



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

11 November 2019

commencing at 7:00pm

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1 PRESENT

Her Worship the Mayor Councillor G Giles-Gidney, Councillors C Campbell, H Eriksson, D Fernandez, T Mustaca, W Norton, A Rozos, J Rutherford, L Saville, C Tuon, N Wright and B Zhu

Officers

Ms D Just (Chief Executive Officer), Mr D Frost (Customer & Corporate Director), Mr G McDonald (Planning & Infrastructure Director), Ms M Smith (Community Culture & Leisure Director), Mr S Naven (Chief Financial Officer), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Governance Meeting Administration Officer)

2 DISCLOSURES OF INTERESTS

- Councillor Wright declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.3: Investment Report for the month of October 2019
(Nature of Interest: I am an employee of the Westpac Group with whom Council has investments)
- Her Worship the Mayor Councillor G Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.4: Investment Report for the month of August 2019 and Item 15.8: Willoughby Theatre Company – Allocation of Grant Funds
(Nature of Interest: Item 15.4: the item is for noting only and I know the owners of 7B the Tor Walk. Item 15.8: I am a Patron of Willoughby Theatre Company)
- Councillor Norton declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.8: Willoughby Theatre Company – Allocation of Grant Funds
(Nature of Interest: I have regularly attended the Willoughby Theatre Company productions, sometimes as a guest, sometimes as a paying customer)
- Councillor Saville declared, via a Disclosures of Interest form, a pecuniary significant interest in Item 16.2: Notice of Motion – Parking signage and marking of mobility spaces at Royal North Shore Hospital
(Nature of Interest: Employed as a sessional academic at one of the universities and in that capacity undertake teaching work at a number of hospitals including RNSH. I am also a member of the Community Participation Committee at RNSH)
- The Chief Executive Officer, Debra Just declared, via a Disclosures of Interest form, a pecuniary significant interest in Item 17.1 Chief Executive Officer's Performance Review
(Nature of Interest: Subject of the CEO performance review. While the report does not recommend a salary adjustment, it does relate to my performance)

Councillor Saville left the meeting at 8:21pm during debate on Item 16.2: Notice of Motion – Parking signage and marking of mobility spaces at Royal North Shore Hospital and returned to the meeting at 8:28pm.

The Chief Executive Officer left the meeting at 8:28pm during debate on Item 17.1 Chief Executive Officer's Performance Review and did not return to chambers.

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 17 October 2019, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

That Council note that Councillor Wright tendered an apology and requested Leave of Absence on behalf of Councillor Coppock for tonight's meeting.

RESOLUTION

That Council note the apology and Grant Leave of Absence to Councillor Coppock for tonight's meeting.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

5 PETITIONS

5.1 PETITION - OPPOSING THE DEVELOPMENT OF 503 VICTORIA AVENUE, CHATSWOOD - DA-2019/266

RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	PATRICIA SHELDRAKE – GOVERNANCE MEETING ADMINISTRATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To consider a petition containing 69 signatures opposing DA-2019/266 for demolition of existing structures on the site and construction of a four storey commercial building.

RESOLUTION

That Council receive and note the petition from residents opposing the development of 503 Victoria Avenue, Chatswood DA-2019/266 and refer it to the Planning & Infrastructure Director for consideration as a submission in respect to the application.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

5.2 PETITION - SUPPORTING LOCAL ACTION ON CLIMATE CHANGE

RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	PATRICIA SHELDRAKE – GOVERNANCE MEETING ADMINISTRATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To consider a petition containing 104 signatures supporting local action on climate change.

RESOLUTION

That Council receive and note the petition from residents supporting local action on climate change.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ZHU

CARRIED

Voting

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

Against: Nil

6 OPEN FORUM — MATTERS NOT ON THE AGENDA

The following people addressed Open Forum:

- Taylor Tsieng spoke of new parking restrictions on the southern side of Edinburgh Road, west of Eastern Valley Way, Willoughby – safety hazard
- David Kissan, Sue Gibson Swalwell JP and Liqun Xu spoke in opposition to the development of 503 Victoria Avenue, Chatswood – DA2019/266

