



# **Willoughby City Council**

## **ORDINARY COUNCIL**

### **MINUTES**

27 February 2023

## TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
1 OPEN MEETING.....	5
2 ACKNOWLEDGEMENT OF COUNTRY.....	5
3 REFLECTION OR PRAYER.....	5
4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS.....	5
5 CONFIRMATION OF MINUTES.....	5
6 DISCLOSURES OF INTERESTS.....	5
7 PETITIONS.....	7
7.1 PETITION FOR NOTING - PROPOSED CONCRETE FOOTPATH AT REMBRANDT DRIVE, MIDDLE COVE.....	7
8 OPEN AND PUBLIC FORUM.....	8
11 MATTERS BY EXCEPTION.....	8
8 OPEN AND PUBLIC FORUM (RESUMED).....	9
12.11 PLANNING PROPOSAL - 574 AND 582 PACIFIC HIGHWAY, 1-9 MORIARTY ROAD AND 9 WHITTON ROAD, CHATSWOOD.....	10
8 OPEN AND PUBLIC FORUM (RESUMED).....	10
12.12 MISSING LINKS PROGRAM - PROPOSED FOOTPATH EXTENSION AT REMBRANDT DRIVE, MIDDLE COVE.....	11
9 MAYORAL MINUTE.....	12
9.1 MAYORAL MINUTE 1/2023 - 2023 AUSTRALIA DAY HONOURS AWARDS.....	12
10 CHIEF EXECUTIVE OFFICER'S LATE REPORT.....	13
12 REPORTS TO COUNCIL.....	13
MOTIONS CONSIDERED.....	13
12.4 DELIVERY PROGRAM SIX MONTHLY PROGRESS REPORT JULY- DECEMBER 2022.....	13
12.6 ADVISORY COMMITTEES POLICY AND TERMS OF REFERENCE ALIGNMENT.....	14
12.7 NATIONAL GENERAL ASSEMBLY 2023.....	17
12.8 ADMINISTRATION OF LOCAL GOVERNMENT ELECTION 2024.....	17
12.9 APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PANEL.....	18
13 NOTICES OF MOTION.....	19
13.1 NOTICE OF MOTION 01/2023 - NEW SCHOOL (CHATSWOOD METRO DIVE SITE).....	19
13.2 NOTICE OF MOTION 02/2023 - ST LEONARDS PRESBYTERY.....	20
13.3 NOTICE OF MOTION 02/2023 - URBAN BUSHLAND PLAN OF MANAGEMENT - MINOR AMENDMENTS TO REFLECT PUBLIC CONSULTATION.....	21
14 QUESTIONS WITH NOTICE.....	22
15 CONFIDENTIAL MATTERS.....	22
12.14 WCC PROPERTY REPORT - 27 FEBRUARY 2022.....	23
CONFIDENTIAL ATTACHMENTS.....	24
RESOLUTIONS ADOPTED EN BLOC.....	24
12.1 INVESTMENT REPORT FOR MONTH OF DECEMBER 2022.....	24
12.2 INVESTMENT REPORT FOR MONTH OF JANUARY 2023.....	24

---

12.3	QUARTERLY BUDGET REVIEW 2022-23 DECEMBER QUARTER REPORT .....	24
12.5	MATTERS DEALT WITH UNDER DELEGATED AUTHORITY DURING THE CHRISTMAS/NEW YEAR RECESS PERIOD 13 DECEMBER 2022 TO 5 FEBRUARY 2023 .....	25
12.10	LEGAL MATTERS REPORT - FEBRUARY 2023 .....	25
12.13	DEVELOPMENT ASSESSMENT REPORT - 1 OCT TO 31 DECEMBER 2022 .....	26
12.15	GRANTS FOR THE COMMUNITY PROGRAM 2022-2023 APPLICATIONS .....	26
16	CONCLUSION OF THE MEETING .....	26

**Minutes of the Ordinary Council Meeting  
held on Monday, 27 February 2023  
at the Council Chamber, Chatswood commencing at 7:02pm**

**ATTENDANCE:**

**Councillors**

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

**Officers**

Debra Just (Chief Executive Officer)  
Maxine Kenyon (Customer and Corporate Director)  
Hugh Phemister (Planning and Infrastructure Director)  
Michael Cashin (Acting Community, Culture & Leisure Director, Community Life Manager)  
Samantha Connor (Governance, Risk and Compliance Manager)  
Mitchell Noble (Head of Planning)  
Darren Wood (Design & Infrastructure Manager)  
Kim Appleby (Governance Lead)  
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**

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 BY COUNCILLORS**

Nil.

