



# **Willoughby City Council**

## **ORDINARY COUNCIL**

### **MINUTES**

Council Chamber Level 6, 31 Victor Street, Chatswood

on 10 February 2020

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## 1 PRESENT

### Councillors

**Her Worship the Mayor Councillor G Giles-Gidney, Councillors Campbell, Coppock, Eriksson, Fernandez, Mustaca, Norton, Rozos, Rutherford, Saville, Wright and Zhu.**

### Officers

**Ms D Just (Chief Executive Officer), Mrs M Smith (Community, Culture & Leisure Director), Mr G McDonald (Planning & Infrastructure Director), Mr Stephen Naven (Chief Financial Officer), Mr I Arnott (Planning Manager), Mr C Binns (Design & Infrastructure Delivery Manager), Mr D DiBiase (Property & Construction Services Manager), Ms S Charlton (Governance, Risk & Corporate Planning Manager), Mr V Grepl (Governance Officer) and Mrs T Strydom (Governance Administration Officer).**

## 2 DISCLOSURES OF INTERESTS

- Councillor Wright declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.7: Investment Report for the month of December 2019 and Item 15.8: Investment Report for the month of January 2020 (*Nature of Interest: I am an employee of the Westpac Group with whom Council has investments.*)
- Councillor Wright declared, via a Disclosures of Interest form, a non-pecuniary less than significant interest in Item 15.9: Draft Final Willoughby Local Strategic Planning Statement (*Nature of Interest: One of the speakers in Public Forum was a candidate in my group ticket at the last Council Election.*)
- Councillor Zhu declared, via a Disclosures of Interest form, a non-pecuniary 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 have come to recognise over the past week from various correspondence, that I have a social relationship with a few people who have an interest in the matter.*)
- Councillor Campbell declared, via a Disclosures of Interest form, a non-pecuniary 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: One of the parents and proponents, Deborah Fung, stood with me on my ticket in the last Council election.*)
- Councillor Saville declared, via a Disclosures of Interest form, a pecuniary interest in Item 15.9: Draft Final Willoughby Local Strategic Planning Statement (*Nature of Interest: Made comments to 'Have your Say'.*)
- Councillor Saville declared, via a Disclosures of Interest form, a pecuniary interest in Item 15.15: Denawen Park Playground Improvements Plan - Adoption. (*Nature of Interest: Husband has business in shops adjacent to park.*)

- Mayor Giles-Gidney 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: Relationship to parent.*)
- 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.*)

**MOVED COUNCILLOR ERIKSSON**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

### **3 CONFIRMATION OF MINUTES**

#### **RESOLUTION**

**That the Minutes of the Ordinary Meeting of Council held 9 December 2019, copies of which have been circulated to each member of Council, be confirmed.**

**MOVED COUNCILLOR RUTHERFORD**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

#### **Voting**

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

**Against:** Nil

**Absent:** Councillor Rozos

#### **4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

That Council note Councillor Tuon tendered an apology and requested Leave of Absence for tonight's meeting.

#### **RESOLUTION**

**That Council note the apology and grant Leave of Absence to Councillor Tuon for tonight's meeting.**

**MOVED COUNCILLOR NORTON**

**SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

#### **Voting**

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

**Against:** Nil

**Absent:** Councillor Rozos

**Councillor Rozos joined the meeting at 7.11pm.**

#### **5 PETITIONS**

NIL

#### **6 OPEN FORUM — MATTERS NOT ON THE AGENDA**

The following people addressed Open Forum:

- Dianne Minnett - spoke on the protection for street trees in a conservation area of Willoughby City Council.

## **7 MAYORAL MINUTE**

### **7.1 MAYORAL MINUTE - THE PASSING OF FORMER COUNCILLOR MANDY STEVENS**

**MEETING DATE: 10 FEBRUARY 2020**

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#### **1. PURPOSE OF REPORT**

To acknowledge the passing of former Councillor Mandy Stevens.

#### **2. DISCUSSION**

It is with much sadness that I inform Chamber of the passing of former Councillor Mandy Stevens who passed away peacefully on 2 January 2020.

Mandy was a former Willoughby City councillor representing the West Ward. She served on Council for 21 years, including as Deputy Mayor from September 2009 to September 2010. She was well known in community groups and clubs in the area, notably the West Ward Progress Association, the Chatswood RSL Club and West Ward Community Fire Unit. She worked with Meals on Wheels for over 32 years and was active in fund raising for the Red Cross.

Mandy was a dedicated ambassador for the local community. She served on the Greek Orthodox Committee helping to bring about positive changes to aged care and childcare services. She served on Multicultural Services Advisory (MOSAIC), Natural Heritage and Bushland Advisory, Access Steering, Cultural Events and Global Friendship Committees.

In September 2016 Mandy was presented with an Outstanding Service Award to recognise her service through Local Government NSW covering her 20 years of service as a member of Willoughby City Council.

Our condolences go to her loving family, in particular her dedicated niece and carer Anna, and the community she worked so hard to serve.

Mandy's funeral was held at the Greek Orthodox Church, Crows Nest, on 9 January 2020 and was well attended by current and former Councillors and staff of Willoughby City Council.

#### **3. MOTION**

**That Council endorse the Mayoral Minute on the passing of former Councillor Mandy Stevens, stand in respect for a minute's silence and send a letter of condolence to the family.**

**MOVED COUNCILLOR GILES-GIDNEY**

**CARRIED**

## 7.2 MAYORAL MINUTE - 2020 AUSTRALIA DAY HONOURS AWARDS

MEETING DATE: 10 FEBRUARY 2020

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### 1. PURPOSE OF REPORT

To inform Council of the Willoughby residents and a member of Council's Seniors Advisory Committee who received awards in the 2020 Australia Day Honours List.

### 2. DISCUSSION

On 26 January 2020 the Australia Day Honours List was announced by the Governor-General, the Honourable David Hurley. The Honours List recognises outstanding and inspirational Australians in the General Division of the Order of Australia.

Council acknowledges through this report the outstanding service and contributions made by these recipients.

### 3. MOTION

I am pleased to inform Council that the following residents were recognised in the 2020 Australia Day Honours Awards:

#### **Officer of the Order of Australia (AO)**

##### **Professor Peter McINTYRE**

Artarmon NSW 2064

For distinguished service to medicine, and to medical education, to child and adolescent health, and to professional bodies.

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

##### **Mr Peter John OVERTON**

Willoughby NSW 2068

For significant service to the broadcast media, and to the community.

##### **Ms Robyn Margaret SEXTON**

Northbridge NSW 2063

For significant service to the law, and to the judiciary.

#### **Medal of the Order of Australia (OAM)**

##### **Mr Paul Anthony HACKETT**

Artarmon NSW 2064

For service to the community through a range of organisations.

##### **Mr Tony HUMPHREY**

Cremorne NSW 2090

For service to community health through suicide prevention organisations.

*(Member of Willoughby City Council's Seniors Advisory Committee)*



**Mr Alan Claude LOCKE**

Naremburn NSW 2065

For service to the community through charitable organisations.

**Mr Kerry A ROBINSON**

Chatswood NSW 2067

For service to local government, and to town planning.

