



# **Willoughby City Council**

## **ORDINARY COUNCIL**

### **MINUTES**

24 June 2024

Minutes of an Ordinary Council Meeting  
held on Monday, 24 June 2024  
at the Council Chamber  
Level 6, 31 Victor Street, Chatswood

## 1 OPEN MEETING

Minutes of an Ordinary Council Meeting held on Monday, 24 June 2024 at the Council Chambers, Chatswood commencing at 7:01pm.

### ATTENDANCE:

#### Councillors

Tanya Taylor (Her Worship the Mayor)  
Nic Wright (Deputy Mayor)  
Hugh Eriksson  
Anna Greco  
Roy McCullagh  
John Moratelli  
Sarkis Mouradian  
Georgie Roussac  
Robert Samuel  
Jam Xia  
Brendon Zhu

Craig Campbell - *Absence of Leave granted*  
Angelo Rozos - *Apology*

#### Officer's

Hugh Phemister (General Manager)  
Maxine Kenyon (Customer & Corporate Director)  
Linda Perrine (Community, Culture & Leisure Director)  
Mitchell Noble (Acting Planning & Infrastructure Director)  
Stephen Naven (Chief Financial Officer)  
Samantha Connor (Governance, Risk & Compliance Manager)  
Dyalan Govender (Acting Head of Planning)  
Stuart Schramm (Property Manager)  
Monica Lonergan (People & Culture Manager)  
Ervina Lay (Corporate Performance Manager)  
Melinda Aitkenhead (Governance Lead)  
Natalie Taylor (Council & Corporate Support Officer)  
Adam Booth (Council & Corporate Support Officer)  
Jason Racchi (IT Team Leader)  
Matthew Long (Network Support Officer)

**2 ACKNOWLEDGEMENT OF COUNTRY**

Willoughby City Council acknowledges the Traditional Owners of the lands on which we meet today, the Gamaragal People, and their connections to land, waters, and community. We pay our respects to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander people, including those who may be in attendance today.

**3 REFLECTION OR PRAYER****4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS****MOTION**

**That Council accept the apology submitted by Councillor Rozos for the 24 June 2024 Council meeting.**

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ROUSSAC**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**5 CONFIRMATION OF MINUTES****MOTION**

**That the Minutes of the Extraordinary Meeting of Council held 18 June 2024, copies of which have been circulated to each member of Council, be confirmed as a true record.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**6 DISCLOSURES OF INTERESTS**

In accordance with Part 16 of the Code of Meeting Practice, all Councillors must disclose and manage any conflicts of interest they may have in matters being considered at the meeting.

- Councillor Wright declared a non-pecuniary less than significant interest in *Item 12.1 - Investment Report for the month May 2024*. Councillor Wright chose to remain in the meeting for the discussions and voting on this item. The reason provided was: *"I am employee of Westpac with whom Council has investments. This report is only for noting. I do not have influence over individual investments."*
- Councillor Zhu declared a non-pecuniary less than significant interest in *Item 12.11 - Minutes - Traffic Committee Meeting - 7 May 2024, 13.1 - NOM 22/2024 - Addressing the Increase in E-bike Delivery Drivers across the Willoughby LGA, 13.2 - NOM 23/2024 - E-bike Safety, Infrastructure, Education and Legislation and 13.3 - NOM 24/2024 - Safer Footpaths and Roads for the Chatswood CBD*. Councillor Zhu chose to remain in the meeting for the discussions and voting on this item. The reason provided was: *"Items 13.1, 13.2 and 13.3 invoke a reference to Transport for NSW in some way. I work for TfNSW, though I am not in any position of any executive decision making, I also I do not work in any teams relating to road safety, I work on the Sydney trains interfacing aspects of transport. 12.11, the Minutes of the Traffic Committee – within those Minutes are matters suggestions for road safety on Fuller's Road where my parents live."*
- Councillor Xia declared a non-pecuniary less than significant interest in *Item 12.1 - Investment Report for the month May 2024*. Councillor Xia chose to remain in the meeting for the discussions and voting on this item. The reason provided was: *"I am a full-time employee of Westpac with whom Council has investments. I do not have and control or influence the investments held by Council."*
- Councillor Greco declared a non-pecuniary less than significant interest in *Item 12.7 - Outcome of Public Exhibition and Adoption of Planning Proposal - 43 Donnelly Street, Naremburn*. Councillor Greco chose to leave the meeting for the discussions and voting on this item. The reason provided was: *"I am a practicing Catholic at St Leonards Church Naremburn and therefore the public may perceive I have a conflict of interest in this matter. I will be leaving the chamber and not voting."*

**7 PETITIONS****7.1 PETITION: WILLOUGHBY SOUTH RESIDENT PARKING SCHEME - 1P PARKING RESTRICTIONS****MOTION****That Council:**

1. **Note the petition regarding the Willoughby South Resident Parking Scheme - 1P parking restrictions.**
2. **Refer the matter to the Acting Planning and Infrastructure Director.**

**MOVED COUNCILLOR GRECO / SECONDED COUNCILLOR ROUSSAC****CARRIED****Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**PROCEDURAL MOTION - BRING FORWARD ITEMS ON THE AGENDA**

That the order of business be changed so item 11, Matters by Exception, can be brought forward and dealt with immediately.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR XIA****CARRIED****Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**11 MATTERS BY EXCEPTION**

At this stage the Mayor invited Councillors to nominate the items they wish Council to consider separately and these matters will then be dealt with in the order so nominated. The balance of items would be Adopted En Bloc

**Item Title**

- 12.2 Outcome of Public Exhibition and Adoption of Long Term Financial Plan 2024-2034**
- 12.5 Local Government NSW Annual Conference 2024 - Motions for Submission**
- 12.6 Annual Fee for Mayor and Councillors - 2024/25**
- 12.8 Appointment of panel members to the Sydney North Planning Panel and the Willoughby Local Planning Panel**
- 12.9 WCC Property Report - June 2024**
- 12.12 Approved minutes of the Sustainability Advisory Committee meeting dated 01 May 2024**
- 12.13 Outcome of Public Exhibition and Approval of the Volunteer Strategy 2024 - 2028**
- 12.14 Public Exhibition - Draft Social Media Policy**
- 12.15 Public Exhibition - Draft Willoughby City Library Strategy 2024-2028**
- 12.18 Grants for the Community Program 2023-24 Applications - May**
- 12.19 Provision of AEDs in Council Public Recreation Spaces**
- 12.20 Approved minutes of the Access and Inclusion Advisory Committee meeting dated 16 April 2024**
- 12.21 Approved minutes of the Bicentennial Reserve and Flat Rock Gully Advisory Committee meeting dated 17 April 2024**
- 13.1 Notice of Motion 22/2024 - Addressing the increase in e-bike delivery drivers across the Willoughby local government area**
- 13.3 Notice of Motion 24/2024 - Safer footpaths and roads for the Chatswood CBD**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA****ADOPTED EN BLOC**

