



# **Willoughby City Council**

## **ORDINARY COUNCIL**

### **MINUTES**

22 May 2023

## TABLE OF CONTENTS

<b>TABLE OF CONTENTS</b> .....	<b>2</b>
<b>1 OPEN MEETING</b> .....	<b>5</b>
<b>2 ACKNOWLEDGEMENT OF COUNTRY</b> .....	<b>5</b>
<b>3 REFLECTION OR PRAYER</b> .....	<b>5</b>
<b>4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS</b> .....	<b>5</b>
<b>5 CONFIRMATION OF MINUTES</b> .....	<b>6</b>
<b>6 DISCLOSURES OF INTERESTS</b> .....	<b>6</b>
<b>7 PETITIONS</b> .....	<b>7</b>
<b>11 MATTERS BY EXCEPTION</b> .....	<b>7</b>
<b>8 OPEN FORUM</b> .....	<b>8</b>
<b>8 PUBLIC FORUM</b> .....	<b>9</b>
12.8 APPLICATION OF INTERIM HERITAGE ORDER - 43 DONNELLY ROAD NAREMBURN .....	9
13.1 NOTICE OF MOTION 07/2023 - REVOKE DELEGATION TO CEO RE DEVONSHIRE STREET CHILDCARE CENTRE .....	10
<b>9 MAYORAL MINUTE</b> .....	<b>10</b>
9.1 MAYORAL MINUTE 05/2023 - DAMAGING INCREASE IN EMERGENCY SERVICES LEVY COSTS .....	10
<b>10 CHIEF EXECUTIVE OFFICER'S LATE REPORT</b> .....	<b>11</b>
<b>12 REPORTS TO COUNCIL</b> .....	<b>11</b>
12.3 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF MARKET GARDEN PARK RESERVE ACTION PLAN 2023 .....	11
12.4 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF BEVERLEY BLACKLOCK RESERVE ACTION PLAN 2023.....	12
12.5 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF THE DEVONSHIRE ST PLAN OF MANAGEMENT .....	12
12.6 MINUTES - TRAFFIC COMMITTEE MEETING HELD ON 20 APRIL 2023 .....	12
12.9 BULKY WASTE COLLECTION SERVICES.....	13
12.12 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF COMMUNITY ENGAGEMENT POLICY AND STRATEGY .....	15
12.13 TENDER T08-2022 - MANAGEMENT OF DEVONSHIRE STREET CHILD CARE CENTRE .....	15
<b>13 NOTICES OF MOTION</b> .....	<b>16</b>
13.2 NOTICE OF MOTION 08/2023 - REVOKE CEO DELEGATION OF 23 MAY 2022 UNDER ITEM 17.4 FOR OUTSOURCING COUNCIL S FOOD SERVICES BUSINESS .....	16
13.3 NOTICE OF MOTION 09/2023 - CONSTITUTIONAL REFERENDUM TO DECIDE WHETHER MAYOR SHOULD CONTINUE TO BE POPULARLY ELECTED.....	16
<b>14 QUESTIONS WITH NOTICE</b> .....	<b>17</b>
<b>15 CONFIDENTIAL MATTERS</b> .....	<b>17</b>
15.1 CONFIDENTIAL - TENDER T08-2022 MANAGEMENT OF DEVONSHIRE STREET CHILD CARE CENTRE .....	17

**ORDINARY COUNCIL MEETING**

---

**COUNCIL RESOLUTIONS ADOPTED EN BLOC ..... 17**

- 12.1 INVESTMENT REPORT FOR MONTH OF APRIL 2023 ..... 17
- 12.2 QUARTERLY BUDGET REVIEW 2022-23 - MARCH QUARTER  
REPORT ..... 17
- 12.7 REPORT ON DRAFT WILLOUGHBY DEVELOPMENT CONTROL  
PLAN ..... 18
- 12.10 WCC PROPERTY REPORT - 22 MAY 2023 ..... 19
- 12.11 GRANTS FOR THE COMMUNITY PROGRAM 2022/2023  
APPLICATIONS MARCH –APRIL 2023..... 19

**16 CONCLUSION OF THE MEETING ..... 19**

**Minutes of an ordinary Council meeting  
held on Monday, 22 May 2023  
at the Council Chamber, Chatswood commencing at 7:03pm**