7 MAYORAL MINUTE

7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 11 NOVEMBER 2019

FRIDAY 18 OCTOBER			
Mayor Cr Zhu	7.30 pm	Armenian Tribute Concert	The Concourse
Mayor Crs Norton, Tuon	Evening	WTC Theatre Production: <i>Fiddler on the Roof</i>	The Concourse
SATURDAY 19 OCTOBER			
Mayor	9.45 am	Opening Day – North Sydney Junior Baseball	Bicentennial Reserve
SUNDAY 20 OCTOBER			
Mayor Crs Fernandez, Norton, Zhu	10 am	Castlecrag Fair	Castlecrag
Mayor Cr Rozos	11 am	Willoughby Roos Presentation Day	Wby Park Bowls Club
Mayor	2 pm	Awards Ceremony & Calligraphy Expo	Atchison Street, St Leonards
Cr Norton	2 pm	Willoughby Symphony Choir Concert	St Stephen's Church
WEDNESDAY 23 OCTOBER			
Cr Norton <i>Representing the Mayor</i>	9 am	Launch of the Migrant and Refugee Employment Guide & Expo	North Sydney TAFE
Cr Norton <i>Representing the Mayor</i>	6.30 pm	Chatswood Rotary Pride of Workmanship	Roseville RSL Club
THURSDAY 24 OCTOBER			
Cr Rutherford <i>Representing the Mayor</i>	6.30 pm	Opening of Tresillian Art Show	Gallery 307
FRIDAY 25 OCTOBER			
Cr Rutherford <i>Representing the Mayor</i>	10 am	Korean Flag Ceremony	Council Chambers
SATURDAY 26 OCTOBER			
Cr Norton	12.30 pm	St Thomas' School Fair	St Thomas' School
Cr Norton	7.15 pm	Baha'i Celebration	Dougherty Centre
SUNDAY 27 OCTOBER			
Mayor	1.50 pm	Willoughby Swim Club Presentation Day	Willoughby Park Bowling Club
Mayor	3.30 pm	Willoughby Kids House 30th Birthday Celebration	Willoughby Park Bowling Club
MONDAY 28 OCTOBER			
Mayor	1.15 pm	Beating Time: Hour of Song	Dougherty Centre
Cr Saville	6.15pm	Community Forum and Film	Lane Cove Library
TUESDAY 29 OCTOBER			
Cr Saville	11am - 12pm	SCCG Executive Meeting	Phone meeting
WEDNESDAY 30 OCTOBER			
Cr Saville	7-9 pm	North Sydney Community Forum	Crows Nest Community Centre

THURSDAY 31 OCTOBER			
Mayor	1.30 pm	St Pius X Annual Presentations	The Concourse
Cr Norton	10 am	Middle Harbour Ward Meeting re: Transport	Banksia Room
Cr Saville	10 am – 12 pm	Women’s Reconciliation Network	Redfern Community Centre
SATURDAY 2 NOVEMBER			
Mayor Cr Rozos	11.30 am	AGM – Willoughby Legion Club	The Auditorium, Wby Legion
Crs Norton, Saville	7 pm	WSOC Concert	The Concourse
WEDNESDAY 6 NOVEMBER			
Mayor	7 pm	2019 North Shore Local Business Awards	Kirribilli Club, Lavender Bay
THURSDAY 7 NOVEMBER			
Mayor Cr Zhu	6 pm	NSROC Board Meeting & AGM	Ku-ring-gai Council
Cr Norton	6 pm	Natural Heritage & Bushland Advisory C’tee	WCC Depot
Cr Saville	8 pm	Exhibition Opening	Artarmon Gallery
FRIDAY 8 NOVEMBER			
Mayor	8.45 am	Grand opening of the new playground spaces and facilities	Our Lady of Dolours Catholic Primary School, Chatswood
SUNDAY 10 NOVEMBER			
Deputy Mayor: Cr Campbell	4 pm	North Shore Coaching College Annual Presentation Ceremony	The Concourse
MONDAY 11 NOVEMBER			
Mayor Crs Mustaca, Rozos, Tuon, Zhu	10.30 am	Remembrance Day Service	Garden of Remembrance, Chatswood
Cr Saville	11am	Remembrance Ceremony	Manly Mall

7.2 MAYORAL MINUTE – SUPPORT OF GWYDIR SHIRE COUNCIL**MEETING DATE: 11 NOVEMBER 2019**

PURPOSE OF REPORT

To seek Council's endorsement of additional urgent drought relief support for Gwydir Shire Council and its community.

