



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

12 November 2018

commencing at 7:00pm

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1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors Campbell, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.

Officers

Mr G McDonald (Acting General Manager), Mr D Frost (Customer & Corporate Director), Mrs M Smith (Community, Culture & Leisure Director), Mr I Arnott (Planning Manager), Mr S Naven (Chief Financial Officer) Mr T Hopwood (Governance, Risk and Corporate Planning Manager), Mr V Grepl (Governance Officer), 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 18.1: 753 Pacific Highway and 15 Ellis Street, Chatswood – Planning Proposal and Item 18.2 – 58 Anderson Street, Chatswood – Planning Proposal
(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 18.1: 753 Pacific Highway and 15 Ellis Street, Chatswood – Planning Proposal and Item 18.2 – 58 Anderson Street, Chatswood – Planning Proposal
(Nature of Interest: I am a member of the Sydney North Planning Panel)
- Councillor Fernandez declared, via a Disclosures of Interest form, a non-pecuniary significant interest in Item 18.2: – 58 Anderson Street, Chatswood – Planning Proposal
(Nature of Interest: I have prior project knowledge and history with the proponent and architectural firm prior to being elected as a Councillor. I previously provided town planning advice. I will leave chambers during discussion on this item)
- Councillor Saville declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 20.1: Confidential – Report of Conduct Reviewer (CR015)
(Nature of Interest: My name appears in the report. I will leave the chamber)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 24 October 2016, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR CAMPBELL

CARRIED**Voting****For the Resolution:** Councillors Giles-Gidney, Campbell, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.**Against:** Nil**4 APOLOGIES AND LEAVE OF ABSENCE**

- Councillor Wright was previously granted Leave of Absence but was able to attend for part of the meeting.
- Councillor Coppock advised officers that he required Leave of Absence on Monday 12 November and Monday 26 November 2018.
- Councillor Saville requested Leave of Absence from 22 – 25 November 2018 (inclusive).

RESOLUTION**That Council:**

1. **Note Councillor Wright will be in attendance for part of the meeting.**
2. **Grant Leave of Absence to Councillor Coppock on Monday 12 November and Monday 26 November 2018.**
3. **Grant Leave of Absence to Councillor Saville from 22 – 25 November 2018 (inclusive).**

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

5 PETITIONS

5.1 PETITION - REQUESTING REVERSAL OF THE RECOMMENDATION AT ITEM 4.2 OF TRAFFIC COMMITTEE MEETING NO 4/2018 AND RETAIN PRESENT UNRESTRICTED PARKING AND BICYCLE LANES

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:	12 NOVEMBER 2018

PURPOSE OF REPORT

To consider a petition containing 132 signatures requesting that Traffic Committee Recommendation at Item 4.2 of the minutes of Traffic Committee Meeting No 4/2018 dated 15 August 2018 be reversed as it relates to present unrestricted parking and bicycle lanes.

RESOLUTION

That Council receive and note the petition from residents requesting a reversal of the Traffic Committee Recommendation in Item 4.2 of the minutes of Traffic Committee Meeting No 4/2018 dated 15 August 2018 relating to changes to present unrestricted parking and bicycle lanes and refer it to the Planning & Infrastructure Director.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

6 OPEN FORUM

Guy Richards registered to speak but did not attend the meeting.

7 MAYORAL MINUTE

7.1 MAYORAL MINUTE - THE LATE RICHARD WILLIAM BORRODELL GARTRELL

MEETING DATE: 12 NOVEMBER 2018

PURPOSE OF REPORT

To consider the Mayoral Minute on the passing of Richard Gartrell.

DISCUSSION

It is with much sadness that I inform Chamber of the passing of Richard Gartrell who passed away on 29 October 2018.

Richard was a former councillor with Willoughby City representing the Chatswood West Ward from September 1974 to September 1977. He will be remembered for his enthusiasm, determination and extraordinary commitment to community wellbeing.

Prior to his retirement, Richard had a career in agricultural research and teaching, and undertook a range of activities in Australia's institutions for technical and further education (TAFE).

Richard was a dedicated volunteer and tireless ambassador for the local community. He was an active member of community organisations such as APEX, the Parents and Citizens Association and the Preterm Foundation. For many years Richard worked endless volunteer hours for the the Noah's Ark Toy Library taking turns each week driving the van with the toys to assist children with special needs with their ongoing early intervention programs.

Richard was also a representative on the Research and Ethics Committee of NSW Justice Health and a Convenor of the Evatt Foundation's Economics Committee.

Richard and his wife Glenda were founders of the *Artarmon Gazette*, a not-for-profit publication of the Artarmon Progress Association which is delivered free of charge to all Artarmon residents and businesses to inform of current local events. Richard's involvement with the Artarmon Progress Association included his work with the Heritage Team. He was passionate about preserving the traditions and history of the community.

Richard was also a great supporter of classical music/classical orchestras on the North Shore.

Richard will be remembered by many in the Artarmon Community as a staunch defender of its amenity and its Heritage and as a gentleman. Our condolences go to his wife, Glenda and family and to the Artarmon community.

MOTION

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

MOVED COUNCILLOR GILES-GIDNEY

CARRIED**7.2 MAYORAL MINUTE - THE LATE ELENA AGNESE****MEETING DATE: 12 NOVEMBER 2018**

PURPOSE OF REPORT

To consider the Mayoral Minute on the passing of Elena Agnese.

DISCUSSION

It is with much sadness that I inform the Chamber of the passing of Elena Agnese. Elena passed away on 5 October 2018, aged 82 years, on a recent trip to Ischia, Italy where she was visiting family and friends.

Elena was one of eight children. She grew up in Italy and married Luigi in 1956. Shortly after their marriage Luigi moved to Melbourne for work and a year later Elena followed.

