



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

10 December 2018

commencing at 7:00pm

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1 PRESENT

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

Officers

Ms D Just (General Manager), Mr G McDonald (Planning & Infrastructure Director), Mr D Frost (Customer & Corporate Director), Mrs M Smith (Community, Culture & Leisure Director), Mr D Roberts (Acting Environment Manager), Mr V Grepl (Acting Governance, Risk and Corporate Planning Manager), Ms P Sheldrake (Minutes Secretary)

2 DISCLOSURES OF INTEREST

NIL

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 26 November 2018, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

4 APOLOGIES AND LEAVE OF ABSENCE

NIL

5 PETITIONS

NIL

6 OPEN FORUM

Suzie Gold addressed Council on Code of Conduct and access to information topics.

7 MAYORAL MINUTE

Her Worship the Mayor Councillor Giles-Gidney acknowledged the achievements of all elected Councillors and Council officers during the year.

The Mayor acknowledged the passing of Councillor Lynne Saville's mother and asked the Chamber to stand for a minute's silence.

The Mayor paid tribute to Mr Tim Dodds, former Principal of Chatswood Public School who resigned after 17 years of dedicated service to public education. She further undertook to send a letter to Mr Dodds on behalf of Council thanking him for his service to the community.

7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 10 DECEMBER 2018

TUESDAY 27 NOVEMBER			
Mayor	7.30 am	LGNSW Planning Meeting	Parliament House
Mayor Crs Norton, Tuon	10.30 am	Public Meeting – Channel 9	Club Willoughby
Cr Norton	5 pm	Heritage Advisory Committee Meeting	Banksia Room
Cr Norton	7.30 pm	Castle Cove Progress Association Mtg	C/Cove Community Centre
WEDNESDAY 28 NOVEMBER			
Mayor	9.30 am	Traffic Committee Meeting	Banksia Room
Cr Norton	6 pm	Bicycle Committee Meeting	Banksia Room
Mayor Crs Eriksson, Fernandez, Zhu	7.30 pm	Northbridge P.A. Meeting	Northbridge Golf Club
THURSDAY 29 NOVEMBER			
Mayor	9 am	Opening of Re-furbished BUPA Store	Chatswood
FRIDAY 30 NOVEMBER			
Mayor Cr Saville	9.30 am	Ted Mack Memorial Service	Luna Park, Grand Ballroom
Mayor	12 noon	MOSAIC Christmas Party	The Civic Pavilion
Cr Norton	4.30 pm	Happy Hour with Residents	Dougherty Apartments
Deputy Mayor: Cr Rutherford Representing The Mayor	6 pm	Reception Celebrating the 85 th Birthday of HM The Emperor of Japan	Consul-General's Residence Rose Bay
SATURDAY 1 DECEMBER			
Crs Norton, Zhu	9.30 am	Federation of Wby Progression Assns.	Dougherty Centre
Cr Saville	12 noon	SCCG Meeting and AGM	Willoughby Council
Mayor	1.45 pm	Mary's House Event	Artarmon
Mayor Deputy Mayor: Cr Rutherford Crs Mustaca, Norton, Tuon	3 pm	Aust/Taiwanese Friendship Event	Chatswood RSL Club

ORDINARY COUNCIL MEETING

10 DECEMBER 2018

Mayor Deputy Mayor: Cr Rutherford Crs Fernandez, Norton, Zhu	6 pm	Carols in the Park	Willoughby Park
SUNDAY 2 DECEMBER			
Mayor	10.30 am	Applies & Honey Pre-school Open Day	North Shore Temple Emanuel
Mayor	11.30 am	Opening of Armenian Embroidery Expo	Armenian Church, Willoughby
Mayor	6 pm	SAWEA Awards	Crystal Ballroom, Luna Park
MONDAY 3 DECEMBER			
TUESDAY 4 DECEMBER			
Deputy Mayor: Cr Rutherford Cr Norton	9 am	Cultural Events Committee	Banksia Room
Mayor	1 pm	Sustainability Session	Council Chambers
WEDNESDAY 5 DECEMBER			
Crs Norton, Tuon	8.30 am	Audit & Risk Committee Meeting	Coachwood Room
Mayor	1 pm	WCC Volunteers Event	Hoyts Westfield
Mayor	4.30 pm	Link Housing Awards	Dougherty Centre
Mayor	6.30 pm	Korean Friendship Dinner	Royal Motor Yacht Club
Deputy Mayor: Cr Rutherford Representing The Mayor	7.30 pm	NS Orchid Society Christmas Party	Dougherty Centre
THURSDAY 6 DECEMBER			
Cr Norton	10 am	Natural Heritage & Bushland Committee	Site visit: Northbridge Park
Cr Norton	5.30 pm	WSOC Committee Meeting	Banksia Room
FRIDAY 7 DECEMBER			
SATURDAY 8 DECEMBER			
Mayor	2 pm	Chatswood Bowls Club Presentations	Chatswood Bowling Club
Mayor Cr Campbell	afternoon	Mowbray Public School Fair	Mowbray Public School Grounds
Mayor	afternoon	Grass Games – UTS event	Rotary Field, Chatswood
Mayor Cr Norton	5.30 pm	Bushcare Christmas Party	Warners Park
SUNDAY 9 DECEMBER			
Cr Saville	2 pm	WDHS Christmas Event	The Museum, Johnson Street
Cr Norton	2 pm	WSOC Christmas Concert	The Concourse Concert Hall
MONDAY 10 DECEMBER			
Mayor	3.30 pm	K2 Presentations CPS	The Concourse