DISCUSSION

Willoughby City Council has enjoyed a sister city relationship with Gwydir Shire Council for the past 24 years. This relationship was established when the Shire was in drought and has continued and thrived over the years.

We supported Gwydir last year when Gwydir Mayor John Coulton told me that the drought was the worst he had ever experienced. Through the Mayoral Minute resolution on 27 August 2018, Council contributed \$10,000 that helped Gwydir Shire to purchase a potable water tank. We also ran a bucket appeal for drought relief in Gwydir Shire during the Emerge Festival that collected \$3,323.

The severe drought continues to affect the Gwydir Shire with no respite. Mayor Coulton has told me that our support would be welcomed for urgent and pressing drought relief initiatives. Such support would extend the grant Council made last year that was used to purchase a potable water tank.

One of the priority initiatives that Gwydir Shire is seeking to implement, and one that they may fund from the donation, is additional water delivery services to their rural residents. With an additional \$11,000, they can engage drivers from their Drought Employment Program until the end of this financial year to provide additional and much-needed water carting every second Friday and every Saturday.

MOTION

That Council donate \$11,000 to assist Gwydir Shire Council with their priority drought relief initiatives for their community.

MOVED COUNCILLOR GILES-GIDNEY**CARRIED**

8 CHIEF EXECUTIVE OFFICER'S LATE REPORT

NIL

9 MATTERS FOR DEFERRAL AND PROCEDURAL PRIORITY

NIL

10 MATTERS REQUIRING ELABORATION OR DEBATE

The Mayor invited Councillors to indicate the items that they wished to deal with separately:

- Item 12.3 Minutes – Willoughby Heritage Advisory Committee Meeting held 27 August 2019
- Item 15.1 Public presentation of the 2018-19 Financial Reports and Auditor's Reports
- Item 15.7 Endorsement of Community Participation Plan
- Item 15.8 Willoughby Theatre Company – Allocation of Grant Funds
- Item 15.9 Councillor nominations to award panel to assess Willoughby Australia Day Awards
- Item 15.10 Willoughby Park – Playground Improvements Plan
- Item 16.1 Notice of Motion – in support of public transport
- Item 16.2 Notice of Motion – parking signage and marking of mobility spaces at Royal North Shore Hospital
- Item 17.1 Chief Executive Officer's Performance Review

RESOLUTION

That the staff recommendations for the following items be adopted on block:

- Item 12.1 Minutes – Natural Heritage and Bushland Advisory Committee Meeting held 5 September 2019
- Item 12.2 Minutes – Audit Risk and Improvement Committee – July 2019
- Item 15.2 Quarterly Budget Review 2019/20 – September Quarter
- Item 15.3 Investment Report for the month of October 2019
- Item 15.4 Annual Report 2018-2019
- Item 15.5 Code of Conduct – Complaints Statistics
- Item 15.6 Development Assessment – Quarter 1 (1 July 2019 to 30 September 2019)
- Item 15.11 2020-2021 Registration of Interest Concessional Hire of Community Facilities

MOVED COUNCILLOR ZHU**SECONDED COUNCILLOR WRIGHT****CARRIED****Voting**

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

Against: Nil

11 PUBLIC FORUM — MATTERS ON THE AGENDA

NIL

12 REPORTS OF COMMITTEES

12.1 MINUTES - NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE MEETING HELD 5 SEPTEMBER 2019

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE – 5 SEPTEMBER 2019
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	NICOLAS YU – NATURAL ASSETS OFFICER
CITY STRATEGY OUTCOME:	1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To present to Council the Minutes of the Natural Heritage and Bushland Advisory Committee meeting held on 5 September 2019.

RESOLUTION

That Council receive and note the minutes of the meeting of the Natural Heritage and Bushland Advisory Committee held on 5 September 2019 and adopted at the site meeting on 3 October 2019.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

12.2 MINUTES - AUDIT RISK AND IMPROVEMENT COMMITTEE - JULY 2019

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE – 31 JULY 2019
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To provide the Council with Minutes of the Audit Risk and Improvement Committee meeting held on 31 July 2019.

