



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

22 July 2019

commencing at 7:00pm

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1 PRESENT

Councillors

Her Worship the Mayor Councillor G Giles-Gidney, Councillors C Campbell, S Coppock, H Eriksson, D Fernandez, T Mustaca, W Norton, L Saville, B Zhu 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 Director), Mr I Arnott (Planning Manager), Mr M Cashin (Community Life Manager), Ms N Shankie-Williams (Strategic Planning Team Leader), Ms S Charlton (Governance, Risk & Corporate Planning Manager), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Minutes Secretary)

2 DISCLOSURES OF INTERESTS

- Councillor Wright declared, via a Disclosures of Interest Form, a non-pecuniary less than significant interest in Item 15.1: Investment Report for the month of June 2019
(Nature of Interest: I am an employee of the Westpac Group with whom Council has investments. I will remain in the Chamber as I have no control over investment decisions of Council)
- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary significant interest in Item 15.7: 1-31 Walter Street and 452-462 Willoughby Road, Willoughby
(Nature of Interest: I am a member of the Sydney North Planning Panel)

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 24 June 2019, 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, Coppock, Eriksson, Fernandez, Mustaca, Norton, Saville, Tuon, Wright and Zhu.

Against: Nil

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

- Councillor Rozos is on leave previously granted.
- Councillor Rutherford tendered an apology and requested Leave of Absence for Monday 22 July 2019.
- Councillor Coppock requested Leave of Absence from 1 August – 30 September 2019
- Councillor Zhu requested Leave of Absence from 26-29 July 2019.

RESOLUTION

That Council

1. **Note Councillor Rozos is on leave previously granted.**
2. **Note the apology and grant Leave of Absence to Councillor Rutherford for Monday 22 July 2019.**
3. **Grant Leave of Absence to Councillor Coppock from 1 August – 30 September 2019.**
4. **Grant Leave of Absence to Councillor Zhu from 26-29 July 2019.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

5 PETITIONS

5.1 PETITION – TO RETAIN THE FORMER ARTARMON BOWLING CLUBHOUSE AND APPLY OPTION 1

RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

Her Worship the Mayor Councillor G Giles-Gidney tabled a petition consisting of 707 signatures on hard copy form and 91 signatures through Change.org supporting the retention of the former Artarmon Bowling Clubhouse and to apply Option 1.

Petition summary and background:

Council acquired the former Artarmon Bowling Club on 29 January 2016 for \$1M and incorporated the site with the Artarmon Reserve masterplan. A citizens panel consistently supported retention of the clubhouse and after full consultation the community was evenly split. On Monday 24 June 2019 eight (8) Councillors voted for its demolition and two (2) voted against. Many local people feel the reports to Council did not reflect the feelings or opinion of the Artarmon community.

Action petitioned for:

Consistent with the spirit in which the Bowling Club site was given by its members, we the undersigned want the clubhouse retained to provide an indoor space where all the community including the elderly can appreciate the Reserve in all weathers and can take part in educational, recreational and social activities that complement the environmental values of the Reserve.

MOVED COUNCILLOR FERNANDEZ

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

6 OPEN FORUM — MATTERS NOT ON THE AGENDA

The following people addressed Open Forum:

- Peter Eames spoke on behalf of residents of the Willoughby Retirement Village thanking Council for upgrades, particularly the pathway from the Village to Muston Park.
- Daniel Keogh spoke on positive outcomes of the Girl Gamer Festival.

