

Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

12 August 2019

commencing at 7:00pm

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1 PRESENT

Councillors

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

Officers

Ms D Just (General Manager), Mr D Frost (Customer & Corporate Director), Mr G McDonald (Planning & Infrastructure Director), Ms M Smith (Community, Culture & Leisure Director), Mr I Arnott (Planning Manager), Ms S Charlton (Governance, Risk & Corporate Planning Manager), Mr V Grepl (Governance Officer) and Ms P Sheldrake (Governance Meeting Administration Officer)

2 DISCLOSURES OF INTERESTS

- Councillor Eriksson declared, via a Disclosures of Interest Form, a non-pecuniary less than significant interest in Item 12.2: Minutes Local Traffic Committee Meeting held 19 June 2019 Item 4.6 (Nature of Interest: I reside in Linden Way, Castlecrag)
- Councillor Saville declared, via a Disclosures of Interest Form, a non-pecuniary less than significant interest in Item 12.2: Minutes Local Traffic Committee Meeting held 19 June 2019 (Nature of Interest: I live in Eddy Road the item refers to the parking and bus route)
- Councillor Rozos declared, via a Disclosures of Interest Form, a pecuniary significant interest in Item 15.7: Draft Local Centres and Housing Strategies Consultation and Engagement Report (Nature of Interest: I am co-owner of 50% of a property in the Local Centres in Willoughby North)
- Councillor Mustaca declared, via a Disclosures of Interest Form, a pecuniary significant interest in Item 15.7: Draft Local Centres and Housing Strategies Consultation and Engagement Report (Nature of Interest: I own a property in Artarmon)

Councillor Rozos left the meeting at 7:28pm during the public forum discussion on Item 15.7: Draft Local Centres and Housing Strategies – Consultation and Engagement Report and returned to the meeting at 7:32pm.

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 22 July 2019, copies of which have been circulated to each member of Council, be confirmed.

MOVED COUNCILLOR RUTHERFORD

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

- Councillor Coppock is on leave previously granted.
- Councillor Wright tendered an apology and requested Leave of Absence for 12 August 2019.
- Councillor Saville requested Leave of Absence for 18 August, 28-31 August and 2-3 September 2019.

RESOLUTION

That Council

- 1. Note Councillor Coppock is on leave previously granted.
- 2. Note Councillor Wright's apology and grant Leave of Absence for 12 August 2019.
- 3. Grant Councillor Saville Leave of Absence for 18 August, 28-31 August and 2-3 September 2019.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

5 PETITIONS

NIL

6 OPEN FORUM — MATTERS NOT ON THE AGENDA

The following people addressed Open Forum:

- Don Wilson spoke on the Community Project "Adopt a Street and Keep it Clean"
- Jacqueline Houghton spoke on compliance and leverage

