



Willoughby City Council

ORDINARY COUNCIL

MINUTES

19 September 2022

TABLE OF CONTENTS

| | |
|--|-----------|
| TABLE OF CONTENTS..... | 2 |
| 1 OPEN MEETING..... | 4 |
| 2 ACKNOWLEDGEMENT OF COUNTRY..... | 4 |
| 3 REFLECTION OR PRAYER..... | 4 |
| 4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS..... | 4 |
| 5 CONFIRMATION OF MINUTES..... | 4 |
| 6 DISCLOSURES OF INTERESTS..... | 5 |
| 7 PETITIONS..... | 5 |
| 8 OPEN AND PUBLIC FORUM..... | 5 |
| 9 MAYORAL MINUTE..... | 6 |
| 9.1 MAYORAL MINUTE 12/2022 - THE PASSING OF HER ROYAL HIGHNESS QUEEN ELIZABETH II..... | 6 |
| 9.2 CONFIDENTIAL MAYORAL MINUTE 13/2022 - CEO PERFORMANCE PANEL..... | 6 |
| 10 CHIEF EXECUTIVE OFFICER'S LATE REPORT..... | 7 |
| 11 MATTERS BY EXCEPTION..... | 7 |
| 12 REPORTS TO COUNCIL..... | 7 |
| CUSTOMER & CORPORATE DIRECTORATE..... | 7 |
| 12.1 INVESTMENT REPORT FOR MONTH OF AUGUST 2022..... | 8 |
| 12.2 QUARTERLY BUDGET REVIEW 4 - CARRYOVER OF UNSPENT PROJECT FUNDS FROM 2021/22 TO 2022/23..... | 8 |
| 12.3 ADVISORY COMMITTEE REPORT SEPTEMBER 2022..... | 9 |
| 12.4 LEGAL MATTERS REPORT - SEPTEMBER 2022..... | 12 |
| PLANNING & INFRASTRUCTURE DIRECTORATE..... | 13 |
| 12.5 PLANNING PROPOSAL - 613-627 PACIFIC HIGHWAY, CHATSWOOD..... | 13 |
| 12.6 PLANNING PROPOSAL - 629-637 PACIFIC HIGHWAY, CHATSWOOD..... | 14 |
| 12.7 PLANNING PROPOSAL - 815 PACIFIC HIGHWAY AND 15 HELP STREET, CHATSWOOD..... | 16 |
| 12.8 PROCUREMENT EXEMPTION: ARTARMON LOCAL CENTRE (HAMPDEN ROAD) PUBLIC DOMAIN - DESIGN CONSTRUCTION SERVICES..... | 18 |
| 12.9 WASTE COLLECTION CONTRACT VARIATION..... | 18 |
| 12.10 MINUTES - TRAFFIC COMMITTEE HELD ON 5 SEPTEMBER 2022..... | 18 |
| 12.11 PROPERTY LEASE PORTFOLIO..... | 19 |
| COMMUNITY, CULTURE & LEISURE DIRECTORATE..... | 19 |
| 12.12 OUTCOME OF NORTHBRIDGE OVAL TRIAL OF EXTENDED HOURS OF USE JULY AND AUGUST 2022..... | 19 |
| 13 NOTICES OF MOTION..... | 19 |
| 14 QUESTIONS WITH NOTICE..... | 20 |
| 15 CONFIDENTIAL MATTERS..... | 20 |
| 16 CONCLUSION OF THE MEETING..... | 21 |

**Minutes of an ordinary Council meeting
held on 19 September 2022
at the Council Chamber, Chatswood commencing at 7:00pm**

ATTENDANCE:

Councillors

Tanya Taylor (Her Worship the Mayor)
Brendon Zhu (Deputy Mayor)
Anna Greco
Nic Wright
Roy McCullagh
Hugh Eriksson
Robert Samuel
Sarkis Mouradian (via audio visual ink)
Craig Campbell
Jam Xia