7 MAYORAL MINUTE(S)

7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 22 JULY 2019

TUESDAY 25 JUNE			
Cr Campbell	11 am	N/Shore Police: Community Safety Meeting	Chatswood Police Station
Cr Norton	6 pm	Companion Animals Committee Meeting	Banksia Room
Mayor	7.30 pm	Rotary Northbridge Changeover Dinner	Gunners Barracks, Mosman
WEDNESDAY 26 JUNE			
Mayor	7.30 am	Breakfast Meeting with Presidents of Progress Associations	Mayor's Office
Cr Norton	3 pm	Multicultural Committee Meeting	MOSAIC Centre
Cr Norton	6 pm	Gaming Addiction Forum	Council Chambers
Mayor	6.30 pm	Rotary Chatswood Changeover Dinner	Chatswood Golf Club
FRIDAY 28 JUNE			
Cr Norton	5 pm	Happy Hour	Dougherty Apartments
Mayor	7.15 pm	Unveiling of Swim Club Honour Board	Willoughby Swim Club
MONDAY 1 JULY			
Cr Saville	10.30 am	SCCG Meeting with EO	Northern Beaches Council, Manly
TUESDAY 2 JULY			
Mayor Deputy Mayor: Cr Rutherford Cr Norton	9 am	Cultural Events Committee Meeting	Banksia Room
WEDNESDAY 3 JULY			
Mayor	12 noon	Live at Lunch	The Concourse
THURSDAY 4 JULY			
FRIDAY 5 JULY			
Cr Campbell		Bingara Orange Festival	
Cr Saville	5 pm	Sydney Coastal Council Executive Meeting	Northern Beaches Council, Manly
SATURDAY 6 JULY			
Cr Campbell		Bingara Orange Festival	
SUNDAY 7 JULY			
MONDAY 8 JULY			
Mayor	All day	2019 Asia Pacific Cities Summit and Mayors' Forum	Brisbane
Cr Saville	5.30 pm	Public Policy & Governance: Planning Course for Councillors	UTS Institute, City

TUESDAY 9 JULY			
Mayor	All day	2019 Asia Pacific Cities Summit and Mayors' Forum	Brisbane
WEDNESDAY 10 JULY			
Cr Norton	2.30 pm	Board Sub-Committee Meeting	Dougherty Apartments
Cr Norton	4 pm	Access & Inclusion Committee Meeting	Dougherty Centre
Cr Saville	5.30 pm	SCCG Workshop	Randwick City Council
THURSDAY 11 JULY			
Mayor	10.50 am	NAIDOC week – celebrations and story-time	Koala Cottage 64-66 Tulloh Street
TUESDAY 16 JULY			
Cr Saville	7 pm	WEPA Meeting & Film	Glenaeon School Hall
WEDNESDAY 17 JULY			
Cr Norton	3 pm	Board Meeting	Dougherty Apartments
THURSDAY 18 JULY			
Mayor Crs Campbell, Coppock, Norton, Tuon, Wright	4 pm	Site Visits	Artarmon
Cr Saville	7.30 pm	Chatswood West Ward Progress Association	Dougherty Centre
FRIDAY 19 JULY			
Cr Saville	5 pm	SCCG Executive Meeting	Northern Beaches Council, Manly
Cr Norton	7.30 pm	WTC production: <i>Cabaret</i>	The Concourse Pavilion
SATURDAY 20 JULY			
Cr Saville	4 pm	Opening of Exhibition: <i>Nurture Nature</i>	The Concourse Art Space

8 CHIEF EXECUTIVE OFFICER'S LATE REPORT

NIL

9 MATTERS FOR DEFERRAL AND PROCEDURAL PRIORITY

16.5 NOTICE OF MOTION – TREE REMOVAL REQUESTS

10 MATTERS 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 13.1 Notice of Motion – request more information about asbestos removal on WCC Website
- Item 15.2 Amendment to October 2019 Ordinary Council Meeting date and Christmas/New Year recess
- Item 15.4 Proposed Motions for Local Government NSW Annual Conference
- Item 15.5 Draft Willoughby Local Strategic Planning Statement
- Item 15.6 Review of Willoughby DCP – Stage 1 – Part C5 Water Management
- Item 15.7 1-31 Walter Street and 452-462 Willoughby Road Willoughby
- Item 16.3 Notice of Motion – Regulation of building standards, quality and disputes
- Item 16.4 Notice of Motion – Food hygiene breaches

RESOLUTION

That the remaining items, viz:

- Item 12.1 Minutes – Access and Inclusion Advisory Committee Meeting held 12 June 2019
- Item 12.2 Minutes – Willoughby City Council Companion Animals Advisory Committee Meeting held 25 June 2019
- Item 15.1 Investment Report for the month of June 2019
- Item 15.3 Results of public exhibition of the Complaints Management Policy
- Item 15.8 Development Assessment – Quarter 4 (April 2019 – 30 June 2019)

be adopted in accordance with the recommendations in the reports.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

11 PUBLIC FORUM — MATTERS ON THE AGENDA

- Item 16.1 Notice of Motion – Draft Chatswood CBD Planning & Urban Design Strategy to 2036
- Item 16.2 Notice of Motion – to rescind the motion carried at Item 17.3 of the Council Meeting held 24 June 2019
- Item 16.6 Notice of Motion – 9 Centennial Avenue, Chatswood

12 REPORTS OF COMMITTEES

12.1 MINUTES - ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING HELD 12 JUNE 2019

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – ACCESS AND INCLUSION ADVISORY COMMITTEE – 12 JUNE 2019
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY OUTCOME:	2.7 – PROMOTE ACCESSIBLE SERVICES FOR THE COMMUNITY
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

To provide Council with the minutes of the Access and Inclusion Advisory Committee meeting held 12 June 2019.

RESOLUTION

That Council receive and note the minutes of the Access and Inclusion Advisory Committee meeting held 12 June 2019.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

**12.2 MINUTES - WILLOUGHBY CITY COUNCIL COMPANION ANIMALS
ADVISORY COMMITTEE MEETING HELD 25 JUNE 2019**

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES OF WILLOUGHBY CITY COUNCIL COMPANION ANIMALS ADVISORY COMMITTEE MEETING - 25 JUNE 2019
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	TEENA STRYDOM - GOVERNANCE ADMINISTRATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

To provide Council with the minutes of the Willoughby City Council Companion Animals Advisory Committee meeting held 25 June 2019.

RESOLUTION

That Council receive and note the minutes of Willoughby City Council Companion Animals Advisory Committee meeting held on 25 June 2019.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

13 DEFERRED MATTERS

13.1 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:	22 JULY 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.

Councillor Saville advised that she was withdrawing her Notice of Motion as sufficient information had been provided. She thanked Officers for the report.

|
14 CORRESPONDENCE

NIL

15 REPORTS FROM THE OFFICERS

CUSTOMER & CORPORATE DIRECTORATE

15.1 INVESTMENT REPORT FOR THE MONTH OF JUNE 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:	22 JULY 2019

PURPOSE OF REPORT

To detail the Council Bank balances and Investment portfolio performance as at 30 June 2019.

RESOLUTION

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

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

15.2 AMENDMENT TO OCTOBER 2019 ORDINARY COUNCIL MEETING DATE AND CHRISTMAS/NEW YEAR RECESS

ATTACHMENTS:	1. IMPLICATIONS 2. MEETING SCHEDULE 2019
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:	22 JULY 2019

PURPOSE OF REPORT

To reschedule the Ordinary Council Meeting intended for Monday 14 October 2019 to Thursday 17 October 2019 and to set the time of the Christmas/New Year recess.

RESOLUTION

That Council:

1. Reschedule the Ordinary Council Meeting from Monday 14 October 2019 to Thursday 17 October 2019 due to the Councillors' attendance at the Local Government NSW Annual Conference to be held 14-16 October 2019.
2. Adopt recess date for Christmas/New Year 2019/20 as 10 December 2019 to 31 January 2020.
3. Delegate authority to the Mayor and Chief Executive Officer to deal with matters during Council recess considered by them to be urgent, subject to:
 - a. compliance with relevant legislation;
 - b. the limitations to delegations under section 377 of the *Local Government Act 1993*;
 - c. matters that are considered urgent in nature or would cause undue delays to stakeholders;
 - d. decision being deferred where Council policy provides no clear guidelines; and
 - e. matters of urgency and interest to Ward Councillors will be notified.