**ATTENDANCE:**

**Councillors**

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

**Officers**

Debra Just (Chief Executive Officer)  
Maxine Kenyon (Customer & Corporate Director)  
Linda Perrine (Community, Culture & Leisure Director)  
Hugh Phemister (Planning & Infrastructure Director)  
Stephen Naven (Chief Financial Officer)  
Samantha Connor (Governance, Risk & Compliance Manager)  
Michael Cashin (Community Life Manager)  
Mitchell Noble (Head of Planning)  
Patrick Williams (Senior Development Assessment Officer)  
Mark Skelsey (Community Engagement & Internal Communications Lead)  
Natalie Taylor (Council & Corporate Support Officer)  
Adam Booth (Council & Corporate Support 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 OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS**

That Council accept the leave of absence submitted by Councillor Wright for the 22 May 2023 Council Meeting.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR SAMUEL**

**CARRIED**

**Voting**

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

**Against:** Nil

---

That Council accept the application to appear via audio-visual link submitted by Councillor McCullagh for the 22 May 2023 Council Meeting.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR MOURADIAN**

**CARRIED**

**Voting**

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

**Against:** Nil

---

That Council accept the leave of absence submitted by Councillor Zhu 27 June – 31 July 2023.

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil

---

## 5 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 15 May 2023, copies of which have been circulated to each member of Council, be confirmed.

**MOVED COUNCILLOR XIA / SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

### **Voting**

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

---

- Councillor Xia declared a non-pecuniary less than significant interest in item 12.1 – Investment Report for month of April 2023. Councillor Xia chose to stay in the meeting and take part in any discussion and voting on this item. The reason provided was:

*“I am an employee with Westpac with whom Council has investments. I do not have any control or influence over the investments held by Council.”*

- Councillor Mouradian declared a non-pecuniary less than significant interest in item 12.6 – Minutes – Traffic Committee Meeting held on 20 April 2023. Councillor Mouradian chose to stay in the meeting and take part in any discussion and voting on this item. The reason provided was:

*“Traffic Committee Recommendations related to The Armenian Evangelical Church and I am part of the broader Armenian Community and well known by numerous organisations.”*

- Councillor Samuel declared a non-pecuniary less than significant interest in item 12.6 – Minutes – Traffic Committee Meeting held on 20 April 2023. Councillor Samuel chose to stay in the meeting and take part in any discussion and voting on this item. The reason provided was:

*“An item refers to the removal of a median strip and parking spot outside the house I own jointly with my partner that we live in .The house is on a corner block with street frontage on two sides.”*

- Councillor Greco declared a non-pecuniary less than significant interest in item 12.8 – Application of Interim Heritage Order – 43 Donnelly Road, Naremburn. Councillor Greco chose to leave the meeting and take no part in any discussion and voting on this item. The reason provided was:

*“I am a practicing Catholic at St Leonards Church, Naremburn. While my practice is not a conflict in itself, I will be leaving the room to avoid a perceive conflict should questions arise.”*

---

**7 PETITIONS**

---

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

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

**MOVED COUNCILLOR SAMUEL / SECONDED COUNCILLOR ROUSSAC**

**CARRIED**

**Voting**

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

**Against:** Nil

---

**11 MATTERS BY EXCEPTION**

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

---

**PROCEDURAL MOTION – ITEMS BE DEFERRED**

That item 12.5, 12.13, 15.1 be deferred until 26 June 2023 Council meeting

**MOVED COUNCILLOR SAMUEL / SECONDED COUNCILLOR MOURADIAN**

**CARRIED**

**Voting**

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

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

---

- 12.3 Outcome of Public Exhibition and Adoption of Market Garden Park Reserve Action Plan
  - 12.4 Outcome of Public Exhibition and Adoption of Beverley Blacklock Reserve Action Plan
  - 12.6 Minutes - Traffic Committee Meeting held on 20 April 2023
  - 12.8 Application of Interim Heritage Order - 43 Donnelly Road, Naremburn
  - 12.9 Bulky Waste Collection Services
  - 12.12 Outcome of Public Exhibition and Adoption of Community Engagement Strategy
  - 13.1 Notice of Motion 07/2023 - Revoke Delegation to CEO Re Devonshire Street Child Care Centre
  - 13.2 Notice of Motion 08/2023 - Revoke CEO Delegation of 23 May 2022 Under item 17.4 for Outsourcing Council's Food Services Business
  - 13.3 Notice of Motion 09/2023 - Constitutional Referendum to Decide Whether Mayor Should be Popularly Elected
-

**MOTION**

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

- 9.1 Mayoral Minute 05/2023 – Damaging Increase in Emergency Services Levy
- 12.1 Investment Report for Month of April 2023
- 12.2 Quarterly Budget Review 2022-23 - March Quarter Report
- 12.7 Report on Draft Willoughby Development Control Plan
- 12.10 WCC Property Report - 22 May 2023
- 12.11 Grants for the Community Program 2022/2023 Applications March – April 2023

**MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

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

**Against:** Nil

---

**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).

The following members of the public addressed Council.