Whilst Elena and Luigi often went back to Italy to visit their family and friends, they both embraced the Australian culture and soon became involved with the local community and close bonds were formed. They raised their three children here.

Elena was “Queen” of the kitchen. She absolutely loved to cook and would share all her recipes in detail with family and friends. It will be a great comfort to family and friends I’m sure to be cooking Elena recipes and remembering her kindness.

Elena was President of the Willoughby Italian Elderly Citizens Group for the past 30 years. She was loved and cherished by the Italian community and really enjoyed interacting with all her friends. She took great pride and pleasure in organising trips and lunches and catering for special events for the group.

Elena will be remembered as a loving and supportive wife and mother and a proud grandmother of seven children. Our condolences go to her family at this time and especially to the local Italian community. Her memorial service was held on Tuesday 6 November 2018 at St Thomas Catholic Church, Willoughby.

I would particularly like to thank Anita, Elena’s daughter for her assistance in providing family background for the Mayor Minute. It was extremely helpful.

MOTION

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

MOVED COUNCILLOR GILES-GIDNEY**CARRIED**

7.3 MAYORAL MINUTE - THE LATE ROSE HAZLEWOOD

MEETING DATE: 12 NOVEMBER 2018

PURPOSE OF REPORT

To consider the Mayoral Minute on the passing of Rose Hazlewood.

DISCUSSION

It is with much sadness that I inform the Chamber of the passing of Rose Hazlewood. Rose passed away on 24 October 2018, aged 65. Her sudden death at Cheyne Walk, her favourite spot in Castlecrag caused an outpouring of grief for a wonderful character of Castlecrag. Rose was a true Willoughby Icon.

Our community, and especially schoolchildren from Willoughby Girls High and Willoughby Public School, will remember Rose as the Willoughby “Lollipop lady”. Our dear cross walk attendant was warm, friendly and funny. Bus drivers would give a wave and toot as they drove past. Rose simply made the days a little brighter for everyone.

Rose grew up in Punchbowl and moved to Castlecrag in 1979 when she married Frank. An “Aussie battler” who soon became a community campaigner. She has been described as a “one in a million”, always with a smile and kind word for everyone.

Rose worked with the community for over 30 years. She was a stalwart in the fight to retain Castlecrag Infants School and she was a familiar local figure in her job delivering pamphlets in all weather. She was a long-term campaigner for road safety and volunteered for traffic management at the bi-annual fair. Rose fought to have a crossing on High Street and brought a community petition to Council resulting in a raised pedestrian crossing being installed. I vividly recall when Rose came to Council to argue for the crossing. She was articulate and feisty. A formidable force, standing up for the children that she was protecting.

She will be missed by many for guiding families across High Street, greeting everyone by name - and that means not only the names of parents and children but also the names of their pets! It is an interesting statistic that in the more than 25 years Rose was the High Street crossing supervisor an estimated 16,000 children attended Willoughby Public School and whilst not all used the crossing many felt safer crossing with Rose.

She certainly had a huge impact on the community. Rose shared her philosophy of life with such gems as “There are too many rushers and not enough roamers in the world” “Better late than dead on time” A reminder to all of us to slow down and take in life.

The deep affection that everyone held Rose was evident when the community came together to celebrate her life, with the community catering for around 200 people and sharing stories.

Rose will be remembered as a much loved local figure. Our condolences go to her husband Frank and daughter Anne at this sad time and especially to the Willoughby school community.

MOTION

That Council:

1. **Adopt the Mayoral Minute on the passing of Rose Hazlewood and write a letter of condolence to the family.**
2. **In consultation with Rose Hazlewood's family, place a memorial plaque close to the raised pedestrian crossing in High Street, Willoughby in memory of Rose and acknowledging her contribution to community safety.**
3. **Waive Council's *Public Domain Memorial and Local Site Acknowledgment Policy* in relation to the cost.**

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

7.4 MAYORAL MINUTE - THE PASSING OF TED MACK

MEETING DATE: 12 NOVEMBER 2018

PURPOSE OF REPORT

To consider the Mayoral Minute on the passing of Ted Mack.

DISCUSSION

It is with much sadness that I inform the Chamber of the passing of Ted Mack, a legendary independent politician and Naremburn resident, on 6 November 2018.

His remarkable political career was unique in that he was the only person to have been elected, always as an independent, to all three tiers of Australian government.

Edward Carrington Mack was born in 1933 in Paddington. After education at Sydney Boys High he completed an architecture degree at the University of NSW. He married Wendy, whom he had known since age 16, in 1957. They had two daughters and two sons. After a period overseas, he returned to Australia and worked as an architect on hospitals and public housing until 1974, and in private practice until 1980.

He was first elected to the North Sydney Council in 1974, serving on the Council for 14 years. He became Mayor in 1980, holding that position for eight years. His term as the Mayor was marked by his attempts to develop what he called a “fully open, participatory system” of local government.

In 1981 he entered NSW Parliament by winning the new State seat of North Shore. He retired abruptly from State Parliament in September 1988, two days before he would have become eligible for a NSW parliamentary pension. At the same time, he also retired from North Sydney Council.

In 1990 Ted won the federal electorate of North Sydney on a large swing. He retired from federal parliament at the 1996 election for the same reason he had previously chosen to retire from state parliament – to avoid receiving a parliamentary pension.

Following his Council and parliamentary career, he was elected as an independent Republican delegate to the Australian Constitutional Convention.

Ted Mack has shown that politicians outside of the usual mould can be elected. He will be remembered by many as a champion of public participation.

Our condolences go to his wife Wendy, their children and grandchildren.