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

**That the Minutes of the Ordinary Meeting of Council held 12 December 2022, copies of which have been circulated to each member of Council, be confirmed.**

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Mouradian, Roussac, Rozos, Samuel, Xia and Zhu

**Against:** Nil

**Absent:** 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 December 2022 and item 12.2 - Investment Report for month of January 2023. Councillor Wright chose to stay in the meeting and take part in the discussion and voting on this item. The reasons provided were:

*"I am an employee of Westpac Bank with whom Council has investments. The report is only for noting and I have no control over the individual investment decisions of WCC."*

- Councillor Xia declared a non-pecuniary less than significant interest in item 12.1 - Investment Report for month of December 2022 and item 12.2 - Investment Report for month of January 2023. Councillor Xia chose to stay in the meeting and take part in the discussion and voting on this item. The reasons provided were:

*"I am a full time employee of Commonwealth Bank (Commercial Banking) with whom Council has investments. I will remain in the Chamber and participate in the discussion and voting on this item as it is for noting only."*

- Councillor Taylor declared a non-pecuniary significant interest in item 12.11 - Planning Proposal 574 and 582 Pacific Highway, 1-9 Moriarty Road and 9 Whitton Road, Chatswood. Councillor Taylor chose to leave the meeting and take no part in the discussion and voting on this item. The reason provided was:

*"This item may be presented to the Sydney North Planning Panel for determination, and I am a member of that panel."*

- Councillor Rozos declared a non-pecuniary significant interest in item 12.11 - Planning Proposal 574 and 582 Pacific Highway, 1-9 Moriarty Road and 9 Whitton Road, Chatswood. Councillor Rozos chose to leave the meeting and take no part in the discussion and voting on this item. The reason provided was:

*"Alternative member of the Northern Planning Panel."*

- Councillor Mouradian declared a non-pecuniary less than significant interest in item 12.12 - Missing Links Program - Proposed Footpath Extension at Rembrandt Drive, Middle Cove. Councillor Mouradian chose to leave the meeting and take no part in the discussion and voting on this item. The reason provided was:

*"Close family member lives on Rembrandt and will be affected by the decision."*

- Councillor Mouradian declared a non-pecuniary less than significant interest in item 12.14 - WCC Property Report - 27 February 2022. Councillor Mouradian chose to leave the meeting and take no part in the discussion and voting on this item. The reason provided was:

*"Close relationship with applicant who is a member of our local community."*

- Councillor Greco declared a non-pecuniary less than significant interest in item 13.2 - Notice of Motion 02/2023 - St Leonards Presbytery. Councillor Greco chose to leave the meeting and take no part in the discussion and voting on this item. The reason provided was:

*"I am an active parishioner of St Leonards Church"*

- Councillor Moratelli declared a non-pecuniary significant interest in item 13.3 - Notice of Motion 02/2023 - Urban Bushland Plan of Management - Minor Amendments to Reflect Public Consultation. Councillor Moratelli chose to leave the meeting and take no part in the discussion and voting on this item. The reason provided was:

*"Member of Willoughby Environmental Protection Association Committee, which made submission relevant to motion."*

Additionally, Councillor Eriksson tabled his written disclosure of interest declared at the 12 December 2022 Council meeting, regarding item 12.11 of that meeting - Post Exhibition Report on Draft Comprehensive Local Environmental Plan and Development Control Plan.

---

## 7 PETITIONS

---

### 7.1 PETITION FOR NOTING - PROPOSED CONCRETE FOOTPATH AT REMBRANDT DRIVE, MIDDLE COVE

#### 1. PURPOSE OF REPORT

To table a petition received regarding the replacement of the existing grass footpath on Rembrandt Drive, Middle Cove with a concrete one as part of the Missing Links Program.

#### 2. OFFICER'S RECOMMENDATION

That Council:

1. **Note the petition on the proposed concrete footpath at Rembrandt Drive, Middle Cove.**

*'Not proceed with the concrete footpath at Rembrandt Drive, Middle Cove.*

*This is due to significant negative environmental impacts of replacing the grass verge of a bushland suburb, with concrete.'*

2. **Refer the matter to the Planning and Infrastructure Director.**

#### 3. BACKGROUND

The *Petitions Policy* requires petitions received to be presented to the next available Council meeting. This report notes the petition and recommends to refer it to the relevant Officer for consideration.

#### 4. DISCUSSION

A petition of 350 signatories, submitted by Michelle Inns, is petitioning against the proposed concrete footpath at Rembrandt Drive, Middle Cove. The detail of their concerns are as follows:

*“Not proceed with the concrete footpath at Rembrandt Drive, Middle Cove. This is due to the significant negative environmental impact of replacing the grass verge of bushland suburb, with concrete.”*

A copy of the petition has been distributed to Councillors.

Members of the public may inspect a copy of the petition at Council Offices.

#### 5. CONCLUSION

The petition is presented for noting by Council and referral to the relevant Officer.