- Mark Crew (Castlecrag Conservation Society) - Collection of e-waste from kerb side bulk rubbish
- Therese Cameron – Residents needing care for dementia

Due to the deferral of Devonshire Street Child Care Centre papers to the June meeting, speakers were invited to speak on Open Forum.

- Helen Gillespie-Jones, Lin Sandquist, Caitlin Chang, Fiona Chang, Woon Yat Lui, Alexis Lim, Evangelina Martinez, Pauline Casal

*Note:*

1. *Councillor Rozos left the meeting at 7:49pm and returned at 7:55pm*
  2. *Councillor Moratelli left the meeting at 8:09pm and returned at 8:11pm*
- 

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

**That standing orders be set aside and items 12.8 and 13.1 be brought forward.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil

---



**8 PUBLIC FORUM**

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

- **Item 12.8 Application for Interim Heritage Order – 43 Donnelly Road, Naremburn**  
Paul Rappoport and Emma McDonald (Diocese of Broken Bay) addressed Council against the officer's recommendation.

**12.8 APPLICATION OF INTERIM HERITAGE ORDER - 43 DONNELLY ROAD NAREMBURN**

**MOTION**

That Council:

1. Upon consideration of the preliminary heritage assessment prepared by Vanessa Hotham, heritage architect:
  - a. the land located at 43 Donnelly Road, Naremburn (Lot 1 in Deposited Plan 115889, Lot A in Deposited Plan 341975 and Lot 1 in Deposited Plan 320984), except for all of the land within the curtilage of Item I160 listed in Schedule 5 to the *Willoughby Local Environmental Plan 2012*, described as 'St Leonards Church (including original interiors)' is likely to be found, on further inquiry and investigation, to be of local heritage significance;
  - b. DA 2021/340, currently on appeal before the Land and Environment Court of NSW proposes the demolition of the School Buildings, significant alterations to the Presbytery and unsympathetic subdivision and is therefore likely to be harmed.
2. Make an Interim Heritage Order as set out in Attachment 3 pursuant to sections 25(2) and 27(a) of the *Heritage Act 1977* and in accordance with the Ministerial Order published in the NSW Government Gazette on 12 July 2013 in respect of all of the land located at 43 Donnelly Road, Naremburn (Lot 1 in Deposited Plan 115889, Lot A in Deposited Plan 341975 and Lot 1 in Deposited Plan 320984), except for all of the land within the curtilage of Item I160 listed in Schedule 5 to the *Willoughby Local Environmental Plan 2012*, described as 'St Leonards Church (including original interiors)' as the latter is already listed as an item of local heritage significance.

MOVED COUNCILLOR ROUSSAC / SECONDED COUNCILLOR XIA

**CARRIED**

**Voting**

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

**Against:** Councillors Campbell, McCullagh, Mouradian and Zhu

**Absent:** Councillor Greco

*Note:*

1. Councillor Greco had declared an interest in this item and was out of the room
2. Councillor Xia left the meeting at 8:23pm and returned at 8:27pm

- **Item 13.1 Notice of Motion 07/2023 – Revoke Delegation to CEO re Devonshire Street Chic Care Centre**  
Vigita Soh addressed Council in support of the motion.

**13.1 NOTICE OF MOTION 07/2023 - REVOKE DELEGATION TO CEO RE DEVONSHIRE STREET CHILDCARE CENTRE**

**PROCEDURAL MOTION – ITEM BE DEFERRED**

That item 13.1 be deferred until 26 June 2023

**MOVED COUNCILLOR SAMUEL / SECONDED COUNCILLOR MORATELLI**

**CARRIED**

**Voting**

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

**Against:** Councillor Greco and McCullagh

*Notes:*

1. *Councillor Campbell left the meeting at 8:36pm and returned at 8:38pm*
2. *Councillor Eriksson left the meeting at 8:44pm and returned at 8:46pm*

---

**9 MAYORAL MINUTE**

**9.1 MAYORAL MINUTE 05/2023 - DAMAGING INCREASE IN EMERGENCY SERVICES LEVY COSTS**

**MOTION**

That Council:

1. **Writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member(s):**
  - a. **Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils and at a time after Council has developed the Operational Plan, annual budget and the Long Term Financial Plan.**
  - b. **Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's 3.7% rate increase to provide essential community services and infrastructure has been significantly eroded.**

- c. Advising that the Government's decision may/will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects.
  - d. Calling on the NSW Government to take immediate action to:
    - i. restore the ESL subsidy in 2023/24
    - ii. urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost
    - iii. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.
2. Writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate peg, which has resulted in additional financial stress.
  3. Writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Councils' emergency services contribution.