RESOLUTION

That Council receive and note the minutes of the Audit Risk and Improvement Committee meeting held on 31 July 2019.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

**12.3 MINUTES - WILLOUGHBY HERITAGE ADVISORY COMMITTEE MEETING
HELD 27 AUGUST 2019**

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES OF MEETING HELD ON 27 AUGUST 2019 3. RECORD OF MEETING HELD ON 28 MAY 2019
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	JANE GIBSON – STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	2.2 RESPECT AND CELEBRATE OUR HISTORY AND HERITAGE SITES
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To present Council with the Minutes of the Willoughby Heritage Advisory Committee meeting held on 27 August 2019.

RESOLUTION

That Council note the Minutes of the Willoughby Heritage Advisory Committee meeting held on 27 August 2019.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

Absent: Councillor Rozos.

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

NIL

15 REPORTS FROM THE OFFICERS

CUSTOMER & CORPORATE DIRECTORATE

15.1 PUBLIC PRESENTATION OF THE 2018-19 FINANCIAL REPORTS AND AUDITOR'S REPORTS

ATTACHMENTS:	1. IMPLICATIONS 2. WILLOUGHBY CITY COUNCIL CONSOLIDATED FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2019 (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER BILL LOFTHOUSE – FINANCIAL ACCOUNTANT
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To present the audited 2018-19 Financial Reports and external auditors' reports for Willoughby City Council as required under Section 419(1) of the *Local Government Act 1993*.

Procedural Motion

That Ms Somaiya Ahmed, Director, Financial Audit Services, Audit Office of NSW and James Winter, Partner, Audit and Assurance at Grant Thornton address the meeting and answer questions of Councillors.

RESOLUTION

That Council:

- 1. Note that the audited 2018-19 financial reports including the auditor's reports have been presented to this meeting of the Council in accordance with Section 419(1) of the *Local Government Act 1993*.**
- 2. Receive the address from the external auditor regarding the 2018-19 financial reports and auditor's report in accordance with Section 419(2) of *Local Government Act 1993*.**

3. Note that a copy of the auditor's reports and a copy of the audited financial reports has been sent to Chief Executive of the Office of Local Government and the Australian Bureau of Statistics as required under Section 417(5) of the *Local Government Act 1993*.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

The Mayor and Councillors thanked the Chief Financial Officer and his team for their hard work and contribution in preparing Council's consolidated financial reports for the year ended June 2019.

15.2 QUARTERLY BUDGET REVIEW 2019/20 - SEPTEMBER QUARTER

ATTACHMENTS:	1. IMPLICATIONS 2. BUDGET VARIATIONS SEPTEMBER QUARTER 3. QUARTERLY BUDGET REVIEW STATEMENT 4. PRINCIPAL ACTIVITIES VARIATIONS 5. PROJECTS & CAPITAL WORKS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To provide a quarterly update on Council's progress towards attaining Operational Plan Budget and Financial Performance targets during the first quarter of the 2019/20 financial year (1 July 2019 to 30 September 2019).

RESOLUTION

That Council:

- 1. Note the report;**
- 2. Approve the increase of \$14.8M in Grants & Contribution provided for Capital Purpose.**
- 3. Approve the increase in operating budget expenditure of \$5.4M and a corresponding increase in operating budget income of \$4.8M resulting in a negative impact of \$0.7M to the budget full year operating surplus 2019/20 which will be decreased from \$5.8M to \$5.1M.**
- 4. Approve the decrease in Projects and Capital Works for the 2019/20 Financial Year of \$82K.**

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

15.3 INVESTMENT REPORT FOR THE MONTH OF OCTOBER 2019

ATTACHMENTS:	1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2018) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS
RESPONSIBLE OFFICER:	DEAN FROST - CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To detail Council's bank balances and investment portfolio performance as at 31 October 2019.

RESOLUTION

That Council receive the Statement of Bank Balances and Investment Holdings as at 31 October 2019.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

15.4 ANNUAL REPORT 2018-2019

ATTACHMENTS:	1. IMPLICATIONS 2. WILLOUGHBY CITY COUNCIL ANNUAL REPORT 2018-2019 (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	KATRINA FURJANIC – CORPORATE STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To present Council's Annual Report for the financial year ended 30 June 2019.