7 MAYORAL MINUTE(S)

7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 12 AUGUST 2019

FRIDAY 26 JULY			
Cr Norton	4.30 pm	Happy Hour	Dougherty Apartments
SATURDAY 27 JULY			
Crs Norton, Saville	12-4.30pm	SCCG Meeting	Manly Town Hall
Cr Saville	7 pm	Wby Symphony Orchestra Concert: Enigma	The Concourse
SUNDAY 28 JULY			
Cr Norton Cr Saville	10 am 12.30 pm	National Tree Day	Artarmon Reserve
Cr Norton	2 pm	Wby Symphony Orchestra Concert: Enigma	The Concourse
MONDAY 29 JULY			
Mayor Cr Norton	From 10.45 am	Tree-planting Ceremonies – National Tree-planting Day	Sailors Bay Road, Northbridge and Penshurst Street, Roseville
WEDNESDAY 31 JULY			
Cr Norton	8.30 am	Audit & Risk Committee	Coachwood Room
Deputy Mayor: Cr Rutherford	12.30 pm	Informal lunch with Minister for Local Govt.	Parliament House
THURSDAY 1 AUGUST			
Cr Norton	9.30 am	Natural Heritage & Bushland Committee	Site Visit: Castlecrag
SUNDAY 4 AUGUST			
Cr Norton	2.30 pm	Wby Symphony Chamber Orchestra Concert	Zenith Theatre
TUESDAY 6 AUGUST			
Deputy Mayor: Cr Rutherford Cr Norton	9 am	Cultural Events Committee	Banksia Room
Cr Saville	11 am	SCCG Meeting with SCCG CEO	
Cr Saville	7 pm	Hiroshima Day Commemoration & Launch "Choosing Humanity" Report	Parliament House
FRIDAY 9 AUGUST			
Mayor	6 pm	Opening of Glenaeon Art Exhibition: "Meaningful Lives"	The Concourse Art Space
SATURDAY 10 AUGUST			
Mayor	morning	North Shore Bombers AFL: Event recognising Female Umpires	Gore Hill Oval
Mayor Deputy Mayor: Cr Rutherford Crs Campbell, Eriksson, Fernandez, Mustaca, Norton, Rozos, Tuon, Wright, Zhu	All day	Councillors Workshop	Rydges Hotel, North Sydney
Crs Norton, Saville	7.30 pm	Streetwork Concert: "Acapella Northside"	Willoughby Uniting Church

MONDAT 12 AUGUST			
Mayor	2.30 pm	Roundtable Meeting with Minister Anthony Roberts re Health Hub at St Leonards	Parliament House

Her Worship the Mayor Councillor G Giles-Gidney congratulated Councillor Zhu on receiving his admission to practice as a solicitor.

8 CHIEF EXECUTIVE OFFICER'S LATE REPORT

8.1 COUNCIL STAFFING OVERVIEW

ATTACHMENTS:	1. IMPLICATIONS 2. RECRUITMENT TIME FRAMES
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To provide Council with an update on Council staffing matters.

RESOLUTION

That Council note the report.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

9 MATTERS FOR DEFERRAL AND PROCEDURAL PRIORITY

Item 13.1 Notice of Motion – Tree Removal Requests

10 MATTERS REQUIRING ELABORATION OR DEBATE

The Mayor invited Councillors to indicate the items that they wished to deal with separately that are not being addressed in Public Forum:

- Item 12.1 Minutes Natural Heritage and Bushland Advisory Committee Meeting 6 June 2019
- Item 12.2 Minutes Local Traffic Committee Meeting held on 19 June 2019
- Item 12.3 Minutes Access and Inclusion Advisory Committee Meeting held 10 July 2019
- Item 15.2 Delivery Program 2018-19 Progress Report June 2019
- Item 15.6 Tender 118301 The Concourse Compliance Upgrade
- Item 15.8 14/25 Gibbes Street, Chatswood Lease Renewal
- Item 15.9 Shop 1, The Concourse Guzman Y Gomez
- Item 15.10 Out of term applications Community Small Grants Program and The Concourse Performing Arts Subsidy
- Item 16.1 Proposed Motion for Local Government NSW Annual Conference

RESOLUTION

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

- Item 8.1 Chief Executive Officer's Late Report Council Staffing Overview
- Item 12.4 Minutes Bicentennial Reserve and Flat Rock Gully Advisory Committee Meeting held 25 June 2019
- Item 12.5 Minutes Multicultural Services Advisory Committee Meeting held 26 June 2019
- Item 15.3 Proposed Motion for Local Government NSW Annual Conference
- Item 15.4 Submission on review of Local Government election costs
- Item 15.5 Investment Report for the month of July 2019
- Item 15.7 Draft Local Centres and Housing Strategies Consultation and Engagement Report
- Item 15.11 Memorial plaque former Prime Minister Bob Hawke

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

PUBLIC FORUM — MATTERS ON THE AGENDA 11

- Item 15.1
- Review of Advisory Committees Draft Local Centres and Housing Strategies Consultation and Item 15.7 Engagement Report

12 REPORTS OF COMMITTEES

12.1 MINUTES - NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE - MEETING 6 JUNE 2019

ATTACHMENTS:	 IMPLICATIONS MINUTES – NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE – 6 JUNE 2019
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	RICHARD O'BRIEN – NATURAL ASSETS OFFICER
CITY STRATEGY OUTCOME:	1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To present to Council the Minutes of the Natural Heritage and Bushland Advisory Committee meeting held on 6 June 2019.

