



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

27 May 2019

commencing at 7:00pm

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21.1 QUESTION ON NOTICE - THE CONCOURSE22

1 PRESENT

Councillors

Deputy Mayor Councillor J Rutherford, Councillors C Campbell, S Coppock, D Fernandez, T Mustaca, W Norton, A Rozos, C Tuon and B Zhu

Officers

Ms D Just (General Manager), Mr D Frost (Customer & Corporate Director), Mr G McDonald (Planning & Infrastructure Director), Ms M Smith (Community, Culture & Leisure Manager), Mr S Naven (Chief Financial Officer), Ms S Charlton (Governance, Risk & Corporate Planning Manager), Mr V Grepl (Governance Officer) and 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 13 May 2019, copies of which have been circulated to each member of Council, be confirmed subject to the following amendment; that Councillor Saville be recorded as voting against Item 20.4: Waste Collection Contract Extension.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND LEAVE OF ABSENCE

- Her Worship the Mayor Councillor Giles-Gidney and Councillor Saville are on leave previously granted.
- Councillors Eriksson and Wright requested Leave of Absence on 27 May 2019.

RESOLUTION

That Council:

1. **Note Her Worship the Mayor Councillor Giles-Gidney and Councillor Saville are on leave previously granted.**

2. Grant Leave of Absence to Councillors Eriksson and Wright for 27 May 2019.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

5 PETITIONS

NIL

6 OPEN FORUM

NIL

7 MAYORAL MINUTE

7.1 MAYORAL MINUTE: CONGRATULATIONS TO MEMBERS ELECTED TO PARLIAMENT OF AUSTRALIA

MEETING DATE: 27 MAY 2019

PURPOSE OF REPORT

To convey Council's congratulations to local members representing the Northern Sydney Regional Organisation of Councils (NSROC) region who were elected at the 18 May 2019 Federal Election.

DISCUSSION

On Saturday 18 May 2019 the 2019 Australian Federal Election was held which saw the following federal members elected to the Parliament of Australia in these areas:

Member for Berowra – Julian Leaser
Member for Bradfield - Paul Fletcher
Members for Bennelong - John Alexander
Member for Mackellar - Jason Falinski
Member for North Sydney - Trent Zimmerman
Member for Warringah - Zali Stegall

The abovementioned electoral divisions and sitting members cover the Northern Sydney Regional Organisation of Councils of which Willoughby City Council is a member.

MOTION

That the Mayor write to congratulate the members representing the Northern Sydney Regional Organisation of Councils region who were elected to the Parliament of Australia – Julian Leaser, Paul Fletcher, John Alexander, Jason Falinski, Trent Zimmerman and Zali Stegall - following the Federal Election held on Saturday 18 May 2019.

MOVED DEPUTY MAYOR COUNCILLOR RUTHERFORD

NOT PUT

AMENDMENT

That the Mayor write to the two federal members that sit in the City of Willoughby, Trent Zimmerman Member for North Sydney and Paul Fletcher Member for Bradfield to congratulate them on their re-election.

MOVED COUNCILLOR COPPOCK

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Amendment: Councillors Coppock, Fernandez, Mustaca, Norton, Rozos, Rutherford, Tuon and Zhu.

Against: Councillor Campbell.

The amendment on being put to the meeting was carried to become the motion.

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

7.2 MAYORAL MINUTE - PASSING OF BOB HAWKE

MEETING DATE: 27 MAY 2019

PURPOSE OF REPORT

To acknowledge the passing of a former Prime Minister and Australian Bob Hawke and to convey Council's sincerest condolences to his family for their loss.

DISCUSSION

With the passing of Bob Hawke on 16 May 2019 the nation will remember Bob Hawke for both his political and personal legacy. He was also a lifelong City of Willoughby resident and a former patron of The Concourse.

Bob Hawke will be remembered for some of the most meaningful moments in political history, and in particular the way in which the Hawke government changed Australia.

The political legacy saw the floating of the Australian dollar, deregulating the financial sector, introducing the Family Assistance Scheme and initiated superannuation pension schemes for all workers. He launched Medicare, introduced Landcare and brokered the Prices and Incomes Accord. "*Advance Australia Fair*" was adopted as Australia's national anthem by the governor-general in 1984, on a recommendation from Bob Hawke.

Bob Hawke will also be remembered for his good nature and personality. Contributing to his popularity was the most celebrated moment every Australian will remember which came following Australia's landmark win in the America's Cup sailing regatta, when he said "any boss who sacks anyone for not turning up today is a bum!"

Bob Hawke's stated at his final press conference after losing the Labor leadership that he wanted to be remembered by the Australian people "I guess as a bloke who loved his country and still does, and loves Australians, and who was not essentially changed by high office".