*Notes: Councillor Wright left the meeting at 07:21 pm and returned at 07:23 pm*

**8 OPEN AND PUBLIC FORUM**

Open Forum allows members of the public to address Council for a maximum of three (3) minutes on any issues (but not on an item on the Minutes). No members of the public spoke on Open Forum.

Public Forum allows members of the public to address Council for a maximum of three (3) minutes on an issue on the Minutes.

**Item 12.7 - Outcome of Public Exhibition and Adoption of Planning Proposal - 43 Donnelly Road, Naremburn**

- Adeline Kassis (Lower North Shore Parish), Georgina Wright SC, John Oultram (Representative of the Catholic Diocese of Broken Bay), Reg Aung Thein (Catholic Parish of Lower North Shore) and Rose Aung Thein (Catholic Parish of Lower North Shore) addressed Council against the Officer's Recommendations.
- Bernard Ryde and Larissa Penn (Naremburn Progress Association) addressed Council in support of the Officer's Recommendations.
- Maria Mattera submitted her speech in writing in support of the Officer's Recommendations which was included in the 'Pinks'.

**Item 12.10 - Request for Landowners Consent and Licence Agreement for the International Chinese School at 211 Pacific Highway, St Leonards**

- Michael Rowe (Planning Consultant) and Alistair Walker (Principle) both on behalf of the International Chinese School addressed Council in support of the Officer's Recommendations.

**Item 12.16 - Castlecrag Community Library Funding Arrangement**

- Kate Westoby address Council in support of the Officer's Recommendation.

**Item 13.4 - Notice of Motion 25/2024 - Request for report on Council's ability to Prevent Gas Connections to New Dwellings**

- Alison Blazey (Doctors for the Environment Australia), James Conlan (350 Australia), Lucy Leonardi (Parents for Climate) and Mark Crew and all addressed Council in support of the Notice of Motion.

**12.7 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF PLANNING PROPOSAL - 43 DONNELLY ROAD, NAREMBURN****MOTION****That Council:**

1. **Note the submissions received in relation to the public exhibition of the Planning Proposal for 43 Donnelly Road, Naremburn.**
2. **Approve the Planning Proposal, as provided in Attachment 2 of this report to be made in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.**
3. **Delegate authority to the General Manager to make any minor variations to the Planning Proposal shown at Attachment 2 to address any minor drafting issues prior to the finalisation of the local environment plan.**
4. **Thank those who made submissions and notify them of Council's decision.**

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ROUSSAC****CARRIED****Voting**

**For the Motion:** Councillors Tanya Taylor, John Moratelli, Georgie Roussac, Robert Samuel, Nic Wright and Jam Xia

**Against:** Councillors Hugh Eriksson, Roy McCullagh, Sarkis Mouradian and Brendon Zhu

*Notes: Councillor Greco left the meeting at 07:26 pm and returned at 08:22 pm after having declared an interest in this item.*

**12.10 REQUEST FOR LANDOWNERS CONSENT AND LICENCE AGREEMENT FOR THE INTERNATIONAL CHINESE SCHOOL AT 211 PACIFIC HIGHWAY ST LEONARDS****MOTION****That Council:**

1. **Write to the International Chinese School to provide in principle support for the School's operation at 211 Pacific Highway St Leonards to be extended by a further five years until 16 July 2030.**
2. **If State Significant Development Modification approval is granted, delegate to the Chief Executive Officer to sign a licence for up to five years over the Council car park for access only (not parking for the school), with the licence terminating on expiry of the approval or on 91 days' notice if Council progresses with construction of the Gore Hill Park Recreation Facility.**
3. **Should Council need to terminate the licence, that school operations and the timing of the school calendar be taken into consideration.**

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON****CARRIED****Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

*Notes: Mitchell Noble (Acting Planning & Infrastructure Manager) left the meeting at 08:18 pm after having declared an interest in this item. He returned at 08:27 pm*

**12.16 CASTLECRAG COMMUNITY LIBRARY FUNDING ARRANGEMENT****MOTION**

**That Council:**

1. **Provides an annual subsidy to the Castlecrag Community Library for the purpose of providing community library services via a funding agreement.**
2. **Agrees a level of subsidy be considered annually through the operation plan.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI****CARRIED****Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**13.4 NOTICE OF MOTION 25/2024 - REQUEST FOR REPORT ON COUNCIL'S ABILITY TO PREVENT GAS CONNECTIONS TO NEW DWELLINGS****MOTION**

**That, subject to workload, the General Manager provide an options report to Council by the end of the calendar year as to the powers council could apply to improve indoor air quality and reduce CO2 / greenhouse gas emissions in light of expected density increases arising from the expected Transport Orientated Development and low and mid-rise planning changes.**

**MOVED COUNCILLOR MORATELLI / SECONDED COUNCILLOR ROUSSAC****LOST****Voting**

**For the Motion:** Councillors Tanya Taylor, Anna Greco, John Moratelli, Georgie Roussac and Robert Samuel

**Against:** Councillors Hugh Eriksson, Roy McCullagh, Sarkis Mouradian, Nic Wright, Jam Xia and Brendon Zhu



**PROCEDURAL MOTION – ADJOURN THE MEETING**

That Council adjourn for a 10 minute recess from 9:20 pm.

**MOVED COUNCILLOR GRECO / SECONDED COUNCILLOR ROUSSAC**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**9 MAYORAL MINUTES****9.1 MAYORAL MINUTE 13/2024 - KING'S BIRTHDAY 2024 HONOURS LIST**

**MEETING DATE: 24 JUNE 2024**

**1. PURPOSE OF REPORT**

To inform Council of the Willoughby residents and community members who received awards in the King's Birthday 2024 Honours List.

