



# **Willoughby City Council**

## **ORDINARY COUNCIL**

### **AGENDA**

**NOTICE IS HEREBY GIVEN** that an  
Ordinary Council Meeting  
will be held at Council Chamber  
Level 6, 31 Victor Street, Chatswood

on Monday, 26 February 2024  
commencing at 7:00 PM

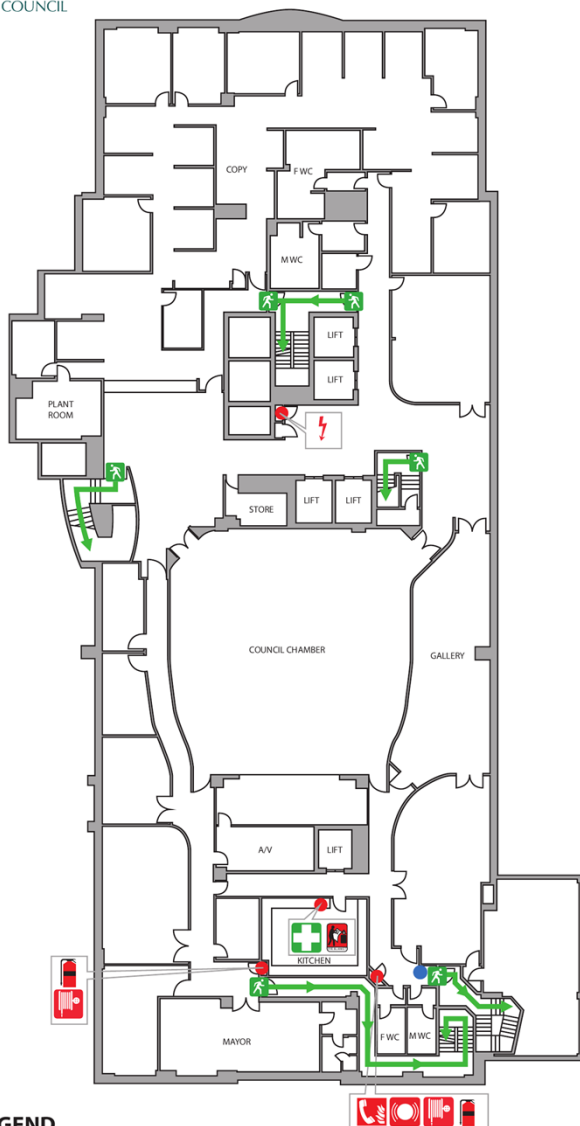
The Meeting is open to the Public

# WILLOUGHBY CITY COUNCIL

## Level 6 Floor Plan



### EVACUATION DIAGRAM COUNCIL CHAMBERS



**000 EMERGENCY** Dial 000 for all emergency services  
 Address: 31 Victor St, Chatswood  
 Nearest Cross: Albert Ave

**IN THE EVENT OF AN EMERGENCY**

**R**emove any person from danger  
**A**lert staff and others  
**C**onfine smoke/fire and close doors  
**E**xtinguish fire, if safe to do so - If not, assist others and move to the Emergency Assembly Area.

**EVACUATION PROCEDURES**

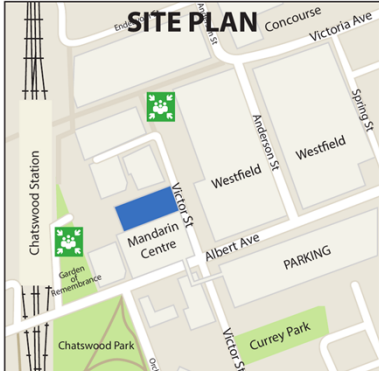
**ALERT** BEEEP..BEEEP..BEEEP.  
 If you hear this sound you must be prepared to evacuate. Listen carefully to any instructions provided by Wardens and Staff.

**EVACUATE** WOOP..WOOP..WOOP.  
 When you hear this sound you **MUST** evacuate using the nearest Fire Exit. Do not run and do not use any Lifts. If you need assistance to evacuate advise the nearest Staff member.

Listen carefully to any instructions provided by Wardens and Staff.

This diagram identifies the nearest Exit and the alternate Fire Exit as well. You must proceed to the Emergency Assembly Area and wait for further instruction.

