



Willoughby City Council

ORDINARY COUNCIL

MINUTES

Council Chamber, Level 6, 31 Victor Street, Chatswood

on 9 March 2020

TABLE OF CONTENTS

TABLE OF CONTENTS	2
1 PRESENT	4
2 DISCLOSURES OF INTERESTS	4
3 CONFIRMATION OF MINUTES	5
4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS	6
5 PETITIONS	7
5.1 PETITION - OPPOSING THE DEVELOPMENT OF 446 VICTORIA AVENUE, CHATSWOOD DA2020/7	7
6 OPEN FORUM — MATTERS NOT ON THE AGENDA	8
7 MAYORAL MINUTE	9
7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 9 MARCH 2020	9
8 CHIEF EXECUTIVE OFFICER'S LATE REPORT	11
9 MATTERS FOR DEFERRAL AND PROCEDURAL PRIORITY	11
10 MATTERS REQUIRING ELABORATION OR DEBATE	11
11 PUBLIC FORUM — MATTERS ON THE AGENDA	12
12 REPORTS OF COMMITTEES	13
12.1 MINUTES - NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE MEETING HELD 7 NOVEMBER 2019	13
12.2 MINUTES - LOCAL TRAFFIC COMMITTEE MEETING HELD 19 FEBRUARY 2020	14
13 DEFERRED MATTERS	16
14 CORRESPONDENCE	16
15 REPORTS FROM THE OFFICERS	17
CUSTOMER & CORPORATE DIRECTORATE	17
15.1 INVESTMENT REPORT FOR THE MONTH OF FEBRUARY 2020	17
15.2 AMENDMENT TO COUNCIL MEETING SCHEDULE 2020	18
15.3 SUPPLEMENTARY QUARTERLY REPORTING - DECEMBER 2019 - QUARTER 2	19
15.4 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - COUNCILLOR ATTENDANCE AND PROPOSED MOTIONS FOR THE ASSEMBLY	20
PLANNING & INFRASTRUCTURE DIRECTORATE	21
15.5 INTERNATIONAL CHINESE SCHOOL - MODIFIED PROPOSAL	21
16 NOTICES OF MOTION	23
16.1 NOTICE OF MOTION - SUPPORT FOR INDIGENOUS COMMUNITIES OPPOSING FRACKING IN THE NORTHERN TERRITORY	23
16.2 NOTICE OF MOTION - UNDERGROUND POWERLINES AND CABLES	25
16.3 NOTICE OF MOTION - REVIEW OF LIBRARY HOURS	27
16.4 NOTICE OF MOTION - WASTE MANAGEMENT	28
16.5 NOTICE OF MOTION - REPORTING ON LEGAL MATTERS	29
16.6 NOTICE OF MOTION - WEST HARBOUR TUNNEL PROJECT	30

17	CONFIDENTIAL MATTERS	32
17.1	CONFIDENTIAL - SERVICES PROVISION.....	32
18	QUESTIONS WITH NOTICE.....	34
18.1	QUESTIONS ON NOTICE FROM COUNCILLOR SAVILLE - FUNDING FOR GORE HILL OVAL UPGRADE	34
19	CONCLUSION OF THE MEETING	35

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 G McDonald (Customer & Corporate Director), Mr C Binns (Acting Planning & Infrastructure Director), Ms M Smith (Community Culture & Leisure Director), Mr M Cashin (Community Life Manager, Mr S Naven (Chief Financial Officer), 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 Wright declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.1: Investment Report for the month of February 2020
(Nature of Interest: I am an employee of the Westpac Group with whom Council has investments)
- Councillor Campbell declared, via a Disclosures of Interest form, a non-pecuniary, significant interest in item 15.5: International Chinese School – Modified Proposal
(Nature of Interest: One of the parents involved in the school was part of my campaign and stood with me on my ticket in the 2017 elections)
- Councillor Zhu declared, via a Disclosures of Interest form, a non-pecuniary, significant interest in item 15.5: International Chinese School – Modified Proposal
(Nature of Interest: I have personal and social relationships with parents and other people with an interest in the matter)
- Mayor Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.5: International Chinese School – Modified Proposal
(Nature of Interest: Relationship to parent at the school)
- Councillor Norton declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.5: International Chinese School – Modified Proposal
(Nature of Interest: I am employed by the NSW Department of Education which has not, as far as I am aware, taken a position on this matter but if it did I would have no input into the portion as I am employed as a Senior Psychologist)