**RECOMMENDATION**

**That Council acknowledge the recipients on their awards in the 2020 Australia Day Honours List and write a letter of congratulations.**

**MOVED COUNCILLOR GILES-GIDNEY**

**CARRIED**

## 7.3 MAYORAL MINUTE - SUPPORT FROM AND FOR THE NSW LOCAL GOVERNMENT SECTOR IN THE BUSHFIRE CRISIS

MEETING DATE: 10 FEBRUARY 2020

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### 1. PURPOSE OF REPORT

To inform Council on initiatives created for NSW councils to help individuals and communities to give and receive support related to the bushfire crisis. This Minute is being presented in response to an urgent request by Local Government NSW (LGNSW) to prevent problems with unwanted goods in fire affected areas and to expeditiously bring to attention the new council-to-council support arrangements.

### 2. DISCUSSION

Several new initiatives have been established within the NSW local government sector to help support individuals and communities via council-to-council and council-to-community channels.

#### 1. Council-to-Council support

LGNSW, Office of Emergency Management, Office of Local Government, City of Sydney and Sydney Resilience Office have partnered to establish the **Local Government Bushfire Recovery Support Group**. The Group is simplifying the process for inter-council resource sharing during the current bushfire crisis in NSW.

So far, NSW councils have registered more than 500 individual offers of support for bushfire-affected councils through this service and these are being progressively matched. New resources have been created by the Group to make resource-sharing even easier.

Willoughby City Council has made an offer to those Councils needing such support, comprising of trucks, asset engineer inspections and administrative support.

Council will also be aware that we have supported the Gwydir Shire Council community over the last couple of years. The extreme drought conditions are a significant factor in the extent and intensity of bushfires. In 2018 we funded a large potable water tank and sent the proceeds of a bucket appeal. Late last year we contributed \$11,000 for additional and much-needed water cartage service. We have also purchased local Gwydir produce for Council's corporate gifts and as gifts provided to newly proclaimed citizens on Australia Day.

#### **Bushfire-affected councils – online portal**

Affected councils can request support via an online form. Forms are lodged directly with the Office of Emergency Management for triage and allocation.

#### **Councils offering support – new online resource hub**

An online resource hub has been created for councils that can offer support and to give easy access to information including FAQs, logistics, as well as work health and safety and human resource considerations.

## 2. Council-Community support

### GIVIT

LGNSW has asked all councils in NSW to help prevent well-meaning but unwanted goods being sent to bushfire-affected council areas by **encouraging local residents to use the online donation-matching platform GIVIT** when donating goods and services to bushfire-affected areas.

On 16 January 2020 the NSW Government announced it had commissioned national not-for-profit organisation GIVIT to coordinate the donation of much-needed goods and services; that is, to open this platform to NSW for the bushfire crisis. GIVIT is a not-for-profit organisation that works with councils, charities and community groups as a virtual warehouse, matching donations to recipients. All monetary donations received by GIVIT are used to buy essential items from local businesses to help generate local economic recovery.

LGNSW and the Office of Local Government strongly support this service which, for the first time, has been made available to all councils in our state, free of charge, thanks to the NSW Government. The GIVIT.org.au website contains further relevant information.

Council has made social posts and responded to questions on social media about how to support fire impacted communities via GIVIT. Council's website also guides visitors to GIVIT if they are looking to offer goods or services to bushfire communities.

### 3. Funding

The federal government has announced an initial \$60 million in funding for 42 of the most severely bushfire affected local government areas, 33 of which are in NSW.

The immediate release of \$1 million to each severely-affected council will help councils to support communities to recover faster and more sustainably. Crucially, the funding is free of red tape and conditions so councils can get to work to expedite building and recovery efforts.

So far, there have been announcements of considerable funding assistance to communities from both state (\$1.2 billion) and federal (\$2 billion) governments.

### 3. MOTION

That Council:

1. **Note that Willoughby City Council has made an offer of vehicles and other support through the Local Government Bushfire Recovery Support Group.**
2. **Note that Willoughby City Council has provided much appreciated support to the Gwydir Shire Council community, especially with a water tank and water cartage service.**
3. **Encourage the use of the GIVIT.org.au online service for coordinating the donation and receipt of much needed goods and services for those impacted by the bushfires.**
4. **Acknowledge the funding provided by NSW and federal governments in supporting those impacted by the bushfires and to 33 severely affected NSW Councils.**

MOVED COUNCILLOR GILES-GIDNEY

**CARRIED**

## 7.4 MAYOR'S DIARY: FOR COUNCIL MEETING - 10 FEBRUARY 2020

TUESDAY 10 DECEMBER			
Mayor	8.45 am	WPS Presentation Day	WPS School Hall
Mayor	10.30 am	Artarmon PS Presentations Group 1	Artarmon School Hall
Cr Norton	12 pm	Italian Ladies group Christmas Party	Beauchamp Park
Mayor	12.15 pm	Legion Lunch: 75 <sup>th</sup> Anniversary	Club Willoughby
Cr Norton	6 pm	Eden St Residents Christmas Party	Muston Park
Cr Norton	7.30 pm	Castle Cove Progress Association Meeting	Castle Cove Community Centre
WEDNESDAY 11 DECEMBER			
Mayor	10.30 am	Artarmon PS Presentations Group 2	Artarmon School Hall
Mayor	11.45 am	Italian Group Christmas Party	Willoughby Park
Mayor	1 pm	Meals on Wheels Lunch	Dougherty Centre
Cr Norton	4 pm	Access & Inclusion Meeting	Dougherty Centre
Mayor Crs Eriksson, Norton, Rutherford, Tuon, Zhu	6 pm	Community Christmas Party	Northbridge Golf Club
THURSDAY 12 DECEMBER			
Mayor	12.15 pm	RSL Christmas Luncheon	RSL Auditorium
FRIDAY 13 DECEMBER			
Mayor	12.15 pm	WGHS Presentation Day	The Concourse
FRIDAY 13 DECEMBER			
Mayor	1.45 pm	Chatswood Bowling Club Lunch	Chatswood Bowling Club
Mayor Crs Eriksson, Fernandez, Zhu	7 pm	Carols in the Haven	Haven Amphitheatre
MONDAY 16 DECEMBER			
		COUNCIL RECESS UNTIL FEBRUARY 2020	
TUESDAY 17 DECEMBER			
Mayor	8.45 am	Smoking Ceremony	New Building WGHS
Mayor	12 noon	Planning Meeting	100 Walker Street
Mayor	6 pm	Chatswood High School Award Night	The Concourse
WEDNESDAY 18 DECEMBER			
Crs Norton Representing the Mayor	1.30 pm	Sunnyfield Festive Celebration	Sunnyfield, Chatswood
Cr Norton	4 pm	Feyona Exhibition	The Incinerator in Artarmon
THURSDAY 19 DECEMBER			
Cr Rutherford	6.30 pm	Reception to Celebrate 20th Anniversary of Return of Macau to China	39 Dunblane Street, Camperdown
SATURDAY 21 DECEMBER			
Mayor	9.30 am	Westfield Chatswood Kids Play launch	L.3, Westfield Chatswood
Mayor Crs Eriksson, Norton, Saville, Zhu	12.30 pm	Opening Celebrations - The Mix	Chatswood Place