3. MOTION

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

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

7.5 MAYORAL MINUTE - STATEMENT ON THE LATE LIAM ANDERSON**MEETING DATE: 12 NOVEMBER 2018**

1. PURPOSE OF REPORT

To offer condolences to the family of Liam Anderson.

2. DISCUSSION

It is with much sadness that I inform Chamber of the death of Liam Anderson who died on 4 November 2018 aged 26 years.

Liam was the youngest son of Rose Tatroo lead singer Gary "Angry Anderson" and his ex-wife Lindy. Angry was a patron of the Chatswood Concourse, a campaigner on social issues and a prominent youth advocate. He encouraged the opportunities the Concourse provided for young people. The Concourse would not be the remarkable facility it is without the support of our patrons.

Our condolences go to Gary, Lindy and the family.

3. MOTION

That Council send condolences to the Anderson family.

MOVED COUNCILLOR GILES-GIDNEY

CARRIED

7.6 MAYOR'S DIARY: COUNCIL MEETING NOTES – 12 NOVEMBER 2018

THURSDAY 25 OCTOBER			
FRIDAY 26 OCTOBER			
Mayor	7.30 pm	St Thomas' Arts & Crafts Party	St Thomas' School
SATURDAY 27 OCTOBER			
Mayor	10 am	Opening of Baseball Season	Flat Rock Baseball Diamond
Clr Norton	10 am	Community Fundraiser for Dog Rescue	Kendall Rd, Castle Cove
Clrs Norton, Saville	7. pm	Willoughby Symphony Orchestra	The Concourse
SUNDAY 28 OCTOBER			
Mayor	2 pm	Wby Swim Club Presentation Day	Wby Park Bowls Club
MONDAY 29 OCTOBER			
Mayor	10.30 am	Volunteers Morning Tea	Beauchamp Park
TUESDAY 30 OCTOBER			
Clrs Norton, Saville	2. pm	Willoughby Local Planning Panel	Council Chambers
Clr Saville	7.30	Planning Alliance Planning Forum	Terrace Function Room, Lane Cove
WEDNESDAY 31 OCTOBER			
Mayor	11 am	Korean Flag Raising Ceremony	Council Chambers
Mayor	12 noon	Small Business Friendly Councils Executive Meeting	Killara Golf Club
Mayor	6.30 pm	Chatswood Rotary Pride of Workmanship Awards	Roseville Memorial Club
THURSDAY 1 NOVEMBER			
Deputy Mayor: Cr Rutherford (representing the Mayor)	1.30 pm	St Pius X Student Investitures	The Concourse
Clr Norton	10.00am	Bushland and Natural Heritage Committee	WCC Depot
Mayor, Clr Norton	6 pm	Screening of "Blue"	Zenith Theatre
Clr Saville	10.00am	NHBAC Meeting	Gibbes Street
Clr Saville		Sydney Coastal Council Group Teleconference	
FRIDAY 2 NOVEMBER			
SATURDAY 3 NOVEMBER			
Clr Norton	10.30am	Community Meeting held by MP for Bradfield, Paul Fletcher	Dougherty Centre
Clr Norton	7.30pm	Willoughby Symphony Choir with the KSO Concert	The Concourse
SUNDAY 4 NOVEMBER			
Mayor, Clrs Norton, Rutherford	11.30 am	Symposium of the Centenary Commemoration of the end of WWI, The Contribution of Egypt and The Commemoration of the ANZACs	Chatswood RSL Club

WEDNESDAY 7 NOVEMBER			
Mayor	7.30 pm	North Shore Business Awards	Kirribilli Club
Clr Norton	6.00 pm	Willoughby Park Advisory Committee Meeting	Willoughby Park Centre
THURSDAY 8 NOVEMBER			
Mayor, Clr Norton	1.30 pm	Wildlife Storybook Launch	Chatswood Library
Mayor	6 pm	NSROC Meeting	Willoughby Council
Clr Saville	5 pm	Sydney Coastal Council Group Teleconference	
Clr Saville	6 pm	Sustainability Reference Committee	Willoughby Council
FRIDAY 9 NOVEMBER			
SUNDAY 11 NOVEMBER			
Mayor, Clrs Rutherford, Norton, Zhu	8.30 am	Remembrance Day Service	St Stephens, Mowbray Road
Mayor, Clr Norton, Zhu	10.30 am	Remembrance Day Service	Garden of Remembrance
Clr Rutherford (representing the Premier of NSW)	10:30 am	Commemoration Service Laying a Wreath	Garden of Remembrance
Clr Rutherford		Armenian Kermesse Festival	Armenian Apostolic Church
Clr Norton, Zhu	12.30pm	Armenian Kermesse	Armenian Cathedral, Macquarie Street
MONDAY 12 NOVEMBER			
Mayor	7 am	Breakfast with the Premier	Club Willoughby
Clr Rutherford (representing the Mayor)		Funeral Service for Walter Gaspari	Holy Spirit Catholic Church, Ryde

Her Worship the Mayor Councillor Giles-Gidney reported on her and the General Manager meeting with the Premier on 2 November 2018 where they discussed the following topics:

- Right-hand turn on Eastern Valley Way – acknowledging the Premier’s efforts
- Community Strategic Plan – Willoughby Council’s blueprint for the next ten years – noting that 6,000 people responded with input to the document and highlighting the value of a green city.
- Council’s finances – meeting all ten markers prescribed by Office of Local Government and noting a surplus of \$15.3m for last year.
- Greater Sydney Commission and CBD Planning Strategies
- Vivid – alliances with three international and three local artists looking at smart design and potential Smart City Project.
- Beaconsfield lights – with the Premier offering to broker a joint meeting with Lane Cove Council and the RMS
- Northern Sydney Regional Organisations of Councils (NSROC) Conference on 7 February 2019 – the Premier was invited to speak
- Northern Beaches Tunnel – outlining divergent views - residents’ concerns as well as those who are supportive of the tunnel including:
 - Contact from Netball and Basketball Associations and suggesting they should consult through the Premier and RMS.