Officers

Debra Just (Chief Executive Officer)
Monica Lonergan (Acting Customer and Corporate Director)
Linda Perrine (Community, Culture & Leisure Director)
Hugh Phemister (Planning and Infrastructure Director)
Stephen Naven (Chief Financial Officer)
Ian Arnott (Planning Manager)
Angela Casey (Culture & Leisure Manager)
Popy Mourgelas (Governance, Risk & Compliance Manager)
Natalie Taylor (Council & Corporate Support Officer)
Adam Booth (Council & Corporate Support Officer)
Jason Racchi (Information Technology Team Leader)
Matthew Long (Network Support Officer)

1 OPEN MEETING**2 ACKNOWLEDGEMENT OF COUNTRY**

As a sign of respect, Willoughby City Council acknowledges the traditional inhabitants of the land on which we stand, the Aboriginal people, their spirits and ancestors. We acknowledge the vital contribution indigenous people and cultures have made and still make to the nation we share, Australia.

3 REFLECTION OR PRAYER**4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

That Council accept the leave of absence submitted by Councillor Rozos for the 19 September 2022 and 31 October 2022 Council meetings.

MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR GRECO

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

That Council accept Councillor Mouradian joining the Council meeting for the 19 September 2022 via audio visual link.

MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

5 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 22 August 2022, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR MCCULLAGH / SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and 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 month of August 2022. Councillor Wright chose to stay in the meeting and take part in the discussion and voting on this item. The reason provided was:

"I am an employee of Westpac Bank with whom Council has investments. As the item is for noting and I have no control or influence over an individual investment of this Council."

- Councillor Xia declared a non-pecuniary less than significant interest in item 12.1 - Investment Report for month of August 2022. Councillor Xia chose to stay in the meeting and take part in the discussion and voting on this item. The reason provided was:

"I am a full time employee of Commonwealth Bank (Commercial Banking) with whom Council has investments, but, I do not have any controls or influences over the investments held by Council."

- CEO Debra Just declared a significant pecuniary interest in item 9.2 – Confidential Mayoral Minute 13/2022 – CEO Performance Panel. The CEO chose to leave the meeting and take no part in the discussion and voting on this item.

7 PETITIONS

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).

- Helene Kemp addressed Council requesting for Council to prune the ficus tree outside her home which will then provide adequate sunlight for her to install solar panels.

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

- **Item 12.3 – Advisory Committees**

Mary Ann Irvin, Mark Crew, Lorraine Cairnes, Carolyn New, Madeleine Lindsell, Rachel Blazey (on behalf of Northbridge Progress Association) and Larissa Penn (on behalf of both Federation of Willoughby Progress Associations and Naremburn Progress Association) addressed Council against the officer's recommendations.

- **Item 12.5 – Planning Proposal – 613-627 Pacific Highway, Chatswood**

Jim Murray (Town planner - Ethos Urban) addressed Council in support of the officer's recommendation.

- **Item 12.6 – Planning Proposal – 629-637 Pacific Highway, Chatswood**
Jim Murray (Town planner representing the Planning Proposal at 613-627 Pacific Highway, Chatswood) addressed Council against the officer’s recommendation.

Nick Juradowitch (Town planner representing DPG Projects 12 Pty Ltd) addressed Council in support of the officer’s recommendation.
- **Item 12.7 – Planning Proposal – 815 Pacific Highway and 15 Help Street, Chatswood**
William Nemesh (representing Fivex) addressed Council in support of the officer’s recommendation.

9 MAYORAL MINUTE

9.1 MAYORAL MINUTE 12/2022 - THE PASSING OF HER ROYAL HIGHNESS QUEEN ELIZABETH II

MOTION

That Council note the passing of Her Royal Highness, Queen Elizabeth II and request that Councillors, staff and members of the public stand to observe a minute’s silence to pay our respects to Queen Elizabeth II.

MOVED MAYOR TAYLOR

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

9.2 CONFIDENTIAL MAYORAL MINUTE 13/2022 - CEO PERFORMANCE PANEL

MOTION

That Council:

1. Proceeds with recommendations 2 - 4 in the Confidential Mayoral Minute, and make these recommendations public after finalisation of the matter in late 2022.

MOVED MAYOR TAYLOR

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

Note: CEO Debra Just declared an interest in this item and was not present in Chambers during any discussion and voting on this item.

10 CHIEF EXECUTIVE OFFICER'S LATE REPORT**11 MATTERS BY EXCEPTION**

At this stage, the Mayor will invite Councillors to nominate the items they wish Council to consider separately and these matters will then be dealt with in the order so nominated.