**DO NOT PANIC**



**LEGEND**

	FIRE EXIT		EMERGENCY ASSEMBLY POINT
	STAIRS		EMERGENCY EXIT ROUTE
	YOU ARE HERE		FIRST AID KIT
	ELECTRICAL DISTRIBUTION BOARD		FIRE BLANKET
	FIRE HYDRANT		FIRE INDICATOR PANEL
	FIRE HOSE REEL		BREAK GLASS ALARM
	WARDEN INTERCOM POINT		CO2 FIRE EXTINGUISHER

**LEVEL 6**

**Assembly Area 1:**  
 Chatswood Mall, near Victor Street

**Assembly Area 2:**  
 Garden of Remembrance

www.beawaresolutions.com.au  
 Ph 1300 71 81 31  
 Date of Issue: 12-2014  
 Date of Review: 12-2017  
 NOT DRAWN TO SCALE



# COUNCIL CHAMBERS

CUSTOMER AND CORPORATE DIRECTOR	MAYOR	CHIEF EXECUTIVE OFFICER
M Kenyon	Clr T Taylor	D Just

Clr G Roussac	N A R E M B U R N	M I D D L E  H A R B O U R	Clr R Samuel
Clr N Wright			Clr A Rozos
Clr A Greco			Clr S Mouradian
Clr H Eriksson	S A I L O R S	W E S T	Clr C Campbell
Clr J Moratelli			Clr B Zhu Deputy Mayor
Clr R McCullagh			Clr J Xia
	B A Y		

Council  
Staff



## Council Chamber Protocol

Ordinary Council Meetings are held on the fourth Monday of the month.

All meetings are open to the public except for items that, in the Council's opinion, are confidential, in accordance with Section 10A of the *Local Government Act 1993*.

- The Council meeting is in progress once the Mayor declares the meeting open and until the Mayor declares the meeting closed. Members of the public are asked to remain silent when the Council meeting is in progress.
- Members of the public can request that an item be discussed early in the meeting by approaching a Council Officer or Councillor prior to the meeting commencing. The decision to bring forward an item rests with the Mayor. Members of the public are not permitted to approach Councillors while the Council meeting is in progress. Having a matter brought forward in the Council meeting does not give you the right to address Council on that matter.
- You may address Council at a Council meeting in one of two ways:
  - **Open Forum** – allows people to address Council for up to three (3) minutes on any topic relating to Council's activities or Willoughby generally. Members of the public cannot use the Open Forum to speak about an item on the agenda. Requests to speak at Open Forum can be made by completing the on-line form on Council's website before noon on the day of the meeting.
  - **Public Forum** – allows people to address Council for up to three (3) minutes in relation to a specific matter on the agenda. People wishing to address must complete the on-line form on Council's website before noon on the day of the meeting. The decision as to whether or not the person will be heard rests with the Council.
- You are able to distribute additional papers to Councillors prior to a Council meeting via the on-line Request to Address Council Meetings form or via email, post or delivered to Council chambers by noon on the day of the meeting. No additional papers can be distributed to Councillors after 5:00pm on the evening of the Council meeting except in exceptional circumstances agreed by the Chief Executive Officer and the Mayor.
- Please ensure that all mobile phones are turned **off** whilst you are in the Council Chamber. Note that mobile phones or any other recording device are not to be used to record any part of the Council Meeting.
- **Guidelines for Speakers** – When addressing the Council, please remember to be courteous. Comments made by participants in any Council meeting, which are derogatory or damaging to any person's character or reputation, including any Councillor, employee of the Council, or member of the public, may be defamatory and may subject the participant to an action for defamation. Comments made during the course of a Council meeting are not protected by the defence of absolute privilege under the *Defamation Act 2005*, and may not attract any other defences available under that Act or the common law. Every Council meeting is recorded and applications to access to such recordings can be made under the *Government Information (Public Access) Act 2009 (GIPA Act)*.
- **Webcasting** – The proceedings of all Council meetings in open session, including all debate and addresses by the public, are recorded and webcast live on Council's website for the purpose of facilitating community access. Webcast archives are stored and available to the public on Council's website for two (2) years, after which time the recordings may be disclosed under the provision of the *GIPA Act*.
- Members of the public attending a Council meeting may have their image, voice and personal information (including name and address) recorded, publicly broadcast and archived for two (2) years. By attending a Council meeting, whether by addressing the Council or as an observer or other interested party, members of the public consent to this use of their image, voice and personal information.