- Those in the community who are concerned about revegetated bushland in Flat Rock Gully; concerns around wildlife corridors; species, the unique environment , waterways, natural bushland and environmental issues;
- Concerns regarding traffic movements and impacts;
- impacts of dust, noise and contaminated soil;
- Impacts on netball and baseball; and
- Stack locations and filters

The Mayor noted that further to the meeting with the Premier Councillor Rozos organised a business forum and the RMS are making a presentation to the Willoughby Progress Association on Tuesday 13 November 2018. The Mayor also advised that consultation will conclude on 1 December 2018.

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 12.1 Minutes – Local Traffic Committee Meeting – 5/2018 – 17 October 2018
- Item 16.1 Public Presentation of the 2017-18 Financial Reports and Auditor's Reports
- Item 17.1 Councillor Nominations to Award Panel to assess Willoughby Australia Day Awards

RESOLUTION

That the remaining item, viz:

Item 12.2 Access Advisory Committee held 10 October 2018

be adopted in accordance with the recommendation in the report.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

- Item 18.1 753 Pacific Highway and 15 Ellis Street, Chatswood – Planning Proposal
- Item 18.2 58 Anderson Street, Chatswood – Planning Proposal
- Item 18.3 329 Pacific Highway, Artarmon – Lease and Deed of Agreement relating to S4.55 Modification Application (DA 1998/542/A)
- Item 19.1 Notice of Motion – Northern Beaches Tunnel

12 REPORTS FROM COMMITTEES

12.1 MINUTES - LOCAL TRAFFIC COMMITTEE MEETING - 5/2018 - 17 OCTOBER 2018

ATTACHMENTS:	1. IMPLICATIONS 2. TRAFFIC COMMITTEE MINUTES OF 17 OCTOBER 2018 (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GORDON FARRELLY – TRAFFIC AND TRANSPORT TEAM LEADER
CITY STRATEGY OUTCOME:	2.1 – ENHANCE TRANSPORT CHOICES AND CONNECTIONS THROUGHOUT THE CITY 2.4 – REDUCE PARKING AND TRAFFIC CONGESTION 3.1 – FOSTER FEELINGS OF SAFETY, SECURITY AND CLEANLINESS
MEETING DATE:	12 NOVEMBER 2018

PURPOSE OF REPORT

To advise Council of the outcome of the latest Traffic Committee Meeting held on 17 October 2018.

RESOLUTION

That Council receive and adopt the recommendations arising from the 17 October 2018 Traffic Committee meeting.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

Absent: Councillor Wright

12.2 ACCESS ADVISORY COMMITTEE MEETING HELD 10 OCTOBER 2018

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – ACCESS ADVISORY COMMITTEE – 10 OCTOBER 2018
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY LINK:	1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY
MEETING DATE:	12 NOVEMBER 2018

PURPOSE OF REPORT

To provide Council with the minutes of the Access Advisory Committee meeting held 10 October 2018.

RESOLUTION

That Council receives and notes the minutes of the Access Advisory Committee meeting held 10 October 2018.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

NIL

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 PUBLIC PRESENTATION OF THE 2017-18 FINANCIAL REPORTS AND AUDITOR'S REPORTS

ATTACHMENTS:	1. IMPLICATIONS 2. WILLOUGHBY CITY COUNCIL CONSOLIDATED FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2018 (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER BILL LOFTHOUSE – FINANCIAL ACCOUNTANT
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	12 NOVEMBER 2018

PURPOSE OF REPORT

To present the audited 2017-18 Financial Reports and external auditors' reports for Willoughby City Council as required under Section 419(1) of the *Local Government Act 1993*.

Procedural Motion

That Ms Somaiya Ahmed, Director, Financial Audit Services, Audit Office of NSW and Marc Upcroft, Partner, PwC address the meeting and answer questions of Councillors.

RESOLUTION

That Council:

1. Note that the audited 2017-18 financial reports including the auditor's reports have been presented to this meeting of the Council in accordance with Section 419(1) of the *Local Government Act 1993*.
2. Note that the external auditor addressed the Council regarding the 2017-18 financial reports and auditor's report in accordance with Section 419(2) of *Local Government Act 1993*.

3. Note that a copy of the auditor's reports and a copy of the audited financial reports has been sent to Chief Executive of the Office of Local Government and the Australian Bureau of Statistics as required under Section 417(5) of the Local Government Act 1993.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

Councillors acknowledged the work of Council Officers in preparing the Financial Reports.

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 COUNCILLOR NOMINATIONS TO AWARD PANEL TO ASSESS WILLOUGHBY AUSTRALIA DAY AWARDS

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH - COMMUNITY CULTURE & LEISURE DIRECTOR
AUTHOR:	BERNARD LAU - FESTIVAL AND EVENTS TECHNICAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	12 NOVEMBER 2018

PURPOSE OF REPORT

To nominate Councillor Representatives to an award panel to assess the nominations for 2019 Willoughby Australia Day Awards.

RESOLUTION

That Council nominate Mayor Gail Giles-Gidney, Councillor Eriksson and Councillor Fernandez to form an award panel to assess nominations of the 2019 Willoughby Australia Day Awards.