RESOLUTION

That Council receive and note the draft Minutes of the Natural Heritage and Bushland Advisory Committee from the meeting held on 6 June 2019 noting that the Committee would like to have a policy to minimise light pollution on bushland.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

CARRIED

Voting

12.2 MINUTES - LOCAL TRAFFIC COMMITTEE HELD ON 19 JUNE 2019

ATTACHMENTS:	 IMPLICATIONS TRAFFIC COMMITTEE MINUTES OF 19 JUNE 2019 (DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GORDON FARRELLY - SENIOR TRAFFIC ENGINEER
CITY STRATEGY OUTCOME:	2.1 – ENHANCE TRANSPORT CHOICES AND CONNECTIONS THROUGHOUT THE CITY 2.4 – REDUCE PARKING AND TRAFFIC CONGESTION 3.1 – FOSTER FEELINGS OF SAFETY, SECURITY AND CLEANLINESS
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To advise Council of the outcome of the latest Local Traffic Committee Meeting held on 19 June 2019.

RESOLUTION

That Council receive and adopt the recommendations arising from the 19 June 2019 Traffic Committee Meeting with the following amendments:

Item 4.4

That Council:

- 1. Defer consideration of this matter to allow the Local Traffic Committee and Council Officers to further consult with the affected Body Corporate and to propose that a "15 Minute Loading Zone" be installed rather than a "No Stopping" Zone as suggested.
- 2. After further consultation with the Body Corporate, bring the matter back to the Local Traffic Committee.

Item 4.5

That the last bullet point in the Traffic Committee Recommendation read:

• That Council monitor the performance of the State Transit 255 bus service by means of revisiting the topic in the Local Traffic Committee within 12 months of implementation and consider adjustments to the street parking restrictions including the reinstatement of the existing unrestricted parking zones if necessary to improve residents' amenities.

Item 4.6

That Council:

- 1. Approve the installation of a warning sign: "Caution Driveways" on the western side of Linden Way, approximately two meters south of the driveway of No 72 Linden Way, Castlecrag.
- 2. Request the Traffic Committee to review the effectiveness of the sign in six months' time and, if required, consider other measures.

Item 4.9

That Council:

1. Approve the implementation of regulatory signposting and line marking changes at various locations in the Willoughby Local Government Area with the following exceptions:

Item 19/13 be amended to read:

That a "No Parking" sign be installed outside No 24 and the current "Parking 2P" restrictions be retained outside No 26.

Item 19/18 be amended to read:

That consistent with the "No Parking" restrictions next to these spaces (shown in the photograph in Attachment 1) the current disabled parking zone be extended and changed to 8am-9.30am and 3-4pm School Days, 2-8pm Saturday's and no changes for Sunday.

- 2. Defer consideration of Item 19/18 to allow the Local Traffic Committee and Council Officers to consult with the local Primary School and Church on the above suggested times to address the request to allow better disabled access during School drop off/pick up times.
- 3. Bring the matter back to the Local Traffic Committee once further consultation has been concluded.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR CAMPBELL

CARRIED

Voting

12.3 MINUTES - ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING HELD 10 JULY 2019

ATTACHMENTS:	 IMPLICATIONS MINUTES – ACCESS AND INCLUSION ADVISORY COMMITTEE – 10 JULY 2019
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY OUTCOME:	2.7 – PROMOTE ACCESSIBLE SERVICES FOR THE COMMUNITY
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To provide Council with the minutes of the Access and Inclusion Advisory Committee meeting held 10 July 2019.