7.2 MAYORAL MINUTE – CONFIDENTIAL – NOVEMBER 2018 – MEDIA PUBLICATION – MATTERS ARISING**MEETING DATE: 10 DECEMBER 2018**

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 by any Code of Conduct requirements applicable under Section 440.*

PURPOSE OF REPORT

To consider the latest developments arising from media publications related to Code of Conduct and confidentiality provisions.

RESOLUTION

That Council resolve into closed session to deal with this matter.

MOVED COUNCILLOR GILES-GIDNEY**CARRIED**

8 GENERAL MANAGER'S LATE REPORT

NIL

9 MATTERS FOR DEFERRAL 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 Companion Animals Advisory Committee Meeting – 20 November 2018
- Item 17.1 Jersey Road Reserve – Playground Improvements Plan
- Item 17.2 Tender 118824 – Muston Park – Playground and Park Upgrades
- Item 17.3 Tender 119691 – Provision of Projection Equipment for Vivid Sydney at Chatswood 2019
- Item 17.4 Tender 119051 – Artarmon Parklands Landscape Improvements Works
- Item 18.1 Our Green City Plan – Sustainability Action Plan for Willoughby City Council
- Item 18.2 Northern Beaches Tunnel Link
- Item 18.3 Tender No 113365 – Assessment of tenderers for the Artarmon Loop and Extended Loop Service
- Item 18.4 Tender 118969 – Assessment of tenders for the construction of Gross Pollutant Traps at Burra Road, Artarmon and Fleming Park Naremburn

RESOLUTION

That the remaining item, viz:

- Item 18.5 Easement to drain water – 388 Eastern Valley Way, Roseville (DA2017/332)**

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

Absent: Councillor Coppock

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

NIL

12 REPORTS FROM COMMITTEES

12.1 COMPANION ANIMALS ADVISORY COMMITTEE MEETING - 20 NOVEMBER 2018

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES OF COMPANION ANIMALS ADVISORY COMMITTEE MEETING - 20 NOVEMBER 2018
RESPONSIBLE OFFICER:	VLADIMIR GREPL - GOVERNANCE OFFICER
AUTHOR:	TEENA STRYDOM - GOVERNANCE ADMINISTRATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To provide Council with the minutes of the Willoughby City Council Companion Animals Advisory Committee meeting held 20 November 2018.

RESOLUTION

That Council receive and note the minutes of the Willoughby City Council Companion Animals Advisory Committee meeting held on 20 November 2018.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: NIL

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

NIL

15 REPORTS FROM OFFICERS - GENERAL MANAGER

NIL

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

NIL

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 JERSEY ROAD RESERVE - PLAYGROUND IMPROVEMENTS PLAN

ATTACHMENTS:	1. IMPLICATIONS 2. JERSEY ROAD RESERVE COMMUNITY CONSULTATION SUMMARY REPORT 3. JERSEY ROAD RESERVE PLAYGROUND IMPROVEMENTS PLAN
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MEREDITH PATERSON – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY OUTCOME:	3.2 – CREATE RECREATION SPACES FOR ALL
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To adopt the Playground Improvements Plan for Jersey Road Reserve, Artarmon.