**The petition was noted by the Chair of the meeting.**

---

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

That standing orders be set aside and items 12.11 and 12.12 be brought forward.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR GRECO**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:**

**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).

- Ms Suzie Gold (regarding “Castlecrag”)
- Ms Kate McCann (regarding “The Quadrangle Planning proposal”)
- Mr Andrew Johnson (regarding “Redevelopment Proposal for Castlecrag Quadrangle Site”).

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

That standing orders be set aside and item 11 be brought forward.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Nil

**11 MATTERS BY EXCEPTION**

The Mayor invited Councillors to nominate the items they wish Council to consider:

- 9.1 Mayoral Minute 1/2023 - 2023 Australia Day Honours Awards
- 12.4 Delivery Program Six Monthly Progress Report July-December 2022
- 12.6 Advisory Committees Policy and Terms of Reference Alignment
- 12.7 National General Assembly 2023
- 12.8 Administration of Local Government Election 2024
- 12.9 Appointment of the Chief Executive Officer's Performance Review Panel



- 12.11 Planning Proposal - 574 and 582 Pacific Highway, 1-9 Moriarty Road and 9 Whitton Road, Chatswood
  - 12.12 Missing Links Program - Proposed Footpath Extension at Rembrandt Drive, Middle Cove
  - 12.14 WCC Property Report - 27 February 2022
  - 13.1 Notice of Motion 01/2023 - New School (Chatswood Metro Dive Site)
  - 13.2 Notice of Motion 02/2023 - St Leonards Presbytery
- 

## MOTION

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

- 12.1 Investment Report for Month of December 2022
- 12.2 Investment Report for Month of January 2023
- 12.3 Quarterly Budget Review 2022-23 December Quarter Report
- 12.5 Matters Dealt with under Delegated Authority during the Christmas/New Year Recess Period 13 December 2022 to 5 February 2023
- 12.10 Legal Matters Report - February 2023
- 12.13 Development Assessment Report - 1 Oct to 31 December 2022
- 12.15 Grants for the Community Program 2022-2023 Applications
- 13.3 Notice of Motion 02/2023 - Urban Bushland Plan of Management - Minor amendments to reflect public consultation

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI**

**CARRIED**

### Voting

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Mouradian, Roussac, Rozos, Samuel, Xia and Zhu

**Against:** Nil

**Absent:**

*Note: Resolutions adopted en bloc are set out below under Item 12 after the motions considered.*

---

## **8 OPEN AND PUBLIC FORUM (RESUMED)**

*Note: Councillors Taylor and Rozos left the meeting at 7.29 pm having declared an interest in the following item. Councillor Zhu took the Chair.*

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

- **Item 12.11 Planning Proposal - 574 and 582 Pacific Highway, 109 Moriarty Road and 9 Whitton Road, Chatswood**  
David Knight (Medi-Aid Centre Foundation Ltd) and Nick Juradowitch (Medi-Aid Centre Foundation Ltd).
-

**12.11 PLANNING PROPOSAL - 574 AND 582 PACIFIC HIGHWAY, 1-9 MORIARTY ROAD AND 9 WHITTON ROAD, CHATSWOOD****MOTION**

That Council:

1. Not support the Planning Proposal and draft amendments to *Willoughby Local Environmental Plan 2012* at 574 and 582 Pacific Highway, 1-9 Moriarty Rd and 9 Whitton Rd, Chatswood, for the following reasons:
  - i. The proposed uplift in density for the Moriarty Road and Pacific Highway sites are inconsistent with the *Willoughby Local Strategic Planning Statement* and *Willoughby Housing Strategy 2036*;
  - ii. The proposal is inconsistent with the *Chatswood CBD Planning and Urban Design Strategy 2036* as the subject site falls outside of the Chatswood CBD boundaries and therefore is not identified for uplift in height or density;
  - iii. The proposal provides affordable housing for a minimum period of 15 years and would not contribute to long-term affordable housing stock. This is inconsistent with Council's *Willoughby Housing Strategy 2036*, *Chatswood CBD Planning and Urban Design Strategy 2036*, and the *Affordable Housing Strategy 2020 to 2026*, which requires affordable housing to be provided in perpetuity (or financial equivalent);
2. Notify the proponent of Council's decision.

**MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR XIA**

**CARRIED**

**Voting**

**For the Motion:** Councillors Campbell, Eriksson, Greco, McCullagh, Moratelli, Mouradian, Roussac, Samuel, Wright, Xia and Zhu.

**Against:** Nil

**Absent:** Councillors Taylor and Rozos

**Note:**

1. Councillor Xia left the meeting at 7:39 pm and returned at 7:41 pm.
2. Councillors Taylor and Rozos returned to the meeting at 8.02 pm. Councillor Taylor resumed the Chair.