- 9.2 Confidential Mayoral Minute 13/2022 - CEO Performance Panel
- 12.3 Advisory Committee Report September 2022
- 12.5 Planning Proposal - 613-627 Pacific Highway, Chatswood
- 12.6 Planning Proposal - 629-637 Pacific Highway, Chatswood
- 12.7 Planning Proposal - 815 Pacific Highway and 15 Help Street, Chatswood
- 12.8 Procurement Exemption: Artarmon Local Centre (Hampden Road) Public Domain - Design Construction Services
- 12.10 Minutes - Traffic Committee held on 5 September 2022
- 12.12 Outcome of Northbridge Oval Trial of Extended Hours of Use July and August 2022

MOTION

That the staff recommendations for the following items be adopted en bloc:

- 12.1 Investment Report for month of August 2022
- 12.2 Quarterly Budget Review 4 - Carryover of Unspent Project Funds from 2021/22 to 2022/23
- 12.4 Legal Matters Report - September 2022
- 12.9 Waste Collection Contract variation
- 12.11 Property Lease Portfolio

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

12 REPORTS TO COUNCIL**CUSTOMER & CORPORATE DIRECTORATE**

12.1 INVESTMENT REPORT FOR MONTH OF AUGUST 2022**RESOLUTION**

That Council receive the Statement of Bank Balances and Investment Holdings as at 31 August 2022.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT

ADOPTED EN BLOC

Note: Councillors Wright and Xia declared an interest in the item.

12.2 QUARTERLY BUDGET REVIEW 4 - CARRYOVER OF UNSPENT PROJECT FUNDS FROM 2021/22 TO 2022/23**RESOLUTION**

That Council:

1. Approve the carryover of unspent project budgets from 2021/22 to 2022/23 totalling \$4,456,723 (with \$384,300 funded from General Fund).
2. Approve a 2021/22 budget increase totalling \$298,674 for 23 projects that have overspent their 2021/22 budget allocation. All overspend amounts were within the Chief Executive Officer's delegation.
3. Approve a 2022/23 budget increase of \$149,300 for the "Wombat crossing on Rohan Street at Willoughby Road, Naremburn" project to complete the works. This project is 100% grant funded.
4. Approve the cancellation of the Affordable Housing development project at 258 Sailors Bay Road Northbridge and the return of unused funds to the Affordable Housing Reserve. Delegate authority to the Chief Executive Officer to terminate, by mutual agreement, the design and construct contract with the Sydney Building Group.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT

ADOPTED EN BLOC

12.3 ADVISORY COMMITTEE REPORT SEPTEMBER 2022**MOTION**

That Council:

1. **Endorse Option 2 for its Advisory Committees and their associated scope and Terms of Reference.**

Option 2: Four Committees

- (a) **Sustainability and Environment**
- (b) **Community, Culture and Heritage**
- (c) **Access and Inclusion**
- (d) **Active and Integrated Transport**

2. **Adopt Option 4 as the process for establishing its Advisory Committees.**

Option 4: Public exhibition - Adoption of draft Policy and Terms of Reference for Advisory Committees following consultation.

- (a) **Adopt the draft *Advisory Committees Policy 2022* for consultation, through public exhibition for a period of 28 days.**
- (b) **Adopt the draft scope and Terms of Reference of each Advisory Committee for consultation, through public exhibition for a period of 28 days.**
- (c) **Receive a further report by December 2022 to consider feedback received and finalise the Policy and Terms of Reference for each Advisory Committee and to commence the Expression of Interest process for membership.**

3. **Authorise the Chief Executive Officer to make any necessary amendments which do not alter the intent or result in material changes and execute all necessary documentation and processes to give effect to this resolution.**

MOVED COUNCILLOR SAMUEL / SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

Absent: Councillor Greco

Note: Councillor Greco left the meeting 9:31pm and returned at 9:35pm.