MAYOR TANYA TAYLOR

---

## 10 CHIEF EXECUTIVE OFFICER'S LATE REPORT

---

## 12 REPORTS TO COUNCIL

---

### 12.3 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF MARKET GARDEN PARK RESERVE ACTION PLAN 2023

#### MOTION

That Council:

1. Adopt the *Market Garden Park Reserve Action Plan 2023* as amended and attached to this report at Attachment 2.
2. Rescind the *Market Garden Park Reserve Action Plan 2017*.
3. Write to everyone that provided a submission to thank and notify them of the outcomes of the exhibition.
4. Delegate authority to the Chief Executive Officer to make minor amendments to the *Market Garden Park Reserve Action Plan 2023* which do not alter the intent.

MOVED COUNCILLOR GRECO / SECONDED COUNCILLOR SAMUEL

**CARRIED**

**Voting**

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

**Against:** Nil

*Note: Councillor Moratelli left the meeting at 8:52pm and returned at 8:53pm*

---

**12.4 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF BEVERLEY BLACKLOCK RESERVE ACTION PLAN 2023**

**MOTION**

**That Council:**

1. **Adopt the *Beverley Blacklock Reserve Action Plan 2023* as amended and attached to this report at Attachment 2.**
2. **Rescind the *Beverley Blacklock Reserve Action Plan 2017*.**
3. **Write to everyone that provided a submission to thank and notify them of the outcomes of the exhibition.**
4. **Delegate authority to the Chief Executive Officer to make minor amendments to the *Beverley Blacklock Reserve Action Plan 2023* which do not alter the intent.**

**MOVED COUNCILLOR GRECO / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

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

**Against:** Nil

---

**12.5 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF THE DEVONSHIRE ST PLAN OF MANAGEMENT**

This item was been deferred to the 26 June 2023 Council meeting.

---

**12.6 MINUTES - TRAFFIC COMMITTEE MEETING HELD ON 20 APRIL 2023**

**MOTION**

**That Council receive and adopt the recommendations arising from the Traffic Committee Meeting held on 20 April 2023.**

**MOVED COUNCILLOR MOURADIAN / SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Councillor Rozos

*Notes:*

1. Councillor Rozos left the meeting at 9:03pm and did not vote on this item
  2. Councillors Mouradian and Samuel declared an interest in this item
- 

**12.9 BULKY WASTE COLLECTION SERVICES**

**PROCEDURAL MOTION – MOVE INTO CLOSED SESSION**

That Council move into closed session.

**MOVED COUNCILLOR MORATELLI / SECONDED COUNCILLOR ZHU**

**CARRIED**

**Voting**

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

**Against:** Nil

*Note:*

1. Councillor Rozos returned to the meeting at 9:05pm
  2. Council moved into closed session at 9:06pm
- 

**AMENDMENT**

That Council:

1. Defers the decision to determine the method for collecting bulky goods until, or before, September 2023 to enable community consultation to better understand the needs of residents.
2. Ensure community consultation includes the use of the *Have Your Say* platform, social media advertising, advertisement in local papers, along with a range of other cost effective ways, to an upper limit of \$15,000 (excluding internal staff time) funded from the Domestic Waste Reserve, to ensure the community feedback is captured.
3. Note the CEO's delegation to enter into the contract for Waste, Recyclables, Organics and Bulky Waste Collection Services with the inclusion of Council's resolution regarding the bulky goods collection service as the other services are not altered and the tender is within budget.

**MOVED COUNCILLOR SAMUEL / SECONDED COUNCILLOR ROUSSAC**

**CARRIED**

**Voting**

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

**Against:** Councillors Greco, Eriksson, McCullagh and Rozos

The Amendment on being put to the meeting was CARRIED and became the Motion.