RESOLUTION

That Council:

- 1. Receive and note Willoughby City Council's Annual Report 2018-2019, and**
- 2. Authorise the Chief Executive Officer to make minor editorial changes to the final publication version of the Annual Report 2018-2019 that do not alter the intent of the document.**

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

15.5 CODE OF CONDUCT - COMPLAINT STATISTICS

ATTACHMENTS:	1. IMPLICATIONS 2. CODE OF CONDUCT COMPLAINT STATISTICS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	VLADIMIR GREPL – GOVERNANCE OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To report to Council the Code of Conduct complaints statistics for the 12 month period up to 31 August 2019.

RESOLUTION

That Council receive and note the Code of Conduct complaint statistics.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

PLANNING & INFRASTRUCTURE DIRECTORATE**15.6 DEVELOPMENT ASSESSMENT - QUARTER 1 (1 JULY 2019 TO 30 SEPTEMBER 2019)**

	2. VARIATIONS TO DEVELOPMENT STANDARDS – QUARTER 1
	3. APPLICATIONS DETERMINED – QUARTER 1
	4. CURRENT DEVELOPMENT APPLICATIONS AS AT 7 OCTOBER 2019
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	IAN ARNOTT – PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To provide Council with details relating to development assessment for quarter 1 (1 July 2019 to 30 September 2019).

RESOLUTION

That Council:

- 1. Note the variations to development standards and development applications determined under delegated authority during quarter 1 (1 July 2019 to 30 September 2019); and**
- 2. Note the current development applications list as at 7 October 2019.**

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

COMMUNITY, CULTURE & LEISURE DIRECTORATE

15.7 ENDORSEMENT OF COMMUNITY PARTICIPATION PLAN

ATTACHMENTS:	1. IMPLICATIONS 2. COMMUNITY ENGAGEMENT POLICY 3. WILLOUGHBY COMMUNITY PARTICIPATION PLAN 2019 4. COMMUNITY FEEDBACK REPORT
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	TANIA STARK, COMMUNITY ENGAGEMENT SPECIALIST
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To seek Council's endorsement of the draft *Willoughby Community Participation Plan 2019* and *Community Engagement Policy* after being publicly exhibited from 9 September to 8 October 2019.

RESOLUTION

That Council:

1. Adopt the *Willoughby Community Participation Plan 2019* in Attachment 3 and forward a copy to the NSW planning portal and Council's website by 1 December 2019.
2. Adopt the amended *Community Engagement Policy* in Attachment 2 to reflect the *Willoughby Community Participation Plan 2019*.
3. Note the *Community Feedback Report* in Attachment 4 and thank the community for their interest and considered responses.
4. Revoke requirements in *Willoughby Development Control Plan (WDCP)* for notifications as advised by the Department of Planning, Industry and Environment (DPIE).
5. Revoke the Public Exhibition Procedure made redundant by the *Willoughby Community Participation Plan 2019*.

6. Delegate the finalisation of the documents and their publication to the CEO.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

Against: Nil

15.8 WILLOUGHBY THEATRE COMPANY - ALLOCATION OF GRANT FUNDS

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY OUTCOME:	4.5 – DIVERSIFY OUR ECONOMY INCLUDING CREATIVE AND INNOVATIVE INDUSTRIES
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To request the allocation of grant funds to Willoughby Theatre Company sourced from The Concourse Performing Arts Subsidy.

RESOLUTION

That Council allocate annual funding of \$10,000 from The Concourse Performing Arts Subsidy to Willoughby Theatre Company for a period of 5 years with an annual review.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

**15.9 COUNCILLOR NOMINATIONS TO AWARD PANEL TO ASSESS
WILLOUGHBY AUSTRALIA DAY AWARDS**

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH - COMMUNITY CULTURE & LEISURE DIRECTOR
AUTHOR:	BERNARD LAU - FESTIVAL AND EVENTS TECHNICAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To nominate Councillor Representatives to an award panel to assess the nominations for 2020 Willoughby Australia Day Awards.

RESOLUTION

That Council nominate Mayor Gail Giles-Gidney and Councillors Zhu and Tuon to form an award panel to assess nominations of the 2020 Willoughby Australia Day Awards.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

Absent: Councillor Rozos.