RESOLUTION

That Council receive and note the minutes of the Access and Inclusion Advisory Committee meeting held 10 July 2019.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

12.4 MINUTES - BICENTENNIAL RESERVE & FLAT ROCK GULLY ADVISORY COMMITTEE MEETING HELD 25 JUNE 2019

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES HELD 25 JUNE 2019
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD- OPEN SPACE CO-ORDINATOR
CITY STRATEGY OUTCOME:	5.5 – MAKE IT EASY FOR CITIZENS TO PARTICIPATE IN DECISION MAKING
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To provide Council with the Minutes of the Bicentennial Reserve and Flat Rock Gully Advisory Committee meeting held 25 June 2019.

RESOLUTION

That Council receive and note the minutes of the Bicentennial Reserve and Flat Rock Gully Advisory Committee held 25 June 2019.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

12.5 MINUTES - MULTICULTURAL SERVICES ADVISORY COMMITTEE MEETING HELD 26 JUNE 2019

ATTACHMENTS:	 IMPLICATIONS MINUTES - MULTICULTURAL SERVICES ADVISORY COMMITTEE MEETING - 26 JUNE 2019 REPORT - MULTICULTURAL SERVICES - APRIL- JUNE 2019
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	RITA LEUNG – MULTICULTURAL SERVICES TEAM LEADER
CITY STRATEGY OUTCOME:	2.3 – CELEBRATE AND ENCOURAGE OUR DIVERSITY
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To provide Council with the minutes of the Multicultural Services Advisory Committee meeting held 26 June 2019.

RESOLUTION

That Council receive and note the minutes of the Multicultural Services Advisory Committee meeting held 26 June 2019.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

13 DEFERRED MATTERS

13.1 NOTICE OF MOTION: TREE REMOVAL REQUESTS

ATTACHMENTS:	1. CONFIDENTIAL LEGAL ADVICE (PREVIOUSLY CIRCULATED)
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:	12 AUGUST 2019

PURPOSE OF REPORT

Councillor Wright has indicated his intention to move the following Notice of Motion.

MOTION

That Council reinstate a system of ward councillor meetings, to allow councillors the final decision regarding Tree Removal Requests when not associated with a development application and that the delegation to the CEO be adjusted accordingly.

Councillor Wright tendered his apology for the meeting and requested that his Notice of Motion be withdrawn.

MOTION

That Council note that at the request of Councillor Wright the Notice of Motion is withdrawn.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

14 CORRESPONDENCE

NIL

15 REPORTS FROM THE OFFICERS

CUSTOMER & CORPORATE DIRECTORATE

15.1 REVIEW OF ADVISORY COMMITTEES

ATTACHMENTS:	 IMPLICATIONS ADVISORY COMMITTEES AND REFERENCE GROUPS POLICY TIMELINE IMPLEMENTATION FOR ADVISORY COMMITTEE AND REFERENCE GROUPS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER AND CORPORATE DIRECTOR
AUTHOR:	MICHAEL CASHIN - COMMUNITY LIFE MANAGER SAMANTHA CHARLTON - GOVERNANCE, RISK & CORPORATE PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.5 – MAKE IT EASY FOR CITIZENS TO PARTICIPATE IN DECISION MAKING
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To report on the Review of Advisory Committees and seek Council endorsement of the *Advisory Committee and Reference Groups Policy* and *Terms of Reference*.

Procedural Motion

That Kim Kendall address Council.

MOTION

That Council defer consideration of this matter by December 2019 to allow for further consultation with the Committees.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

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

15.2 DELIVERY PROGRAM - 2018-19 PROGRESS REPORT - JUNE 2019

ATTACHMENTS:	 IMPLICATIONS END OF YEAR PROGRESS REPORT (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER AND 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:	12 AUGUST 2019

PURPOSE OF REPORT

To inform Council on progress to deliver the second year of the Delivery Program 2017-2021 (i.e. Operational Plan 2018-2019).