**MOTION**

**That Council:**

1. **Defers the decision to determine the method for collecting bulky goods until, or before, September 2023 to enable community consultation to better understand the needs of residents.**
2. **Ensure community consultation includes the use of the *Have Your Say* platform, social media advertising, advertisement in local papers, along with a range of other cost effective ways, to an upper limit of \$15,000 (excluding internal staff time) funded from the Domestic Waste Reserve, to ensure the community feedback is captured.**
3. **Note the CEO's delegation to enter into the contract for Waste, Recyclables, Organics and Bulky Waste Collection Services with the inclusion of Council's resolution regarding the bulky goods collection service as the other services are not altered and the tender is within budget.**

**MOVED COUNCILLOR SAMUEL / SECONDED COUNCILLOR ROUSSAC**

**CARRIED**

**Voting**

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

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

The Motion on being put to the meeting became the resolution of Council.

*Notes:*

1. *Councillor Samuel left the meeting at 9:24pm and returned at 9:26pm*
2. *Councillor Taylor left the meeting at 9:37pm and returned at 9:40pm. Councillor Zhu took the Chair in her absence*

---

**PROCEDURAL MOTION – MOVE INTO OPEN SESSION**

**That Council move into open session.**

**MOVED COUNCILLOR ERIKSSON / SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil

Notes:

1. Council moved into open session at 9:51.
  2. The Chair reported the resolutions adopted in closed session.
- 

**12.12 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF COMMUNITY ENGAGEMENT POLICY AND STRATEGY**

**MOTION**

**That Council:**

1. Adopt the revised *Community Engagement Policy* at Attachment 3
2. Adopt the *Community Engagement Strategy* at Attachment 5 and replace point 6 in Attachment D, with “Evaluating individual projects upon completion, including the engagement activity which helped deliver these projects. Part of this evaluation will include considering ‘lessons learned’ as per the Council’s usual project management procedures”.
3. Rescind the *Community Engagement Process* and *Community Engagement Matrix and Resources* documents, as upon adoption of the revised *Community Engagement Policy* and *Community Engagement Strategy* these will no longer form part of the Council’s Community Engagement Framework
4. Thank all participants for their contribution during the engagement process and advise them of Council’s decision
5. Delegate authority to the Chief Executive Officer to make minor amendments to the *Community Engagement Policy* and *Community Engagement Strategy* which do not alter the intent of the documents.

**MOVED COUNCILLOR GRECO / SECONDED COUNCILLOR ZHU**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** Councillor Mouradian

Notes:

1. Councillors Campbell, Eriksson and Roussac left the meeting at 9:51pm
  2. Councillors Campbell and Roussac returned at 9:54pm and Councillor Eriksson at 9:55pm
  2. Councillor Mouradian left the meeting at 9:53pm and returned at 9:57pm after the vote on this item
- 

**12.13 TENDER T08-2022 - MANAGEMENT OF DEVONSHIRE STREET CHILD CARE CENTRE**

This item was been deferred to the 26 June 2023 Council meeting.

---

**13 NOTICES OF MOTION**

---

**13.2 NOTICE OF MOTION 08/2023 - REVOKE CEO DELEGATION OF 23 MAY 2022 UNDER ITEM 17.4 FOR OUTSOURCING COUNCIL S FOOD SERVICES BUSINESS**

**MOTION**

No licence agreement be entered in to for the council food services until such time as a report is provided to Council for its consideration.

**MOVED COUNCILLOR MORATELLI / SECONDED COUNCILLOR GRECO**

**LOST**

**Voting**

**For the Motion:** Councillors Greco, McCullagh, Moratelli and Rozos

**Against:** Councillors Taylor, Campbell, Eriksson, Mouradian, Roussac, Samuel, Xia and Zhu

---

**13.3 NOTICE OF MOTION 09/2023 - CONSTITUTIONAL REFERENDUM TO DECIDE WHETHER MAYOR SHOULD CONTINUE TO BE POPULARLY ELECTED**

**MOTION**

**That Council:**

- 1. Request the NSW Electoral Commissioner to hold a constitutional referendum to be held at the same time as the 2024 council election to decide whether the number of councillors should be reduced by one by allowing councillors to elect the mayor every two years and that the exact wording to be put the voters be determined by Council at an appropriate time.**
- 2. Advise the NSWEC within seven days, of its intent to conduct a referendum at the same time as the 2024 ordinary election.**
- 3. Delegate authority to the CEO to amend the current contract with NSWEC to include a constitutional referendum at the same time as the 2024 ordinary election.**
- 4. Approve additional funds of \$36,239 in the 2023/24 operational budget to cover the costs incurred by the Electoral Commission to conduct a constitutional referendum at the same time as the ordinary local government election in September 2024.**