- 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 February 2020 (Item 6.1)
(Nature of Interest: I reside in Linden Way. However, I am not directly affected by the intersection in question)

MOVED COUNCILLOR RUTHERFORD

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

3 CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the Ordinary Meeting of Council held 10 February 2020, copies of which have been circulated to each member of Council, be confirmed, with the following amendments:

Item 15.12: Owners Consent for Council land involving the proposed International Chinese School at 211 Pacific Highway St Leonards

Add the following declaration from Councillor Norton following the voting on page 39:

Councillor Norton declared, via a Disclosures of Interest form, a non-pecuniary less significant interest in Item 15.12: Owners Consent for Council Land involving the proposed International Chinese School at 211 Pacific Highway St Leonards (Nature of Interest: I am employed by the NSW Department of Education as a Senior Psychologist, Education. This school is a private school to which I have no links.)

Item 16.2: Notice of Motion – National Strategy for Climate Change and Health

The Motion, moved by Councillor Saville and seconded by Councillor Mustaca, was carried to become a resolution of Council.

MOVED COUNCILLOR MUSTACA

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

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

That Council:

1. Note Councillor Coppock tendered an apology and requested Leave of Absence for tonight's meeting.
2. Councillor Wright requested Leave of Absence for Monday 20 April 2020.

RESOLUTION

That Council:

1. Note the apology and Grant Leave of Absence to Councillor Coppock for tonight's meeting.
2. Grant Leave of Absence to Councillor Wright for Monday 20 April 2020.

MOVED COUNCILLOR SAVILLE

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

5 PETITIONS

5.1 PETITION - OPPOSING THE DEVELOPMENT OF 446 VICTORIA AVENUE, CHATSWOOD DA2020/7

RESPONSIBLE OFFICER:	GREG MCDONALD – 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:	9 MARCH 2020

PURPOSE OF REPORT

To consider a petition from Head Petitioner Jessica L through Change.org containing 76 petitions as at 19 February 2020 objecting to DA2020/7 – 446 Victoria Avenue, Chatswood for the demolition of the existing RSL Chatswood Club to build a commercial office tower.

RESOLUTION

That Council receive and note the petition opposing the development of 446 Victoria Avenue, Chatswood – DA2020/7 and refer it to the Planning & Infrastructure Director for consideration as a submission in respect to the application.

MOVED COUNCILLOR WRIGHT

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

6 OPEN FORUM — MATTERS NOT ON THE AGENDA

The following people addressed Open Forum:

- Andrew Davis spoke on the proposed Quadrangle development at Castlecrag.
- Kathryn Jane McCann spoke on the Castlecrag Local Centre.