**8 OPEN AND PUBLIC FORUM (RESUMED)**

*Note: Councillor Mouradian left the meeting at 8:03 pm having declared an interest in the item.*

- **Item 12.12 Missing Links Program - Proposed Footpath Extension at Rembrandt Drive, Middle Cove**  
Michelle Inns, Suzanne Murray-Prior, Rashan Madawita, Jason Searle and Sue Boudakian (Residents of Rembrandt Drive) addressed Council against the Officer's recommendation.

Note:

1. Councillors Eriksson and Roussac left the meeting at 9:19 pm and returned at 9:20 pm.
2. Councillor Xia left the meeting at 9:19 pm and returned at 9:22 pm.
3. Councillor Campbell left the meeting at 9:22 pm and returned at 9:23 pm.

## 12.12 MISSING LINKS PROGRAM - PROPOSED FOOTPATH EXTENSION AT REMBRANDT DRIVE, MIDDLE COVE

### MOTION

That:

1. Willoughby City Council does not proceed with the proposed footpath along Rembrandt Drive until it such time that it can be demonstrated that community support for the project exists.
2. The savings be diverted to the next prioritised project on the Missing Links Program that has a similar community benefit and safety enhancements and is supported by the local community.

MOVED COUNCILLOR ROZOS / SECONDED COUNCILLOR GRECO

**CARRIED**

### Voting

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Rozos, Xia and Zhu.

**Against:** Councillors Wright, Roussac, Samuel

**Absent:** Councillor Mouradian

*Note: The Officer's recommendation was not moved. Accordingly, the foreshadowed motion above became the motion.*

## PROCEDURAL MOTION – AMENDMENT BE PUT

That the amendment be put.

MOVED COUNCILLOR WRIGHT

**CARRIED**

### Voting

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Roussac, Rozos, Samuel, Wright, Xia and Zhu

**Against:** Councillors Greco, McCullagh and Moratelli

**Absent:** Councillor Mouradian

**AMENDMENT**

That Council:

1. Willoughby City Council does not proceed with the proposed footpath along Rembrandt Drive until a revised detailed design and budget returns to Council considering the design challenges and omissions highlighted by the community in the initial consultation - after further engagement with stakeholders (including the residents of Rembrandt Drive) takes place, as an integrated part of this process.
2. Note and consider community feedback contained in the engagement outcomes report for the proposed footpath extension works at Rembrandt Drive, Middle Cove (Attachment 6).

**MOVED COUNCILLOR SAMUEL / SECONDED COUNCILLOR WRIGHT**

**LOST**

**Voting**

**For the Amendment:** Councillors Taylor, Roussac, Samuel, Wright and Zhu

**Against:** Councillors Greco, Eriksson, Moratelli, McCullagh, Campbell, Xia, Rozos

**Absent:** Councillor Mouradian

*Note:*

1. Councillors McCullagh and Greco left the meeting at 9:34 pm and returned at 9:35 pm.
2. Councillor Mouradian returned to the meeting at 9:34 pm.

**PROCEDURAL MOTION – MOTION BE PUT**

That the motion be put.

**MOVED COUNCILLOR ROZOS / SECONDED COUNCILLOR MCCULLAGH**

**CARRIED**

**Voting**

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Rozos, Samuel, Xia and Zhu

**Against:** Councillors Wright and Roussac

**Absent:** Councillor Mouradian

**9 MAYORAL MINUTE****9.1 MAYORAL MINUTE 1/2023 - 2023 AUSTRALIA DAY HONOURS AWARDS****MOTION**

That Council acknowledge the recipients in the 2023 Australia Day Honours List and write a letter of congratulations.

**CARRIED**

**Voting**

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Mouradian, Roussac, Rozos, Samuel, Wright, Xia and Zhu.

**Against:** Nil

**Absent:** Nil

---

**10 CHIEF EXECUTIVE OFFICER'S LATE REPORT**

Nil.

---

**12 REPORTS TO COUNCIL****MOTIONS CONSIDERED****12.4 DELIVERY PROGRAM SIX MONTHLY PROGRESS REPORT JULY-DECEMBER 2022****MOTION**

That Council note the six monthly progress report on Council's Delivery Program 2022-2026 and the Operational Plan 2022-2023 as at 31 December 2022.

**MOVED COUNCILLOR MOURADIAN / SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Mouradian, Roussac, Rozos, Samuel, Wright, Xia and Zhu.