**2. DISCUSSION**

I am pleased to inform Council that the following Willoughby residents and community members were recognised in the King's Birthday 2024 Honours List.

We are both proud and privileged to have these dedicated and talented Australians as members of the Willoughby community.

**Member of the Order of Australia (AM)**

**The late Mrs Ruth Charlton AM** from Middle Cove

For significant service to the law, particularly dispute resolution and mediation.

**Dr Eileen Gallery AM** from Roseville

For significant service to nephrology, to obstetric medicine and to tertiary education.

**Dr Winston Ponder AM** from Chatswood

For significant service to scientific research, particularly invertebrate and conservation biology.

**Public Service Medal (PSM)**

Local health worker, **Associate Professor Elisabeth Murphy** from Neutral Bay

For outstanding public service to child and family health programs in New South Wales.

On behalf of Council, I congratulate all these award winners on their outstanding achievements. The people of Willoughby should be proud that we have so many citizens being recognised at the highest levels for their selfless dedication, commitment, and contributions.

**MOTION****That Council:**

1. **Acknowledges the outstanding contribution made by these recipients of the King's Birthday 2024 Honours, to the Willoughby community and to the wellbeing of our society.**
2. **Send a letter signed by the Mayor, on behalf of Council, to the recipients or their families, to congratulate them.**

**MOVED COUNCILLOR TAYLOR****CARRIED****Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**9.2 MAYORAL MINUTE 14/2024 - MOBILE FOOD VANS AND TRUCKS****MEETING DATE:****24 JUNE 2024****1. PURPOSE OF REPORT**

To call for a new policy concerning the ability of mobile food vans and trucks to use Council land and public spaces to be brought to Council as soon as practicable, and in the interim period to allow the short-term use of Bellambi Square in Northbridge for food vans whilst the policy is developed.

**2. DISCUSSION**

*Our Future Willoughby 2032* sets out our community's long-term vision and priorities for the future of the City. One of the key areas is maintaining a City that is prosperous and vibrant. Two key aims are to facilitate the development of all businesses, and facilitate the viability and vibrancy of our CBD and village centres. These are further developed in Council's *Economic Development Strategy* and *Night Time Economy Strategy*.

Council has also been investing in public space improvements through its Project and Capital Works program as part of the *Local Centres Strategy* at key local centres such as the investment in improving, and creating new space in the public areas at Artarmon and Naremburn. Work was also undertaken recently in Northbridge to create a new public space at Bellambi Street Square following many years of community consultation and planning processes. Our recent approval of the *Public Spaces and Recreation Strategy* also includes a focus on the activation of spaces and place making. Council is actively supporting the development of businesses, and improving and enhancing its public spaces to meet the new demands of our community.

One part of activating public spaces includes allowing the location of food vans and trucks as part of events and activations to enhance the appeal to the community and encourage

attendance and community building. Council currently has no policy on the use of Council land and public spaces by food vans and trucks, although trials have been undertaken at some sites including Bellambi Street Square in Northbridge. These trials have been conducted to understand community response, to enable small start-up operations to establish and trial their business, and to understand demand levels for such activities. With these new activities emerging, Council needs to create a clear and robust policy to guide the use of public space for food vans and trucks and I am calling for a draft policy to be brought forward as soon as practicable that ensures that we can enable the use of public spaces for food vans and trucks whilst ensuring we support local businesses and meet community expectations around the use of public space.

Whilst this policy is being developed, I am asking Council to extend the use of Bellambi Square, Northbridge for food trucks at a nil fee as part of the trial use of this new public space, limiting the time period to six months from the date of this meeting.

## MOTION

### That Council:

- 1. Request the General Manager to bring to Council a draft policy, after consultation with the local business community, on the use of Council and public land for food vans and trucks as soon as practicable and no longer than six months from the date of this meeting.**
- 2. Allow the use of Bellambi Square, Northbridge to be used by food vans at nil cost until the food van and truck policy is agreed by Council. Such period should not exceed six months from the date of this meeting.**
- 3. Delegate to the General Manager the authority during this six month trial to manage the booking system as they see appropriate.**

## MOVED COUNCILLOR TAYLOR

**CARRIED**

### Voting

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

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<b>9.3</b>	<b>MAYORAL MINUTE 15/2024 - SUPPORT FOR REGIONAL SPORTS CAPACITY</b>
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**MEETING DATE:** 24 JUNE 2024

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## 1. PURPOSE OF REPORT

I am calling on Council to support the Westleigh Park project through representations to relevant NSW Government Ministers to encourage them to maintain/extend their grant to Hornsby Shire Council to ensure the completion of the Westleigh Park project

given its regional significance in supporting the increased population in northern Sydney.

## 2. DISCUSSION

At its meeting of 12 June 2024, Hornsby Shire Council (Hornsby) sought the support of the Northern Sydney Regional Organisation of Councils (NSROC) and other councils in the region, following a recent decision by the NSW Government to remove funding to create much-needed outdoor active recreational space.

In 2023 a review of Supply and Demand for Sports Facilities in the northern Sydney region found that there will be an undersupply of around 222 Ha (49%) by 2036. Importantly, this study does not take into account the anticipated population growth as a result of the recent reforms targeting housing supply (Low-mid Rise Housing and

Transport Oriented Development) which will place further demands on local sportsgrounds.

Willoughby should support Hornsby's critically important infrastructure project at Westleigh Park which will deliver amongst other things, six new sports fields that will service the northern Sydney region, the only opportunity for such a significant increase in capacity due to the scarcity of affordable and suitable land in the region. It is appropriate for Council to join with Hornsby in requesting the NSW Government reconsider its decision to withdraw grant funds previously allocated to support the project's completion. Westleigh Park is a significant regional facility that will benefit the whole North Shore.

The impacts of not increasing sports ground capacity in northern Sydney will lead to increasing numbers of participants being turned away from sport which will lead to:

- Increasing physical inactivity, sedentary leisure behaviour and related health and disease impacts;
- Reducing benefits brought about by participation in sport and physical activity;
- Increased costs to participate and accessibility of facilities will create inequity in participants and associated benefits; and
- Access to sport may become based on the capacity to pay and which may create a greater barrier to participation for lower income households.