Notes:

1. *The following amendment moved by Councillor Greco and seconded by Councillor McCullagh was lost:*

That council:

1. *Endorses a 14 day calling of Expressions of Interest for members of the previous Advisory Committees under the existing terms of reference. Includes allowing for previous members to reapply and public advertisement for new members.*

2. *Receive a report by October 2022 to review expressions of interest and consider establishing those Advisory Committees with expressions of interest greater than 8-10 applications that align with Council's strategic priorities.*
3. *At the first committee meeting review previous Terms of reference and committee scope of works and submit to Council for approval.*

Voting

For the Motion: Councillors Greco and McCullagh

Against: Councillor Taylor, Campbell, Eriksson, Mouradian, Samuel, Wright, Xia and Zhu

PROCEDURAL MOTION – MOTION BE PUT

That the motion be put.

MOVED COUNCILLOR TAYLOR / SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

-
2. *The following amendment moved by Councillor McCullagh and seconded by Councillor Greco was lost.*

That Council:

1. *Provides opportunity for community feedback, through public exhibition of 21 days; the proposed options for Advisory committee structure:*

Option 1: Three Committees structure, scope and terms of reference

- (a) Sustainability, Climate Change and Environment*
- (b) Access, Community and Inclusion*
- (c) Active and Integrated Transport.*

OR

Option 2: Four Committees structure, scope and terms of reference

- (a) Sustainability and Environment*
- (b) Community, Culture and Heritage*
- (c) Access and Inclusion*
- (d) Active and Integrated Transport*

OR

Option 3: Retain the previous Terms of Reference and reinstate the previous Advisory Committees for the remaining short term of this Council.

2. *Receive a report by November 2022 to review community feedback on the proposed Advisory Committee Structure.*

3. *Endorse and adopt an Advisory Committee Structure after considering the Report, reflecting the community feedback.*

Voting

For the Motion: Councillors Campbell, Greco and McCullagh

Against: Councillors Taylor, Eriksson, Mouradian, Samuel, Wright, Xia and Zhu

PROCEDURAL MOTION – MOTION BE PUT

That the motion be put.

MOVED COUNCILLOR TAYLOR

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

AMENDMENT

That Council:

1. **Endorse Option 2 for its Advisory Committees and their associated scope and Terms of Reference.**

Option 2: Four Committees

- (a) **Sustainability and Environment**
- (b) **Community, Culture and Heritage**
- (c) **Access and Inclusion**
- (d) **Active and Integrated Transport**

MOVED COUNCILLOR XIA / SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

AMENDMENT

2. **Adopt Option 4 as the process for establishing its Advisory Committees.**

Option 4: Public exhibition - Adoption of draft Policy and Terms of Reference for Advisory Committees following consultation.

- (a) **Adopt the draft *Advisory Committees Policy 2022* for consultation, through public exhibition for a period of 28 days.**
- (b) **Adopt the draft scope and Terms of Reference of each Advisory Committee for consultation, through public exhibition for a period of 28 days.**

- (c) Receive a further report by December 2022 to consider feedback received and finalise the Policy and Terms of Reference for each Advisory Committee and to commence the Expression of Interest process for membership.
3. Authorise the Chief Executive Officer to make any necessary amendments which do not alter the intent or result in material changes and execute all necessary documentation and processes to give effect to this resolution.

MOVED COUNCILLOR XIA / SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Motion: Councillors Taylor, Eriksson, Greco, McCullagh, Samuel, Wright, Xia and Zhu

Against: Councillors Campbell and Mouradian

The amendments on being put to the meeting were CARRIED and became the Motion.

PROCEDURAL MOTION – MOTION BE PUT

That the motion be put.

MOVED COUNCILLOR TAYLOR

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

Note: 2. The meeting adjourned for a brief recess at 9:33pm and returned at 9:37pm.