**Against:** Nil

**Absent:** Nil

---

**12.6 ADVISORY COMMITTEES POLICY AND TERMS OF REFERENCE ALIGNMENT****MOTION**

That Council:

- (a) Adopt the Terms of Reference for the following Advisory Committees (Attachment 4) to enable commencement of the Expression of Interest for community membership:
1. Bushland and Natural Heritage Advisory Committee (including the Griffin Reserves Advisory Group)
  2. Sustainability Advisory Committee
  3. Built and Cultural Heritage Advisory Committee
  4. Access and Inclusion Advisory Committee
  5. Bicentennial Reserve and Flat Rock Gully Advisory Committee
  6. Active and Integrated Transport Advisory Committee
  7. Cultural and Creative Arts Advisory Committee.
- (b) Note, additional resourcing to support the delivery of the seven Advisory Committees will be included in the 2022/23 Quarter 3 Budget Review and the draft 2023/24 Budget.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Councillors Rozos, McCullagh, Moratelli, Roussac and Greco

**Absent:** Nil

---

**AMENDMENT**

That Council:

- (a) Adopt the Terms of Reference for the following Advisory Committees (Attachment 4) to enable commencement of the Expression of Interest for community membership:
1. Bushland and Natural Heritage Advisory Committee (including the Griffin Reserves Advisory Group)
  2. Sustainability Advisory Committee
  3. Built and Cultural Heritage Advisory Committee
  4. Access and Inclusion Advisory Committee
  5. Bicentennial Reserve and Flat Rock Gully Advisory Committee
  6. Active and Integrated Transport Advisory Committee
  7. Cultural and Creative Arts Advisory Committee.
- (b) Note, additional resourcing to support the delivery of the seven Advisory Committees will be included in the 2022/23 Quarter 3 Budget Review and the draft 2023/24 Budget.

- (c) That the Proposed Revised Terms of Reference for each of the seven Advisory Committees as set out in Attachment 4 be amended by deleting the phrase 'in accord with the review process for that project or initiative', in paragraph 2.2 of the Terms of Reference and that the Model Terms of Reference be amended similarly.
- (d) Council delegate the authority to the CEO to make minor amendments to the Advisory Committee's Policy and the Terms of Reference that do not alter the intent.
- (e) That the Proposed Revised Terms of Reference for the Access and Inclusion Advisory Committee set out in Attachment 4 be amended as follows:
1. That paragraph 2.2 be deleted and replaced by:
    - 2.2 This Committee will assist Council in achieving improved accessibility of services and infrastructure to advance the inclusion of people with disabilities in the community through:
      - 2.2.1 Providing advice on strategic access and inclusion issues and policy development
      - 2.2.2 Providing advice on the implementation of key projects and initiatives
      - 2.2.3 Providing advice on how to raise awareness and promote behaviour change within the community on community attitudes and behaviours, in order to promote community leadership, participation and inclusion, in relation to accessible services and infrastructure.
- Subjects In Scope: All areas relevant to achieving improved accessibility of services and infrastructure to people with disabilities in the community including infrastructure, facilities, events, services, programs, systems.
- Key strategies: Disability Inclusion Action Plan; Volunteer Strategy.
- Subjects Out of Scope: Operational matters but not so as to exclude consideration of current projects or practices to suggest improvements.
- The Committee will need to agree to their priority focus and work plans, aligned to the Operational Plan.
2. That the words Adopt an Indigenous Strategy and Reconciliation Action Plan by June 2023 be removed from paragraph 4.1.
  3. That paragraph 7.2 be deleted and replaced by:
    - 7.2 Community representatives are required to have skills and knowledge and/or community experience relevant to the purpose of the Advisory Committee including:
      - Qualifications or demonstrated experience in achieving improved accessibility to services and infrastructure for people with disabilities in the community
      - Ability to create or have existing connections with community groups, organisations or stakeholders within the Willoughby Local Government Area

- (f) Open expressions of interest from 28 February through to 14 March 2023 via Have Your Say portal.
- (g) The EOI will be promoted as follows:
- 1) Direct email to former Advisory Committee members, progress associations, people who previously spoke at Council meetings.
  - 2) Direct email to 25 participants of the Advisory Committee Framework public consultation, who agreed to be notified when the EOI process is open.
  - 3) Promoted in the Council media alerts.
  - 4) Promoted on social media.
  - 5) Distributed through Council's networks and services.
- (h) Update the "have your say" daily with a tally of applications received for each committee.