RESOLUTION

That Council receive the 2018-19 Progress Report on Council's Delivery Program and Operational Plan as at 30 June 2019.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

15.3	PROPOSED MOTION FOR LOCAL GOVERNMENT NSW ANNUAL CONFERENCE	
ΑΤΤΑ	CHMENTS:	1. IMPLICATIONS
RESP	ONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTH	OR:	VLADIMIR GREPL – GOVERNANCE OFFICER
CITY	STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEET	ING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To consider a motion submitted on behalf of Northern Sydney Regional Councils of Sydney (NSROC) to the Local Government NSW (LGNSW) Annual Conference to be held at Warwick Farm in October 2019.

RESOLUTION

That Council consider submitting the following motion to LGNSW for debate at the LGNSW Annual Conference:

PROPOSED MOTION – Flexibility in Procurement

That LGNSW requests the NSW Government to cater for contemporary practices by introducing greater flexibility in procurement for local councils through adopting similar provisions as those available for State Government agencies, including:

• Adopt the Procurement Innovation Stream model of supporting Small and Medium Enterprises (SMEs), to engage SME suppliers through direct negotiation on short term contracts to test the capability of goods and services to meet current and emerging business needs valued up to \$1 million for innovative solutions or outcomes-based trials.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

15.4 SUBMISSION ON REVIEW OF LOCAL GOVERNMENT ELECTION COSTS

ATTACHMENTS:	1. IMPLICATIONS 2. COUNCIL'S SUBMISSION TO IPART
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:	12 AUGUST 2019

PURPOSE OF REPORT

To note the submission that officers forwarded to the Independent Pricing and Regulatory Tribunal (IPART) concerning the review of local government election costs.

RESOLUTION

That Council note the submission forwarded to the Independent Pricing and Regulatory Tribunal on the review of local government election costs as shown in Attachment 2.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

15.5 INVESTMENT REPORT FOR THE MONTH OF JULY 2019

ATTACHMENTS:	 IMPLICATIONS ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2018) 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:	12 AUGUST 2019

PURPOSE OF REPORT

To detail the Council Bank balances and Investment portfolio performance as at 12 August 2019

RESOLUTION

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

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

PLANNING & INFRASTRUCTURE DIRECTORATE

15.6 TENDER 118301 - THE CONCOURSE - COMPLIANCE UPGRADE

ATTACHMENTS:	 IMPLICATIONS COMMERCIAL IN CONFIDENCE INFORMATION (CONFIDENTIAL) (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID DI BIASE – PROPERTY AND CONSTRUCTION SERVICES MANAGER
CITY STRATEGY OUTCOME:	5.3 – BALANCE THE CREATION OF NEW PUBLIC ASSETS WITH THE UPGRADE OF EXISTING PUBLIC ASSETS
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To seek Council's approval to accept the tender from the preferred tenderer for tender number 118301 for the replacement of the external cladding at The Concourse.

MOTION

That Council:

- 1. Accept the tender from Buildcorp Pty Ltd for the replacement of the external cladding of The Concourse, 409 Victoria Avenue, Chatswood using option 5a for a lump sum amount of \$7,883,456.
- 2. Delegate authority to the Chief Executive Officer to negotiate the final terms of the contract and execute all associated documents.
- 3. Note that ARUP be appointed to supervise and project manage the façade cladding replacement works, for a fee equivalent to 6.5% of the final contract value.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

THIS RESOLUTION WAS SUBJECT TO A RESCISSION MOTION WHICH CARRIED. A SUBSEQUENT MOTION ON BEING PUT TO THE MEETING WAS CARRIED TO BECOME THE RESOLUTION OF COUNCIL. REFER TO THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD 10 FEBRUARY 2020 ITEM 17.1 – CONFIDENTIAL – NOTICE OF MOTION – RESCISSION OF RESOLUTION MADE ON 12 AUGUST 2019.

Council moved into closed session to discuss Confidential Attachment 2 – Commercial in Confidence Information.