4. Receive a list of matters dealt with under delegated authority at the Council meeting on 10 February 2020.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock.

**15.3 RESULTS OF PUBLIC EXHIBITION OF THE COMPLAINTS
MANAGEMENT POLICY**

ATTACHMENTS:	1. IMPLICATIONS 2. COMPLAINT MANAGEMENT POLICY
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	SAMANTHA CHARLTON – GOVERNANCE, RISK & CORPORATE PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

To consider submissions received in response to the public exhibition of the *Complaint Management Policy* and to seek adoption of the policy.

RESOLUTION

That Council adopt the *Complaint Management Policy* as shown in Attachment 2.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

15.4 PROPOSED MOTIONS FOR LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

ATTACHMENTS:	1. IMPLICATIONS 2. RATIONALE TO SUPPORT MOTIONS 3. DRAFT CONFERENCE PROGRAM
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:	22 JULY 2019

PURPOSE OF REPORT

To consider possible motions to be presented to the Local Government NSW (LGNSW) Annual Conference to be held at Warwick Farm in October 2019.

RESOLUTION

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

- 1. PROPOSED MOTION (Cllr Norton)**
That Local Government NSW make representations to the State Government requesting The Companion Animals Register be modified to include the provision of full names and other identifying data to ensure the accuracy of owner details. This modification would require that any person who owns a Companion Animal would also provide documentation confirming the accuracy of their recorded details on the register.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock.

PLANNING & INFRASTRUCTURE DIRECTORATE

15.5 DRAFT WILLOUGHBY LOCAL STRATEGIC PLANNING STATEMENT

ATTACHMENTS:	1. IMPLICATIONS 2. DRAFT WILLOUGHBY LOCAL STRATEGIC PLANNING STATEMENT (TO BE DISTRIBUTED SEPARATELY) 3. WILLOUGHBY LEP HEALTH CHECK RESPONSE FROM GSC DATED 21 DECEMBER 2018
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	IAN SHILLINGTON – STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	3.5 – MAINTAIN QUALITY OF LIFE BY BALANCING POPULATION GROWTH WITH THE PROVISION OF ASSETS AND SERVICES 5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

To seek Council endorsement to exhibit the draft *Willoughby Local Strategic Planning Statement* for community feedback as required under Section 3.9 of the *Environmental Planning and Assessment Act 1979*.

MOTION

That Council:

1. Endorse the draft *Willoughby Local Strategic Planning Statement (LSPS)* for public exhibition.
2. Delegate authority to the Chief Executive Officer to make any minor amendments to the Draft *Willoughby Local Strategic Planning Statement* which do not alter the intent.

3. Hold publicised Public Forums to ensure the community are aware of the 20 year vision for land use and planning priorities

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Coppock.

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

15.6 REVIEW OF WILLOUGHBY DCP - STAGE 1 - PART C5 WATER MANAGEMENT

ATTACHMENTS:	1. IMPLICATIONS 2. DRAFT TABLE 5.2.2 PART C5 – WATER MANAGEMENT OF <i>WILLOUGHBY DEVELOPMENT CONTROL PLAN</i>
RESPONSIBLE OFFICER:	IAN ARNOTT – PLANNING MANAGER
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
CITY STRATEGY OUTCOME:	1.4 – REDUCE ENERGY, WATER AND RESOURCE WASTE AND ENCOURAGE REUSE
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

To advise Council of the advantages and disadvantages of modifying Table 5.2.2 of the draft *Part C.5 – Water Management of Willoughby Development Control Plan (WDCP)* as resolved by Council at its meeting of 24 June 2019.

MOTION

That Council endorse public exhibition for 28 days in accordance with Sections 18 and 22(1) of the *Environmental Planning and Assessment Regulation 2000* to amend Table 5.2.2 of Part C.5 – Water Management of *Willoughby Development Control Plan* to include the following:

Notwithstanding items 11, 12, 13 and 14 above, alterations and additions to minor developments that do not result in more than 5% over the existing impervious area, providing the additional impervious area does not exceed 25m².