**MOVED COUNCILLOR MORATELLI / SECONDED COUNCILLOR GRECO****LOST****Voting****For the Motion:** Councillors Greco, McCullagh, Moratelli, Roussac and Rozos**Against:** Councillors Taylor, Samuel, Mouradian, Campbell, Zhu, Xia, Wright and Eriksson**Absent:** Nil*Note:*

1. *The Chair ruled the Amendment was lost and the original motion was now the motion before the meeting.*
2. *Councillor Moratelli moved dissent from the ruling.*

**PROCEDURAL MOTION – MOTION OF DISSENT****That the Chair's ruling not be accepted.****MOVED COUNCILLOR MORATELLI****LOST****Voting****For the Motion:** Councillors Moratelli, Greco and McCullagh**Against:** Councillors Taylor, Campbell, Eriksson, Mouradian, Roussac, Rozos, Samuel, Wright, Xia and Zhu*Note:*

1. *Councillor Eriksson left the meeting at 9:57 pm and returned at 9:58 pm.*



**12.7 NATIONAL GENERAL ASSEMBLY 2023****MOTION**

That Council:

1. Determine the single Councillor voting delegate, and attendees to attend the National General Assembly of Local Government from 13-16 June 2023 in Canberra.

Voting delegate: Councillor Taylor  
Attendees: Councillor Rozos  
Councillor McCullagh  
Councillor Moratelli

2. Note that no motions have been received for consideration at the National General Assembly of Local Government.

**MOVED COUNCILLOR ZHU / SECONDED COUNCILLOR MCCULLAGH**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Nil

*Note: Pursuant to paragraph 1 of the motion:*

- (a) Councillor Eriksson nominated Councillor Taylor as the voting delegate and Councillor Taylor accepted the nomination; and
- (b) Councillors Rozos, McCullagh and Moratelli nominated themselves to be attendees on behalf of Council.

**12.8 ADMINISTRATION OF LOCAL GOVERNMENT ELECTION 2024****MOTION**

That Council:

1. Enter into an election arrangement by contract for the Electoral Commissioner to administer all elections of the Council, pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act").
2. Enter into a Council poll arrangement by contract for the Electoral Commissioner to administer all Council polls of the Council, pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18.
3. Enter into a Constitutional referendum arrangement by contract for the Electoral Commissioner to administer all Constitutional referenda of the Council, pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR GRECO****CARRIED****Voting****For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Mouradian, Roussac, Rozos, Samuel, Wright, Xia and Zhu.**Against:** Nil**Absent:** Nil**12.9 APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PANEL****MOTION****That Council:**

1. **Establish a Review Panel, comprising the Mayor, Deputy Mayor, Councillor Wright and Councillor Eriksson (the latter appointed by the Chief Executive Officer) to conduct all relevant performance reviews and setting of Performance Agreements for the Chief Executive Officer, until February 2024.**
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 Chief Executive Officer 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. **Appoint 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 Chief Executive Officer's Performance Agreement.**
4. **Note the process and timeline presented in Attachment 2.**

**MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR MOURADIAN****CARRIED****Voting****For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Mouradian, Roussac, Samuel, Wright, Xia and Zhu.**Against:** Nil**Absent:** Councillor Rozos

*Note: Pursuant to paragraph 1 of the motion, the Chair advised the meeting that three nominations had been received for the Council appointed Review Panel member, being Councillors Wright, McCullagh and Greco.*

*Voting was conducted between the three nominees by way of runoff ballot.*

*The Chair advised the meeting that Councillor Wright was elected to the Review Panel.*

*The Chief Executive Officer nominated Councillor Eriksson as the Chief Executive Officer appointee and Councillor Eriksson accepted the appointment.*

*Councillor Rozos left the meeting at 10:26 pm. and returned at 10:28 pm.*

*Note: The Code of Meeting Practice provides that meetings of Council are to conclude no later than 10:30 pm and if the business of the meeting is unfinished at 10:30 pm, Council may, by resolution, extend the time of the meeting. At 10:28 pm, the following procedural motion was moved.*

### PROCEDURAL MOTION – EXTENSION OF MEETING

That Council extend the time of the meeting.

**MOVED COUNCILLOR GRECO / SECONDED COUNCILLOR SAMUEL**

**CARRIED**

#### **Voting**

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

**Against:** Councillor Wright

**Absent:** Councillor Rozos

*Note: Councillor Rozos returned to the meeting at 10:29 pm.*

## 13 NOTICES OF MOTION

### 13.1 NOTICE OF MOTION 01/2023 - NEW SCHOOL (CHATSWOOD METRO DIVE SITE)

#### **MOTION**

That Council:

- 1. Note that since early 2018, Council has advocated for the Government to consider appropriate educational and open space uses for the Sydney Metro Dive Site (located at the corner of Pacific Highway and Mowbray Road, Chatswood).**
- 2. Ask the CEO to write to registered candidates for the electoral district of Willoughby in the 2023 elections, noting Council's longstanding position that the site should be used for education and community open space, and invite them to outline their, and where appropriate their parties, positions for the future of the site.**
- 3. Ask the CEO to publish any responses on the Willoughby City Council website to help inform our community of the candidate's positions.**
- 4. Ask the Mayor to write, following the declaration of results, to the State Member for Willoughby, the Premier, the Minister for Education and Early Learning, Minister for Finance and the Minister for Planning, and the appropriate**

opposition representatives, reiterating our community's and Council's resolve that any future use of the site primarily consist of an additional school and appropriate associated open space, to address increasing enrolment needs as the result of rapid population growth in the area.