12.4 LEGAL MATTERS REPORT - SEPTEMBER 2022

RESOLUTION

That Council note the legal matters report.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT

ADOPTED EN BLOC

PLANNING & INFRASTRUCTURE DIRECTORATE**12.5 PLANNING PROPOSAL - 613-627 PACIFIC HIGHWAY, CHATSWOOD****MOTION**

That Council:

1. **Note the submissions and responses to feedback on the Planning Proposal and draft site specific Development Control Plan for 613-627 Pacific Highway, Chatswood, following the public exhibition period.**
2. **Support the Planning Proposal for 613-627 Pacific Highway, Chatswood, on the basis of:**
 - (a) **Consistency with the Chatswood CBD Planning and Urban Design Strategy 2036;**
 - (b) **Provision of required and additional setbacks including a through site link with no encroachments;**
 - (c) **Public rights of way over the ground level setbacks and through site link;**
 - (d) **Reduced car parking rates;**
 - (e) **Deep soil planting on the Pacific Highway frontage;**
 - (f) **A revised approach to vehicle access and loading / unloading in accordance with Point 3 below.**
3. **Require the following amendments to the draft Development Control Plan for 613-627 Pacific Highway, Chatswood:**
 - (a) **Vehicle and loading access is to be reviewed and master planned in conjunction with the adjoining site at 629-637 Pacific Highway, Chatswood. One vehicle and loading point in Hammond Lane is preferred for vehicle accessing and servicing of 613-637 Pacific Highway and 629-637 Pacific Highway, via a consolidated basement. Loading and unloading at basement level involving a physical solution is preferred.**
 - (b) **The through site link is to be integrated with the Hammond Lane setback at 629-637 Pacific Highway, Chatswood.**
 - (c) **Car parking provision based on reduced car parking rates, consistent with the requirements for new developments in the Chatswood CBD as supported by Transport for NSW.**
 - (d) **A minimum of 1 secure bicycle parking space per apartment.**
 - (e) **A minimum of 1 secure bicycle space per 100m² of commercial/retail floor space.**
 - (f) **Adequate end of trip facilities including lockers, showers, etc. for use by commercial and retail tenants.**
 - (g) **A bicycle rack within the site boundary for use by retail customers.**
 - (h) **A minimum of three (3) freight and service vehicle spaces within the basement in addition to the one (1) Medium Rigid Vehicle space proposed within the loading dock.**
 - (i) **Public access via public rights of way is to be provided over the Pacific Highway, Nelson Street and Hammond Lane ground level setbacks.**

4. **Require the following additional information to be provided with any development application for 613-627 Pacific Highway, Chatswood:**
 - (a) Updated traffic analysis and modelling.
 - (b) Architectural plans showing the maximisation of floor space at ground level, with services located in basement.
 - (c) A Green Travel Plan.
5. **Forward the amendments to Willoughby Local Environmental Plan 2012 relating to 613-627 Pacific Highway, Chatswood, as outlined in Attachment 7 to the Department of Planning and Environment for finalisation.**
6. **Support the making of the site specific draft Development Control Plan subject to the amendments above.**
7. **Delegate authority to the Chief Executive Officer to make any minor amendments to the final planning proposal and Development Control Plan which do not alter the intent.**

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Councillor Greco

PROCEDURAL MOTION – MOTION BE PUT

That the motion be put.

MOVED COUNCILLOR WRIGHT

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

12.6 PLANNING PROPOSAL - 629-637 PACIFIC HIGHWAY, CHATSWOOD

MOTION

That Council:

1. **Note the submissions and responses to feedback on the Planning Proposal and draft site specific Development Control Plan for 629-637 Pacific Highway, Chatswood, following the public exhibition period.**

2. Support the Planning Proposal for 629-637 Pacific Highway, Chatswood, on the basis of:
 - (a) Consistency with the Chatswood CBD Planning and Urban Design Strategy 2036;
 - (b) Provision of required and additional setbacks;
 - (c) Public rights of way over the ground level setbacks;
 - (d) Reduced car parking rates;
 - (e) Deep soil planting on the Pacific Highway frontage;
 - (f) A revised approach to vehicle access and loading / unloading in accordance with Point 3 below.