MOVED COUNCILLOR FERNANDEZ

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Wright

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 753 PACIFIC HIGHWAY AND 15 ELLIS STREET, CHATSWOOD - PLANNING PROPOSAL

ATTACHMENTS:

1. IMPLICATIONS
2. COUNCIL DETAILED ASSESSMENT
3. COUNCIL ASSESSMENT OF DEPARTMENT OF PLANNING AND ENVIRONMENT'S "A GUIDE TO PREPARING PLANNING PROPOSALS"
4. PLANNING PROPOSAL CONCEPT PLANS (PROVIDED SEPARATELY)
5. DRAFT DEVELOPMENT CONTROL PLAN PROVISIONS
6. PROPOSED WRITTEN AMENDMENTS TO WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012
7. PROPOSED WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012 LAND ZONING, HEIGHT OF BUILDINGS, FLOOR SPACE RATIO, SPECIAL PROVISIONS AREA AND ACTIVE STREET FRONTAGE MAPS

RESPONSIBLE OFFICER: IAN ARNOTT - PLANNING MANAGER

AUTHOR: EMMA BROWN – STRATEGIC PLANNER

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

MEETING DATE: 12 NOVEMBER 2018

PURPOSE OF REPORT

To seek endorsement for the forwarding of Planning Proposal PP-2017/0007 for 753 Pacific Highway and 15 Ellis Street, 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 proceed to public exhibition.

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

Procedural Motion

That Brett Brown, Director, Ingham Planning address the meeting. Ross Nettle, Director of TTPA was available to answer questions of the Councillors.

AMENDMENT

That Council not support proceeding with the planning proposal due to:

1. the site area being below the minimum specified in the Strategy; and
2. Pressure on existing infrastructure including schools and roads will be exacerbated.

MOVED COUNCILLOR SAVILLE

LAPSED FOR WANT OF A SECONDER

MOTION

That Council:

1. 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*, with the following amendments to Willoughby Local Environmental Plan 2012:
 - a) To replace Clause 4.4 'Floor Space Ratio', (2A), (b) with the following:
 - “(b) any part of the floor area of a building that:
 - (i) is to be used for community facilities, or
 - (ii) is a heritage item, or
 - (iii) is to be used for affordable housing purposes if located within Area 3 on the Special Provisions Area Mapis taken not to be part of the gross floor area of the building for determining the maximum floor space ratio of the building.”
 - b) To add Clause 5.6 'Architectural roof features', (2A) as follows:
 - “(2A) Despite subclause (2), development within Area 8 on the Special Provisions Area Map may only be carried out in accordance with the maximum height of Clause 4.3.”
 - c) To replace Clause 6.8 'Affordable Housing', (2) with the following:
 - “(2) Development consent must not be granted to the erection of residential accommodation on land identified as “Area 3” and “Area 9” on the Special Provisions Area Map unless the consent authority has taken the following into consideration:
 - (a) the Willoughby Affordable Housing Principles,
 - (b) the impact the development would have on the existing mix and likely future mix of residential housing stock in Willoughby,
 - (c) whether one of the affordable housing conditions should be imposed on the consent for the purpose of providing affordable housing in accordance with the Willoughby Affordable Housing Principles.

Note. The affordable housing principles set out in Schedule 2 to State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes) may also apply to the development.”

d) To replace Clause 6.8 ‘Affordable Housing’, (7) with the following:

“(7) In this clause:

accountable total floor space means:

- a) If in Area 3 on the Special Provisions Area Map, the gross floor space of the residential component of the development to which the development application relates, excluding any residential floor area of the building that is used for affordable housing purposes.
- b) If in Area 9 on the Special Provisions Area Map, the gross floor space of the residential component of the development to which the development application relates, including any residential floor area of the building that is used for affordable housing purposes.”

e) To add Clause 6.23 as follows:

“6.23 Minimum commercial floor space within the Mixed Use zone

Land zoned B4 Mixed Use is to contain a minimum commercial floor space component of 1:1 if located within Area 11 on the Special Provisions Area Map.”

f) To add Clause 6.24 as follows:

“6.24 Design Excellence

- (1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.
- (2) This clause applies to development involving the erection of a new building on land shown in Area 11 on the Special Provisions Area Map.
- (3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.”

g) To add Clause 4.3A (9) as follows:

“4.3A (9) Development consent must not be granted to the erection of a building on the land at 753 Pacific Highway and/or 15 Ellis Street, Chatswood if the development would cause increased overshadowing impacts on the Chatswood Tennis and Croquet Club at mid winter between 12pm - 2pm.”

h) To amend the Land Zoning Map (Sheet LZN_004) for 753 Pacific Highway & 15 Ellis Street, Chatswood, to B4 Mixed Use.

i) To amend the Height of Buildings Map (Sheet HOB_004) for 753 Pacific Highway & 15 Ellis Street, Chatswood, to 90 metres.

- j) To amend the Floor Space Ratio Map (Sheet FSR_004) for 753 Pacific Highway & 15 Ellis Street, Chatswood, to 6:1.
 - k) To amend the Special Provisions Area Map (Sheet SPA_004) to show 753 Pacific Highway & 15 Ellis Street, Chatswood, as Area 8, Area 9, Area 11.
 - l) To amend the Active Street Frontages Map (Sheet ASF_004) to show 753 Pacific Highway & 15 Ellis Street, Chatswood to include the Pacific Highway and Ellis Street frontages.
2. Subject to 1. Above, endorse for public exhibition the Planning Proposal as amended.
 3. Endorse for public exhibition the Planning Proposal, with the accompanying draft site specific *Development Control Plan* provisions, subject to the following amendments:
 - a) Add under Built Form:
“The maximum tower floor plate that applies to this site for residential towers above a podium is 700m².”
 - b) Add under Street Frontage Heights and Setbacks:
“Building street frontage heights and setbacks are to be in accordance with Figure 2 “Street Frontage Heights and Setbacks” below.

Figure 2 “Street Frontage Heights and Setbacks” is to replicate what is shown regarding the subject site, in Key Element 27, Figure 3.1.8 of the *Chatswood CBD Planning and Urban Design Strategy to 2036*.