## 2020

THURSDAY 9 JANUARY			
<b>Mayor Cr Mustaca, Norton, Rutherford, Saville</b>	10 am	Funeral: Former Councillor Mandy Stevens	St Michael's Greek Orthodox Church, Crows Nest
SATURDAY 11 JANUARY			
<b>Mayor</b>	9 am	Northbridge Swimming Club's 95 <sup>th</sup> Anniversary Celebration	Northbridge Baths
THURSDAY 16 JANUARY			
<b>Deputy Mayor, Cr Campbell Representing the Mayor</b>	6 pm	CNY Reception at Chinese Consulate	39 Dunblane Street, Camperdown
MONDAY 20 JANUARY			
<b>Mayor Cr Norton, Rutherford, Tuon, Zhu</b>	11 am	CNY Media Launch	Council Chambers
THURSDAY 23 JANUARY			
<b>Mayor</b>	2 pm	Summer Reading Club Presentations	Chatswood Library
<b>Cr Saville</b>	6.30 pm	LNS Community Meeting: Northern Beaches Tunnel	McMahon's Point Community Hall
FRIDAY 24 JANUARY			
<b>Mayor</b>	7 pm	BlazeAid Fundraiser	Northbridge Golf Club
SUNDAY 26 JANUARY			
<b>Mayor Deputy Mayor: Cr Campbell Cr Mustaca, Norton, Rozos, Rutherford, Zhu</b>	8.30 am	Australia Day Celebrations	The Concourse Theatre
<b>Mayor Cr Rozos</b>	Afternoon	Club Willoughby Fundraising Event	Club Willoughby
<b>Cr Saville</b>	2.30 pm	Yabun	Victoria Park, City
TUESDAY 28 JANUARY			
<b>Mayor</b>	12 noon	2 <sup>nd</sup> Metropolitan Mayors' Meeting	Blacktown Sportspark
WEDNESDAY 29 JANUARY			
<b>Mayor</b>	10.30 am	NSROC Meeting with Minister Keane	Martin Place
<b>Mayor Cr Fernandez, Norton, Rozos</b>	5.30 pm	Year of the Rat Prosperity Dinner	General Chao, Chatswood
THURSDAY 30 JANUARY			
<b>Cr Saville</b>	5 pm	SCCG Executive Meeting	Phone hook-up
<b>Mayor</b>	6 pm	CNY Event	King Living, Chatswood
<b>Cr Saville</b>	6 pm	Sustainability Reference Committee	Willoughby Council
SATURDAY 1 FEBRUARY			
<b>Mayor Cr Eriksson, Norton, Rutherford, Saville, Tuon, Wright, Zhu</b>	11 am	CNY Celebration Day	Chatswood Mall
<b>Mayor</b>	6 pm	CNY Volunteers Dinner	King Dynasty
SUNDAY 2 FEBRUARY			
<b>Mayor Cr Saville</b>	10 am	Opening of Parklands Community Garden	Parklands, Artarmon

<b>TUESDAY 4 FEBRUARY</b>			
<b>Mayor Crs Norton, Rutherford, Saville</b>	9 am	Cultural Events Committee	Banksia Room
<b>THURSDAY 6 FEBRUARY</b>			
<b>Cr Norton</b>	6 pm	Natural Heritage and Bushland Committee	Council Depot
<b>Mayor Cr Rozos</b>	6.30 pm	Streetwork Fundraising Dinner	King Dynasty, Chatswood
<b>SATURDAY 8 FEBRUARY</b>			
<b>Mayor Cr Norton</b>	2 pm	WDHS Meeting and AGM	Chatswood Library

## 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 Audit Risk and Improvement Committee - Minutes - 22 October 2019
- Item 15.1 Delivery Program Six Monthly Progress Report – July-Dec 2019
- Item 15.3 Periodic Review of Council's Policy Register
- Item 15.4 Council Meeting Schedule 2020
- Item 15.9 Draft Final Willoughby Local Strategic Planning Statement
- Item 15.10 Vegetation Management Policies and Development Control
- Item 15.11 Watergate Reserve Action Plan 2019 - 2024
- Item 15.12 Owners Consent for Council Land involving International Chinese School at 211 Pacific Highway St Leonards
- Item 15.14 Tennis Court Strategy 2020 - Adoption
- Item 15.16 Rejection of Tender 124842 - Chatswood Rotary Memorial Athletics Field Floodlighting Upgrade
- Item 16.1 Notice of Motion - Reid Drive and The Fairway, Chatswood West
- Item 16.2 Notice of Motion - National Strategy for climate change and health
- Item 16.3 Notice of Motion - Food Security and Resilience in Willoughby
- Item 16.4 Notice of Motion - 9 Centennial Avenue, Chatswood
- Item 17.1 Confidential - Notice of Motion - Rescission of Resolution made on 12 August 2019
- Item 17.3 Confidential - Shop 2 / 409 Victoria Avenue, Chatswood

### RESOLUTION

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

- Item 12.2 Minutes - Local Traffic Committee meeting held on 27 November 2019
- Item 15.2 Quarterly Budget Review 2019/20 - December Quarter
- Item 15.5 Appointment of Chief Executive Officer's Performance Review Panel
- Item 15.6 Matters dealt with under delegated authority for the period 10 December 2019 to 31 January 2020
- Item 15.7 Investment Report for the month of December 2019
- Item 15.8 Investment Report for the month of January 2020
- Item 15.13 Development Assessment - Quarter 2 (1 October 2019 to 31 December 2019)
- Item 15.15 Denawen Park Playground Improvements Plan - Adoption
- Item 17.2 Confidential - Rejection of Tender 124842 - Chatswood Rotary Memorial Athletics Field Floodlighting Upgrade

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**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil

**Absent:** 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 15.9  | Draft Final Willoughby Local Strategic Planning Statement  |
| Item 15.11 | Watergate Reserve Action Plan 2019 - 2024  |
| Item 15.12 | Owners Consent for Council Land involving the proposed International Chinese School at 211 Pacific Highway St Leonards |



## 12 REPORTS OF COMMITTEES

### 12.1 AUDIT RISK AND IMPROVEMENT COMMITTEE - MINUTES - 22 OCTOBER 2019

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. MINUTES OF AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING – 22 OCTOBER 2019</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>SAMANTHA CHARLTON – MANAGER GOVERNANCE RISK AND CORPORATE PLANNING</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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#### PURPOSE OF REPORT

To provide the Council with Minutes of the Audit, Risk and Improvement Committee meeting held on 22 October 2019.

#### RESOLUTION

**That Council receive and note the minutes of the Audit, Risk and Improvement Committee meeting held on 22 October 2019.**

**MOVED COUNCILLOR CAMPBELL**

**SECONDED COUNCILLOR ZHU**

**CARRIED**

#### Voting

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

**Against:** Nil.

**Absent:** Councillor Coppock.

**12.2 MINUTES - LOCAL TRAFFIC COMMITTEE MEETING HELD ON 27 NOVEMBER 2019**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. TRAFFIC COMMITTEE MINUTES OF 27 NOVEMBER 2019</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>GORDON FARRELLY – SENIOR TRAFFIC ENGINEER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>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</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To advise Council of the outcome of the latest Traffic Committee Meeting held 27 November 2019.