**MOVED COUNCILLOR MORATELLI / SECONDED COUNCILLOR ROZOS**

**CARRIED**

**Voting**

**For the Motion:** Councillors Greco, McCullagh, Moratelli, Roussac, Rozos, Xia and Zhu

**Against:** Councillors Taylor, Campbell, Eriksson, Mouradian and Samuel

---



**14 QUESTIONS WITH NOTICE**

---

**15 CONFIDENTIAL MATTERS**

---

**15.1 CONFIDENTIAL - TENDER T08-2022 MANAGEMENT OF DEVONSHIRE STREET CHILD CARE CENTRE**

This item was deferred to the 26 June 2023 Council meeting.

---

**COUNCIL RESOLUTIONS ADOPTED EN BLOC**

---

**12.1 INVESTMENT REPORT FOR MONTH OF APRIL 2023**

**RESOLUTION**

That Council receive the Statement of Bank Balances and Investment Holdings as at 30 April 2023.

**MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR ERIKSSON**

**ADOPTED EN BLOC**

*Note: Councillor Xia declared an interest in this item*

---

**12.2 QUARTERLY BUDGET REVIEW 2022-23 - MARCH QUARTER REPORT**

**RESOLUTION**

**That Council:**

- 1. Note the Quarterly Budget Review for 2022/23 Quarter 3 (March). Negative variances identified during the third quarter decrease the projected full year budget surplus (including capital revenue) by \$0.5M to a \$12.2M surplus. The projected full year deficit before capital revenue has increased from \$0.5M to \$2.4M.**
- 2. Approve the increase in Capital Grants & Contributions revenue of \$1.4M, due to additional developer contribution income received, offset against reduction from Project Artarmon Town Centre as the authority has approved the project to be carried over to FY23/24.**

3. Approve the increase in operating budget income (excluding capital income) of \$2.3M and the increase in operating budget expense of \$4.2M resulting in a net negative impact of \$1.9M to the 2022/23 forecast full year budget operating result before capital items. The income increase mainly comes from additional grants received from Regional and Local Roads Repair Program and Local Government Recovery Grant. The expense increase is mainly due to higher depreciation costs resulting from higher asset values, high inflation and increased variable costs (e.g. Legal cost and Materials & Contract).
4. Approve the decrease in Capital Expenditure for the 2022/23 Financial Year of \$8.2M (\$7.9M from Projects & Capital Works and \$0.3M from Recurring Budget), mainly due to re-aligning forecast with the contract payment schedule to contractors/builders, delay in obtaining construction certificate approval and supply constraints.
5. Note the temporary allocation, under Chief Executive Officer (CEO) delegation, of \$1.2M of the Projects and Capital Works contingency budget to fund four projects where urgent work was required before Quarter 3 budget variations are approved.
6. Approve the deferral of sixteen projects into the 2023/24 financial year and approve carry-over budget of \$5.3M to fund these projects in the 2023/24 financial year.

MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR ERIKSSON

ADOPTED EN BLOC

---

**12.7 REPORT ON DRAFT WILLOUGHBY DEVELOPMENT CONTROL PLAN**

**RESOLUTION**

That Council:

1. Endorse the changes to the draft Willoughby Development Control Plan in accordance with Attachments 4, 6 & 7.
2. Adopt the draft Willoughby Development Control Plan, as amended, and bring it into effect as soon as possible after the new LEP is made.
3. Delegate authority to the Chief Executive Officer to make any minor amendments to the draft Willoughby Development Control Plan for finalisation purposes which do not alter the intent.

MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR ERIKSSON

ADOPTED EN BLOC

---

**12.10 WCC PROPERTY REPORT - 22 MAY 2023**

**RESOLUTION**

That Council note the property lease portfolio report, including the information contained in Confidential Attachment 2.

MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR ERIKSSON

**ADOPTED EN BLOC**

---

**12.11 GRANTS FOR THE COMMUNITY PROGRAM 2022/2023 APPLICATIONS  
MARCH –APRIL 2023**

**RESOLUTION**

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

- Rosemont Chamber Orchestra Incorporated \$6,000

MOVED COUNCILLOR CAMPBELL / SECONDED COUNCILLOR ERIKSSON

**ADOPTED EN BLOC**

---

**16 CONCLUSION OF THE MEETING**

*The meeting concluded at 10:29pm.*

---

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council meeting held on 22 May 2023. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.

---

**Mayor Tanya Taylor**