7 MAYORAL MINUTE

7.1 MAYOR'S DIARY: COUNCIL MEETING NOTES – 9 MARCH 2020

TUESDAY 11 FEBRUARY			
Mayor	10.30 am	Visit to Jeffrey Lambe (106 years old)	Pathways, 170 Sailors Bay Road
Cr Norton	2 pm	Seniors Committee	Dougherty Centre
WEDNESDAY 12 FEBRUARY			
Cr Saville	3.30 pm	RNSH Community Participation Committee	RNSH
Cr Norton	4 pm	Access & Inclusion Committee	Dougherty Centre
Mayor	6.15 pm	Rotary Tree of Joy – Thank-you Dinner	Roseville Memorial Club
Cr Norton	6.30 pm	Streetscape Co Design Workshop	Northbridge Golf Club
THURSDAY 13 FEBRUARY			
Mayor	12.30 pm	Knitting Group – Seniors Week Event	Dougherty Centre
Cr Saville	6 pm	Rally to Support ABC	Paul Fletcher's Office, Lindfield
Mayor	7.30 pm	Naremburn Progress Association	Naremburn Community Centre
SATURDAY 15 FEBRUARY			
Cr Saville	11 am	Community Information Seminar: Northern Beaches Tunnel	Norths Leagues Club, Cammeray
Cr Norton	7 pm	WSOC Concert	The Concourse
SUNDAY 16 FEBRUARY			
Mayor	3:45pm	Multicultural Concert	NSTE: 28 Chatswood Avenue
TUESDAY 18 FEBRUARY			
Mayor Crs Norton, Saville	Afternoon	Seniors Week Variety Concert	The Civic Pavilion
WEDNESDAY 19 FEBRUARY			
Mayor Crs Norton, Rutherford	11.30 am	Citizenship Ceremony	Council Chambers
Mayor	1.30 pm	SNPP Meeting	Willoughby Council
SUNDAY 23 FEBRUARY			
Cr Saville	11 am	State Memorial Service: NSW Bushfires 2019-2020	Olympic Park
MONDAY 24 FEBRUARY			
Mayor Cr Norton	6.30 pm	Community Information Seminar	Council Chambers
TUESDAY 25 FEBRUARY			
Cr Norton	5 pm	Heritage Committee	Banksia Room
Cr Norton	6.30 pm	Public Meeting re Sports Management Plan	Dougherty Centre
Cr Norton	7.30 pm	Caste Cove Progress Association Meeting	Castle Cove Community Centre

WEDNESDAY 26 FEBRUARY			
Cr Norton	10.30 am	Seniors Festival Cruise	Sydney Harbour
Mayor	10.30 am	Student Visit – Mercy College	Council Chambers
Mayor Cr Norton	6 pm	Opening of Art Expo: Smart Expressions	The Art Space
Cr Norton	6.45 pm	Streetscape Co Design Workshop	Northbridge Golf Club
Mayor	7 pm	Artarmon Village Meeting	Zucchero Café, Hampden Road
THURSDAY 27 FEBRUARY			
Mayor Cr Zhu	6 pm	NSROC Board Meeting	Mosman Council
Cr Norton	6.30 pm	Transport Strategy Workshop	Council Chambers
FRIDAY 28 FEBRUARY			
Mayor	11.30 am	N.Sydney Volunteer Grant 2020 Panel	2 Elizabeth Street, North Sydney
SATURDAY 29 FEBRUARY			
Mayor	10 am	St Paul's Northbridge Fair Day	27 Eastern Valley Way
SUNDAY 1 MARCH			
Mayor	11.30 am	Bulgarian Language School: Martenitsa Event	250 Willoughby Road, Naremburn
TUESDAY 3 MARCH			
Crs Norton, Rutherford	9 am	Cultural Events Committee	Banksia Room
WEDNESDAY 4 MARCH			
Cr Norton	9.15 pm	Willoughby Symphony choir AGM	Roseville Uniting Church
FRIDAY 6 MARCH			
Mayor	12.30 pm	International Women's Day Lunch	The Tea Room QVB
SUNDAY 8 MARCH			
Mayor	9 am	International Women's Day Event	The Concourse lower grass area
Cr Eriksson	morning	Clean Up Australia Day Event	Northbridge
Cr Norton	3 pm	Willoughby Band Concert	Zenith theatre

