.**

**Voting**

**For the Recommendation:** Councillors Eriksson, Mustaca, Norton, Rutherford, Saville, Tuon and Wright.

**Against:** Councillors Giles-Gidney, Campbell and Zhu.

**RESOLUTION**

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

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil

Council moved into open session at 8:46pm.

**RESOLUTION**

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

**MOVED COUNCILLOR TUON**

**SECONDED COUNCILLOR WRIGHT**

**CARRIED**

**Voting**

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

**Against:** Nil

## 21 QUESTIONS

NIL

- Her Worship the Mayor Councillor Giles-Gidney and Deputy Mayor, Councillor Rutherford left the meeting at 7:50pm during debate on Item 18.2: Planning Proposal for 282-284 Victoria Avenue, Chatswood and took no part in the debate or vote on these topics and returned to the meeting at 8:02pm. Former Deputy Mayor Eriksson took the chair in the Mayor's absence.
- The General Manager left the meeting at 8:19pm during debate on Confidential Item 20.1: Report of Conduct Reviewer (CR015). The Customer & Corporate Director was Acting General Manager for this item.

**The meeting concluded at 8:50pm**

**I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 8 October 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.**