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Councillor Wright.

Absent: Councillor Coppock.

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

15.7 1-31 WALTER STREET AND 452-462 WILLOUGHBY ROAD WILLOUGHBY

ATTACHMENTS:	1. IMPLICATIONS 2. RECORD OF DECISION BY SYDNEY NORTH PLANNING PANEL
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	JANE HOSIE – STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	3.4 – CREATE DESIRABLE PLACES TO BE AND ENJOY
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

This report requests that Council advise the Planning Panel's Secretariat that it wishes to be the Planning Proposal Authority (PPA) for a proposal relating to 1-31 Walter Street and 452-462 Willoughby Road, Willoughby.

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

RESOLUTION

That Council advise the Planning Panel Secretariat that it wishes to be the Planning Proposal Authority (PPA) for a proposal at 1 - 31 Walter Street and 452-462 Willoughby Road, Willoughby.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

Absent: Councillors Giles-Gidney and Coppock.

Due to Councillors Giles-Gidney declaring a non-pecuniary substantial interest in Item 15.7: 3-31 Walter St and 462 Willoughby Rd, Willoughby as a member of the Sydney North Planning Panel she 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's absence for this item.

15.8 DEVELOPMENT ASSESSMENT - QUARTER 4 (1 APRIL 2019 TO 30 JUNE 2019)

ATTACHMENTS:	1. IMPLICATIONS 2. VARIATIONS TO DEVELOPMENT STANDARDS – QUARTER 3 3. APPLICATIONS DETERMINED – QUARTER 3 4. CURRENT DEVELOPMENT APPLICATIONS AS AT 1 APRIL 2019
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

To provide Council with details relating to development assessment for quarter 4 (1 April 2019 to 30 June 2019).

RESOLUTION

That Council:

- 1. Note the variations to development standards and development applications determined under delegated authority during quarter 4 (1 April 2019 to 30 June 2019); and**
- 2. Note the current development applications list as at 1 July 2019.**

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

16 NOTICE OF MOTIONS

16.1 NOTICE OF MOTION – DRAFT CHATSWOOD CBD PLANNING & URBAN DESIGN STRATEGY TO 2036

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:	22 JULY 2019

PURPOSE OF REPORT

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

Procedural Motion

That the following people address Council:

- Stephen Figgis
- Brett Brown

MOTION

That Council:

1. Note the report outlining:
 - Community consultation undertaken, methods used and extent of notification regarding the draft Chatswood CBD Planning and Urban Design Strategy to 2036 (CBD Planning Strategy).
 - Consultants engaged by Council and their advice to Council regarding the CBD Planning Strategy.
 - Neighbourhood notification regarding the recent planning proposal abutting the south Chatswood Conservation Area

2. Continue to provide detailed communications by mail and on line to residents when plans of such magnitude are underway.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

For the Resolution: Councillors Giles-Gidney, Fernandez, Norton, Saville and Zhu.

Against: Councillors Campbell, Eriksson, Mustaca, Tuon and Wright.

Absent: Councillor Coppock.

As the vote was equal the Mayor used her casting vote for the motion.

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

16.2 NOTICE OF MOTION: TO RESCIND THE MOTION CARRIED AT ITEM 17.3 OF THE COUNCIL MEETING HELD 24 JUNE 2019

ATTACHMENT:	1. FULL CONSULTATION TIMELINE - FORMER ARTARMON BOWLING CLUBHOUSE
RESPONSIBLE OFFICER	DEBRA JUST – CHIEF EXECUTIVE OFFICER
AUTHOR:	MELANIE SMITH – DIRECTOR COMMUNITY, CULTURE AND LEISURE
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

Councillors Coppock, Fernandez, Norton and Saville have indicated their intention to move the following rescission motion and an alternate motion should the rescission motion be successful.