RESOLUTION

That Council:

1. **Adopt the Jersey Road Reserve – Playground Improvements Plan dated September 2018.**
2. **Receive a further report regarding the renaming of Jersey Road Reserve once further consultation with the community has occurred.**

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

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

Against: Nil

17.2 TENDER 118824 - MUSTON PARK - PLAYGROUND & PARK UPGRADES

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	AMY BARNES – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY OUTCOME:	3.2 CREATE RECREATION SPACES FOR ALL
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To reject all tenders for Tender 118824 received for the Muston Park playground and park upgrades and to negotiate with the highest ranked tenderer.

RESOLUTION**That Council:**

- 1. Reject all tenders for Tender No 118824 received for the Muston Park playground and park upgrades for the reason that the two top ranked tenderers are above the available budget for construction works.**
- 2. Delegate the General Manager to enter into negotiations with the top ranked tenderer with a view to entering into a contract.**
- 3. Authorise the General Manager to execute the contract documents.**
- 4. Make public recommendation 1 in the confidential report following Council's resolution.**

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

Absent: Councillor Coppock

17.3 TENDER 119691 - PROVISION OF PROJECTION EQUIPMENT FOR VIVID SYDNEY AT CHATSWOOD 2019

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH, COMMUNITY CULTURE & LEISURE DIRECTOR
AUTHOR:	SAMANTHA CONNOR, MEDIA, MARKETING AND EVENTS MANAGER
CITY STRATEGY OUTCOME:	3.6 – ACTIVATE LOCAL SPACES IN CREATIVE WAYS
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To award Tender 119691 for the provision of projection equipment for Vivid Sydney at Chatswood 2019.

RESOLUTION

That Council:

- 1. Accept the tender for Tender 119691 from the top ranked tenderer in the attached confidential report for the provision of Projection Equipment for Vivid Sydney at Chatswood 2019.**
- 2. Authorise the General Manager to execute the contract documents.**
- 3. Make public recommendation 1 of the Confidential Report following Council's resolution to accept the tender.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

17.4 TENDER 119051 - ARTARMON PARKLANDS LANDSCAPE IMPROVEMENT WORKS

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	AMY BARNES – OPEN SPACE PROJECTS OFFICER
CITY STRATEGY OUTCOME:	3.2 CREATE RECREATION SPACES FOR ALL
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To award Tender 119051 for Landscape Improvement Works at Artarmon Parklands.

RESOLUTION

That Council:

- 1. Accept the tender from the top ranked tenderer for Tender 119051 for Artarmon Parklands Landscape Improvement Works with a total contract value of \$912,146.97.**
- 2. Authorise the General Manager to execute the contract documents.**
- 3. Make public recommendation 1 in the confidential report following Council's resolution to accept the tender.**

MOVED COUNCILLOR TUON

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

18.1 OUR GREEN CITY PLAN - SUSTAINABILITY ACTION PLAN FOR WILLOUGHBY CITY COUNCIL

ATTACHMENTS:	1. IMPLICATIONS 2. OUR GREEN CITY PLAN 2028 (DRAFT) (DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING AND INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID ROBERTS - ACTING ENVIRONMENT MANAGER
CITY STRATEGY OUTCOME:	3. A CITY THAT IS GREEN
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To seek Council's support for the draft *Our Green City Plan 2028 – Sustainability Action Plan for Willoughby City Council* to be publicly exhibited.

RESOLUTION

That Council:

1. Support the Draft '*Our Green City Plan 2028 – Sustainability Action Plan for Willoughby City Council*' for public exhibition for a period of 28 days.
2. Receive a further report at the conclusion of the exhibition period that considers any submissions prior to it adopting the *Our Green City Plan 2028*.

3. Make the following amendments to Attachment 2 page 10:

- Under the heading “Where do we want to be?” sub-heading “For Council” add the words “at least” in the first bullet point after the words “By 2020 we will emit” and in the second bullet point after the words “by 2028 we will emit”.
- Under the sub-heading “For the community” add the words “at least” in the first bullet point after the words “By 2028 our community will emit”.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

18.2 NORTHERN BEACHES TUNNEL LINK

ATTACHMENTS:	1. IMPLICATIONS 2. REPORT DOCUMENT
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	WIL ROBERTSON – URBAN DESIGN SPECIALIST
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To endorse the Willoughby City Council Beaches Link report prior to submission to the Road and Maritime Services (RMS).