In the 1983 election Bob Hawke led Labor to a landslide victory and was sworn in as 23rd Prime Minister of Australia and Leader of the Labor Party from 1983 to 1991, making him the most electorally successful Labor Leader.

Bob Hawke is survived by his second wife, Blanche d'Alpuget, his children Susan, Stephen and Roslyn and stepson Louis, to whom Council express condolences.

MOTION**That Council:**

- 1. Note the passing of Bob Hawke, Australia's former Prime Minister.**
- 2. Request the Mayor to forward a letter of condolence to his family.**
- 3. In consultation with Bob Hawke's family, place a memorial plaque in memory of his contribution to Australian politics.**

MOVED DEPUTY MAYOR COUNCILLOR RUTHERFORD**NOT PUT**

AMENDMENT

That Council:

- 1. Note the passing of Bob Hawke, Australia's former Prime Minister and long term local resident and former patron of The Concourse.**
- 2. Request the Mayor to forward a letter of condolence to his family.**
- 3. In consultation with Bob Hawke's family, place a memorial plaque in memory of his contribution to Australian politics.**

MOVED DEPUTY MAYOR COUNCILLOR RUTHERFORD

CARRIED BY A SHOW OF HANDS

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

7.3 MAYOR'S DIARY: COUNCIL MEETING NOTES – 27 MAY 2019

The Mayor's Diary was not distributed prior to the meeting and therefore is held over to the Ordinary Council Meeting to be held 11 June 2019.

8 GENERAL MANAGER'S LATE REPORT

NIL

9 MATTERS FOR DEFERRAL OR PROCEDURAL PRIORITY

Item 19.1 Notice of Motion – Request more information about asbestos removal on WCC website.

10 MATTERS NOT REQUIRING ELABORATION OR DEBATE

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

Item 21.1 Question on Notice – The Concourse.

RESOLUTION

That the remaining items, viz:

- Item 12.1 Minutes – Local Traffic Committee Meeting held on 17 April 2019
- Item 12.2 Minutes – Global Friendship Committee meeting held 18 April 2019
- Item 16.1 Statement of Business Ethics
- Item 16.2 Quarterly Budget Review 2018/19 – March Quarter
- Item 16.3 Fees for Councillors and Mayor 2019-2020
- Item 16.4 Report – Investment Report for the month of April 2019
- Item 17.1 Warners Park Draft Plan of Management – Public Exhibition

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

NIL

12 REPORTS FROM COMMITTEES

12.1 MINUTES - LOCAL TRAFFIC COMMITTEE MEETING HELD ON 17 APRIL 2019

ATTACHMENTS:	1. IMPLICATIONS 2. TRAFFIC COMMITTEE MINUTES OF 17 APRIL 2019 (DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GORDON FARRELLY – SENIOR TRAFFIC ENGINEER
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:	27 MAY 2019

PURPOSE OF REPORT

To advise Council of the outcome of the Local Traffic Committee meeting held on 17 April 2019.

RESOLUTION

That Council adopt the recommendations arising from the 17 April 2019 Local Traffic Committee meeting.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

12.2 MINUTES - GLOBAL FRIENDSHIP COMMITTEE MEETING HELD 18 APRIL 2019

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – GLOBAL FRIENDSHIP COMMITTEE MEETING – 18 APRIL 2019
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	RITA LEUNG – MULTICULTURAL SERVICES TEAM LEADER
CITY STRATEGY OUTCOME:	2.3 – CELEBRATE AND ENCOURAGE OUR DIVERSITY
MEETING DATE:	27 MAY 2019

PURPOSE OF REPORT

To provide Council with the minutes of the Global Friendship Committee meeting held 18 April 2019.

RESOLUTION

That Council receive and note the minutes of the Global Friendship Committee meeting held 18 April 2019.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

For the Resolution: Councillors Campbell, Coppock, Fernandez, Mustaca, Norton, Rozos, Rutherford, Tuon 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 STATEMENT OF BUSINESS ETHICS

ATTACHMENTS:	1. IMPLICATIONS 2. STATEMENT OF BUSINESS ETHICS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	EVANGELINA MARTINEZ – POLICY & SUBMISSIONS SPECIALIST
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	27 MAY 2019

PURPOSE OF REPORT

To endorse amendments to Council's *Statement of Business Ethics* (The Statement).

RESOLUTION

That Council endorse the amended Statement of Business Ethics as shown in Attachment 2.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

16.2 QUARTERLY BUDGET REVIEW 2018/19 - MARCH QUARTER

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

AUTHOR: STEPHEN NAVEN – CHIEF FINANCIAL OFFICER

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

MEETING DATE: 27 MAY 2019

PURPOSE OF REPORT

To provide a quarterly update on Council's progress towards attaining Operational Plan Budget and Financial Performance targets during the third quarter of the 2018/19 financial year (1 January 2019 to 31 March 2019).