5. Communicate the willingness of Council to enter into a discussion of a shared use agreement for any open space associated with the above, and the importance of public access and use during non-school hours, consistent with other such arrangements around the LGA.

MOVED COUNCILLOR XIA / SECONDED COUNCILLOR CAMPBELL

**CARRIED**

**Voting**

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Mouradian, Roussac, Rozos, Samuel, Wright, Xia and Zhu.

**Against:** Nil

**Absent:** Nil

---

**13.2 NOTICE OF MOTION 02/2023 - ST LEONARDS PRESBYTERY**

*Note: Councillor Greco left the meeting at 10.29 pm having declared an interest in the item.*

**MOTION**

**That Council:**

- Include the St Leonards Presbytery as an item of potential Local Heritage significance, in the next round of heritage investigations as part of the proposed 2023/24 heritage review;
- Request Council be notified should staff become aware of potential significant heritage value of the adjoining school building that may indicate its eligibility for Local Heritage consideration, no later than would allow Council to consider its inclusion in the aforementioned review.

MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Councillor Greco

*Note: Councillor Greco returned to the meeting at 10:30 pm.*

---

**PROCEDURAL MOTION – RECOMMITTAL**

Item 13.3 be recommitted.

**MOVED COUNCILLOR ROUSSAC / SECONDED COUNCILLOR GRECO**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Councillor.

**13.3 NOTICE OF MOTION 02/2023 - URBAN BUSHLAND PLAN OF MANAGEMENT - MINOR AMENDMENTS TO REFLECT PUBLIC CONSULTATION**

*Note: Councillor Moratelli left the meeting at 10:30 pm having declared an interest in the item.*

**MOTION**

That Council make minor inclusions to 8.1.3 Active Recreation Facilities and Structures of the Urban Bushland Plan of Management to clearly identify the impact of artificial turf sporting facilities on bushland as requested during the public consultation period. These minor inclusions are contained in the passage below and underlined.

**8.1.3 Active Recreation Facilities and Structures  
Sporting Facilities**

There are benefits for the community to have recreational and/or sporting facilities close to bushland reserves ... however, sporting fields and other turf based or artificial turf based recreation facilities can also have a serious impact on bushland, particularly when located upslope of and adjoining bushland. Due to the need for irrigation and fertilisation of these facilities, leaching of nutrients into bushland areas can have a serious degrading influence. In relation to artificial turf the leaching of the crumb substrate and migration of microplastics can have a serious degrading influence. The other serious impact associated with sporting facilities is light pollution. ... Hence, the installation and management of such facilities need to take into consideration impact on adjoining bushland areas.

**MOVED COUNCILLOR ROUSSAC / SECONDED COUNCILLOR GRECO**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Councillor Moratelli

*Note: Councillor Moratelli returned to the meeting at 10:31 pm.*

---

**14 QUESTIONS WITH NOTICE**

---

Nil.

---

**PROCEDURAL MOTION - MOVE INTO CLOSED SESSION**

---

That Council move into closed session to discuss item 12.14.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR GRECO**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Nil

*Note:*

1. *Councillor Mouradian left the meeting at 10:31 pm having declared an interest in the following item.*
  2. *Councillors Wright and Greco left the meeting at 10:31 pm and returned at 10:32 pm.*
  3. *Council moved into closed session at 10.33 pm.*
- 

**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 Governance, Risk and Compliance Manager did not have public representations relating to the confidential items listed.

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:

- **Item 12.4 – WCC Property Report – 27 February 2022 (Confidential Attachments 2 – 6)**  
Section 10A(2)(d)(i) of the Local Government Act 1993.

*Note:* Councillor Xia left the meeting at 10:35 pm and returned at 10:37 pm.

---

**PROCEDURAL MOTION – MOVE INTO OPEN SESSION**

That Council move into open session.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI**

**CARRIED**

**Voting**

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Roussac, Rozos, Samuel, Wright, Xia and Zhu

**Against:** Nil

**Absent:** Cllr Mouradian

*Notes:*

1. Council moved back into open session at 10:39 pm.
2. Councillor Mouradian returned to the meeting at 10:39 pm.

**12.14 WCC PROPERTY REPORT - 27 FEBRUARY 2022****MOTION**

That Council note and endorse the following resolutions:

1. That Council delegate authority to the CEO to negotiate and execute under seal all documentation to facilitate entering into a Deed of Surrender of Lease for Shop 5 at The Concourse and to negotiate and agree commercial terms, and execute leases for a new tenant for Shop 5, The Concourse as contained in Confidential Attachment 2 to the report.
2. That Council delegate authority to the CEO to negotiate and agree commercial terms, and execute leases for new tenants Unit 3, 25 Gibbes St, as contained in Confidential Attachment 3 to the report.
3. 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 Serco Pty Ltd (formally Facilities First) to extend the current cleaning contract to allow for finalisation of the new tender for cleaning which will be finalised in March 2023, as contained in Confidential Attachment 4 to the report.
4. That Council note the report on Council's property lease portfolio and the confidential property information as contained in Confidential Attachment 5 to the report.
5. That Council note unsolicited proposals have been received for several properties owned by Council, and the confidential property information as contained in Confidential Attachment 6 to the report.

**MOVED COUNCILLOR ROZOS / SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

**For the Motion:** Councillors Taylor, Campbell, Eriksson, Greco, McCullagh, Moratelli, Roussac, Rozos, Samuel, Wright, Xia and Zhu

**Against:** Nil

**Absent:** Cllr Mouradian

**CONFIDENTIAL ATTACHMENTS**

*Note: All confidential attachments were adopted as part of Item 12.14.*

**RESOLUTIONS ADOPTED EN BLOC****12.1 INVESTMENT REPORT FOR MONTH OF DECEMBER 2022****RESOLUTION**

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

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI

**ADOPTED EN BLOC**

**12.2 INVESTMENT REPORT FOR MONTH OF JANUARY 2023****RESOLUTION**

That Council receive the Statement of Bank Balances and Investment Holdings as at 31 January 2023.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI

**ADOPTED EN BLOC**

**12.3 QUARTERLY BUDGET REVIEW 2022-23 DECEMBER QUARTER REPORT****MOTION**

That Council:

1. Note the Quarterly Budget Review for 2022/23 Quarter 2 (December). Positive variances identified during the second quarter increase the projected full year budget surplus (including capital revenue) by \$3.6M to a \$12.7M surplus. The projected full year deficit before capital revenue has reduced from \$0.9M to \$0.5M.



2. Approve the increase in Capital Grants & Contributions revenue of \$3.2M, due to additional developer contribution income received and reversal of the Q1 grant income reduction of Artarmon Town centre as the project is now expected to commence in this financial year.
3. Approve the decrease in operating budget income (excluding capital income) of \$1.0M and the decrease in operating budget expense of \$1.4M resulting in a net positive impact of \$0.4M to the 2022/23 forecast full year budget operating result before capital items.
4. Approve the decrease in Capital Expenditure for the 2022/23 Financial Year of \$7.7M, mainly due to delays in government approvals and supply issues.
5. Note the temporary allocation, under Chief Executive Officer (CEO) delegation, of \$0.5M of the Projects and Capital Works contingency budget to fund two projects where urgent work was required before Quarter 2 budget variations are approved. The contingency fund will be replenished.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI

ADOPTED EN BLOC

---

**12.5 MATTERS DEALT WITH UNDER DELEGATED AUTHORITY DURING THE CHRISTMAS/NEW YEAR RECESS PERIOD 13 DECEMBER 2022 TO 5 FEBRUARY 2023**

**MOTION**

That Council receive the report to Council on matters dealt with under delegated authority during the Christmas/New Year recess period and note that no matters were determined during this time.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI

ADOPTED EN BLOC

---

**12.10 LEGAL MATTERS REPORT - FEBRUARY 2023**

**MOTION**

That Council:

1. Note the final monthly legal matters report; and
2. Receive quarterly legal matters reports, noting any progress made during the quarter will be provided to Councillors via the Councillor Weekly News.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI

ADOPTED EN BLOC

**12.13 DEVELOPMENT ASSESSMENT REPORT - 1 OCT TO 31 DECEMBER 2022****MOTION**

That Council notes:

1. The variations to development standards and development applications determined under delegated authority during Quarter 2 (1 October to 31 December 2022).
2. The current development applications list as at 31 December 2022.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI**

**ADOPTED EN BLOC**

**12.15 GRANTS FOR THE COMMUNITY PROGRAM 2022-2023 APPLICATIONS****MOTION**

That Council endorse the distribution of funds through the 2022/23 Grants for the Community Program - Category 1 as follows:

- |   |         |
|---|---------|
| • Lifeline Harbour to Hawkesbury Sydney Ltd | \$7,500 |
| • CanCare Centre Incorporated               | \$2,300 |
| • Macada Pty Ltd                            | \$4,000 |

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI**

**ADOPTED EN BLOC**

**16 CONCLUSION OF THE MEETING**

*The meeting concluded at 10:40 pm.*

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the (INSERT WHICH MEETING) held on (DATE). I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

\_\_\_\_\_  
Mayor Tanya Taylor