**RESOLUTION**

**That Council receive and adopt the recommendations arising from the Local Traffic Committee meeting of 27 November 2019.**

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Nil.

**13 DEFERRED MATTERS**

NIL

**14 CORRESPONDENCE**

NIL

## 15 REPORTS FROM THE OFFICERS

### CUSTOMER & CORPORATE DIRECTORATE

#### 15.1 DELIVERY PROGRAM - SIX MONTHLY PROGRESS REPORT - JULY-DEC 2019

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. SIX MONTHLY PROGRESS REPORT JUL-DEC 2019 (TO BE DISTRIBUTED SEPARATELY)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>KATRINA FURJANIC – CORPORATE STRATEGIC PLANNER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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#### PURPOSE OF REPORT

To inform Council on progress against the Delivery Program 2017-2021 (i.e. Operational Plan 2019-2020). The Progress Report (Attachment 2) presents Council's performance as a cumulative result for the period 1 July to 31 December 2019.

#### RESOLUTION

**That Council receive and note the six monthly progress report on Council's Delivery Program and Operational Plan as at 31 December 2019.**

**MOVED COUNCILLOR CAMPBELL**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

#### Voting

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

**Against:** Nil.

**Absent:** Councillors Coppock and Rozos.

**15.2 QUARTERLY BUDGET REVIEW 2019/20 - DECEMBER QUARTER**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. BUDGET VARIATIONS DECEMBER QUARTER 3. QUARTERLY BUDGET REVIEW STATEMENT 4. PRINCIPAL ACTIVITIES VARIATIONS 5. PROJECTS &amp; CAPITAL WORKS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>STEPHEN NAVEN – CHIEF FINANCIAL OFFICER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To provide a quarterly update on Council's progress towards attaining Operational Plan Budget and Financial Performance targets during the second quarter of the 2019/20 financial year (1 October 2019 to 31 December 2019).

**RESOLUTION**

**That Council:**

- 1. Note the report.**
- 2. Approve the increase in operating budget income of \$0.8M and a reduction in operating budget expenditure of \$1.9M. This will result in a positive impact of \$2.7M to the 2019/20 full year budget operating surplus which will improve from \$5.1M to \$7.8M.**
- 3. Approve the increase of \$515K in Grants & Contribution provided for Capital Purpose.**
- 4. Approve the increase in Projects and Capital Works for the 2019/20 Financial Year of \$288K.**

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Nil.

### 15.3 PERIODIC REVIEW OF COUNCIL'S POLICY REGISTER

<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. IMPLICATIONS</li><li>2. BULLYING, HARASSMENT AND DISCRIMINATION POLICY</li><li>3. GIFTS AND BENEFITS POLICY</li><li>4. COUNCILLORS RECORD KEEPING POLICY</li><li>5. COUNCILLOR'S ACCESS TO INFORMATION AND THEIR INTERACTION WITH STAFF POLICY</li><li>6. CONFLICTS OF INTEREST POLICY</li><li>7. APPLICATION FOR APPROVALS – REFUND OF FEES POLICY</li><li>8. COUNCIL CREST &amp; CORPORATE MARK – USE OF BY COMMUNITY ORGANISATIONS POLICY</li><li>9. TRUMPER PAVILION – CHATSWOOD OVAL – USE OF KITCHEN POLICY</li></ol>
<b>RESPONSIBLE OFFICER:</b>	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
<b>AUTHOR:</b>	EVANGELINA MARTINEZ – POLICY & SUBMISSIONS SPECIALIST
<b>CITY STRATEGY OUTCOME:</b>	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
<b>MEETING DATE:</b>	10 FEBRUARY 2020

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#### PURPOSE OF REPORT

To seek Council's endorsement of the revocation of a number of policies that have been identified through a periodic review of the policy register as superseded through their incorporation in a new or existing policy.

#### RESOLUTION

That Council:

1. Revoke the following policies as the subject matter of these policies is addressed by Willoughby City Councils Code of Conduct 2019:
  - Bullying, Harassment and Discrimination
  - Gifts and Benefits Policy
  - Councillors Record Keeping Policy
  - Councillor's Access to Information and their Interaction with Staff Policy
  - Conflicts of Interest Policy
2. Revoke the Application for Approvals – Refund of Fees Policy as the refund of these types of fees is addressed by Willoughby City Councils schedule for Fees & Charges 2019-2020.
3. Revoke the Council Crest & Corporate Mark – Use of by Community Organisations Policy as the requirements of this policy have been addressed through amendments to Council's Communications Policy.

4. **Revoke the Trumper Pavilion – Chatswood Oval – Use of Kitchen Policy as the requirements of this policy are addressed in the framework provided by the Community Facilities Hire Policy.**

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR ZHU**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillor Coppock.

**15.4 COUNCIL MEETING SCHEDULE 2020**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. MEETING SCHEDULE 2020</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>SAMANTHA CHARLTON – GOVERNANCE, RISK &amp; CORPORATE PLANNING MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To consider Council's meeting schedule for 2020 for Ordinary Council Meeting and Councillor Briefings, taking into consideration the 2020 Council elections, the corresponding caretaker period and other proposed amendments to the council meeting schedule.

**RESOLUTION**

That Council:

- 1. Reschedule, due to the timing of the Easter holidays, the April Council meeting to Monday 20 April 2020, and hold the Councillors Briefing on Tuesday 14 April 2020.**
- 2. Reschedule the Councillor Briefing scheduled for Monday 15 June 2020 to Thursday 18 June 2020 due to the Australian Local Government Association National General Assembly 2020 being held 14-17 June 2020.**
- 3. Reschedule the Ordinary Council Meeting scheduled for Monday 14 September 2020 to Wednesday 23 September 2020 due to the Council election on 12 September 2020.**
- 4. Reschedule the Ordinary Council Meeting scheduled for Monday 12 October 2020 to Thursday 15 October 2020 due to the Local Government NSW Annual Conference 2020 being held 11-13 October 2020.**
- 5. Notes that the caretaker period will commence on Friday 14 August 2020 and cease on Saturday 12 September 2020, being the date of the local government election.**
- 6. Adopt recess dates respectively for the winter school holidays in July 2020 and Christmas/New Year 2020/21 as follows:**
  - 27 June 2020 – 19 July 2020**
  - 15 December 2020 – 31 January 2021**



7. Delegate authority to the Mayor and Chief Executive Officer to deal with matters during Council recess considered by them to be urgent, subject to:
  - 6.1 compliance with relevant legislation;
  - 6.2 limitations to delegations under section 377 of the *Local Government Act 1993*;
  - 6.3 matters that are considered urgent in nature or would cause undue delays to stakeholders;
  - 6.4 decision being deferred where Council policy provides no clear guidelines;
  - 6.5 matters of urgency and interest to Ward Councillors will be notified.
8. Receive a list of matters dealt with under delegated authority at the first Council meeting following the conclusion of Council recess.