Procedural Motion

That the following people address Council:

- Michael Dawes
- Anna Greco
- Bob Taffel
- Kate Lamb
- Karen Pearson
- Peter Wilton

MOTION

That Council rescind the motion carried at Item 17.3: Artarmon Facilities Review at the Ordinary Council Meeting held 24 June 2019 as follows:

That Council:

- 1. Recognise the contribution of the Artarmon Bowling Club Citizens Panel and the completion of their task and endorse the cessation of the Artarmon Bowling Club Citizens Panel.*
- 2. Expand the use of existing community facilities to endorse a Section 4.55 application for DA amendment of Artarmon Kids Cottage community centre for general community use and to increase hireable hours by 28.5 hours per week.*
- 3. Endorse the demolition of the former Artarmon Bowling Clubhouse and the development of the former Artarmon Bowling Clubhouse site as a community pavilion.*

4. *Consider bringing forward, at next quarter budget review, \$150,000 of cypres projects funds to the 2019/20 financial year that are now in the long-term financial plan for the 2020/21 financial year for the demolition of the former Artarmon Bowling Clubhouse and the design and approval of a community pavilion.*
5. *Ensure that the honour boards or other memorabilia are preserved and consideration be given to their incorporation into future development of the site.*

MOVED COUNCILLOR FERNANDEZ

SECONDED COUNCILLOR COPPOCK

LOST

Voting

For the Resolution: Councillors Coppock, Fernandez, Saville and Norton.

Against: Giles-Gidney, Campbell, Eriksson, Mustaca, Tuon, Wright and Zhu.

Absent: Nil

After the meeting was concluded Councillor Wright thanked the Community, Culture & Leisure Director and her staff for their hard work and contribution in compiling background information on consultation and costing options.

**16.3 NOTICE OF MOTION: REGULATION OF BUILDING STANDARDS,
QUALITY AND DISPUTES**

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:	22 JULY 2019

PURPOSE OF REPORT

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

MOTION

That Council note the Officer’s report and the comprehensive submission by Council.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Councillor Wright.

Absent: Councillor Coppock.

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

16.4 NOTICE OF MOTION: FOOD HYGIENE BREACHES

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	MARK TAYLOR – COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	3.1 – FOSTER FEELINGS OF SAFETY, SECURITY AND CLEANLINESS
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

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

MOTION

That Council:

- 1. Note the Officer's report.**
- 2. Consider the adoption of the Scores on Doors or similar project in the future.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

LOST

Voting

For the Resolution: Councillors Eriksson, Mustaca, Saville, and Zhu.

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

Absent: Councillor Coppock.

16.5 NOTICE OF MOTION: TREE REMOVAL REQUESTS

ATTACHMENTS:	1. CONFIDENTIAL LEGAL ADVICE (PROVIDED SEPARATELY)
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:	22 JULY 2019

PURPOSE OF REPORT

Councillor Wright has indicated his intention to move the following Notice of Motion.

MOTION

That Council reinstate a system of ward councillor meetings, to allow councillors the final decision regarding Tree Removal Requests when not associated with a development application and that the delegation to the CEO be adjusted accordingly.

RESOLUTION

That Council defer consideration of this matter.

MOVED COUNCILLOR FERNANDEZ

SECONDED COUNCILLOR NORTON

CARRIED

Voting

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

Against: Nil

16.6 NOTICE OF MOTION: 9 CENTENNIAL AVENUE, CHATSWOOD

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	MARK TAYLOR – COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	2.2 – RESPECT AND CELEBRATE OUR HISTORY AND HERITAGE SITES
MEETING DATE:	22 JULY 2019

PURPOSE OF REPORT

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

Procedural Motion

That Peter Dent address Council.

MOTION

That Council:

1. Take immediate action to ensure the owners of 9 Centennial Avenue, Chatswood replace the flimsy torn plastic sheeting and protect the heritage value of the building.
2. Receive a report detailing why Council did not take actions to protect the building available under legislation and as advised by the NSW Minister for Heritage (Ms. G. Upton) in her correspondence to Council at the time.
3. Provide a detailed chronology of actions taken by Council, including penalty costs as a result of these actions incurred by the owner.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Councillors Eriksson and Zhu.