## Statement of Ethical Obligations

The Mayor and Councillors are reminded that they remain bound by the Oath or Affirmation of Office made at the beginning of the Council term to undertake their civic duties in the best interests of the people of the Willoughby Local Government Area and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their ability and judgement.

Council Officials are also reminded of the requirement to declare and appropriately manage any conflicts of interest they may have in relation to matters considered at this meeting in accordance with the Code of Conduct and Code of Meeting Practice.

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- 1 OPEN MEETING
  - 2 ACKNOWLEDGEMENT OF COUNTRY
  - 3 REFLECTION OR PRAYER
  - 4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS
  - 5 CONFIRMATION OF MINUTES
  - 6 DISCLOSURES OF INTERESTS
  - 7 PETITIONS
  - 8 OPEN AND PUBLIC FORUM
  - 9 MAYORAL MINUTE
    - 9.1 MAYORAL MINUTE 04/2024 - RETIREMENT OF CHIEF EXECUTIVE OFFICER, DEBRA JUST
  - 10 CHIEF EXECUTIVE OFFICER'S LATE REPORT
  - 11 MATTERS BY EXCEPTION
  - 12 REPORTS TO COUNCIL
- CHIEF EXECUTIVE OFFICE**
- CUSTOMER & CORPORATE DIRECTORATE**
- 12.1 INVESTMENT REPORT FOR THE MONTH OF DECEMBER 2023
  - 12.2 INVESTMENT REPORT FOR THE MONTH OF JANUARY 2024
  - 12.3 QUARTERLY BUDGET REVIEW 2023/24 - DECEMBER QUARTER REPORT
  - 12.4 SUBMISSION TO IPART - TERMS OF REFERENCE
  - 12.5 LEGAL MATTER REPORT - FEBRUARY 2024
  - 12.6 MATTERS DEALT WITH UNDER DELEGATED AUTHORITY DURING THE CHRISTMAS/NEW YEAR RECESS PERIOD 12 DECEMBER 2023 TO 29 JANUARY 2024
  - 12.7 NATIONAL GENERAL ASSEMBLY 2024
  - 12.8 APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER'S SELECTION PANEL
  - 12.9 DELIVERY PROGRAM SIX-MONTH PROGRESS REPORT JULY TO DECEMBER 2023
  - 12.10 MAJOR PROJECT FRAMEWORK
  - 12.11 DRAFT MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD 13 DECEMBER 2023
- PLANNING & INFRASTRUCTURE DIRECTORATE**
- 12.12 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF FLAT ROCK GULLY RESERVE ACTION PLAN 2023
  - 12.13 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF MOWBRAY PARK RESERVE ACTION PLAN 2023
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- 12.14 OUTCOME OF PUBLIC EXHIBITION OF COMMUNITY PARTICIPATION PLAN
- 12.15 APPOINTMENT OF PANEL MEMBERS TO THE SYDNEY NORTH PLANNING PANEL AND THE WILLOUGHBY LOCAL PLANNING PANEL
- 12.16 REJECTION OF TENDER T06-2022 - RECYCLABLE MATERIAL ACCEPTANCE AND PROCESSING SERVICES
- 12.17 WARNERS PARK COMMUNITY CENTRE STATUS REPORT
- 12.18 WCC PROPERTY REPORT - FEBRUARY 2024
- 12.19 REJECTION OF TENDER T05-2022 - RECEIVAL AND PROCESSING OF GARDEN ORGANICS SERVICES
- 12.20 OPTIONS TO ENCOURAGE BETTER ACCESS TO CARSHARE SERVICES
- 12.21 HISTORICAL IMAGES OF WILLOUGHBY
- 12.22 DEVELOPMENT ASSESSMENT - QUARTER 2 (1 OCTOBER TO 31 DECEMBER 2023)
- 12.23 APPROVED MINUTES OF THE BUILT AND CULTURAL HERITAGE ADVISORY COMMITTEE MEETING HELD ON 14 NOVEMBER 2023
- 12.24 APPROVED MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE HELD ON 12 DECEMBER 2023