RESOLUTION

That Council:

1. Note the Quarterly Budget Review 2018/19 – March Quarter.
2. Approve the increase in operating budget income of \$915K and a reduction in operating budget expense of \$2.6M resulting in a net increase of \$3.5M to the 2018/19 budget full year operating surplus.
3. Approve the increase in Capital Expenditure for the 2018/19 Financial Year of \$514K.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

16.3 FEES FOR COUNCILLORS AND MAYOR 2019-2020

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	VLADIMIR GREPL – GOVERNANCE OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	27 MAY 2019

PURPOSE OF REPORT

To inform Council of the *2019 Annual Report and Determination* from the Local Government Remuneration Tribunal and to adopt the Mayoral and Councillors' fees for the 2019-2020 financial year.

RESOLUTION

That Council sets the annual fees payable to the Councillors and Mayor from 1 July 2019 to 30 June 2020 at the maximum level for Metropolitan Small category (\$20,280 Councillor Annual Fee and \$44,230 Mayor Additional Fee) based on the 2019 determination of the Local Government Remuneration Tribunal.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

16.4 INVESTMENT REPORT FOR THE MONTH OF APRIL 2019

ATTACHMENTS:	1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2018) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	27 MAY 2019

PURPOSE OF REPORT

To show the Council Bank balances and Investment portfolio performance as at 30 April 2019.

RESOLUTION

That Council receive the Statement of Bank Balances and Investment Holdings as at 30 April 2019.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 WARNERS PARK DRAFT PLAN OF MANAGEMENT - PUBLIC EXHIBITION

ATTACHMENTS:	1. IMPLICATIONS 2. WARNERS PARK DRAFT PLAN OF MANAGEMENT
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD, OPEN SPACE CO-ORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	27 MAY 2019

PURPOSE OF REPORT

To place the draft Plan of Management for Warners Park, Northbridge on public exhibition.

RESOLUTION

That Council:

1. Approve the public exhibition of the draft Plan of Management for Warners Park under *Section 38 of the Local Government Act 1993*.
2. Receive a further report after the conclusion of the public exhibition and public hearing for the draft Plan of Management for Warners Park.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

**18 REPORTS FROM OFFICERS – PLANNING AND
INFRASTRUCTURE DIRECTORATE**

NIL

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION - REQUEST MORE INFORMATION ABOUT ASBESTOS REMOVAL ON WCC WEBSITE

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
CITY STRATEGY OUTCOME:	3.1 – FOSTER FEELINGS OF SAFETY, SECURITY AND CLEANLINESS
MEETING DATE:	27 MAY 2019

PURPOSE OF REPORT

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

MOTION

That Council:

1. Provide clear information available to residents on council's website to better inform our community about ways in which to avoid exposure to dangerous asbestos fibres.
2. In the interest of health protection, place further information on its website to inform the community about asbestos, similar to information provided by Cumberland Council.
3. Approach the NSW Government to request that information be provided on the sale of residential property with regards to asbestos, as occurs in the ACT.
4. Send a draft motion to the NSW Local Government conference 2019, in respect to this matter.

RESOLUTION

That Council defer consideration of this matter until Councillor Saville's return from leave.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

20 CONFIDENTIAL ITEMS

NIL

21 QUESTIONS

21.1 QUESTION ON NOTICE - THE CONCOURSE

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
CITY STRATEGY OUTCOME:	5.3 – BALANCE THE CREATION OF NEW PUBLIC ASSETS WITH THE UPGRADE OF EXISTING PUBLIC ASSETS
MEETING DATE:	27 MAY 2019

QUESTION

I am wondering if you could please give councillors an update on the following aspects:

- a) Rentals and leases at the shops
- b) Attendances, hiring and trends at each Concert Hall, Theatre and Pavillion
- c) Water storage tank, filtration systems, water quality, current recycling underway and re-use potential
- d) Condition of building, drainage, and surrounding open space after 8 years of use.
- e) Is further maintenance required and/or expenditure planned?
- f) are we on track re any associated building costs and our budget?

Any other relevant aspects?

ANSWER

These matters were addressed in a confidential memo to all Councillors dated 9 May 2019.

In accordance with clause 32(5) of the adopted *Code of Meeting Practice* the Deputy Mayor ruled that no questions or discussion would be permitted on the response provided by Council staff in Item 21.1.

MOTION

That Council note the confidential memo from the Planning & infrastructure Director distributed to Councillors on 9 May 2019 and circulated to Councillors prior to the meeting addresses matters raised in Councillor Saville's Question on Notice.

MOVED COUNCILLOR ROZOS

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

For the Motion: Councillors Campbell, Fernandez, Mustaca, Norton, Rozos, Rutherford, Tuon and Zhu.

Against: Councillor Coppock

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

The meeting concluded at 7:39pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 27 May 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.