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

17 CONFIDENTIAL MATTERS

NIL

18 QUESTIONS WITH NOTICE

18.1 QUESTIONS ON NOTICE FROM COUNCILLOR SAVILLE - ILLEGAL DUMPING

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
CITY STRATEGY OUTCOME:	1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE
MEETING DATE:	22 JULY 2019

QUESTION

1. Is it true that there were 419 cases of illegal dumping reported across Willoughby City Council over the last year (Telegraph 1.7.2019)?
2. Is it true that seven penalties were issued by Willoughby City Council for illegal dumping in that same period?
3. Is there an explanation for the discrepancy between the seven penalties imposed and the reported 419 instances of illegal dumping?
4. What other strategies can Council use to more effectively reduce illegal dumping across Willoughby City Council and particularly in Chatswood?

<http://online.isentialink.com/dailytelegraph.com.au/2019/06/29/46e7dff2-141c-4817-8eb5-be12ffbc05d4.html>

ANSWER

1. No. Council collected 456 incidences of illegally dumped materials over the past year. The Telegraph article did not incorporate the statistics for June. The number of dumping incidences reported includes a high incidence of false reports (i.e. residents reporting items left out legitimately for Council clean-up as illegally dumped), and a number of items are removed by the dumper after intervention by Council staff.
2. Yes, this is correct.
3. The Compliance team issue fines when they believe they have sufficient evidence to positively identify an individual or identify a vehicle that has been used to commit an offence beyond reasonable doubt. The legislation regulating illegal dumping states that penalty notices must be issued to an individual and cannot be issued to a corporate body (for example a strata group or building manager on behalf of their tenants).

This evidence may include video surveillance, witness testimony (which is only admissible if the witness is willing to testify in court), documentation, contact information on the dumped materials or other information. Most items that are dumped are done at a time to avoid witnesses and do not have sufficient identifying features to link them to an individual or vehicle.

4. Since June 2017 staff have been implementing a number of strategies to reduce the incidence of illegal dumping across the municipality. In 2016-17 Council staff and contractors collected items from 719 illegal dumping incidences. In 2017-2018 this reduced to 599 and in 2018-19 it is 456. This represents a reduction of 36.6% in two years, which is continuing to decrease. The Telegraph was informed of these statistics but chose not to use them in the article. This decrease has been noticed across the municipality, with an evident reduction in Chatswood.

Staff use a number of active and passive strategies to inform residents of their responsibilities in regards to waste and illegal dumping. These include:

- An anti-dumping program comprised of:
 - Educational materials and bin room signage which have been actively offered to strata and building managers, and made available to residents and real estate agents.
 - Labelling and taping illegally dumped materials to encourage residents to self-remove and deter additional dumping, and letterbox drops at adjacent properties.
 - Deployment of surveillance trailer in dumping hotspots.
- Requirement for residents to label legitimate items left on the street for clean-up collections to reduce confusion.
- Distribution of scheduled clean-up date postcards to all municipal addresses with information on how to book clean-ups and reminders of penalties.
- “#trashtotreasure” social media campaign to encourage residents to repair-sell-giveaway-donate items before using kerbside services and discourage illegal dumping.
- Advertising solutions for free recycling of problem waste including the community recycling centre, mattress collection and household chemical cleanout.

19 CONCLUSION OF THE MEETING

- Councillor Coppock left the meeting at 8:32pm.
- Her Worship the Mayor Councillor G Giles-Gidney left the meeting at 9:16pm during debate on Item 15.7: 3-31 Walter St and 462 Willoughby Rd, Willoughby taking no part in the discussion or voting on this topic. She returned to the meeting at 9:22pm. Former Deputy Mayor Eriksson assumed the Chair in the Mayor's absence for this item.

The meeting concluded at 9:28pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 22 July 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.