RESOLUTION

That Council:

- 1. submit the report (attachment 2) as amended to Roads and Maritime Services noting that:**
 - i) Council expresses deep concern about the local construction, traffic, loss of any public open space, resident health & safety and environmental impacts and other issues raised in the Council submission.**
 - ii) Council strongly supports:**
 - a. The inclusion of enhanced public transport in the tunnel; and**
 - b. The NSW Government minimising the impacts on local residents as detailed in Council's submission.**
 - iii) Council has concerns about both options for construction at Flat Rock Drive (options A & B) due to the environmental concerns and public safety risk issues. Detailed safety and environmental management and traffic management plans need to be presented to Council for consideration and input.**
- 2. Write to the Hon Melinda Pavey MP Minister for Roads and the Premier Gladys Berejiklian and Opposition Leader Michael Daley highlighting community concerns.**
- 3. Work with the community to achieve the best outcomes for the Willoughby City Council community in relation to the Environmental Impact Statement and Traffic Management plan.**

4. Authorise the General Manager to amend the submission in line with the amendments in attachment 3 (attached) and to ensure consistency of language and accuracy of presentation.

MOVED COUNCILLOR FERNANDEZ

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

Absent: Councillor Coppock

Attachment 3

Points of amendment in the report are to cover the following matters:

1. Request the EIS being prepared by the RMS be comprehensive with respect to:
 - (a) Air Monitoring – Unfiltered and Filtered Solutions
 - (b) Aboriginal Cultural Heritage
 - (c) Biodiversity
 - (d) Soil and Water Quality – Contaminated Land
 - (e) Middle Harbour Sediments - Contaminated Sediments
 - (f) Middle Harbour dredging management and disposal of sediments and contaminated sediments
 - (g) Spoil, Contaminated Spoil and Waste Management
 - (h) Contaminated Waste Disposal
 - (i) Sustainability and Climate Change Considerations
 - (j) Socio-economic impacts on land uses - private and public property including open space and park reserves.
 - (k) Flooding, Hydrology and Stormwater Harvesting
2. The EIS considers a thorough assessment of the existing uses of Flat Rock Gully including passive recreation use, wildlife corridor and vegetation rehabilitation and that the EIS address the impacts of construction on all these activities.
3. Change wording in all areas of the report from "Council seeks assurance" to "Council receive a detailed analysis and plan for impact mitigation" or other suitable instruction.
4. Refer to specific addresses when referencing sites.
5. Seek commitment that there will not be additional ventilation stacks in the Middle Harbour Catchment area.
6. Where the RMS does not have a position this should be stated rather than a blank space.
7. Identify Munro Park (Site B - East side of Flatrock Gully Drive) as a separate heading to Hallstrom Park (Site A).
8. That the EIS identify the specific site area at both sites including the structures required, parking, road, turning circles etc.
9. Inclusion of a specific licence agreement with a map and schedule defining boundaries for any work site identified in the Willoughby LGA.
10. Change title on page 61 "Planning Approvals" to "Planning Approvals - E2 Environmental Conservation zoning".
11. Under the heading "Visual Impact" Include the statement that any acoustic shed be constructed to minimise visual impact or appropriate visual screening to be undertaken.
12. Traffic and Construction activity
 - a) Council is provided with traffic usage of roads including queuing times to be used as a baseline comparison regarding future impacts.
 - b) Detailed traffic management plan to incorporate mitigation measures against using residential streets, impact on peak hour and weekend movements, diversion of

- traffic to other arterial roads including Sailors Bay Road, Strathallen Road, Mowbray and Alpha Roads.
- c) Expressed concern on the impact on the local road network with the RMS mooted 70 truck movements per hour and resultant disruption to traffic flows to private and public transport along Artarmon Road, Alpha Road, Brook Street, Eastern Valley Way, Edinburgh Road, High Street, Mowbray Road, Penshurst Street, Sailors Bay Road, Strathallen Avenue, Mowbray Road and Willoughby Road.
 - d) Safety concerns with potential traffic lights placed at the low point of Flat Rock Drive need to be addressed by RMS and presented back to Council for consideration and input.
13. Flat Rock Gully construction site's cumulative impact on the community, once the construction starts at the Channel Nine site factoring the RMS mooted 70 truck movements per hour and resultant disruption to traffic flows to private and public transport along Artarmon Road and Willoughby Road.
 14. Council has additional concerns about both options for construction at Flat Rock Drive (options A & B) due to the cumulative impacts of traffic congestion on the road and transport network, including response times for emergency services and potential loss of productivity to the local economy of Willoughby City and surrounding sub-regions and these concerns need to be addressed by the RMS and presented back to Council for consideration and input.
 15. Council has additional concerns that the RMS information to date has not demonstrated full consideration of the full range of transport options or access to the Northern Beaches, including potential extensions of the rail or Metro network, or the full range of route and construction options if a road tunnel is preferred, a consideration identified within the NSW Department of Planning and Environment's Beaches Link and Gore Hill Freeway Connection Secretary's Environmental Assessment Requirements (SEARs).
 16. Council has concerns that the dredging impacts at Middle Harbour will potentially release plumes of sediments which may be contaminated due to prior marine industries within Middle Harbour and the secondary effects of the resuspension of sediments within the shifting tides may have detrimental consequences upon the marine ecology, Northbridge Baths and recreational activities at Middle Harbour due to the turbidity of the water. Detailed safety and environmental management plans need to be presented to Council for consideration and input.