**MOVED COUNCILLOR ERIKSSON**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillor Coppock.

**15.5 APPOINTMENT OF CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PANEL**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>MONICA LONERGAN – PEOPLE AND CULTURE MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To appoint a Performance Review Panel and delegate to the panel the task of undertaking the review of the Chief Executive Officer's performance.

**RESOLUTION**

That Council:

- 1. Endorse an extension to the period of appointment of the current Performance Review Panel endorsed by Council at its meeting of the 11 February 2019 comprising the Mayor, Councillor Campbell, Councillor Rutherford and Councillor Tuon to the end of the current Council term to provide continuity across the CEO assessment cycle and to accommodate the September election.**
- 2. Authorise the Performance Review Panel to review and update the Performance Agreement and undertake interim and annual reviews of the Chief Executive Officer performance.**
- 3. Appoint an independent facilitator to:**
  - provide the required training prior to the review meeting; and**
  - facilitate the process of reviewing and updating the Performance Agreement at the review meeting.**
- 4. Request the Performance Review Panel to provide a report to Council on the outcome of the review process.**
- 5. Endorse that the date for the end of year review be moved forward to ensure it can be completed prior to the end of the current Council term.**

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Nil.

**15.6 MATTERS DEALT WITH UNDER DELEGATED AUTHORITY FOR THE PERIOD 10 DECEMBER 2019 TO 31 JANUARY 2020**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. SUBMISSION TO LOCAL GOVERNMENT REMUNERATION TRIBUNAL</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST – CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>SAMANTHA CHARLTON – GOVERNANCE, RISK &amp; CORPORATE PLANNING MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To report to Council on matters dealt with by the Mayor and the Chief Executive Officer under delegated authority during the Christmas/New Year recess period.

**RESOLUTION**

**That Council receive the report outlining matters dealt with under delegated authority during the Christmas/New Year recess.**

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Nil.

**15.7 INVESTMENT REPORT FOR THE MONTH OF DECEMBER 2019**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2019) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST - CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>STEPHEN NAVEN – CHIEF FINANCIAL OFFICER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To present the Council's bank balances and investment portfolio performance as at 31 December 2019.

**RESOLUTION**

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

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Nil.

**15.8 INVESTMENT REPORT FOR THE MONTH OF JANUARY 2020**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2019) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>DEAN FROST - CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>STEPHEN NAVEN – CHIEF FINANCIAL OFFICER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To detail the Council's bank balances and investment portfolio performance as at 31 January 2020.

**RESOLUTION**

That Council receive the **Statement of Bank Balances and Investment Holdings as at 31 January 2020.**

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Nil.

## PLANNING & INFRASTRUCTURE DIRECTORATE

### 15.9 DRAFT FINAL WILLOUGHBY LOCAL STRATEGIC PLANNING STATEMENT

<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. IMPLICATIONS</li><li>2. SUMMARY AND RESPONSES TO LSPS SUBMISSIONS (TO BE DISTRIBUTED SEPARATELY)</li><li>3. SUMMARY AND RESPONSES TO WEPA LSPS SUBMISSION (TO BE DISTRIBUTED SEPARATELY)</li><li>4. SUMMARY AND RESPONSES TO TRANSPORT FOR NSW LSPS SUBMISSION (TO BE DISTRIBUTED SEPARATELY)</li><li>5. LOCAL STRATEGIC PLANNING STATEMENT (TO BE DISTRIBUTED SEPARATELY)</li></ol>
<b>RESPONSIBLE OFFICER:</b>	IAN ARNOTT – PLANNING MANAGER
<b>AUTHOR:</b>	IAN SHILLINGTON – STRATEGIC PLANNER
<b>CITY STRATEGY OUTCOME:</b>	3.5 – MAINTAIN QUALITY OF LIFE BY BALANCING POPULATION GROWTH WITH THE PROVISION OF ASSETS AND SERVICES 5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
<b>MEETING DATE:</b>	10 FEBRUARY 2020

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#### PURPOSE OF REPORT

To provide Council with feedback on the exhibition and request endorsement of the draft *Willoughby Local Strategic Planning Statement* following public exhibition as required under Section 3.9 of the *Environmental Planning and Assessment Act 1979*.

#### Procedural Motion

That the following people address Council:

- Glenda Gartrell
- Adrienne Kabos
- Brett Brown - Ingham Planning

**RESOLUTION**

That Council:

1. Note the submissions received and proposed responses to feedback on the draft *Willoughby Local Strategic Planning Statement* following the public exhibition period.
2. Endorse the *Willoughby Local Strategic Planning Statement* as contained in Attachment 5 with the following amendments:
  - Remove the wording 'Prior to the European invasion,' on page 10, paragraph 2;
  - List all conservation areas on page 59 under Actions 5.4;
  - Amend 15.4 page 119 to read 'Manage street and off-street parking to encourage public transport use and car sharing and limit growth in travel by private vehicles.'
3. Note that the final *Willoughby Local Strategic Planning Statement* (LSPS) will be submitted to the Greater Sydney Commission (GSC) for final Assurance following which the Department of Planning, Industry and Environment (DPIE) will publish the document in the e-planning portal.
4. Delegate authority to the Chief Executive Officer to make any minor amendments to the *Willoughby Strategic Planning Statement* which do not alter the intent, including matters raised by the GSC for final Assurance.

**MOVED COUNCILLOR CAMPBELL**

**SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillors Saville and Coppock.

Due to Councillor Saville declaring a pecuniary interest in Item 15.9: Draft Final Willoughby Local Strategic Planning Statement she withdrew from the meeting at 8:26pm taking no part in the discussion or voting on this topic and returned to the Chamber at 8.49pm.



## 15.10 VEGETATION MANAGEMENT POLICIES AND DEVELOPMENT CONTROL PLAN

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. VEGETATION MANAGEMENT POLICY 3. VEGETATION MANAGEMENT GUIDELINES 4. WILLOUGHBY DEVELOPMENT CONTROL PLAN PART C9 VEGETATION MANAGEMENT 5. CONSULTATION SUMMARY 6. DCP STATUS LIST</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD – PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>JASON BAKER – RECREATION ASSETS OFFICER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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### PURPOSE OF REPORT

To adopt the *Vegetation Management Policy and Guidelines* and the associated draft *Development Control Plan Part C.9* following consideration of consultation feedback.

### MOTION

That Council:

1. **Adopt *Part C.9 – Vegetation Management of Willoughby Development Control Plan* (WDCP) presented in Attachment 4.**
2. **Adopt *Vegetation Management Policy and Vegetation Management Guidelines* presented in Attachments 2 and 3 respectively.**
3. **Repeal the following Policies that have been incorporated into the *Vegetation Management Policy and Guidelines*, or, are no longer required due to overriding legislation:**
  - **Nature strips in Willoughby**
  - **Noxious Weed Bamboo Policy**
  - **Removal of Trees on Public Land Policy**
  - **Street Tree Pruning Policy**
  - **Street Trees Policy**
  - **Community Gardens Policy**
  - **Temporary Access Over Community Land**
4. **Establish the Tree Offset Planting Scheme once the Policy and Guidelines are adopted.**

5. Delegate authority to the Chief Executive Officer to make minor amendments to the *Vegetation Management Policy, Vegetation Management Guidelines* and *Part C.9 – Vegetation Management of Willoughby Development Control Plan* (WDCP), which do not alter the intent.