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 12.1 Minutes – Natural Heritage and Bushland Advisory Committee Meeting held 7 November 2019
- Item 12.2 Minutes – Local Traffic Committee held 19 February 2020
- Item 15.2 Amendment to Council Meeting Schedule 2020
- Item 15.4 National General Assembly of Local Government – Councillor attendance and proposed motions for the Assembly
- Item 15.5 International Chinese School – Modified Proposal
- Item 16.1 Notice of Motion – Support for Indigenous Communities opposing Fracking in the Northern Territory
- Item 16.2 Notice of Motion – Underground Powerlines and Cables
- Item 16.3 Notice of Motion – Review of Library Hours
- Item 16.4 Notice of Motion – Waste Management
- Item 16.5 Notice of Motion – Reporting on Legal Matters
- Item 16.6 Notice of Motion – West Harbour Tunnel Project
- Item 17.1 Confidential – Service Provision

RESOLUTION

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

- Item 15.1 Investment Report for the month of February 2020**
- Item 15.3 Supplementary Quarterly Reporting – December 2019 – Quarter 2**

MOVED COUNCILLOR ERIKSSON**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

11 PUBLIC FORUM — MATTERS ON THE AGENDA

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

- Item 15.5 International Chinese School – Modified Proposal
- Item 16.1 Notice of Motion – Support for Indigenous Communities opposing
Fracking in the Northern Territory
- Item 16.6 Notice of Motion – West Harbour Tunnel Project.

12 REPORTS OF COMMITTEES

12.1 MINUTES - NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE MEETING HELD 7 NOVEMBER 2019

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE – 7 NOVEMBER 2019
RESPONSIBLE OFFICER:	CHRIS BINNS – PLANNING & INFRASTRUCTURE DIRECTOR (ACTING)
AUTHOR:	NICHOLAS YU – NATURAL ASSETS OFFICER
CITY STRATEGY OUTCOME:	1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE
MEETING DATE:	9 MARCH 2020

PURPOSE OF REPORT

To present to Council the Minutes of the Natural Heritage and Bushland Advisory Committee meeting held on 7 November 2019.

RESOLUTION

That Council receive and note the minutes of the meeting of the Natural Heritage and Bushland Advisory Committee held on 7 November 2019.

MOVED COUNCILLOR NORTON

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

**12.2 MINUTES - LOCAL TRAFFIC COMMITTEE MEETING HELD
19 FEBRUARY 2020**

ATTACHMENTS:	1. IMPLICATIONS 2. TRAFFIC COMMITTEE MINUTES OF 19 FEBRUARY 2020
RESPONSIBLE OFFICER:	CHRIS BINNS – ACTING PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	GORDON FARRELLY –TRAFFIC AND TRANSPORT TEAM LEADER
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:	9 MARCH 2020

PURPOSE OF REPORT

To advise Council of the outcome of the Traffic Committee Meeting held on 19 February 2020.

RESOLUTION

That Council:

- 1. Amend the relevant resolution on page 24 item 6.1 in item 12.2 of the Local Traffic Committee Minutes held 19 February 2020, as follows:**

“That Council:

Approve the preferred option D and identify savings as part of the Quarterly Budget Review report to Council in April to enable the design, consultation and implementation to be completed by 30 June 2020.”

- 2. Receive and adopt the balance of the recommendations arising from the Local Traffic Committee meeting of 19 February 2020.**

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

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 February 2020 (Item 6.1)

(Nature of Interest: I reside in Linden Way. However, I am not directly affected by the intersection in question)

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

NIL

15 REPORTS FROM THE OFFICERS

CUSTOMER & CORPORATE DIRECTORATE

15.1 INVESTMENT REPORT FOR THE MONTH OF FEBRUARY 2020

ATTACHMENTS:	1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2019) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS
RESPONSIBLE OFFICER:	GREG MCDONALD - 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:	9 MARCH 2020

PURPOSE OF REPORT

To detail the Council's bank balances and investment portfolio performance as at 29 February 2020.

RESOLUTION

That Council receive the Statement of Bank Balances and Investment Holdings as at 29 February 2020.

