



# **Willoughby City Council**

## **ORDINARY COUNCIL**

### **MINUTES**

30 January 2024

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**Minutes of an ordinary Council meeting  
held on Tuesday, 30 January 2024  
at the Council Chamber, Chatswood commencing at 7:02 pm**

**ATTENDANCE:**

**Councillors**

Tanya Taylor (Her Worship the Mayor)  
Nic Wright (Deputy Mayor)  
Georgie Roussac  
Anna Greco  
Roy McCullagh  
John Moratelli  
Hugh Eriksson  
Robert Samuel  
Angelo Rozos  
Sarkis Mouradian (*Absence of Leave*)  
Craig Campbell (*Absence of Leave*)  
Brendan Zhu  
Jam Xia

**Officers**

Debra Just (Chief Executive Officer)  
Maxine Kenyon (Customer and Corporate Director)  
Linda Perrine (Community, Culture & Leisure Director)  
Hugh Phemister (Planning and Infrastructure Director) *Online*  
Mark Skelsey (Special Rate Variation Project Manager)  
Chris Binns (Design, Construction & Maintenance Group Manager)  
Alison Murphy (Community Life Manager)  
Samantha Connor (Governance, Risk & Compliance Manager)  
Natalie Taylor (Council & Corporate Support Officer)  
Adam Booth (Council & Corporate Support Officer)  
Jason Racchi (Acting Chief Technology Officer)  
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**

That Council accept the leave of absence submitted by Councillor Campbell for the 30 January 2024.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

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

**Against:** Nil

**5 CONFIRMATION OF MINUTES**

That the Minutes of the Ordinary Meeting of Council held 11 December 2023, 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, Eriksson, Greco, McCullagh, Moratelli, Roussac, Rozos, 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.

Nil

## 7 PETITIONS

Nil

## PROCEDURAL MOTION – BRING FORWARD ITEMS ON THE AGENDA

That standing orders be set aside and item 11, Matters by Exception, be brought forward.

MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR WRIGHT

**CARRIED**

### Voting

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

**Against:** Nil

## 11 MATTERS BY EXCEPTION

### Note:

1. *Point of order raised by Councillor Wright regarding item 13.1.*
2. *Point of order upheld by the Chair.*

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

- 9.1 Mayoral Minute 01/2024 – Acknowledge the Passing of former Councillor Judith Rutherford
- 9.2 Mayoral Minute 02/2024 – Citizen of the Year
- 9.3 Mayoral Minute 03/2024 – 2024 Australia Day Honours Awards
- 12.1 Application for Special Rate Variation
- 12.2 Outcome of Public Exhibition of Draft Code of Meeting Practice
- 13.1 Notice of Motion 01/2024 - Reinstate Chatswood OOSH - *ruled out of order*

## 8 OPEN 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).

- **Rosetta Koschuetzke** addressed Council on Residential Garbage Collection

## 9 MAYORAL MINUTES

**9.1 MAYORAL MINUTE 01/2024 – ACKNOWLEDGE THE PASSING OF FORMER COUNCILLOR JUDITH RUTHERFORD****MEETING DATE: 30 JANUARY 2024****1. PURPOSE OF REPORT**

To acknowledge the passing of former Councillor Judith Rutherford, and to recognise her contribution to the Willoughby community.

**2. DISCUSSION**

It is with much sadness that I inform Chambers of the passing of former Councillor Judith Rutherford, who passed away peacefully on the evening of Tuesday 16 January 2024.

Former Councillor Rutherford was born in Sydney on 24 January 1935 and lived in Castle Cove for 55 years with her husband Ken (whom she married in 1955), although they also lived around the world. Judith was a music therapist with Inala, a Rudolf Steiner school for children with disabilities and a Founding Director and Chair of the Board of Nordoff-Robbins Music Therapy Australia. After a trip to Singapore, Judith became interested in antique Chinese textiles, becoming a trader, and lecturing around the world on her collection of Chinese badges of rank worn by officials in the Ming and Ching dynasties. Judith was a strong supporter of the arts, particularly Asian art & culture.