18.3 TENDER NO. 113365 - ASSESSMENT OF TENDERERS FOR THE ARTARMON LOOP AND EXTENDED LOOP SERVICE

ATTACHMENTS:	1. IMPLICATIONS 2. COUNCIL RESOLUTION 24 JULY 2017 3. ROUTE MAPS
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GORDON FARRELLY – TRAFFIC AND TRANSPORT TEAM LEADER PAUL COLLINGS – ACTING DESIGN SERVICES MANAGER
CITY STRATEGY OUTCOME:	2.1 – ENHANCE TRANSPORT CHOICES AND CONNECTIONS THROUGHOUT THE CITY
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To award Tender No 113365 for the Artarmon Loop and Extended Loop Bus Service.

RESOLUTION

That Council:

- 1. Accept tender 113365 from the highest ranked tenderer for the Artarmon Loop and Extended Loop Service.**
- 2. Authorise the General Manager to execute the contract documents.**
- 3. Allocate an additional \$20,000 from the e.restore budget at the next budget review to the Loop Bus Service.**
- 4. Make public point 1 of the confidential report following the Council's resolution to accept the tender.**

MOVED COUNCILLOR NORTON

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

Absent: Councillor Coppock

**18.4 TENDER 118969- ASSESSMENT OF TENDERS FOR THE
CONSTRUCTION OF GROSS POLLUTANT TRAPS AT BURRA ROAD
ARTARMON AND FLEMING PARK NAREMBURN**

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	JIM DONALDSON – PROJECT DELIVERY COORDINATOR
CITY STRATEGY OUTCOME:	1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To award part Tender 118969 for the construction of a gross pollutant trap at Burra Road, Artarmon for a lump sum value of \$327,279.00 including GST.

To award part Tender 118969 for the construction of a gross pollutant trap at Fleming Park, Naremburn for a lump sum value of \$407,576.40 including GST.

RESOLUTION

That Council:

- 1. Accept part Tender 118969 from highest ranked tenderer for the construction of a gross pollutant trap at Burra Road, Artarmon with a value of \$327,279.00 including GST.**
- 2. Accept part Tender 118969 from the highest ranked Tenderer for the construction of a gross pollutant trap at Fleming Park, Naremburn with a value of \$407,576.40 including GST.**
- 3. Authorise the General Manager to execute the contracts and all associated documents.**
- 4. Make public resolution 1 and 2 from the confidential report following the Council's resolution to accept the tender.**

MOVED COUNCILLOR ERIKSSON

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

Absent: Councillor Coppock

**18.5 EASEMENT TO DRAIN WATER - 388 EASTERN VALLEY WAY,
ROSEVILLE (DA2017/332)**

ATTACHMENTS:	1. IMPLICATIONS 2. EASEMENT DOCUMENTS
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	CLARE WOODS – SENIOR DEVELOPMENT CONTROL ENGINEER
CITY STRATEGY OUTCOME:	5.3 – BALANCE THE CREATION OF NEW PUBLIC ASSETS WITH THE UPGRADE OF EXISTING PUBLIC ASSETS
MEETING DATE:	10 DECEMBER 2018

PURPOSE OF REPORT

To create a widened stormwater drainage easement at 388 Eastern Valley Way, Roseville.

RESOLUTION

That Council:

- 1. Approve an easement to drain water 3.6m wide over Council's stormwater pipeline that is located within Lot 21 DP 623538, house number 388 Eastern Valley Way, Roseville.**
- 2. Delegate authority to the General Manager to sign relevant documents for the creation of the above easement.**

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

Absent: Councillor Coppock

19 NOTICE OF MOTION

NIL

20 CONFIDENTIAL ITEMS

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the opinion of the Acting 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 7:26pm.