MOVED COUNCILLOR ERIKSSON

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

Councillor Wright declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.1: Investment Report for the month of February 2020
(*Nature of Interest: I am an employee of the Westpac Group with whom Council has investments*)

15.2 AMENDMENT TO COUNCIL MEETING SCHEDULE 2020

ATTACHMENTS:	1. IMPLICATIONS 2. MEETING SCHEDULE 2020
RESPONSIBLE OFFICER:	GREG MCDONALD – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	SAMANTHA CHARLTON – GOVERNANCE, RISK & CORPORATE PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 MARCH 2020

PURPOSE OF REPORT

To consider amendments to Council's 2020 meeting schedule arising from the election timetable issued by the NSW Electoral Commissioner and change of date for the Local Government NSW (LGNSW) Conference 2020.

RESOLUTION

That Council:

- 1. Reschedule the first Ordinary Council Meeting following the election from Wednesday 23 September 2020 to Wednesday 30 September 2020, to accommodate the official election timetable issued by the NSW Electoral Commissioner.**
- 2. Reschedule the Ordinary Council Meeting from Thursday 15 October 2020 to Monday 12 October due to the rescheduled Local Government NSW Conference 2020 being held 22-24 November 2020.**

MOVED COUNCILLOR WRIGHT

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

**15.3 SUPPLEMENTARY QUARTERLY REPORTING - DECEMBER 2019 -
QUARTER 2**

ATTACHMENTS:	1. IMPLICATIONS 2. LEGAL EXPENSES 3. THE CONCOURSE FINANCIAL PERFORMANCE 4. CROWN RESERVES 5. CY PRES SCHEME RESERVES 6. DEVELOPER CONTRIBUTIONS
RESPONSIBLE OFFICER:	GREG MCDONALD – 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:	9 MARCH 2020

PURPOSE OF REPORT

To provide Council with specific extra quarterly reporting over and above regulatory requirements for the quarterly budget review.

RESOLUTION

That Council note the supplementary quarterly reports for the quarter ended 31 December 2019 (Quarter 2).

MOVED COUNCILLOR ERIKSSON

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

15.4 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - COUNCILLOR ATTENDANCE AND PROPOSED MOTIONS FOR THE ASSEMBLY

ATTACHMENTS:	1. IMPLICATIONS 2. NGA PROGRAM 2020 3. DISCUSSION PAPER 2020 4. RATIONALE FOR PROPOSED MOTIONS
RESPONSIBLE OFFICER:	GREG MCDONALD –CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	SAMANTHA CHARLTON – GOVERNANCE, RISK & CORPORATE PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 MARCH 2020

PURPOSE OF REPORT

To advise Council of the National General Assembly of Local Government to be held in Canberra between 14-17 June 2020, and to consider proposed motions from the Council.

RESOLUTION

That Council:

1. Note the upcoming National General Assembly of Local Government on 14-17 June 2020.
2. Note that should Councillors wish to attend the National General Assembly they are to advise the Governance, Risk & Corporate Planning Manager to enable necessary arrangements to be made.
3. Consider the following motion:
 - 3.1 That the National General Assembly of Local Government support the National Strategy for Climate Change and Health. Include an attachment of CAHA's framework to support the rationale.

MOVED COUNCILLOR ROZOS

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

PLANNING & INFRASTRUCTURE DIRECTORATE

15.5 INTERNATIONAL CHINESE SCHOOL - MODIFIED PROPOSAL

ATTACHMENTS:	<ol style="list-style-type: none">1. IMPLICATIONS2. REPORT TO COUNCIL MEETING OF 10 FEBRUARY 20203. COUNCIL SUBMISSION TO DPIE DATED 24 OCTOBER 20194. LETTER FROM INTERNATIONAL CHINESE SCHOOL DATED 24 FEBRUARY 2020
RESPONSIBLE OFFICER:	CHRIS BINNS – ACTING PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	IAN ARNOTT - PLANNING MANAGER
CITY STRATEGY OUTCOME:	3.5 – MAINTAIN QUALITY OF LIFE BY BALANCING POPULATION GROWTH WITH THE PROVISION OF ASSETS AND SERVICES
MEETING DATE:	9 MARCH 2020

PURPOSE OF REPORT

To seek Council's reconsideration for granting owner's consent for alterations and use of car parking and open space at Gore Hill Park in association with a modified proposal for a State Significant Development Application for an International Chinese School at 211 Pacific Highway, St Leonards (Sexton's Cottage).