MOVED COUNCILLOR ZHU

SECONDED COUNCILLOR SAVILLE

NOT PUT

## AMENDMENT

That Council:

1. Adopt *Part C.9 – Vegetation Management of Willoughby Development Control Plan* (WDCP) presented in Attachment 4.
2. Adopt *Vegetation Management Policy* and *Vegetation Management Guidelines* presented in Attachments 2 and 3 respectively subject to:
  - The list of principles to be considered in the selection of vegetation for planting (bottom of page 4 / top of page 5 of the *Vegetation Management Guidelines*) be amended to include the following:
    9. Consideration of existing views.
3. Repeal the following Policies that have been incorporated into the *Vegetation Management Policy* and *Guidelines*, or, are no longer required due to overriding legislation:
  - Nature strips in Willoughby
  - Noxious Weed Bamboo Policy
  - Removal of Trees on Public Land Policy
  - Street Tree Pruning Policy
  - Street Trees Policy
  - Community Gardens Policy
  - Temporary Access Over Community Land
4. Establish the Tree Offset Planting Scheme once the Policy and Guidelines are adopted.
5. Delegate authority to the Chief Executive Officer to make minor amendments to the *Vegetation Management Policy, Vegetation Management Guidelines* and *Part C.9 – Vegetation Management of Willoughby Development Control Plan* (WDCP), which do not alter the intent.

MOVED COUNCILLOR NORTON

LAPSED FOR WANT OF A SECONDER

**AMENDMENT**

That Council:

1. **Adopt Part C.9 – Vegetation Management of Willoughby Development Control Plan (WDCP) presented in Attachment 4.**
2. **Adopt Vegetation Management Policy and Vegetation Management Guidelines presented in Attachments 2 and 3 respectively subject to:**
  - **Officer including 'for private purposes' in the sentence before 'are generally not supported by .....** at point 5.8, attachment 3.
  - **Officers determining if there is a more appropriate word to use than 'crown' in 5.9 attachment 3.**
  - **Officers removing paragraph 'The fee payable to Council .....** on page 25 of attachment 3.
  - **Officers determining an appropriate fee per tree to be paid and bringing a report back to Council.**
  - **Including fees in the published Fees and Charges, not guidelines.**
  - **Extending the pensioner concession fee to self-funded retirees.**
3. **Repeal the following Policies that have been incorporated into the Vegetation Management Policy and Guidelines, or, are no longer required due to overriding legislation:**
  - **Nature strips in Willoughby**
  - **Noxious Weed Bamboo Policy**
  - **Removal of Trees on Public Land Policy**
  - **Street Tree Pruning Policy**
  - **Street Trees Policy**
  - **Community Gardens Policy**
  - **Temporary Access Over Community Land**
4. **Establish the Tree Offset Planting Scheme once the Policy and Guidelines are adopted.**
5. **Delegate authority to the Chief Executive Officer to make minor amendments to the Vegetation Management Policy, Vegetation Management Guidelines and Part C.9 – Vegetation Management of Willoughby Development Control Plan (WDCP), which do not alter the intent.**

**MOVED COUNCILLOR ERIKSSON**

**SECONDED COUNCILLOR ZHU**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillor Coppock.

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

**15.11 WATERGATE RESERVE ACTION PLAN 2019 - 2024**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b> <b>2. WATERGATE RESERVE ACTION PLAN 2019 – 2024</b> <b>3. EXHIBITION SUMMARY REPORT - WATERGATE RESERVE – RESERVE ACTION PLAN – SEPTEMBER 2019</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD – PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>NICHOLAS YU – NATURAL ASSETS OFFICER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To consider submissions received in response to the public exhibition of the draft *Watergate Reserve Action Plan 2019-2024* (Action Plan) and to seek adoption of the Action Plan.

**RESOLUTION**

That Council:

- 1. Adopt the draft *Watergate Reserve Action Plan 2019 - 2024* as shown in Attachment 2.**
- 2. Delegate authority to the Chief Executive Officer to make minor amendments to the draft *Watergate Reserve Action Plan 2019 – 2024*, which do not alter the intent.**

**MOVED COUNCILLOR NORTON**

**SECONDED COUNCILLOR SAVILLE**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillor Coppock.

**15.12 OWNERS CONSENT FOR COUNCIL LAND INVOLVING THE PROPOSED INTERNATIONAL CHINESE SCHOOL AT 211 PACIFIC HIGHWAY ST LEONARDS**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. COUNCIL SUBMISSION DATED 24 OCTOBER 2019 3. DPIE LETTER TO PROPONENT DATED 5 NOVEMBER 2019 4. LETTER FROM PROPONENT DATED 6 DECEMBER 2019 AND SITE PLAN</b>
<b>RESPONSIBLE OFFICER:</b>	<b>IAN ARNOTT – PLANNING MANAGER</b>
<b>AUTHOR:</b>	<b>CRAIG O'BRIEN – STRATEGIC PLANNER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>3.5 – MAINTAIN QUALITY OF LIFE BY BALANCING POPULATION GROWTH WITH THE PROVISION OF ASSETS AND SERVICES</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

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

**PROCEDURAL MOTION**

That the following people address Council:

- Peter Jamieson
- Aurelia Wheeler
- Alycia Chung
- Michael Rowe

**MOTION**

That Council grant land owner's consent for the works proposed by the proponent within Gore Hill Park for a period of five years.

**MOVED COUNCILLOR MUSTACA**

**SECONDED COUNCILLOR COPPOCK**

**LOST**

**Voting**

**For the Motion:** Councillors, Coppock, Fernandez, Mustaca, Norton, and Rutherford.

**Against:** Councillors Giles-Gidney, Eriksson, Rozos, Saville and Wright.

**Absent:** Councillors Campbell and Zhu.

**The vote being equal the Mayor used her casting vote against the Motion.**

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**MAYOR**

**FORESHADOWED MOTION**

**That Council not provide land owner's consent for the works proposed by the proponent within Gore Hill Park for the following reasons:**

- 1. Council is in the process of planning significant infrastructure improvements in the form of an indoor sports facility at Gore Hill Park requiring that all Council managed lands to the south, east and west of the oval remain unencumbered and available.**
- 2. Council seeks to maximise community benefits from Council facilities including open space and parking. Reliance on its facilities for the school to operate would compromise access for existing and future recreational users.**

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR ROZOS**

**CARRIED**

**Voting**

**For the Foreshadowed Motion:** Councillors Giles-Gidney, Eriksson, Rozos, Saville and Wright.

**Against:** Councillors Coppock, Fernandez, Mustaca, Rutherford and Norton.

**Absent:** Councillors Campbell and Zhu.

**The vote being equal, the Mayor used her casting vote for the Motion.**

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

Mayor Giles-Gidney 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: Relationship to parent.*)

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.*)

Due to Councillors Zhu and Campbell declaring a non-pecuniary significant interest in Item 15.12: Owners Consent for Council Land involving the proposed International Chinese School at 211 Pacific Highway St Leonards the Councillors withdrew from the meeting at 7:29pm taking no part in the discussion or voting on this topic and returned to the Chamber at 8:23pm.