3. Require the following amendments to the draft Development Control Plan for 629-637 Pacific Highway, Chatswood:
 - (a) Vehicle and loading access is to be reviewed and master planned in conjunction with the adjoining site at 613-627 Pacific Highway, Chatswood. One vehicle and loading point in Hammond Lane is preferred for the accessing and servicing of 629-637 Pacific Highway and 613-627 Pacific Highway, via a consolidated basement. Loading and unloading at basement level involving a physical solution is preferred.
 - (b) The Hammond Lane setback is to be integrated with the through site link at 613-627 Pacific Highway, Chatswood.
 - (c) Car parking provision based on reduced car parking rates, consistent with the requirements for new developments in the Chatswood CBD as supported by Transport for NSW.
 - (d) A minimum of 1 secure bicycle parking space per apartment.
 - (e) A minimum of 1 secure bicycle space per 100m² of commercial/retail floor space.
 - (f) Adequate end of trip facilities including lockers, showers, etc. for use by
 - (g) A bicycle rack within the site boundary for use by retail customers.
 - (h) A minimum of three (3) freight and service vehicle spaces within the basement in addition to the one (1) Medium Rigid Vehicle space proposed within the loading dock.
 - (i) Public access via public rights of way is to be provided over the Pacific Highway and Hammond Lane ground level setbacks.

4. Require the following additional information to be provided with any development application for 629-637 Pacific Highway, Chatswood:
 - (a) Updated traffic analysis and modelling.
 - (b) Architectural plans showing the maximisation of floor space at ground level, with services located in basement.
 - (c) A Green Travel Plan.

5. Forward the amendments to Willoughby Local Environmental Plan 2012 relating to 629-637 Pacific Highway, Chatswood, as outlined in Attachment 7 to the Department of Planning and Environment (DPE) for finalisation as a Deferred Commencement Amendment providing a four (4) month period to enable completion of the associated planning agreement process. A provision would be sought from DPE in this Deferred Commencement amendment enabling, as soon as the planning agreement is executed, for the Amendment to be finalised.

6. Support the making of the site specific draft Development Control Plan subject to the amendments above.

7. Delegate authority to the Chief Executive Officer to make any minor amendments to the final planning proposal and Development Control Plan which do not alter the intent.

MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Councillor Greco

PROCEDURAL MOTION – MOTION BE PUT

That the motion be put.

MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ZHU

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

12.7 PLANNING PROPOSAL - 815 PACIFIC HIGHWAY AND 15 HELP STREET, CHATSWOOD

MOTION

That Council:

1. Note the submissions and responses to feedback on the Planning Proposal and draft site specific Development Control Plan for 815 Pacific Highway and 15 Help Street, Chatswood, following the public exhibition period.
2. Support the Planning Proposal for 815 Pacific Highway and 15 Help Street, Chatswood, on the basis of:
 - (a) Consistency with the Chatswood CBD Planning and Urban Design Strategy 2036;
 - (b) Site amalgamation;
 - (c) Provision of required and additional setbacks;
 - (d) Public rights of way over the Pacific Highway ground level setback and the through site link along the eastern boundary from Help Street to McIntosh Street;
 - (e) Basement loading;
 - (f) Reduced car parking rates;
 - (g) Deep soil planting to the Pacific Highway.

3. Require the following amendments to the draft Development Control Plan for 815 Pacific Highway and 15 Help Street, Chatswood:
 - (a) Car parking provision based on reduced car parking rates, consistent with the requirements for new developments in the Chatswood CBD as supported by Transport for NSW.
 - (b) A minimum of 1 secure bicycle space per 100m² of commercial/retail floor space for the first 10,000m² of floor space, and then 1 secure bicycle space per 200m² of commercial/retail floor space above 10,000m².
 - (c) Adequate end of trip facilities including lockers, showers, etc. for use by commercial and retail tenants.
 - (d) A minimum of fifteen (15) freight and service vehicle spaces within the basement in addition to the three (3) Medium Rigid Vehicle space proposed within the basement loading dock.
 - (e) Public access via public rights of way is to be provided over the Pacific Highway ground level setback and the ground level through site link along the eastern boundary connecting Help Street and McIntosh Street.
4. Require the following additional information to be provided with any development application for 815 Pacific Highway and 15 Help Street, Chatswood:
 - (a) Updated traffic analysis and modelling.
 - (b) A Green Travel Plan.
5. Forward the amendments to Willoughby Local Environmental Plan 2012, relating to 815 Pacific Highway and 15 Help Street Chatswood as outlined in Attachment 7, to the Department of Planning and Environment for finalisation. This would include a requirement bring the plan into effect four (4) months after it has been made to allow time for the Planning Agreement to be finalised.
6. Support the making of the site specific draft Development Control Plan subject to the amendments above.
7. Delegate authority to the Chief Executive Officer to make any minor amendments to the final planning proposal and Development Control Plan which do not alter the intent.

MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

PROCEDURAL MOTION – MOTION BE PUT

That the motion be put.

MOVED COUNCILLOR TAYLOR / SECONDED COUNCILLOR WRIGHT

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

12.8 PROCUREMENT EXEMPTION: ARTARMON LOCAL CENTRE (HAMPDEN ROAD) PUBLIC DOMAIN - DESIGN CONSTRUCTION SERVICES**MOTION**

That Council:

1. Endorse an exemption from the tendering requirements under section 55(3)(i) of the Local Government Act 1993 and approve a variation to the current service provider contract for Group GSA to complete construction services and preparation of a 3D fly through for the Artarmon town centre streetscape upgrade project, due to extenuating circumstances which have seen the project grow in size from a \$1.7m project to \$8m project, which includes an extra \$4.6m of State Government Funding.
2. Delegate authority to the Chief Executive Officer to make any minor amendments to the final procurement which do not alter the intent.

MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR XIA

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Councillor Greco

12.9 WASTE COLLECTION CONTRACT VARIATION**RESOLUTION**

That Council endorse an exemption from the tendering requirements under section 55(3)(i) of the Local Government Act 1993 and approve a variation to the current service provider for JJ Richards and Sons Pty Ltd to extend existing services by nine months, due to extenuating circumstances.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT

ADOPTED EN BLOC

12.10 MINUTES - TRAFFIC COMMITTEE HELD ON 5 SEPTEMBER 2022**MOTION**

That Council receive and adopt the recommendations arising from the Traffic Committee Meeting held on 5 September 2022.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT

CARRIED

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

12.11 PROPERTY LEASE PORTFOLIO

RESOLUTION

That Council note the report on Council's property lease portfolio and the confidential property information as contained in Attachment 4 to the report.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT

ADOPTED EN BLOC

COMMUNITY, CULTURE & LEISURE DIRECTORATE

12.12 OUTCOME OF NORTHBRIDGE OVAL TRIAL OF EXTENDED HOURS OF USE JULY AND AUGUST 2022

MOTION

That Council:

1. Note the outcomes of the trial of extended hours of use at Northbridge Oval during July and August 2022.
2. Refer the outcomes of the trial for consideration to the review of the *Synthetic Sportsground Management Plan 2018* and provide a report on the draft plan to Council in October 2022.

MOVED COUNCILLOR MCCULLAGH / SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

13 NOTICES OF MOTION

NIL

14 QUESTIONS WITH NOTICE

NIL

15 CONFIDENTIAL MATTERS

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

The resolutions made by the Council in closed session be made public after the conclusion of the closed session and such resolutions be recorded in the Minutes of the Council meeting.

The Chair asked the Governance, Risk and Corporate Planning Manger whether there were any public representations relating to the confidential items listed. There were no public representations.

In accordance with the requirements of section 10A(2) of the *Local Government Act 1993* as addressed below, Council resolve to close the meeting to the public to consider and discuss:

- **9.2 – Confidential Mayoral Minute 13/2022 – CEO Performance Panel** – This report is confidential as it is relating to personnel matters concerning particular individuals (other than Councillors).
On balance, it is not in the public interest to release information, the disclosure of which, may lead to unfair business competition. Section 10A(2)(a) of the *Local Government Act 1993*.

PROCEDURAL MOTION – MOVE INTO CLOSED SESSION

That Council move into closed session.

MOVED COUNCILLOR TAYLOR / SECONDED COUNCILLOR ERIKSSON

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

Note: Council moved into closed session at 9:51pm.

PROCEDURAL MOTION – MOVE INTO OPEN SESSION

That Council move into open session.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR TAYLOR

Voting

For the Motion: Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Mouradian, Samuel, Wright, Xia and Zhu

Against: Nil

Notes:

1. *CEO and staff returned to the meeting at 10:25pm.*
2. *Council moved into open session at 10:26pm.*
3. *The Chair reported the resolutions adopted in closed session.*

16 CONCLUSION OF THE MEETING

Council meeting concluded at 10:29pm.

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the ordinary Council meeting held on 19 September 2022. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

Mayor Tanya Taylor