“All buildings are to be setback from all boundaries a minimum of 1:20 ratio of the set back to building height (eg. 3m setback for a 60m building, 4.5m setback for a 90m building).”
 - c) Add under Traffic and Transport:

Traffic shall be restricted to left in / left out on the Crispe Lane entrance, to be facilitated by the introduction of a median strip and constructed at the cost of the proponent and involving consultation with Councils Traffic Section.”
 4. Require an updated Letter of Offer to enter into a Planning Agreement, to be submitted to Council prior to referral to Gateway, as the basis for further negotiation.
 5. Note that following public exhibition the Planning Proposal will be reported back to Council detailing the outcome of the public exhibition period at which time Council may resolve:
 - a) To proceed as recommended.
 - b) To not proceed with the Planning Proposal.

6. Request that the Department of Planning and Environment nominate Council as the Planning Authority to finalise the Planning Proposal and that the Department of Planning and Environment delegate authority to the Council Planning Manager, Mr Ian Arnott to process and finalise the Planning proposal documentation for the purposes of Section 3.36 of the *Environmental Planning and Assessment Act, 1979*.
7. Delegate authority to the General Manager to make any minor amendments to the Planning Proposal which do not alter the policy intent.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR CAMPBELL

CARRIED

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

Voting

For the Resolution: Councillors Campbell, Eriksson, Fernandez, Mustaca, Norton, Rozos, Tuon and Zhu.

Against: Councillor Saville

Absent: Councillors Giles-Gidney, Rutherford and Wright.

Due to Item 18.1: 753 Pacific Highway and 15 Ellis Street, Chatswood – Planning Proposal 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.

18.2 58 ANDERSON STREET, CHATSWOOD - PLANNING PROPOSAL

- ATTACHMENTS:**
- 1. IMPLICATIONS**
 - 2. COUNCIL DETAILED ASSESSMENT**
 - 3. COUNCIL ASSESSMENT OF DEPARTMENT OF PLANNING AND ENVIRONMENT'S 'A GUIDE TO PREPARING PLANNING PROPOSALS'**
 - 4. PLANNING PROPOSAL CONCEPT PLANS (PROVIDED SEPARATELY)**
 - 5. DRAFT DEVELOPMENT CONTROL PLAN PROVISIONS**
 - 6. PROPOSED WRITTEN AMENDMENTS TO WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012**
 - 7. PROPOSED WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012 LAND ZONING, HEIGHT OF BUILDINGS, FLOOR SPACE RATIO, SPECIAL PROVISIONS AREA AND ACTIVE STREET FRONTAGE MAPS**

RESPONSIBLE OFFICER: IAN ARNOTT - PLANNING MANAGER

AUTHOR: EMMA BROWN – STRATEGIC PLANNER

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

MEETING DATE: 12 NOVEMBER 2018

PURPOSE OF REPORT

To seek endorsement for the forwarding of the Planning Proposal PP-2018/0001 for 58 Anderson Street, 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 proceed to public exhibition.

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

Procedural Motion

That Matt Hurst address the meeting.

RESOLUTION

That Council:

- 1. 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*, with the following amendments to Willoughby Local Environmental Plan 2012:**

a) To replace Clause 4.4 'Floor Space Ratio', (2A), (b) with the following:

- “(b) any part of the floor area of a building that:
- (i) is to be used for community facilities, or
 - (ii) is a heritage item, or
 - (iii) is to be used for affordable housing purposes if located within Area 3 on the Special Provisions Area Map
- is taken not to be part of the gross floor area of the building for determining the maximum floor space ratio of the building.”

b) To add Clause 5.6 'Architectural roof features', (2A) as follows:

- “(2A) Despite subclause (2), development within Area 8 on the Special Provisions Area Map may only be carried out in accordance with the maximum height of Clause 4.3.”

c) To replace Clause 6.8 'Affordable Housing', (2) with the following:

- “(2) Development consent must not be granted to the erection of residential accommodation on land identified as “Area 3” and “Area 9” on the Special Provisions Area Map unless the consent authority has taken the following into consideration:
- (a) the Willoughby Affordable Housing Principles,
 - (b) the impact the development would have on the existing mix and likely future mix of residential housing stock in Willoughby,
 - (c) whether one of the affordable housing conditions should be imposed on the consent for the purpose of providing affordable housing in accordance with the Willoughby Affordable Housing Principles.

Note. The affordable housing principles set out in Schedule 2 to State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes) may also apply to the development.”

d) To replace Clause 6.8 'Affordable Housing', (7) with the following:

“(7) In this clause:

accountable total floor space means:

- a) If in Area 3 on the Special Provisions Area Map, the gross floor space of the residential component of the development to which the development application relates, excluding any residential floor area of the building that is used for affordable housing purposes.
- b) If in Area 9 on the Special Provisions Area Map, the gross floor space of the residential component of the development to which the development application relates, including any residential floor area of the building that is used for affordable housing purposes.”