**15.13 DEVELOPMENT ASSESSMENT - QUARTER 2 (1 OCTOBER 2019 TO 31 DECEMBER 2019)**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. VARIATIONS TO DEVELOPMENT STANDARDS – QUARTER 2 3. APPLICATIONS DETERMINED – QUARTER 2 4. CURRENT DEVELOPMENT APPLICATIONS AS AT 6 JANUARY 2020</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD – PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>IAN ARNOTT – PLANNING MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To provide Council with details relating to development assessment for quarter 2 (1 October 2019 to 31 December 2019).

**RESOLUTION**

That Council:

- 1. Note the variations to development standards and development applications determined under delegated authority during quarter 2 (1 October 2019 to 31 December 2019); and**
- 2. Note the current development applications list as at 6 January 2020.**

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Nil.

## COMMUNITY, CULTURE & LEISURE DIRECTORATE

### 15.14 TENNIS COURT STRATEGY 2020 - ADOPTION

ATTACHMENTS:	<ol style="list-style-type: none"><li>1. IMPLICATIONS</li><li>2. TENNIS COURT STRATEGY 2020 – INCLUDING HIGHLIGHTS OF CHANGES ARISING FROM CONSIDERATION OF COMMUNITY CONSULTATION</li><li>3. KEY ISSUES AND RESPONSES</li><li>4. FULL COPIES OF SUBMISSIONS</li></ol>
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD – OPEN SPACE CO-ORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	10 FEBRUARY 2020

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### PURPOSE OF REPORT

This report seeks Council's adoption of the amended *Willoughby City Council Tennis Court Strategy (Tennis Court Strategy)*.

### MOTION

That Council defer consideration of this matter pending the provision of a full briefing.

MOVED COUNCILLOR SAVILLE

SECONDED COUNCILLOR NORTON

**CARRIED**

### Voting

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

**Against:** Councillors Coppock and Wright.

**Absent:** Nil.



**15.15 DENAWEN PARK PLAYGROUND IMPROVEMENTS PLAN - ADOPTION**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS 2. DENAWEN PARK PLAYGROUND IMPROVEMENTS PLAN 3. CONSULTATION SUMMARY REPORT</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MELANIE SMITH – COMMUNITY, CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>AMY BARNES – OPEN SPACE PROJECTS OFFICER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>3.3 – PROMOTE AN ACTIVE AND HEALTHY LIFESTYLE</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To adopt the Playground Improvements Plan for Denawen Park playground, Castle Cove.

**RESOLUTION**

That Council:

- 1. Adopt the *Denawen Park Playground Improvements Plan* dated December 2019.**
- 2. Delegate authority to the Chief Executive Officer to make minor amendments to the *Denawen Park Playground Improvements Plan* dated December 2019, which do not alter the intent.**

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Nil.

Councillor Saville declared, via a Disclosures of Interest form, a pecuniary interest in Item 15.15: Denawen Park Playground Improvements Plan - Adoption. (*Nature of Interest: Husband has business in shops adjacent to park.*). Councillor Saville did not leave the Chambers as there was no discussion on this item as the item was moved en bloc.

**15.16 REJECTION OF TENDER 124842 - CHATSWOOD ROTARY MEMORIAL ATHLETICS FIELD FLOODLIGHTING UPGRADE**

<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MELANIE SMITH – COMMUNITY CULTURE AND LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>JULIE WHITFIELD – OPEN SPACE COORDINATOR</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.3 – BALANCE THE CREATION OF NEW PUBLIC ASSETS WITH THE UPGRADE OF EXISTING PUBLIC ASSETS</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

To seek Council's approval to reject all tenders for Chatswood Rotary Memorial Athletics Field Floodlighting Upgrade, and delegate authority to the Chief Executive Officer to negotiate with one or more tenderers to enable the project to be delivered within the approved budget.

**MOTION**

That Council defer consideration of the rejection of Tender 124842 - Chatswood Rotary Memorial Athletics Field Floodlighting Upgrade until the work on Bushland Floodlight Policy has been completed.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**THIS MOTION WAS WITHDRAWN**

**RESOLUTION**

That Council:

1. In accordance with Clause 178(1)(b) of the *Local Government (General) Regulation 2005*, decline to accept any of the tenders received for the Chatswood Rotary Memorial Athletics Field Floodlighting Upgrade, due to tenders received exceeding the allocated budget for the project.
2. In accordance with clause 178(3)(e) of the *Local Government (General) Regulation 2005* enter into negotiations with any person with a view to entering into a contract in relation to the Chatswood Rotary Memorial Athletics Field Floodlighting Upgrade.
3. In accordance with Clause 178(4) of the *Local Government (General) Regulation 2005*, decline to advertise and re-tender to invite fresh tenders as a different outcome would not be expected to be achieved.

4. Delegate authority to the Chief Executive Officer to negotiate with suitable suppliers to enable a suitable procurement outcome and for the project to be delivered.

**MOVED COUNCILLOR ROZOS**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Councillor Saville.

**Absent:** Councillor Coppock.

## 16 NOTICES OF MOTION

### 16.1 NOTICE OF MOTION - REID DRIVE AND THE FAIRWAY, CHATSWOOD WEST

**RESPONSIBLE OFFICER:** GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR

**AUTHOR:** GORDON FARRELLY - TRAFFIC AND TRANSPORT TEAM LEADER

**CITY STRATEGY OUTCOME:** 2.4 – REDUCE PARKING AND TRAFFIC CONGESTION

**MEETING DATE:** 10 FEBRUARY 2020

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#### PURPOSE OF REPORT

Councillors Campbell and Saville have indicated their intention to move the following Notice of Motion.

#### MOTION

That Council, on behalf of local residents in Reid Drive and The Fairway, Chatswood West and the Chatswood West Ward Progress Association request the Traffic Committee to investigate the introduction of speed limiting solutions in these streets due to the high volume of traffic associated with sports at OH Reid Memorial Park.

**MOVED COUNCILLOR CAMPBELL**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

#### Voting

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

**Against:** Nil.

**Absent:** Councillor Coppock.

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

**16.2 NOTICE OF MOTION - NATIONAL STRATEGY FOR CLIMATE CHANGE AND HEALTH**

**RESPONSIBLE OFFICER:** GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR

**AUTHOR:** DAVID ROBERTS – ENVIRONMENT MANAGER

**CITY STRATEGY OUTCOME:** 1.5 – REDUCE CARBON AND GREENHOUSE GAS EMISSIONS

**MEETING DATE:** 10 FEBRUARY 2020

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**PURPOSE OF REPORT**

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

**MOTION**

That Council:

1. Support the National Strategy for Climate Change and Health.
2. Submit this as a motion to the next National Local Government Association Assembly.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Councillors Campbell and Rozos.