MOTION

That Council:

1. Provide land owner's consent for the works proposed by the proponent within Gore Hill Park subject to the proponent first entering into a Deed of Agreement with Council regarding use of Council facilities and agreeing to abide by terms of operation.
2. Grant delegation to the Chief Executive Officer to negotiate the terms of the Deed of Agreement in accordance with the principles outlined in Section 4.4 of this report and sign all relevant documents.

MOVED COUNCILLOR MUSTACA

SECONDED COUNCILLOR ROZOS

NOT PUT

MOTION

That Council defer this matter.

MOVED COUNCILLOR NORTON

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

Absent: Councillors Campbell and Zhu.

Due to Councillors Campbell and Zhu declaring a non-pecuniary, significant interest in item 15.5: International Chinese School – Modified Proposal they withdrew from the meeting at 7:43pm, taking no part in the discussion or voting on this topic, and returned to the Chamber at 8:08pm.

Mayor Giles-Gidney declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.5: International Chinese School – Modified Proposal
(*Nature of Interest: Relationship to parent at the school*)

Councillor Norton declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.5: International Chinese School – Modified Proposal
(*Nature of Interest: I am employed by the NSW Department of Education which has not, as far as I am aware, taken a position on this matter but if it did I would have no input into the portion as I am employed as a Senior Psychologist*)

16 NOTICES OF MOTION

16.1 NOTICE OF MOTION - SUPPORT FOR INDIGENOUS COMMUNITIES OPPOSING FRACKING IN THE NORTHERN TERRITORY

RESPONSIBLE OFFICER:	CHRIS BINNS – ACTING PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID ROBERTS – ENVIRONMENT MANAGER
CITY STRATEGY OUTCOME:	1.5 – REDUCE CARBON AND GREENHOUSE GAS EMISSIONS
MEETING DATE:	9 MARCH 2020

PURPOSE OF REPORT

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

Procedural Motion

That the following people address Council:

- Suzie Gold
- Kaylene Oakley
- Ian Kilminster
- Diana Pryde
- Peter Mulholland
- Michael Pooley
- James Stanton-Cook
- Gay Spies
- Gae Mulvogue
- Walter Timothy Ingham

MOTION

That Council:

1. **Write to Origin Energy:**
 - i) **Noting our Power Purchase Agreement with Origin through SSROC, 20% of which is currently sourced from the Moree Solar Farm;**
 - ii) **Noting Willoughby City Council's Climate Emergency Declaration and in-principle support for net-zero emissions by 2030;**
 - iii) **Expressing our support for the Traditional Owners and communities in the Northern Territory, who have expressed their strong opposition to fracking due its threats to the climate, and to their lands, waters and rights;**
 - iv) **Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, communities, environment and water, and commit to further investment in environmentally and socially sustainable renewable energy projects.**

2. Forward a copy of the correspondence referred to above to all NSW Regional Organisations of Councils (ROCs).

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR MUSTACA

LOST

Voting

For the Motion: Councillors Fernandez, Mustaca, Norton, Rutherford, Saville and Wright.

Against: Councillors Giles-Gidney, Campbell, Eriksson, Rozos, Tuon and Zhu.

The voting being equal the Mayor declined to use her casting vote and so the Motion was lost.