In early June, the NSW Government informed Hornsby that it will take back \$36 million in funding for the development of the much-needed active recreation facilities at Westleigh Park, which will stop the most significant active outdoor sporting facility from being delivered.

Westleigh Park is a 36 hectare parcel of land at 62 Quarter Sessions Road, Westleigh. It was purchased by Hornsby in 2016 to assist with addressing the increasing demands for active recreation within the Shire and northern Sydney region.

The Master Plan provides for structured sporting activities on three sporting platforms (providing six sportsfields) and unstructured passive recreation experiences throughout the park. This includes cycling and mountain biking, walking paths, informal exercise spaces, children's playground and picnic areas, connections to local and regional bushwalking trails and passive recreation spaces. Work has been underway on Westleigh Park for over five years, with millions of dollars already outlaid, contracts signed, and thousands of hours devoted to providing the community with these vital facilities.

Given the projected population growth in the NSROC region it is important that we continue to be guided by our NSROC strategies and studies which indicate that we will need to increase the capacity of sportsgrounds in the area by around 49% by 2036 (through a range of initiatives and new facilities) to cope with existing and future demands. The Westleigh Park project will be critical in working towards this outcome and as such, Willoughby City Council should support Hornsby in its endeavours to retain state government grant funding to deliver regional sports facilities for the community to match profound anticipated population growth.

## MOTION

### That Council:

1. **Write to Hornsby Shire Council to express support for the Westleigh Park project given its regional significance in supporting the increased population in northern Sydney.**
2. **Write to the Premier for New South Wales, the Minister for Sport, the Minister for Local Government and the Minister for Planning to encourage them to maintain/extend their grant to Hornsby Shire Council to ensure the completion of the Westleigh Park project given its regional significance in supporting the increased population in Northern Sydney.**

### MOVED COUNCILLOR TAYLOR

**CARRIED**

#### Voting

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

## 10 GENERAL MANAGER'S LATE REPORT

### 10.1 APPOINTMENT OF GENERAL MANAGER'S PERFORMANCE REVIEW PANEL

#### ATTACHMENTS:

1. **GUIDELINES FOR THE APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS 2022**
2. **OVERVIEW OF GENERAL MANAGER PERFORMANCE REVIEW PROCESS & TIME FRAMES**

#### RESPONSIBLE OFFICER:

**MAXINE KENYON, CUSTOMER & CORPORATE DIRECTOR**

#### AUTHOR:

**MONICA LONERGAN, PEOPLE AND CULTURE MANAGER**

#### CITY STRATEGY OUTCOME:

**5.1 BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO.**

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**MEETING DATE:** 24 JUNE 2024

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## 1. PURPOSE OF REPORT

To appoint a Performance Review Panel and delegate to that Panel the task of setting the annual performance agreement and conducting any relevant reviews of the General Manager's performance.

## 2. OFFICERS RECOMMENDATION

That Council:

1. **Establish a Review Panel, comprising the Mayor (Councillor Tanya Taylor), Deputy Mayor (Councillor Nic Wright) and two Councillors (Councillor X), one of whom will be appointed by the General Manager (Councillor X), to conduct all relevant performance reviews and setting of performance agreements for the General Manager, until February 2025. Noting, due to the local government election outcome, the Panel composition may need to change, which will require a further report to the new term of Council.**
2. **Delegate the following activities to the Panel in line with the Office of Local Government's Guideline for the Appointment and oversight of General Managers 2022.**
  - **conducting performance reviews of the general manager including the annual review and six-month review during the relevant period,**
  - **reporting the findings and recommendations of the annual review to the council, and**
  - **development of the annual performance agreement.**
3. **Delegate to the Panel the process of appointing an independent facilitator, utilising a procurement process, to:**
  - **provide the required training for the Panel prior to the review meeting**
  - **facilitate the process of reviewing and updating the General Manager's Performance Agreement.**
4. **Note the process and timeline presented in Attachment 2.**

## 3. BACKGROUND

On 18 January 2024, Council resolved the following:

1. *Offer Mr Hugh Phemister a three (3) year employment contract commencing 24 June 2024.*
2. *Offer a Total Annual Remuneration Package of \$395,000.*
3. *Replace the title of Council's Chief Executive Office with General Manager in line with the Local Government Act 1993.*

As a result of the appointment of a new General Manager, a Performance Review Panel must be established and a performance agreement must be put in place within three months of commencement, in accordance with the *Guidelines for the Appointment & Oversight of General Managers 2022* (the Guidelines) in **Attachment 1**.

## 4. DISCUSSION

### Performance Process

The Guidelines outline the process for the development of the General Manager's performance agreement and the review process. The General Manager's contract of

employment requires that within three (3) months after the commencement date, the General Manager and Council sign a performance agreement setting out agreed performance criteria. The contract also stipulates that the performance of the General

Manager must be reviewed at least annually against the agreed performance criteria for the position.

The Guidelines advise that Council is to establish a Performance Review Panel (the Panel) which should comprise of the Mayor, the Deputy Mayor, a Councillor nominated by the Council and a Councillor nominated by the General Manager.

The Guidelines recommend that full responsibility for performance management be delegated to the Panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.

The role of the Panel therefore includes:

- conducting performance reviews of the General Manager including the annual review and any interim review during the relevant period,
- reporting the findings and recommendations of the annual review to the Council, and
- development of the annual performance agreement.

As per the Guidelines, Councillors who are not members of the Performance Review Panel will be invited to contribute to the performance review process by providing feedback to the Mayor on the General Manager's performance relevant to the agreed performance criteria.

The Panel will also report back to the Council on their findings and recommendations from the annual review. As per the Guidelines, this report back is for information and is not an opportunity for Council to debate the results or revisit the performance review. This report back is conducted in a closed session without the General Manager present. The performance agreement, action plan and associated records are to remain confidential.

The annual review usually commences in August. The process of establishing the strategic objectives for the General Manager's performance for the coming year is also undertaken at this time by the Panel, incorporating feedback from Councillors. A six-month review is optional under the Guidelines but is proposed to form part of the process and be conducted in March to enable discussion on progress of agreed objectives. A copy of the recommended timeline of events is included as **Attachment 2**. It should be noted however that a review will not take place in August 2024 due to the recent appointment of the General Manager. However a performance agreement is required to be established in the next few months, with the mid year review (optional) and annual review then to take place as per the recommended timeline in 2025.