15.10 WILLOUGHBY PARK - PLAYGROUND IMPROVEMENTS PLAN

ATTACHMENTS:	1. IMPLICATIONS 2. WILLOUGHBY PARK PLAYGROUND IMPROVEMENTS PLAN 3. CONSULTATION SUMMARY REPORT
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD – OPEN SPACE COORDINATOR
CITY STRATEGY OUTCOME:	3.3 – PROMOTE AN ACTIVE AND HEALTHY LIFESTYLE
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To adopt the Playground Improvements Plan for Willoughby Park playground.

RESOLUTION

That Council adopt the Willoughby Park Playground Improvements Plan dated September 2019.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

Against: Nil

15.11 2020-2021 REGISTRATION OF INTEREST (ROI) CONCESSIONAL HIRE OF COMMUNITY FACILITIES

ATTACHMENTS:	1. IMPLICATIONS 2. CATEGORY D RECOMMENDATIONS 3. SUMMARY BY CATEGORY
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN - COMMUNITY LIFE MANAGER
CITY STRATEGY LINK:	3.5 – MAINTAIN QUALITY OF LIFE BY BALANCING POPULATION GROWTH WITH THE PROVISION OF ASSETS AND SERVICES
MEETING DATE:	11 NOVEMBER 2019

PURPOSE OF REPORT

To seek Council endorsement of 100% (Category D) concessional hire applications under the 2020/21 Registration of Interest (ROI) Concessional Hire process.

For Council to note the 25% (Category B) and 50% (Category C) applicants approved within the Community, Culture and Leisure Director's delegation as per *Council's Community Facilities Hire Policy*.

RESOLUTION

That Council endorses the following groups as eligible to receive a 100% concession (Category D) for the 2020/21 ROI period, on the hire of Council facilities as per Council's Community Facilities Hire Policy.

- Willoughby Senior Citizens Knitting Group Club
- Rotary Club – Dance to the Nines
- Alcoholics & Narcotics Anonymous (5 programs at Dougherty Community Centre)
- Lifeline Harbour to Hawkesbury Incorporated
- Willoughby Senior Citizens Club
- Older Women's Network Northside Wellness
- The Wilderness Society Sydney North
- Italian Senior Citizens Group of Willoughby
- Willoughby District Historical Society & Museum
- Dougherty Saturday Musicale
- ACLI Italian Christian Workers Association – Senior Citizens
- Alcoholics Anonymous (2 programs at Naremburn Community Centre)
- Family Drug Support
- Hoarding Support Group, Self Help
- Willoughby Bales Playgroup
- Northbridge Playgroup
- Naremburn Playgroup
- Rotary Club of Chatswood Sunrise

- Sydney Metropolitan Wildlife Services Inc
- Integricare – support playgroup
- NSW Justice Assoc. Lower North Shore Branch
- Progress Associations meetings x 5

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Nil

16 NOTICES OF MOTION

16.1 NOTICE OF MOTION - IN SUPPORT OF PUBLIC TRANSPORT

RESPONSIBLE OFFICER: GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR

AUTHOR: GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR

CITY STRATEGY OUTCOME: 2.1 – ENHANCE TRANSPORT CHOICES AND CONNECTIONS THROUGHOUT THE CITY

MEETING DATE: 11 NOVEMBER 2019

PURPOSE OF REPORT

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

MOTION

That, in support of public transport:

1. Willoughby City Council states that council strongly supports affordable, safe, adequately resourced and funded public transport systems, essential for a sustainable city.
2. that on behalf of WCC, the Mayor and CEO approach the NSW Premier (in writing and/or meeting with), to urge that the government continues to support, resource and fund public transport systems in Sydney. Copies of WCC correspondence sent to the Premier be forwarded to Minister for Transport, Leader of the Opposition, Shooters, Fishers and Farmers, Christian Democrats, One Nation, Animal Justice Party and the Greens.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR WRIGHT

CARRIED

Voting

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

Against: Councillors Giles-Gidney, Eriksson, Rozos and Rutherford.