#### **COMMUNITY, CULTURE & LEISURE DIRECTORATE**

- 12.25 TENDER T08-2022 MANAGEMENT OF THE DEVONSHIRE STREET CHILD CARE CENTRE
- 12.26 CONCESSIONAL HIRE - CATEGORY D REPORT (JULY - DECEMBER 2023)
- 12.27 WILLOUGHBY LEISURE CENTRE UPGRADE - UPDATE
- 12.28 APPROVED MINUTES ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING HELD ON 21 NOVEMBER 2023
- 12.29 APPROVED MINUTES OF THE BICENTENNIAL RESERVE AND FLAT ROCK GULLY ADVISORY COMMITTEE MEETING HELD ON 29 NOVEMBER 2023

#### **13 NOTICES OF MOTION**

- 13.1 NOTICE OF MOTION 39/2023 - MINOR AMENDMENT TO THE ARTARMON LOCAL CENTRE PUBLIC DOMAIN MASTERPLAN
- 13.2 NOTICE OF MOTION 02/2024 - PUBLIC AWARENESS OF OUR STREET SWEEPING PROGRAM
- 13.3 NOTICE OF MOTION 03/2024 - LOBBYING OF NSW TO INCREASE EAST-WEST BUS SERVICES TO BETTER INTEGRATE WITH NEW METRO
- 13.4 NOTICE OF MOTION 04/2024 - CONNECTING INNER WEST COUNCIL'S & WILLOUGHBY COUNCIL'S TRANSPORT ADVISORY COMMITTEES
- 13.5 NOTICE OF MOTION 05/2024 - MOTION TO CREATE ONLINE REGISTER OF MOTIONS CARRIED AND LOST

13.6 NOTICE OF MOTION 06/2024 - INVESTIGATE THE INSTALLATION OF PERMANENTLY ACCESSIBLE 24/7 AEDS ON COUNCIL OWNED FACILITIES

13.7 NOTICE OF MOTION 07/2024 - OPPORTUNITIES TO IMPROVE COUNCIL'S RESPONSE TO DIFFICULT CDC RELATED COMPLIANCE ISSUES

**14 QUESTIONS WITH NOTICE**

**15 CONFIDENTIAL MATTERS**

15.1 CONFIDENTIAL - WILLOUGHBY LEISURE CENTRE UPGRADE - UPDATE

**16 CONCLUSION OF THE MEETING**



**9.1 MAYORAL MINUTE 04/2024 - RETIREMENT OF CHIEF EXECUTIVE OFFICER, DEBRA JUST****MEETING DATE: 26 FEBRUARY 2024****1. PURPOSE OF REPORT**

To recognise and thank Ms Debra Just, Chief Executive Officer, for her significant contribution to the City of Willoughby.

**2. DISCUSSION**

Earlier this month Council's Chief Executive Officer, Ms Debra Just, announced her retirement, ending a distinguished career in Local Government spanning more than 25 years and serving at councils in both South Australia and NSW as well as working in education and various state agencies, and on insurance, water, waste and natural resource management boards. For the last nine years, Debra has led our workforce as Chief Executive Officer of Willoughby City Council.

Debra has worked tirelessly to guide change within the organisation to better serve the community during tumultuous times – including potential amalgamations and Covid. Since joining Willoughby City Council in 2015, Debra has built a positive culture in the organisation and gained the respect and admiration of her staff and peers.

Some of Debra's many achievements include the delivery of rolling programs which have significantly upgraded our ovals, sports fields, playgrounds and parks, as well as the public domain in our local centres. She has delivered significant infrastructure projects across the LGA with works currently underway in Artarmon Local Centre and the refurbishment of Victor street offices. She has been instrumental in upgrades to The Concourse and its management deed, cementing it as a world-class performing arts centre and in ensuring Chatswood is a vibrant CBD through street fairs and festivals, multicultural and social programs, business and nighttime economy strategies.

Debra is a Fellow of the Planning Institute of Australia, and during her tenure had oversight of a new LEP and DCP which was gazetted in June 2023 after considerable community consultation, including comprehensive village and CBD strategies.

Debra is a member of the Steering Committee for Resilient Sydney and has been a staunch advocate for diversity, environmental sustainability, and community well-being, championing initiatives that have enhanced the quality of life for all Willoughby residents.