Former Councillor Rutherford was a long-serving Councillor of Willoughby City Council and Deputy Mayor on three occasions. Elected initially in 1995, Judith served Council for 26 years, across five terms, retiring in 2021. During her time on Council, former Councillor Rutherford served on many committees, including:

- Cultural Event Committee
- District Bush Fire Management Committee
- Finance, Economic Development and General Purpose Committee
- Global Friendship Committee
- Joint Consultative Committee
- Market Advisory Committee
- Multicultural Services Advisory Committee
- Willoughby Park Centre Committee.
- Council Meeting Structure Committee
- Redevelopment of Councils Works Depot Steering Committee

Councillor Rutherford helped establish the first Neighbourhood Watch Group in Willoughby and became a strong advocate for safety, helping residents with community issues. She re-activated the Castle Cove Progress Association and served as Secretary for many years. She was involved in the formation of the Federation of Willoughby Progress Associations and became the first President of that organisation.

Former Councillor Rutherford was a highly respected community leader. In recognition for her extensive achievements, she received the following awards:

- 2000 - Community Service Award from Premier of NSW.
- 2006 - International Women's Day – NSW Honour Roll.
- 2007 - Powerhouse Museum – Distinguished Service Award.

- 2010 - Awarded an AM, Member of the Order of Australia.
- 2014 - University of Oxford, St. Hugh's College – Appreciation Award for supporting the Campaign to raise funds for the China Centre.
- 2015 - Local Government NSW – Outstanding Service Award – 20 years as a member of Willoughby City Council.
- 2017 - Local Government NSW – Special Achievement Award for Women in Local Government.

Our condolences go to Judith's loving family, in particular, her dedicated husband Ken, her two children Valerie and Nigel and her six grandchildren/great grandchildren, as well as the community she worked so hard to serve.

Former Councillor Rutherford's funeral will be held at St Barnabas Anglican Church, Roseville, on Wednesday 31 January 2024 at 1.30pm.

In honour of former Councillor Rutherford's service to the community, it is appropriate for Council to work with Judith's family and the Castle Cove Progress Association to identify a suitable location and wording for a plaque that acknowledges her commitment and contribution. Council's existing operational budget would be used to cover the cost of the plaque (approximately \$450), and a new bench if required.

It is also proposed that additional recognition of Judith's immense service to our community is provided through the renaming (or naming) of a park, playground or open space in Judith's honour. Renaming a park requires approval from the Geographical Names Board, providing evidence of community support for the name change. Given the Officer time required to undertake these activities and the need to identify a suitable park or playground, a separate Council report exploring this option is proposed to be undertaken in time for the June 2024 Council meeting.

### 3. MOTION

That Council:

1. **Endorse the Mayor Minute on the passing of former Councillor Judith Rutherford and stand in respect for a minute's silence.**
2. **Send a letter of condolence to the family.**
3. **Approve the request for the installation of a memorial plaque with wording and location agreed upon by former Councillor Judith Rutherford's family and the Castle Cove Progress Association.**
4. **Provide a report on the renaming of a park, playground or open space in former Councillor Judith Rutherford's honour by the June 2024 Council meeting.**

**MOVED COUNCILLOR TAYLOR**

**CARRIED**

#### **Voting**

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

**Against:** Nil

**9.2 MAYORAL MINUTES 02/2024 – 2024 WILLOUGHBY CITIZEN OF THE YEAR AWARDS****MEETING DATE: 30 JANUARY 2024****1. PURPOSE OF REPORT**

To inform Council of the Willoughby residents who were honoured at Council's Australia Day Ceremony as 2024 Willoughby Citizens of the Year.

**2. DISCUSSION**

On 26 January 2024, I was delighted to announce the following residents as winners of our 2024 Willoughby Citizen of the Year Awards.

**Grant Berthold – Citizen of the Year**

For his significant contribution to the community, through creating a lasting and fundamental difference to the quality of life of residents and visitors.

**John Noh – Citizen of the Year**

For his significant contribution to the community, through creating a lasting and fundamental difference to the quality of life of residents and visitors.

**Pamela Clifford – Senior Citizen of the Year**

For her positive contribution to community through knowledge, passion, time and connection.

**Glenda Hewitt - Cultural and Community Building Award**

For her positive contribution to the engagement of community in cultural and community building programs.

**Bibiana Chan - Environmental Citizen of the Year**

For her positive contribution to the preservation of the environment and sustainability, and increasing community resilience and wellbeing.