16.2 NOTICE OF MOTION - UNDERGROUND POWERLINES AND CABLES

RESPONSIBLE OFFICER:	CHRIS BINNS – ACTING PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID ROBERTS – ENVIRONMENT MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 MARCH 2020

PURPOSE OF REPORT

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

MOTION

That Council resolves to note

1. During and following the recent floods in Willoughby and across the State thousands of residences have been without power for significant lengths of time occasioning great hardship and expense.
2. As far back as 2002 the NSW IPART conducted an Inquiry into Electricity Undergrounding in New South Wales, which highlighted the quantifiable and unquantifiable benefits of undergrounding powerlines and cables:
 - i. Avoided costs associated with motor vehicle accidents
 - ii. Improved reliability of electricity supply
 - iii. Avoided maintenance cost
 - iv. Reduction in lost revenue to Distribution Network Service Providers
 - v. Improved public amenity
 - vi. Improved environment
 - vii. Improved public and workplace safety
 - viii. New opportunities
 - ix. Reduced health risks.
3. The Federal Parliament's Inquiry in 1996/1997 found "In most Australian states, underground power delivery is compulsory in new, outer suburban subdivisions and this has had some impact in recent years. It is estimated that between 150 000 and 200 000 new homes are connected to underground power supplies each year throughout Australia, and over a number of decades this will result in a significant proportion of the national housing stock having underground connection".
4. Due to significant expense to underground powerlines, further delay increases costs.
5. That State/Federal funding be provided to stimulate transition to underground power supply.

6. Submit a motion to the National General Assembly of Local Government concerning underground power lines.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

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

16.3 NOTICE OF MOTION - REVIEW OF LIBRARY HOURS

RESPONSIBLE OFFICER: MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR

AUTHOR: ANGELA CASEY – CULTURE & LEISURE MANAGER

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

MEETING DATE: 9 MARCH 2020

PURPOSE OF REPORT

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

MOTION

That Council:

1. Prepares a review of the opening hours and utilisation of all branches of the Willoughby City Library Network.
2. That the review will also provide data to support opportunities to expand the opening hours of Chatswood Library:
 - i) on Friday nights beyond 6pm;
 - ii) on Saturday nights beyond 5pm;
 - iii) on Sunday beyond the current 2pm - 5pm arrangement; and
 - iv) during peak HSC and university examination time periods in the months of June, July, September, October and November.
3. Define and prioritise a project to review the opening hours and utilisation of Chatswood Library and all branch libraries as part of the 2021/22 Project and Capital Works Budget bid process.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Voting

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

Against: Nil

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

16.4 NOTICE OF MOTION - WASTE MANAGEMENT

RESPONSIBLE OFFICER:	CHRIS BINNS – ACTING PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID ROBERTS – ENVIRONMENT MANAGER
CITY STRATEGY OUTCOME:	1.4 – REDUCE ENERGY, WATER AND RESOURCE WASTE AND ENCOURAGE REUSE
MEETING DATE:	9 MARCH 2020

PURPOSE OF REPORT

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

MOTION

That Council:

- 1. Note the Officer's report.**
- 2. Receive updates from the Chief Executive Officer on waste initiatives.**

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR ERIKSSON

CARRIED

Voting

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

Against: Nil

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

16.5 NOTICE OF MOTION - REPORTING ON LEGAL MATTERS

RESPONSIBLE OFFICER: GREG MCDONALD – CUSTOMER & CORPORATE DIRECTOR

AUTHOR: SAMANTHA CHARLTON – GOVERNANCE, RISK & CORPORATE PLANNING MANAGER

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

MEETING DATE: 9 MARCH 2020

PURPOSE OF REPORT

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

MOTION

That Council receive a report each Council Meeting from officers that includes all outstanding or ongoing legal matters (including mediation, NCAT, litigation, etc. excluding matters concerning NSW State Revenue). A further confidential report should contain prospects and expected costs.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR SAVILLE

CARRIED

Voting

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

Against: Nil

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

16.6 NOTICE OF MOTION - WEST HARBOUR TUNNEL PROJECT

RESPONSIBLE OFFICER:	CHRIS BINNS – ACTING PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	CHRIS BINNS – ACTING PLANNING & INFRASTRUCTURE DIRECTOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 MARCH 2020