Reason for Confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

15.7 DRAFT LOCAL CENTRES AND HOUSING STRATEGIES – CONSULTATION AND ENGAGEMENT REPORT

ATTACHMENTS:	 IMPLICATIONS DRAFT HOUSING STRATEGY DRAFT LOCAL CENTRES STRATEGY FEEDBACK REPORT – ENGAGE2 (ATTACHMENTS 2-4 TO BE DISTRIBUTED SEPARATELY) BROAD CONCLUSIONS
RESPONSIBLE OFFICER:	IAN ARNOTT - PLANNING MANAGER
AUTHOR:	JANE GIBSON – STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

Council receive and note the independent review on feedback received during community consultation and engagement of the *Draft Housing* and *Local Centres Strategies*.

Procedural Motion

That Anna Greco address Council:

RESOLUTION

That Council:

- 1. Note the independent review of feedback received during community consultation and engagement on the draft "Feedback about Willoughby Council's Draft Housing and Local Centres Strategies".
- 2. Prepare final Housing and Local Centres Strategies informed by the feedback received.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Councillors Rozos and Mustaca declared a pecuniary, significant interest in this matter but were not required to leave chambers as the item was adopted in block with matters which did not require elaboration or debate. Councillor Rozos however left the meeting at 7:28pm and returned to the meeting at 7:32pm.

15.8 14/25 GIBBES STREET, CHATSWOOD - LEASE RENEWAL

ATTACHMENTS:	 IMPLICATIONS COMMERCIAL IN CONFIDENCE TERMS (CONFIDENTIAL) (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	ANNA VECCHIO – PROPERTY LEASING OFFICER
CITY STRATEGY OUTCOME:	3.1 – FOSTER FEELINGS OF SAFETY, SECURITY AND CLEANLINESS
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To seek Council's approval to enter into a lease with Ageless Gardens Pty Ltd, for Unit 14, 25 Gibbes Street, Chatswood for a term of five years with a three year option to renew.

RESOLUTION

That Council:

- 1. Enter into a lease with Ageless Gardens Pty Ltd for the property at 14/25 Gibbes Street, Chatswood, for a term of five years, with an option for a further three year term.
- 2. Delegate authority to the Chief Executive Officer to execute the lease agreement and any associated documents including, but not limited to, any future leases, options to renew, assignments and variations related to the occupation of 14/25 Gibbes Street, Chatswood.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR RUTHERFORD

CARRIED

Voting

Council moved into closed session to discuss Confidential Attachment 2 – Commercial in Confidence Terms.

Reason for Confidentiality

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

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

15.9 SHOP 1, THE CONCOURSE - GUZMAN Y GOMEZ

ATTACHMENTS:	 IMPLICATIONS COMMERCIAL IN CONFIDENCE TERMS (CONFIDENTIAL) (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	ANNA VECCHIO – PROPERTY LEASING OFFICER
CITY STRATEGY OUTCOME:	4.2 – BUILD AND SUPPORT A NIGHT-TIME ECONOMY 4.3 - CREATE MEMORABLE FOOD DESTINATIONS
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To seek Council's approval to enter into a lease with Guzman Y Gomez Leasing Pty Ltd, for Shop 1, The Concourse, Chatswood.

MOTION

That Council:

- 1. Enter into a lease with Guzman Y Gomez Leasing Pty Ltd for Shop 1, The Concourse, for a term of seven years, with an option for a further five year term.
- 2. Delegate authority to the Chief Executive Officer to execute the lease agreement and any associated documents including, but not limited to, any future leases, options to renew, assignments and variations related to the occupation of Shop 1, 409 Victoria Road, Chatswood.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

CARRIED

Voting

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

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

Council moved into closed session to discuss Confidential Attachment 2 – Commercial in Confidence Terms

Reason for Confidentiality

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

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

COMMUNITY, CULTURE & LEISURE DIRECTORATE

15.10 OUT OF TERM APPLICATIONS - COMMUNITY SMALL GRANTS PROGRAM AND THE CONCOURSE PERFORMING ARTS SUBSIDY

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNTY LIFE MANAGER
CITY STRATEGY OUTCOME:	2.7 – PROMOTE ACCESSIBLE SERVICES FOR THE COMMUNITY
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To seek Council's endorsement of the distribution of Out of Term grant funds through Council's 2019/2020 Community (Small) Grants Program and 2019/2020 The Concourse Performing Arts Subsidy.