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

16.2 NOTICE OF MOTION - PARKING SIGNAGE AND MARKING OF MOBILITY SPACES AT ROYAL NORTH SHORE HOSPITAL

RESPONSIBLE OFFICER: GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR

AUTHOR: MARK TAYLOR – COMPLIANCE MANAGER

CITY STRATEGY OUTCOME: 2.4 – REDUCE PARKING AND TRAFFIC CONGESTION

MEETING DATE: 11 NOVEMBER 2019

PURPOSE OF REPORT

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

MOTION

That Council installs extra very clear information about car parking restrictions in all areas of the grounds of Royal North Shore Hospital, including Westbourne Street and car parking spaces between the Douglas building and the Gore Hill Oval.

Information and signage should make it absolutely clear for people for how long and in what circumstance they may park.

LAPSED FOR WANT OF A MOVER AND SECONDER

Due to Item 16.2 being a matter Councillor Saville had declared a pecuniary significant interest due to her work at the Royal North Shore Hospital she withdrew from the meeting.

17 CONFIDENTIAL MATTERS

17.1 CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW

ATTACHMENTS:

1. IMPLICATIONS
2. FACILITATORS REPORT FROM THE PERFORMANCE REVIEW PANEL
3. CHIEF EXECUTIVE OFFICER'S PERFORMANCE MEASURES FOR 2019/20

RESPONSIBLE OFFICER: DEAN FROST – CUSTOMER & CORPORATE DIRECTOR

AUTHOR: MONICA LONERGAN – PEOPLE AND CULTURE MANAGER

MEETING DATE: 11 NOVEMBER 2019

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the option of the General Manager, 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.

Procedural Motion

That:

1. Council resolve itself into Closed Session with the Press and Public excluded from the meeting to deal with the following confidential item.
2. Council resolve into Committee of the Whole in order to deal with this confidential item.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR ERIKSSON

CARRIED

Council moved into closed session at 8:28pm.

Due to Item 17.1 being a matter the Chief Executive Officer had declared a pecuniary significant interest as it relates to her performance review she withdrew from the meeting.

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors)

RECOMMENDATION

That Council note the Review Panel conducting the annual performance review assessed the Chief Executive Officer's performance as performing to a very high standard, meeting and exceeding the expectations set.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

Council moved into open session at 8:52pm.

RESOLUTION

That the recommendation from the Committee of the Whole be adopted.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

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

Against: Nil

18 QUESTIONS WITH NOTICE

18.1 QUESTIONS ON NOTICE FROM COUNCILLOR SAVILLE - COMBUSTIBLE CLADDING

RESPONSIBLE OFFICER: GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR

AUTHOR: GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR

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

MEETING DATE: 11 NOVEMBER 2019

QUESTION

With regards to use of combustible cladding on buildings within the WCC LGA (with similar properties to cladding associated with fires in London and Melbourne 2018 and 2019):

1. Are any Child Care Centres located in any buildings where this cladding has been used within Willoughby LGA?
2. Has council received any guidance from the government with regards to child safety in particular:
 - 2.1 Fire safety and emergency evacuations on these buildings
 - 2.2 Safe removal of the cladding and remediation
 - 2.3 other potential action that can be taken to minimise risk
 - 2.4 other relevant information to ensure child safety?

ANSWER

One building has a child care facility, being one of 5 buildings investigated by the Department of Planning, Infrastructure and Environment. To date, Council staff have not been informed as to the outcome of this investigation.

The owner of the building has a legal obligation to ensure that all Fire Safety Measures installed on the premises are maintained in good working condition at all times. Owners, or their agent, are required to verify that this responsibility is being fulfilled by issuing routine Fire Safety Statements to Council and Fire and Rescue NSW. This fire safety statement is a declaration that the existing essential fire safety measures serving the building have been assessed and are capable of performing to the standard required. It also declares that the building has been inspected and no fire exit breaches were observed.

All childcare centres are required to be registered with the Department of Family and Community Services and are to have an approved evacuation plan.

The Planning NSW website contains further information regarding cladding regulation and their Frequently Asked Questions factsheet can be found at the following location:

https://www.planning.nsw.gov.au/~/_media/Files/DPE/Factsheets-and-faqs/cladding-regulation-faqs-for-owners-2018-09-20.ash

Further information regarding the registration of property can be found at the following location:

<https://www.claddingregistration.nsw.gov.au/faqs-apartment-and-building-owners>

19 CONCLUSION OF THE MEETING

The meeting concluded at 8:55pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 11 November 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.