**Absent:** Councillor Coppock.

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

**16.3 NOTICE OF MOTION - FOOD SECURITY AND RESILIENCE IN WILLOUGHBY**

<b>ATTACHMENT:</b>	<b>THE SYDNEY MORNING HERALD ARTICLE – 10 DECEMBER 2019 - DEMAND FOR FOOD SECURITY STRATEGY</b>
<b>RESPONSIBLE OFFICER:</b>	<b>GREG MCDONALD – PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>DAVID ROBERTS - ENVIRONMENT MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>1.2 – PROMOTE SUSTAINABLE LIFESTYLES AND PRACTICES</b>
<b>MEETING DATE:</b>	<b>10 FEBRUARY 2020</b>

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**PURPOSE OF REPORT**

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

**MOTION**

That Council's discussion on food security and resilience be undertaken through the Resilient Sydney framework and the Greater Sydney Commission.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**NOT PUT**

**AMENDMENT**

That Council note the report.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR WRIGHT**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillor Coppock.

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

**16.4 NOTICE OF MOTION - 9 CENTENNIAL AVENUE, CHATSWOOD**

**RESPONSIBLE OFFICER:** GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR

**AUTHOR:** MARK TAYLOR - COMPLIANCE MANAGER

**CITY STRATEGY OUTCOME:** 1.2 – PROMOTE SUSTAINABLE LIFESTYLES AND PRACTICES

**MEETING DATE:** 10 FEBRUARY 2020

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**URGENCY MOTION**

That Council consider a motion on 9 Centennial Avenue, Chatswood as a matter of urgency.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillor Coppock.

The motion to deal with the matter urgently on being put to the meeting was carried to become the resolution of Council.

**MOTION**

That Council as a matter of urgency take all available steps to protect the heritage property located at 9 Centennial Avenue Chatswood, including issuing any relevant orders under the *Local Government Act 1993* or other legislation.

**MOVED COUNCILLOR SAVILLE**

**SECONDED COUNCILLOR MUSTACA**

**CARRIED**

**Voting**

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

**Against:** Councillor Zhu.

**Absent:** Councillor Coppock.

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 ERIKSSON**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

### 17.1 CONFIDENTIAL - NOTICE OF MOTION - RESCISSION OF RESOLUTION MADE ON 12 AUGUST 2019

#### Reason for Confidentiality

This report 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 discussion of 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,
- (d)(i) prejudice the commercial position of the person who supplied it, and
- (g) as the matter involves advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

The information in the report is confidential as disclosure of information in it would put Council at a commercial disadvantage if the commercial entities related to the subject of the resolution were to become aware of Council's financial and related information.

Disclosing the information in the report would also reveal the tenderer's financial information, to the detriment of the tenderer.

The report contains legal advice. Disclosure of this advice would breach legal professional privilege as the dominant purpose of communication and documents has been for the Council to request and receive legal advice.



## 17.2 CONFIDENTIAL - REJECTION OF TENDER 124842 - CHATSWOOD ROTARY MEMORIAL ATHLETICS FIELD FLOODLIGHTING UPGRADE

### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with section 102A(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.

The information in the report is confidential as disclosure of information in it would put Council at a commercial disadvantage if the firms related to the subject of the resolution (and other potential future tenderers) were to become aware of Council's financial and related information.

## 17.3 CONFIDENTIAL - SHOP 2 - 409 VICTORIA AVENUE, CHATSWOOD

### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and Section 10A(2)(g) 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,
- (d)(i) prejudice the commercial position of the person who supplied it, and
- (g) as the matter involves advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

The information in the report is confidential as disclosure of information in it would put Council at a commercial disadvantage if the commercial entities related to the subject of the resolution were to become aware of Council's financial and related information.

Disclosing the information in the report would also reveal the tenderer's financial information, to the detriment of the tenderer.

The report contains legal advice. Disclosure of this advice would breach legal professional privilege as the dominant purpose of communication and documents has been for the Council to request and receive legal advice.

**17.1 CONFIDENTIAL - NOTICE OF MOTION - RESCISSION OF RESOLUTION  
MADE ON 12 AUGUST 2019****RECOMMENDATION**

1. That Council rescind the following resolution of Council made on 12 August 2019 (Item 15.6):
  - i. 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.
  - ii. Delegate authority to the Chief Executive Officer to negotiate the final terms of the contract and execute all associated documents.
  - iii. 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 FERNANDEZ**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillor Coppock.

**RECOMMENDATION**

2. That as the rescission motion was carried, that Council:
  - i. In accordance with Clause 178(1)(b) of the *Local Government (General) Regulation 2005*, decline to accept any of the tenders received for the replacement of façade cladding at The Concourse.
  - ii. In accordance with clause 178(3)(e) of the *Local Government (General) Regulation 2005* enter into negotiations with any person with a view to entering into a contract in relation to the replacement of façade cladding at The Concourse.
  - iii. In accordance with Clause 178(4) of the *Local Government (General) Regulation 2005*, decline to advertise and re-tender to invite fresh tenders as a different outcome would not be expected to be achieved and it is expected that a contract with reduced project risk is capable of being negotiated with the suppliers that submitted a tender.

- iv. Delegate authority to the Chief Executive Officer to negotiate with suitable suppliers to enable reduced project risk and for the project to be delivered.
- v. That a report be presented to Council on the outcome of negotiations with suitable suppliers for Council approval, prior to a contract being entered into.

**MOVED COUNCILLOR FERNANDEZ**

**SECONDED COUNCILLOR ERIKSSON**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillor Coppock.

**17.2 CONFIDENTIAL - REJECTION OF TENDER 124842 - CHATSWOOD  
ROTARY MEMORIAL ATHLETICS FIELD FLOODLIGHTING UPGRADE****RECOMMENDATION**

That Council receive and note the Confidential report for the rejection of Tender RFT 124842 Chatswood Rotary Memorial Athletics Field Floodlighting Upgrade.

**MOVED COUNCILLOR ZHU**

**SECONDED COUNCILLOR CAMPBELL**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Nil

**17.3 CONFIDENTIAL - SHOP 2 - 409 VICTORIA AVENUE, CHATSWOOD****RECOMMENDATION**

That Council delegate authority to the Chief Executive Officer to undertake all necessary actions and execute all required documentation to give effect to the recommendations contained within part 5 of this report and report back to Council.

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR FERNANDEZ**

**CARRIED**

**Voting**

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

**Against:** Councillors Mustaca and Saville.

**Absent:** Councillor Coppock.

**PROCEDURAL MOTION**

That the meeting revert to Open Council.

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR ZHU**

**CARRIED**

Council moved into open session at 10:31pm.

**RESOLUTION**

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

**MOVED COUNCILLOR WRIGHT**

**SECONDED COUNCILLOR ZHU**

**CARRIED**

**Voting**

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

**Against:** Nil.

**Absent:** Councillor Coppock.

**18 QUESTIONS WITH NOTICE**

NIL

**19 CONCLUSION OF THE MEETING****PROCEDURAL MOTION**

That Council extend the meeting beyond the 10:30pm conclusion.

**MOVED COUNCILLOR SAVILLE****SECONDED COUNCILLOR ZHU****CARRIED**

- Councillor Rozos joined the meeting at 7.11pm.
- Councillor Coppock left the meeting at 8.23pm.
- The meeting concluded at 10:45pm.

I have authorised a stamp bearing my signature to be affixed to the pages of the Minutes of the Ordinary Council Meeting held on 2 February 2020. I confirm that Council has adopted these Minutes as a true and accurate record of the meeting.