### The Performance Review Panel

It is recommended that Council determine the Performance Review Panel, noting the Guidelines advise it should comprise of the Mayor, the Deputy Mayor, a Councillor nominated by the Council and a Councillor nominated by the General Manager.

Due to the requirement to have a performance plan in place three months after commencement and the timeframes outlined below, the current term of Council must finalise the Performance Agreement before the caretaker period commences.

- Appointment of the General Manager (24 June 2024)
- Caretaker period (from 16 August 2024)
- Local government election (14 September 2024)
- Requirement to have the performance plan in place within three months from commencement (by 24 September 2024)
- Likely first Council meeting of the new term of Council (October).

If Councillors identified on the Panel change as a result of the local government election, a further report will be required for the new term of Council to determine the Performance Review Panel for the remainder of the year.

### **External Facilitator**

Under the Guidelines, Council and the General Manager may also agree to engage an external facilitator to assist with the process of performance review and to provide training to the Panel. The engagement of this facilitator will need to follow all relevant procurement processes. The selection of the facilitator should be on the basis of mutual concurrence between the General Manager's Performance Review Panel and the General Manager.

## **5. RISKS AND OPPORTUNITIES**

By conducting and reporting on the General Manager's performance, Council is implementing the terms of the General Manager's contract.

## **6. CONCLUSION**

The General Manager's employment contract stipulates that within three months after the commencement date, the General Manager and Council need to sign a performance agreement setting out agreed performance criteria and that a performance review is to be conducted at least annually. In line with past practice, an interim six month review is also recommended.

It is therefore recommended that in line with the Guidelines, Council establish a Performance Review Panel and consider the appointment of independent facilitator, through a formal procurement process.

## **MOTION**

**That Council:**

- 1. Establish a Review Panel, comprising the Mayor (Councillor Tanya Taylor), Deputy Mayor (Councillor Nic Wright) and two Councillors (Councillor Xia), one of whom will be appointed by the General Manager (Councillor Zhu), to conduct all relevant performance reviews and setting of performance agreements for the General Manager, until February 2025. Noting, due to the local government election outcome, the Panel composition may need to change, which will require a further report to the new term of Council.**



2. Delegate the following activities to the Panel in line with the Office of Local Government's *Guideline for the Appointment and oversight of General Managers 2022*.
  - conducting performance reviews of the General Manager including the annual review and six-month review during the relevant period,
  - reporting the findings and recommendations of the annual review to the council, and
  - development of the annual performance agreement.
  
3. Delegate to the Panel the process of appointing an independent facilitator, utilising a procurement process, to:
  - provide the required training for the Panel prior to the review meeting
  - facilitate the process of reviewing and updating the General Manager's Performance Agreement.
  
4. Note the process and timeline presented in Attachment 2.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

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**12 REPORTS TO COUNCIL**

**12.1 INVESTMENT REPORT FOR THE MONTH OF MAY 2024**

**MOTION**

**That Council receive and note the Statement of Bank Balances and Investment Holdings as at 31 May 2024.**

**MOVED COUNCILLOR MOURADIAN / SECONDED COUNCILLOR XIA**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**12.2 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF LONG TERM FINANCIAL PLAN 2024-2034****RESOLUTION****That Council:**

1. Thank and advise all community engagement respondents for their contribution and of Council's decision.
2. Adopt the Long Term Financial Plan 2024-2034 in Attachment 1.
3. Note the inclusion of the 15% Rate Increase (including 5% rate peg and 10% Special Rate Variation) approved by the Independent Pricing and Regulatory Tribunal (IPART) on 13 May 2024.
4. Note and acknowledge the final forecast cost for the Willoughby Leisure Centre will exceed the current allocation in the Long Term Financial Plan. A revised final forecast cost is the subject to ongoing commercial negotiations with the contractor, and Council will be updated once these negotiations are completed.
5. Delegate to the Chief Executive Officer to make amendments to the Long Term Financial Plan 2024-2034 which do not alter the purpose or intent of the plans.
6. Place a copy of the final documents on the Council's website and submit a copy of the plan or the URL link to the Office of Local Government.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA****ADOPTED EN BLOC****12.3 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF THE OPERATIONAL PLAN 2024/25.****MOTION****That Council:**

1. Thank and advise all community engagement respondents for their contribution and of Council's decision.
2. Adopt the amended *Operational Plan 2024/25* (Attachment 1) which includes the Annual Budget, Revenue Policy, and Fees and Charges (Attachment 2).
3. Resolve to make a Domestic Waste Management Charge of \$640.00 per annum per service on all properties categorised as Residential for the 2024/25 rating year, pursuant to Section 496 and 535 of the *Local Government Act 1993*.

4. Resolve to make a Domestic Waste Management Charge for eligible Pensioners and qualifying Self-Funded Retirees of \$476.00 per service on all properties categorised as Residential for the 2024/25 rating year, pursuant to Sections 496 and 535 of the *Local Government Act 1993*.
5. Resolve to allow the aggregation of the values of certain parcels of land subject to minimum rates in accordance with Section 548A of the *Local Government Act 1993*.
6. Resolve to make the following Stormwater Management Service Charges for the 2024/25 rating year, pursuant to Sections 496A and 535 of the *Local Government Act 1993*:  
 \$25.00 per rateable residential property  
 \$12.50 per rateable strata titled property  
 \$25.00 per 350 square metres for business related properties (minimum charge of \$5.00).
7. Resolve to make the following ordinary rates for the 2024/25 rating and financial year where such rates consist of an ad valorem amount and subject to a minimum amount, pursuant to Sections 492-294, 497-498, 533-535, 543 and 548 (inclusive) of the *Local Government Act 1993*:

Ordinary Rates	2024/25 rate (\$)
<b>Residential</b>	
Ad valorem*	<b>.00059109</b>
Minimum	\$1,013.35
Yield	\$37.05m
<b>Business</b>	
Ad valorem*	<b>.00405148</b>
Minimum	\$1,441.55
Yield	\$14.21m
<b>Chatswood Town Centre</b>	
Ad valorem*	<b>.00741839</b>
Minimum	\$1,539.25
Yield	\$8.55m
<b>Chatswood Major Retail Centre - Chatswood Chase</b>	
Ad valorem*	<b>.02264528</b>
Minimum	\$1,290.00
Yield	\$1.08m
<b>Chatswood Major Retail Centre - Chatswood Westfield</b>	
Ad valorem*	<b>.02098373</b>
Minimum	\$1,290.00
Yield	\$1.38m
<b>Strata storage facility</b>	
Ad valorem*	<b>.00674507</b>
Minimum	\$978.45
Yield	\$0.11m
<b>Total yield rates</b>	<b>\$62.38m</b>

8. Resolve to apply land valuations with a base date 1 July 2022 for rating purposes in the 2024/25 rating and financial year.
9. Resolve that the interest rate applicable on overdue rates and charges is 10.5% per annum for amounts overdue between 1 July 2024 to 30 June 2025. These charges for the 2024/25 rating year are pursuant to Section 566 of the *Local Government Act 1993*.
10. Delegate authority to the General Manager to allocate the Projects and Capital Works (PCW) contingency budget for urgent and critical works arising between Quarterly Budget Reviews. The General Manager will report any allocation of the PCW contingency budget to Council on a quarterly basis via the Quarterly Budget Review Process.
11. Ensure councillors will be briefed on the Synthetic Track Upgrade: 6 lanes of 110 metres track before any progressed.
12. Delegate authority to the General Manager to make minor and administrative amendments to the *Operational Plan 2024/25* which do not alter the intent of the plan.
13. Place a copy of the final documents on Council's website and submit a copy of the plan or the URL link to the Office of Local Government.

**MOVED COUNCILLOR GRECO / SECONDED COUNCILLOR MORATELLI**

**CARRIED**

**Voting**

**For the Motion:** Councillors Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Councillor Tanya Taylor

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**12.4 MAJOR PROJECT FRAMEWORK**

**MOTION**

That Council implement the improvements to the Project Management Framework to cater for Major Projects as presented in this report and over time implement continual improvements to the Framework Funding for the associated costs due to the implementation of the Major works framework will be achieved through the operational plan.

Major Projects are defined as projects where the total overall Project Budget typically exceed \$5m and may run over multiple years and budget cycles, involve high risk and impact, are complex, and transformative in nature.

**MOVED COUNCILLOR MOURADIAN / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**12.5 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2024 - MOTIONS FOR SUBMISSION****RESOLUTION****That Council:**

1. Approve the submission of the proposed LGNSW Motion entitled "*Grant authorisation for statutory declarations in NSW*" contained in Attachment 1 for the Local Government NSW Annual Conference 2024.
2. Request Councillors interested in providing any additional motion(s) they would like Council to consider for submission to the Local Government NSW Annual Conference 2024 to the Chief Executive Officer by Wednesday 10 July 2024.
3. Report details of any additional proposed motions to the 12 August 2024 Council Meeting for approval prior to submission to LGNSW for debate at the LGNSW Annual Conference.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA****ADOPTED EN BLOC****12.6 ANNUAL FEE FOR MAYOR AND COUNCILLORS - 2024/25****RESOLUTION****That Council:**

1. Pursuant to sections 248 and 249 of the *Local Government Act 1993* and effective 1 July 2024, fix the annual fee at the maximum level for Metropolitan Medium category based on the 2024 determination of the Local Government Remuneration Tribunal, for the period 1 July 2024 to 30 June 2025 as follows:
  - Councillors Annual Fee of \$28,690
  - Mayor Additional Fee of \$76,190
2. Pursuant to section 254B of the *Local Government Act 1993*, approves the payment of a Superannuation Contribution Payment (SCP) to Councillors at the Superannuation Guarantee Rate (11.5% for 2024/25). This SCP is in addition to the Councillors Annual Fee and Mayor Additional Fee.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA****ADOPTED EN BLOC**

**12.8 APPOINTMENT OF PANEL MEMBERS TO THE SYDNEY NORTH PLANNING PANEL AND THE WILLOUGHBY LOCAL PLANNING PANEL****RESOLUTION****That Council:**

- 1. Appoint the following representatives to the Sydney North Planning Panel for the period 1 July 2024 to 28 February 2027:**
  - a. The elected Mayor, and**
  - b. James Harrison being a person with expertise in planning or a related field (at a mutually agreeable rate).**
  
- 2. Appoint Council representatives to the Sydney North Planning Panel as alternatives to the elected Mayor and James Harrison, being:**
  - a. The current Councillor who most recently held the role of Deputy Mayor (and is not the current Deputy Mayor) to act as the alternate representative to the Mayor. Should alternate to the Mayor be unavailable, conflicted or is no longer a current Councillor, Philippa Hayes and Robert Freestone to act as further alternates.**
  
  - b. To appoint the same two representatives to act as alternate representatives to the Alternate at mutually agreeable rates as persons with expertise in planning or related field.**
  
- 3. Endorse the continuation of existing Council representatives on the Sydney North Planning Panel for any matters where they have attended Panel meetings on and the matter has not concluded.**
  
- 4. Appoint Chairs to the Willoughby Local Planning Panel for the period 1 July 2024 to 28 February 2027, being:**
  - a. Head Chair - Mr Graham Brown**
  - b. Alternate Chair - Ms Elizabeth Kinkade**
  - c. Alternate Chair - Mr Stephen O'Connor**
  
- 5. Delegate authority to the General Manager to appoint expert panel members from the Department's list of experts for the Willoughby Local Planning Panel.**
  
- 6. Delegate authority to the General Manager to appoint community representatives to the Willoughby Local Planning Panel.**
  
- 7. For transparency Councillors to be advised via Councillor's Weekly News each time a new appointment is made under delegation.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA****ADOPTED EN BLOC**

**12.9 WCC PROPERTY REPORT - JUNE 2024****RESOLUTION**

That Council:

1. **Notes the property lease portfolio report, including the information contained in Confidential Attachment 1**
2. **Approves the recommendations in Confidential Attachment 1.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**ADOPTED EN BLOC**