PURPOSE OF REPORT

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

Procedural Motion

That the following people address Council:

- Daniel Keogh
- John Moratelli
- Larissa Penn
- Matt Judson

MOTION

That:

1. Any submission made by Willoughby Council to the Reference Design Stage be made publicly available via a link on the Willoughby Council website.
2. Information about the projects be made accessible to local residents on the Willoughby Council website and via request.
3. Willoughby Council review the Western Harbour and Warringah Freeway EIS and make a submission against the EIS given that there are considerable impacts directly and indirectly to Willoughby.
4. This submission include, but not be limited to, effects from increased traffic, noise from the Warringah Freeway Upgrade and risks to Flat Rock due to ground water contamination from the Cammeray Golf Course site.
5. Members of the Bicentennial Reserve and Flat Rock Gully Committee be invited to contribute to the Willoughby Council submission.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR FERNANDEZ

Voting

CARRIED

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

Against: Nil

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

17 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.

Procedural Motion

That Council resolve itself into Closed Session with the Press and Public excluded from the meeting to deal with the following confidential item.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR CAMPBELL

CARRIED

Council moved into closed session at 9:26pm.

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

17.1 CONFIDENTIAL - SERVICES PROVISION

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)

The information in the report is confidential because it contains details concerning Council personnel. Disclosing this matter would reveal information that relates to individuals. Council has a responsibility to consider personnel matters in confidence. On balance, it is not in the public interest to reveal details of personnel matters.

RECOMMENDATION

That Council endorse recommendation 1 contained within part 4 of this report and delegate authority to the Chief Executive Officer to undertake all necessary actions and execute all required documentation to give effect to recommendations 2 and 3 contained within part 4 of this report.

MOVED COUNCILLOR ERIKSSON

SECONDED COUNCILLOR MUSTACA

NOT PUT**AMENDMENT**

That Council defer this matter to seek further information.

MOVED COUNCILLOR WRIGHT

SECONDED COUNCILLOR NORTON

CARRIED**Voting**

For the Amendment: Councillors Giles-Gidney, Campbell, Fernandez, Norton, Rozos, Saville and Wright.

Against: Councillors Eriksson, Mustaca, Rutherford, Tuon, and Zhu.

The Amendment on being put to the meeting was carried to become the recommendation of Council.

Voting

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

Against: Councillor Tuon.

PROCEDURAL MOTION

That the meeting revert to Open Council.

MOVED COUNCILLOR CAMPBELL

SECONDED COUNCILLOR FERNANDEZ

CARRIED

Council moved into open session at 9:58pm.

RESOLUTION

That the recommendations from the Closed session of Council be adopted.

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

18 QUESTIONS WITH NOTICE**18.1 QUESTIONS ON NOTICE FROM COUNCILLOR SAVILLE - FUNDING FOR GORE HILL OVAL UPGRADE**

RESPONSIBLE OFFICER: MELANIE SMITH – DIRECTOR COMMUNITY, CULTURE AND LEISURE

AUTHOR: MELANIE SMITH – DIRECTOR COMMUNITY, CULTURE AND LEISURE

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

MEETING DATE: 9 MARCH 2020

QUESTION

1. What was the specific funding stream from which the federal funding for Gore Hill Oval was sourced?
2. Was the funding sourced from a specific Grant? If so, which grant scheme?
3. Did council make a formal submission for the funding allocation?
4. How much total federal funding for the Gore Hill oval upgrade did council receive?

ANSWER

1. The Community Development Grants Program through the Department of Infrastructure, Transport, Cities and Regional Development.
2. Please refer to the previous response.
3. Council submitted a formal Grant Application to the Community Development Grants Program in May 2016.
4. The total amount awarded to the Gore Hill project was \$9.5mil (ex. GST).

19 CONCLUSION OF THE MEETING

The meeting concluded at 10:00pm

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 9 March 2020). I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.