- d) To add Clause 6.23 as follows:
“6.23 Minimum commercial floor space within the Mixed Use zone

Land zoned B4 Mixed Use is to contain a minimum commercial floor space component of 1:1 if located within Area 11 on the Special Provisions Area Map.”
- e) To add Clause 6.24 as follows:
“6.24 Design Excellence
- (1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.
 - (2) This clause applies to development involving the erection of a new building on land shown in Area 11 on the Special Provisions Area Map.
 - (3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.”
- f) To amend the Land Zoning Map (Sheet LZN_003) for 58 Anderson Street, Chatswood, to B4 Mixed Use.
- g) To amend the Height of Buildings Map (Sheet HOB_003) for 58 Anderson Street, Chatswood, to 90 metres.
- h) To amend the Floor Space Ratio Map (Sheet FSR_003) for 58 Anderson Street, Chatswood, to 6:1.
- i) To amend the Special Provisions Area Map (Sheet SPA_004) to show 58 Anderson Street, Chatswood, as Area 8, Area 9, Area 11.
- j) To amend the Active Street Frontages Map (Sheet ASF_003) to show 58 Anderson Street, Chatswood to include the Anderson Street and Wilson Street frontages.
2. Subject to 1. above, endorse for public exhibition the Planning Proposal as amended.
3. Endorse for public exhibition the accompanying draft site specific *Development Control Plan* provisions, subject to the following amendments:
- a) Under Built Form, delete Point 17 and replace with:
“17. The maximum tower floor plate that applies to this site for residential towers above a podium is 700m².”

b) Under Street Frontage Heights and Setbacks:**i. Delete Point 35 and replace with:**

“35. Building street frontage heights and setbacks are to be in accordance with Figure ‘Street Frontage Heights and Setbacks’ below.

In respect to 58 Anderson Street, variation to the western setback to the railway may be considered where setbacks in excess of the standard are provided to the Anderson and Wilson Street frontages.”

Figure “Street Frontage Heights and Setbacks” is to replicate what is shown regarding the subject site, in Key Element 27, Figure 3.1.8 of the *Chatswood CBD Planning and Urban Design Strategy to 2036*.

ii. Delete Point 36 and replace with:

“36. All buildings are to be setback from all boundaries a minimum of 1:20 ratio of the set back to building height (eg. 3m setback for a 60m building, 4.5m setback for a 90m building).

In respect to 58 Anderson Street, variation to the western setback to the railway may be considered where setbacks in excess of the standard are provided to the Anderson and Wilson Street frontages.”

c) Under Traffic and Transport:**i. Add Point 40f. as follows:**

“40f. Traffic shall be restricted to left in / left out on the Anderson Street and the Wilson Street entrances, to be facilitated by the introduction of a median strip and constructed at the cost of the proponent and involving consultation with Councils Traffic Section.”

ii. Add Point 40g. as follows:

“40g. Improvements to bicycle facilities and access along Anderson Street, including ‘Filling the Gaps’ in the existing bicycle lanes across intersections and widening of Anderson Street to support provision of acceptable widths for kerbside parking, bicycle lanes and travel lanes, is to be addressed to the satisfaction of Council’s Traffic Section and included in any development application.”

4. Require an updated Letter of Offer to enter into a Planning Agreement, to be submitted to Council prior to referral to Gateway, as the basis for further negotiation.

5. Note that following public exhibition the Planning Proposal will be reported back to Council detailing the outcome of the public exhibition period at which time Council may resolve:
 - a) To proceed as recommended.
 - b) To not proceed with the Planning Proposal.
6. Request that the Department of Planning and Environment nominate Council as the Planning Authority to finalise the Planning Proposal and that the Department of Planning and Environment delegate authority to the Council Planning Manager, Mr Ian Arnott to process and finalise the Planning Proposal documentation for the purposes of Section 3.36 of the *Environmental Planning and Assessment Act, 1979*.
7. Delegate authority to the General Manager to make any minor amendments to the Planning Proposal which do not alter the policy intent.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR CAMPBELL

CARRIED

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

Voting

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

Against: Councillors Rozos and Saville

Absent: Councillors Giles-Gidney, Fernandez, Rutherford and Wright.

Due to Councillor Fernandez declaring a non pecuniary significant interest in Item 18.2: 58 Anderson Street, Chatswood – Planning Proposal due to his relationship with the proponent and the architectural firm he withdrew from the meeting taking no part in the discussion or voting on this topic.

Due to Item 18.2: 58 Anderson Street, Chatswood – Planning Proposal 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.

18.3 329 PACIFIC HIGHWAY, ARTARMON - LEASE AND DEED OF AGREEMENT RELATING TO S4.55 MODIFICATION APPLICATION (DA 1998/542/A)

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	RITU SHANKAR – DEVELOPMENT PLANNING TEAM LEADER
AUTHOR:	SYLVANIA MOK – PLANNING PROCESS & CONTRIBUTIONS SPECIALIST
CITY STRATEGY OUTCOME:	2.6 – IMPROVE ACCESS TO DIGITAL SERVICES IN PUBLIC PLACES
MEETING DATE:	12 NOVEMBER 2018

PURPOSE OF REPORT

To seek owner's consent relating to the proposed advertising signage which overhangs the public road (Dickson Avenue, Artarmon) and to seek Council's authority to commence negotiation with the applicant in relation to the lease arrangement and the Deed of Agreement.

Procedural Motion

That Belinda Barnett be available to address the meeting.

RESOLUTION

That Council:

1. Provide owner's consent for the lodgement of DA 1998/542/A for a proposed modified projecting wall signage over part of the road reserve along Dickson Avenue, Artarmon; and
2. Grant delegation to the General Manager to negotiate with the applicant and sign any subsequent documentation associated with a Deed of Agreement in relation to the monetary or other contributions offered by the applicant.

MOVED COUNCILLOR ROZOS

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, Campbell, Eriksson, Fernandez, Mustaca, Rozos, Rutherford, Tuon and Zhu.