**12.11 MINUTES - TRAFFIC COMMITTEE MEETING - 7 MAY 2024****MOTION**

That Council

1. **Receive and adopt the recommendations, with the exception of item 5.2 Castle Cove Village – Pedestrian and Cyclist Safety; and Parking Management and Signage and item 6.1 Conditions of DA-2017/181 to provide regulatory signage, arising from the Traffic Committee Meeting held on 7 May 2024.**
2. **Request the Traffic Committee review and reconsider the following matters on item 5.2 Castle Cove Village – Pedestrian and Cyclist Safety; and Parking Management and Signage:**
  - a. **Keeping the nine car parking spaces at the shops at 30min**
  - b. **‘No stopping’ zone be applied between 8-9:30am and 3-4:30pm on school days on the south side of Rosebridge Ave, up to property number 35**
  - c. **Footpath Decals being installed for the 5 min car parking spaces**
3. **Request the Traffic Committee reconsider the proposed recommendation on item 6.1 Conditions of DA-2017/181 to provide regulatory signage, specifically the naming of the unnamed lane, Seymours Lane off Williams Street and instead request Council works with the local studies librarian to consider options for naming this laneway for other people involved in local farming and/or market gardening in the area including those of Chinese heritage.**

**MOVED COUNCILLOR MOURADIAN / SECONDED COUNCILLOR SAMUEL**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**PROCEDURAL MOTION - MEETING EXTENSION**

That the meeting be extended to 11:00 pm.

**MOVED COUNCILLOR MOURADIAN / SECONDED COUNCILLOR MCCULLAGH**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**12.12 APPROVED MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE MEETING DATED 01 MAY 2024****RESOLUTION**

That Council receive and note the minutes of the meeting of the Sustainability Advisory Committee held on 1 May 2024.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**ADOPTED EN BLOC**

**12.13 OUTCOME OF PUBLIC EXHIBITION AND APPROVAL OF THE VOLUNTEER STRATEGY 2024 - 2028****RESOLUTION**

That Council:

1. **Adopt the revised draft Volunteer Strategy 2024-2028 as at Attachment 1.**
2. **Rescind the Volunteer Strategy 2016-2021 following the adoption of the "Volunteer Strategy 2024-2028".**
3. **Thank all participants for their contribution during the engagement process and advise them of Council's decision.**
4. **Delegate authority to the Chief Executive Officer to make minor amendments to the Volunteer Strategy 2024-2028 which does not alter the intent.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**ADOPTED EN BLOC**



**12.14 PUBLIC EXHIBITION - DRAFT SOCIAL MEDIA POLICY****RESOLUTION****That Council:**

1. Endorse the public exhibition of the Draft Social Media Policy for a period of 28 days.
2. If no submissions are received during the public exhibition period outlined in part 1 above:
  - a. Adopt the Draft Social Media Policy attached to this report
  - b. Delegate authority to the Chief Executive Officer to make minor amendments to the Draft Social Media Policy which do not alter the intent.
  - c. Include the adopted Draft Social Media Policy in Council's Policy register and publish on Council's website

**OR**

3. If submissions are received during the public exhibition period, present a report on the submissions to the 12 August 2024 Council meeting.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA****ADOPTED EN BLOC****12.15 PUBLIC EXHIBITION - DRAFT WILLOUGHBY CITY LIBRARY STRATEGY 2024-2028****RESOLUTION****That Council:**

1. Endorse the public exhibition of the Draft Willoughby City Library Strategy 2024-2028 for a period of 28 days from 25 June 2024 to 22 July 2024.
2. If no submissions are received during the public exhibition period outlined in part 1 above:
  - a. Adopt the Draft Willoughby City Library Strategy 2024-2028 attached to this report
  - b. Delegate authority to the Chief Executive Officer to make minor amendments to the Draft Willoughby City Library Strategy 2024-2028 which do not alter the intent.
  - c. Include the adopted Willoughby City Library Strategy 2024-2028 in Council's Policy register and publish on Council's website

**OR**

3. If submissions are received during the public exhibition period, present a report on the submissions to the 12 August 2024 Council meeting.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA****ADOPTED EN BLOC**

**12.17 BEFORE SCHOOL CARE TRIAL - KIDS COTTAGE, ARTARMON****MOTION**

That Council:

1. Notes the delay in obtaining a licence from the Department of Education to provide before school care at Kids Cottage Artarmon and the subsequent delay in commencement of the 6 month trial period of the service.
2. Extend the trial period to the end of the 2024 school year noting point 1.
3. Provide landowners consent if the service provider wishes to permit the before school care service to begin at 7am through a modification development application.
4. Following the completion of the trial period, receive a report detailing the outcomes, for consideration.

**MOVED COUNCILLOR GRECO / SECONDED COUNCILLOR MCCULLAGH**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**12.18 GRANTS FOR THE COMMUNITY PROGRAM 2023-24 APPLICATIONS - MAY****RESOLUTION**

That Council endorse the distribution of funds through the 2023/24 Grants for the Community Program - Category 1 as follows:

- Ms Arika Deepak Shetty                      \$500

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**ADOPTED EN BLOC**

**12.19 PROVISION OF AEDS IN COUNCIL PUBLIC RECREATION SPACES****RESOLUTION**

That Council:

1. **Maintain their current approach to the provision of AEDs in Council staffed facilities and continue to encourage groups to provide and maintain their own AED when using Council recreation facilities.**
2. **Actively promote the NSW Ambulance Service GoodSam App.**
3. **Dependent on approval from the Premier's Department, accept a donation from the Northbridge Amateur Swimming Club of their AED purchased through a grant from the NSW Premier's Discretionary Fund, and in so doing accept all responsibility for monitoring, maintenance and repair of the asset over its lifecycle.**
4. **Undertake a risk assessment of installing the donated AED in a publicly accessible location at Northbridge Baths, identifying risks and how these can be mitigated.**
5. **Dependent on the outcome of the risk assessment, install the donated AED in a publicly accessible location at Northbridge Baths using funds from the existing Baths property maintenance budget for the installation and any risk mitigation measures, meaning other non-essential maintenance works may not be undertaken.**
6. **Alternatively, if Officers assess that the risks of installing the donated AED in a publicly accessible area cannot be adequately mitigated, purchase and install an AED appropriate for the site, using saving identified at a future QBR.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**ADOPTED EN BLOC**