RESOLUTION

That Council:

- 1. Distribute \$2,000 of grant funds through the 2019/2020 Community (Small) Grants Program – Community Development 1A to Action Foundation for Mental Health Inc. (Mental Health Social Inclusion Program).
- 2. Distribute \$5,000 of grant funds through the 2019/2020 The Concourse Performing Arts Subsidy to Conviction Group Inc (Young Men's Health Forum).

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE AND LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD - OPEN SPACE COORDINATOR
CITY STRATEGY OUTCOME:	2.2 – RESPECT AND CELEBRATE OUR HISTORY AND HERITAGE SITES
MEETING DATE:	12 AUGUST 2019

PURPOSE OF REPORT

To approve the placing of a memorial plaque in the small Northbridge reserve opposite the former home of the late Bob Hawke in Minimbah Road where Willoughby's Bushcare Group have planted a tree in his memory.

RESOLUTION

That Council approve the request for a memorial plaque to be placed in the small reserve in Minimbah Road, Northbridge opposite the former home of the late Bob Hawke in memory of the former Prime Minister.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

16 NOTICE OF MOTIONS

16.1 PROPOSED MOTION FOR LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

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:	12 AUGUST 2019

PURPOSE OF REPORT

Councillor Campbell has indicated his intention to move the following Notice of Motion.

MOTION

That Council consider submitting the following motion to LGNSW for debate at the LGNSW Annual Conference:

That Local Government NSW call on the NSW State Government to:

- 1. Implement a scheme with other Australian states and territories to allow for occupational licensing portability by mutually recognising state / territory based occupational qualifications and licensing for building, construction, and maintenance related services such as:
 - Electricians;
 - Builders;
 - Plumbers;
 - Fitters;
 - Mechanics; and
 - any other relevant skills or trades.
- 2. In the event that such a mutual recognition scheme is not forthcoming in a timely manner, that the NSW State Government to implement a unilateral recognition of occupational qualifications and licensing from other states and territories for building, construction, and maintenance related services such as:
 - Electricians;
 - Builders;
 - Plumbers;
 - Fitters;
 - Mechanics; and
 - any other relevant skills or trades.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR MUSTACA

CARRIED

Voting

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

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

Her Worship the Mayor Councillor Giles-Gidney noted that this issue could be raised at the next Australian Local Government Association's National General Assembly held in Canberra.

17 CONFIDENTIAL MATTERS

The Chair asked the Chief Executive Officer whether there were any public, or persons in the gallery, that have made or requested to make representation on the proposed closure of the meeting to discuss any of the confidential items listed.

The Chief Executive Officer responded that there had been no requests.

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

Procedural Motion

That:

Council resolve itself into Closed Session with the Press and Public excluded from the meeting to discuss the contents with the following confidential attachments.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR CAMPBELL

Council resolve into Committee of the Whole in order to discuss the contents with these confidential attachments.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR MUSTACA

Council moved into closed session at 8:18pm.

15.6 TENDER 118301 – THE CONCOURSE – COMPLIANCE UPGRADE – CONFIDENTIAL ATTACHMENT 2 – COMMERCIAL IN CONFIDENCE INFORMATION

(d) commercial information of a confidential nature that would if disclosed:
 (i) prejudice the commercial position of the person who supplied it

15.8 14/25 GIBBES STREET, CHATSWOOD – LEASE RENEWAL – CONFIDENTIAL ATTACHMENT 2 – COMMERCIAL IN CONFIDENCE TERMS

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

15.9 SHOP 1, THE CONCOURSE – GUZMAN Y GOMEZ – CONFIDENTIAL ATTACHMENT 2 – COMMERCIAL IN CONFIDENCE TERMS

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

RESOLUTION

That the meeting revert to Open Council.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Council moved into open session at 8:57pm.

18 QUESTIONS WITH NOTICE

NIL

19 CONCLUSION OF THE MEETING

The meeting concluded at 9:02pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 12 August 2019. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.