20.1 CONFIDENTIAL – TENDER 118824 - MUSTON PARK – PLAYGROUND & PARK UPGRADES

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 119691 – PROVISION OF PROJECTION EQUIPMENT FOR VIVID SYDNEY AT CHATSWOOD 2019

Reason for Confidentiality

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

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

20.3 CONFIDENTIAL – TENDER 119051 – ARTARMON PARKLANDS LANDSCAPE IMPROVEMENT WORKS

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

20.4 CONFIDENTIAL – TENDER NO. 113365 – ASSESSMENT OF TENDERERS FOR THE ARTARMON LOOP AND EXTENDED LOOP SERVICE

Reason for Confidentiality

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

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

20.5 CONFIDENTIAL – TENDER 118969 – GROSS POLLUTANT TRAPS BURRA ROAD ARTARMON AND FLEMING PARK NAREMBURN

Reason for Confidentiality

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

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

20.1 CONFIDENTIAL – TENDER 118824 – MUSTON PARK – PLAYGROUND & PARK UPGRADES

Recommendation Summary

That Council:

1. **Reject all tenders for Tender 118824 received for the Muston Park Playground and Park Upgrades for the reason that the two top ranked tenderers are above the available budget for construction works.**
2. **Make public point 1 following Council's resolution.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

20.2 CONFIDENTIAL TENDER 119691 – PROVISION OF PROJECTION EQUIPMENT FOR VIVID SYDNEY AT CHATSWOOD 2019**Recommendation Summary****That Council:**

1. **Accept the tender for Tender 119691 from Novatech Creative Event Technology for the provision of Technical Equipment for Vivid Sydney at Chatswood 2019 for a lump sum contract value of \$182,500.**
2. **Make public recommendation 1 following Council's resolution to accept the tender.**

MOVED COUNCILLOR MUSTACA**SECONDED COUNCILLOR ZHU****CARRIED****Voting****For the Recommendation:** Councillors Giles-Gidney, Campbell, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.**Against:** Councillor Coppock**20.3 CONFIDENTIAL – TENDER 119051 – ARTARMON PARKLANDS LANDSCAPE IMPROVEMENT WORKS****Recommendation Summary****That Council:**

1. **Accept the tender for Tender 119051 from Landscape Solutions Australia Pty Ltd for Artarmon Parklands landscape improvement works for a lump sum contract value of \$912,146.97.**
2. **Make public Recommendation 1 following Council's resolution to accept the tender.**

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

20.4 CONFIDENTIAL – TENDER NO. 113365 – ASSESSMENT OF TENDERERS FOR THE ARTARMON LOOP AND EXTENDED LOOP SERVICE**Recommendation Summary****That Council:**

1. Accept tender 113365 from I Love Oz Pty Ltd for the Artarmon Loop and Extended Loop Service.
2. Make public point 1 following the Council's resolution to accept the tender.

MOVED COUNCILLOR NORTON**SECONDED COUNCILLOR SAVILLE****CARRIED****Voting****For the Recommendation:** Councillors Giles-Gidney, Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Tuon, Wright and Zhu.**Against:** Nil**20.5 CONFIDENTIAL – TENDER 118969 – GROSS POLLUTANT TRAPS BURRA ROAD ARTARMON AND FLEMING PARK NAREMBURN****Recommendation Summary****That Council:**

1. Accept part tender 118969 from Neverstop Water Harvesting Pty Ltd for the construction of a gross pollutant trap at Burra Road, Artarmon for a lump sum value of \$327,279.00 including GST.
2. Accept part tender 118969 from Civil Constructions Pty Ltd for the construction of a gross pollutant trap at Fleming Park, Naremburn for a lump sum value of \$407,576.40 including GST.
3. Make public resolution 1 and 2 following the Council's resolution to accept the tender.

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

7.2 CONFIDENTIAL – MAYORAL MINUTE – NOVEMBER 2018 – MEDIA PUBLICATION – MATTERS ARISING

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 intends to hold a facilitated workshop for Councillors.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR TUON

CARRIED

Voting

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

Against: Nil

Absent: Councillors Coppock and Rozos

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

Absent: Councillors Coppock and Rozos.

RESOLUTION

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

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

Absent: Councillors Coppock and Rozos.

21 QUESTIONS

NIL

- Councillor Coppock joined the meeting at 7:22pm and left at 7:59pm
- Councillor Rozos left the meeting at 8:23pm.

The meeting concluded at 8:39pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 10 December 2018. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.