**3. MOTION**

**That Council:**

- 1. Acknowledge the recipients in the 2024 Willoughby Citizen of the Year Awards**
- 2. Officers prepare a press release to inform the community of this year's deserved award recipients**

**MOVED COUNCILLOR TAYLOR**

**CARRIED**

**Voting**

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

**Against:** Nil



**9.3 MAYORAL MINUTES 03/2024 – 2024 AUSTRALIA DAY HONOURS AWARDS****MEETING DATE: 30 JANUARY 2024****1. PURPOSE OF REPORT**

To inform Council of the local community members who received awards in the 2024 Australia Day Honours List.

**2. DISCUSSION**

On 26 January 2024, the Australia Day Honours List was announced by the Governor General, the Honourable David Hurley. The Honours List recognises outstanding and inspirational Australians in the General Division of the Order of Australia. Council acknowledges through this report the outstanding service and contributions made by these recipients. I am pleased to inform Council that the following local community members were recognised in the 2024 Australia Day Honours Awards:

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

Professor Jacqueline Close

For significant service to medical research, and to medicine as an orthogeriatrician.

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

Professor Paul Roach

For significant service to nuclear medicine, and to medical research.

**Public Service Medal (PSM)**

Mr Christopher John Sullivan

For outstanding public service through leadership in establishing and delivering critical protocols.

**3. MOTION**

**That Council acknowledge the recipients in the 2024 Australia Day Honours List and write a letter of congratulations.**

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

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

**Against:** Nil

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

Nil

**12 REPORTS TO COUNCIL****CHIEF EXECUTIVE'S OFFICE****12.1 APPLICATION FOR SPECIAL RATE VARIATION****PROCEDURAL MOTION – MOTION BE PUT**

That the motion be put.

**MOVED COUNCILLOR WRIGHT / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

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

**Against:** Councillor McCullagh

**MOTION**

That Council:

1. **Endorse an application to the Independent Pricing and Regulatory Tribunal for a 15% rate increase in 2024/25, including a 10% Special Rate Variation which will first apply in the 2024/25 financial year and then stay in place in Council's rate base on a permanent basis.**
2. **Endorse the revised *Long Term Financial Plan 2023-2033* at Attachment 6 and *Delivery Program 2022-26* at Attachment 7.**
3. **Delegate authority to the CEO to lodge an application for a Special Rate Variation to the Independent Pricing and Regulatory Tribunal, which is consistent with the draft application at Attachment 3 and the revised *Long Term Financial Plan 2023-33* and *Delivery Program 2022-26*.**
4. **Publish Council's Special Rate Variation application to the Independent Pricing and Regulatory Tribunal on Council's website, immediately after lodgement.**
5. **Inform all community engagement participants of this resolution and thank them for their contribution.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MORATELLI**

**CARRIED**

**Voting**

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

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

*Note: Councillor McCullagh abstained from the vote and was recorded as voting against the motion.*

**CUSTOMER & CORPORATE DIRECTORATE****12.2 OUTCOME OF PUBLIC EXHIBITION OF DRAFT CODE OF MEETING PRACTICE**

**That Council:**

1. **Adopt the Willoughby City Council Code of Meeting Practice (January 2024) amending the following:**

**Clause 3.6 from distribution of the agenda papers from three days to nine business days. The revised amendment to read: “The Chief Executive Officer must send to each Councillor, at least nine business days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.”**

**Clause 3.9 from submission of Notice of Motions from five days to thirteen business days, increasing the time between submission of NOMs and agenda publication to at least four business days. The revised amendment to read: “A Councillor may give notice of any business they wish to be considered by the Council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by noon thirteen business days before the meeting.”**

2. **Note that the amendments to the Code of Meeting Practice listed in recommendation 1 are not substantial and do not require a further public exhibition.**
3. **Revoke the Willoughby City Council Code of Meeting Practice (June 2022).**
4. **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 to give effect to this resolution.**

**MOVED COUNCILLOR MORATELLI / SECONDED COUNCILLOR WRIGHT**

**CARRIED**

**Voting**

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

**Against:** Nil

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**13 NOTICES OF MOTION**

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**13.1 NOTICE OF MOTION 01/2024 - REINSTATE CHATSWOOD OOSH SERVICES**

*Having considered a point of order raised by Councillor Wright, the Notice of Motion was ruled out of order by the Chairperson under clauses 10.8, 17.7 and 17.8.*

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**14 QUESTIONS WITH NOTICE**

See Agenda

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**15 CONFIDENTIAL MATTERS**

Nil

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**16 CONCLUSION OF THE MEETING**

*The meeting concluded at 7:43 pm.*

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I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council meeting held on 30 January 2024. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

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**Mayor Tanya Taylor**