**12.20 APPROVED MINUTES OF THE ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING DATED 16 APRIL 2024****RESOLUTION**

**That Council receive and note the approved minutes of the meeting of the Access and Inclusion Advisory Committee held on 16 April 2024.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**ADOPTED EN BLOC**

**12.21 APPROVED MINUTES OF THE BICENTENNIAL RESERVE AND FLAT ROCK GULLY ADVISORY COMMITTEE MEETING DATED 17 APRIL 2024****RESOLUTION**

That Council receive and note the approved minutes of the meeting of the Bicentennial Reserve and Flat Rock Gully Advisory Committee held on 17 April 2024.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**ADOPTED EN BLOC**

**13 NOTICES OF MOTION****13.1 NOTICE OF MOTION 22/2024 - ADDRESSING THE INCREASE IN E-BIKE DELIVERY DRIVERS ACROSS THE WILLOUGHBY LOCAL GOVERNMENT AREA****RESOLUTION**

That Council:

1. In the 2024/25 financial year, host an E-bike Deliveries Forum with local food and other e-bike delivery drivers, service delivery platforms, restaurants, peak bodies, interested community members, and other relevant stakeholders to understand the challenges of the e-bike delivery industry, including education around, but not limited to, safe driving, parking and cycling infrastructure, and speed limits.
2. Bring a report back to Council as soon as practical which provides a draft program as well as outlining the cost and funding source to host the forum.
3. Develop a report with actionable recommendations for consideration and/or endorsement by Council after the Food Delivery Forum, as outlined in 1.
4. Develop educational material, in relevant languages, for local e-bike delivery drivers which includes recommendations on what riders must do to keep themselves and the community safe.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**ADOPTED EN BLOC**

**13.2 NOTICE OF MOTION 23/2024 - E-BIKE SAFETY, INFRASTRUCTURE, EDUCATION, AND LEGISLATION****MOTION****That Council:**

1. **Write to Transport for NSW, NSW Minister for Transport, The Hon. Jo Haylen and NSW Minister for Roads, The Hon. John Graham MLC, to request that the NSW Government:**
  - a. **Develop and promote campaigns to improve pedestrian and rider safety.**
  - b. **Review current road rules to accommodate e-bikes, especially with respect to:**
    - i. **speeding of e-bikes and bicycles on shared paths**
    - ii. **e-bike riders approaching and passing pedestrians safely**
    - iii. **setting appropriate maximum size, weight, and passenger limits of e-bikes to reduce risks to pedestrians**
    - iv. **the altering of e-bike systems to prevent the requirement for pedalling or preventing top speed controls**
    - v. **increasing the enforcement powers of police and rangers so they can appropriately deal with e-bike riders**
    - vi. **parking provisions for e-bikes, including e-bike delivery drivers**
  - c. **Provide additional funding to local councils to improve and maintain shared paths and facilities to separate bikes and pedestrians.**
  - d. **Develop education resources and a behavioural change campaign.**
  - e. **Prioritise walking and cycling as part of any assessments and designs relating to traffic and transport.**
2. **Write to the Member for Willoughby, Tim James to request support for the above.**

**MOVED COUNCILLOR XIA / SECONDED COUNCILLOR ERIKSSON****CARRIED****Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Jam Xia and Brendon Zhu

**Against:** Councillor Nic Wright

**13.3 NOTICE OF MOTION 24/2024 - SAFER FOOTPATHS AND ROADS FOR THE CHATSWOOD CBD****RESOLUTION****That Council requests a report to be tabled at the August Meeting that considers:**

1. **How the new Transport for NSW Guidelines on speed limits in areas of high pedestrian activity in the Chatswood CBD may be applied to make it safer for pedestrians on footpaths by encouraging safer use of roadways by bicycles, e-bikes and other forms of microtransport when street legal.**
2. **The report considers any preliminary insights available from the traffic studies in the CBD underway, the CBD implementation plan and the Victoria Ave Movement and place study.**

3. Considers safety, analysis currently underway and optimum use of public space in the CBD.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR XIA**

**ADOPTED EN BLOC**

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**15 CONFIDENTIAL MATTERS**

**PROCEDURAL MOTION - MOVE INTO CLOSED SESSION**

That Council move into closed session at 10:48 pm.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

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**PROCEDURAL MOTION - MOVE INTO OPEN SESSION**

That Council move into open session at 10:51 pm.

**MOVED COUNCILLOR ROUSSAC / SECONDED COUNCILLOR MORATELLI**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Jam Xia and Brendon Zhu

**Against:** Councillor Nic Wright

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**PROCEDURAL MOTION - MOVE INTO CLOSED SESSION**

That Council move back into closed session to ascertain a public resolution.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

**PROCEDURAL MOTION - RECOMMITAL**

That item 15.1 be recommitted to ascertain a resolution to be made public.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ROUSSAC**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

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**15.1 CONFIDENTIAL - PLANNING PROPOSAL - HERITAGE REVIEW 2024**

**MOTION**

**That Council:**

1. Forward the Planning Proposal to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination under 3.34 of the *Environmental Planning & Assessment Act 1979*.
5. Endorse the Planning Proposal for public exhibition, which is to be undertaken in accordance with the requirements of any Gateway Determination from the Minister.
6. Request that the Minister nominate Council as the local plan-making authority pursuant to section 3.31 of the *Environmental Planning & Assessment Act 1979*.
7. Delegate the General Manager authority to make, as required, minor amendments to the Planning Proposal, which do not alter its policy intent.
8. Council notes a further report will be provided to Council after the public exhibition of the Planning Proposal.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia

**Against:** Councillors Brendon Zhu

**PROCEDURAL MOTION - MOVE INTO OPEN SESSION**

That Council move into open session.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT**

**CARRIED**

**Voting**

**For the Motion:** Councillors Tanya Taylor, Hugh Eriksson, Anna Greco, Roy McCullagh, John Moratelli, Sarkis Mouradian, Georgie Roussac, Robert Samuel, Nic Wright, Jam Xia and Brendon Zhu

**Against:** Nil

*Note:*

1. Council moved in to Open session at 10:56 pm.
2. The Chair read the resolutions from the Closed session of Council.

**16 CONCLUSION OF THE MEETING**

*The meeting concluded at 10:57 pm.*