Against: Councillors Saville and Norton

Absent: Councillor Wright

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION - NORTHERN BEACHES TUNNEL

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	12 NOVEMBER 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:

- John Moratelli
- Georgina Taylor
- Luke Silcock
- Gay Spies
- Katie Caban
- Larissa Penn

MOTION

That Council:

1. **prepare a summary report that makes clear the infrastructure and environmental impacts on council assets, residents, and businesses in the Willoughby LGA of the Western Harbour tunnel and Northern Beaches Link Tunnel Projects as detailed in the reference design and supporting information contained in the July 2018 Project Update Document Western Harbour Tunnel Project Update document Beaches Link released by NSW Roads and Maritime Services (RMS).**
2. **Also takes note of any other additional material provided by RMS**
3. **Place the report on council's website, and bring it to the attention of the community.**
4. **Consider the report, and the report made by the adjoining North Sydney Council, and make a submission to the RMS with a copy to the Premier (may need to request late submission).**
5. **Advise the RMS that access to Council owned and managed land will require a licence agreement.**

6. Require any discussion between Council and the RMS relating to a licence agreement be brought to the attention of Council for consideration and determination.
7. Advise the NSW Government that the licence agreement terms and conditions and financial considerations for the Construction Site at Bicentennial Reserve Flat Rock Gully will appropriately deal with the impact of construction and the restoration of the land utilised.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR FERNANDEZ

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

Against: Nil

20 CONFIDENTIAL ITEMS

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

Procedural Motion

That:

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

Council moved into closed session at 9:02pm.

Councillor Saville declared a non pecuniary less than significant interest in Item 20.1: Confidential – Report of Conduct Reviewer (CR015) and withdrew from the meeting taking no part in the discussion or voting on this topic.

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. **Adopt the report of the Conduct Reviewer that found that Councillor Coppock breached Council's *Code of Conduct* by disclosing information from a confidential session of Council with a journalist from the *North Shore Times* and for making comments in relation to the General Manager.**
2. **Formally censure Councillor Coppock for the breaches under Section 440G of the *Local Government Act 1993*.**
3. **Refer the matter to the Division for further action under the misconduct provisions of the Act.**
4. **Require Councillor Coppock to provide a written apology to the General Manager.**

5. Make public Council's resolution in points 1 – 4 above, following the closed part of this meeting, pursuant to clause 253 of the *Local Government (General) Regulation 2005*.

MOVED COUNCILLOR GILES-GIDNEY

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

For the Recommendation: Councillors Giles-Gidney, Campbell, Eriksson, Fernandez and Zhu.

Against: Councillors Mustaca, Norton, Rozos, Rutherford and Tuon

Absent: Councillors Saville and Wright

As the vote was equal, the Mayor exercised her casting vote for the recommendation.

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

Absent: Councillors Saville and Wright

RESOLUTION

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

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Councillor Norton

Absent: Councillors Saville and Wright.

21 QUESTIONS

21.1 QUESTIONS ON NOTICE FROM COUNCILLOR SAVILLE - OH REID AND GREVILLE STREET OVALS

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

AUTHOR: JULIE WHITFIELD – OPEN SPACE CO-ORDINATOR

CITY STRATEGY OUTCOME: 3.2 – CREATE RECREATION SPACES FOR ALL

MEETING DATE: 12 NOVEMBER 2018

QUESTION

1. Can you please confirm if Willoughby City Council has plans to install floodlights at both OH Reid and Greville Street ovals? If so, have funds been allocated?
2. When does council plan to begin installation?
3. Which council strategic plans and planning documents identify either or both OH Reid Oval and Greville Street Oval as suitable for the installation of floodlights?
4. Has any environmental impact assessment and data analysis been undertaken to assess suitability of these two sites for floodlights?
5. Have the local community been formally notified and has any consultation with the local community been undertaken?

ANSWER

There is no current proposal to install further floodlights on any Council sportsground other than those listed in Council's Long Term Financial Plan (LTFP).

Council's *Open Space and Recreation Plan 2014* and the *NSROC Regional Sportsground Strategy 2017* recommend that floodlights be installed on unlit sportsgrounds. To date the only Council grounds without lights are:

1. Bales Park Oval
 2. Greville Park Oval
 3. OH Reid Oval
- In respect to Bales Park Oval, Council resolved to discontinue the floodlights proposal at its meeting of 10 September 2018.
 - In respect to Greville Park Oval, the district sports association has recommended against lights at this junior ground site as it does not have an amenities building. The budget for this project will be removed at the next LTFP review.
 - In respect to O H Reid Oval, a Park Master planning process was commenced in March 2018 seeking initial community feedback. Once a draft Plan is ready for further comment, the community will be re-consulted. The proposal to install floodlights on the oval will be included in the draft Plan for community comment. Ultimately the Master Plan for O H Reid Park will be subject to Council adoption.

Funds for all sportsgrounds improvements, such as floodlights, have been included in Council's Long Term Financial Plan, which is reviewed and updated annually.

Environmental impact for open space proposals, such as floodlights, is not undertaken until Council has supported the proposal in principle. In the case of floodlights in principle support is considered granted when the annual budget for the planning phase of the project is adopted by Council.

- Her Worship the Mayor Councillor Giles-Gidney and Deputy Mayor, Councillor Rutherford left the meeting at 8:22pm during debate on Items 18.1: 753 Pacific Highway and 15 Ellis Street, Chatswood – Planning Proposal and Item 18.2 58 Anderson Street, Chatswood – Planning Proposal and took no part in the debate or vote on these topics. They returned to the meeting at 8:55pm. Former Deputy Mayor Eriksson took the chair in the Mayor’s absence.
- Councillor Wright left the meeting at 8:17pm.
- Councillor Fernandez left the meeting at 8:42pm during debate on Item 18.2: 58 Anderson Street, Chatswood – Planning Proposal taking no part in the discussion or vote on this topic and returned to the meeting after the vote at 8:55pm.
- Councillor Saville left the meeting at 9:04pm during debate on Item 20.1: Confidential – Report of Conduct Reviewer (CR015) and took no part in the debate or vote on this topic.

The meeting concluded at 9:52pm

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