Through her leadership, our Council has matured in key areas such as risk management, business planning and financial sustainability, ensuring a solid foundation for future growth and prosperity. The implementation of new corporate software is also well advanced with benefits to flow to customers and residents. Through the recruitment of an excellent executive management team, and subsequently a committed and experienced workforce, Debra has ensured that the organisation is strongly positioned to manage any shocks and stresses now and in the future.

I would also like to express appreciation to emeritus Mayor Gail Giles Gidney and the Councillors who were instrumental in bringing Debra to Willoughby, and those who have collaborated with Debra over the years, including her GMAC colleagues at NSROC. As the Chair of GMAC, she was actively engaged in NSROC's advocacy to State MPs and

agencies on proposed reforms to developer contributions and other regional initiatives.

In the arena of politics, where competing interests and diverse perspectives abound, Debra has demonstrated the ability to foster collaboration, consensus, and progress. Despite the often complex and contentious nature of political discourse, she has remained steadfast in her commitment to serving the best interests of our community, navigating political divides, and working hard to achieve common goals.

I have personally valued Debra's leadership, strategic approach and that she does not shy away from the complex and challenging.

I understand that this will be a time of uncertainty for the team at Willoughby City Council, as we navigate a new era under new leadership, and I thank the leadership team and staff for their continued commitment to the organisation at this time.

As Debra returns to her family in Adelaide and embarks on this new chapter in her life, making up lost time with loved ones and in her precious garden, on behalf of Council, and the Willoughby community, I extend my heartfelt gratitude to Debra for her dedicated years of leadership and her unwavering commitment to our community. Debra leaves behind a legacy that will continue to enrich the lives of many and inspire generations to come.

### **3. MOTION**

**That Council recognise and thank Debra Just for her significant contribution to the City of Willoughby and wish her well in her retirement.**

**12.1 INVESTMENT REPORT FOR THE MONTH OF DECEMBER 2023**

<b>ATTACHMENTS:</b>	<b>1. INVESTMENT REPORT ATTACHMENT 1 - PERFORMANCE AGAINST INVESTMENT POLICY AND BUDGET</b>
	<b>2. INVESTMENT REPORT ATTACHMENT 2 - DETAIL OF INVESTMENT HOLDINGS 31 DECEMBER 2023</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON, 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To provide a report setting out Council's bank balances and investment portfolio performance as at 31 December 2023 under section 625 of the *Local Government Act 1993*.

**2. OFFICERS RECOMMENDATION**

**That Council receive the Statement of Bank Balances and Investment Holdings as at 31 December 2023.**

**3. BACKGROUND**

The Responsible Accounting Officer must provide Council with a monthly report setting out details of all money that the Council has invested under Section 625 of the *Local Government Act 1993*.

In accordance with Clause 212 of *Local Government (General) Regulation 2021*, this report must include Certification as to whether or not the Investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

**4. DISCUSSION**

The *Investment Policy* adopted by Council at its meeting on 14 December 2020 applies to all investments from that date.

A summary of Council's holdings as at 31 December 2023 is included in Section 4.1 below. Council's actual performance against policy settings and budget are included in **Attachment 1**.

Details of holdings and counterparty analysis is included in **Attachment 2**.

The monthly investment report details the interest income for the month and any other relevant information.

#### 4.1 Summary of holdings and Key Financial Indicators

The key financial indicators for Council's investment holdings at 31 December 2023 include:

Combined Bank Balance:	\$2.9M
Investment Holdings:	\$203.0M
Total Cash and Investments:	<b>\$205.9M</b>
Return on Investments:	4.81%, (0.38% over benchmark of 4.43%) (Refer to <b>Attachment 1</b> – Figures 3 and 4).
Actual Interest Return (Month):	\$844K (\$151K better than \$693K budget) (Refer to <b>Attachment 1</b> – Figure 5).
Actual Interest Return (Year to Date):	Actual Year to Date Interest of \$4,603K is \$450K favourable to Year to Date budget of \$4,153K.

#### 4.2 Restricted versus Unrestricted Cash and Investments

Total cash and investments as at 31 December was \$205.9M. Of this amount, \$184.9m, or 90% is restricted to be spent on specific purposes. This leaves \$21.0m or 10% of unrestricted cash and investments for working capital purposes to ensure Council can meet its financial obligations as they fall due.

**Figure 1** shows the breakdown of cash and investments.

**Figure 1 – Restricted versus unrestricted cash and investments as at 31 December 2023**

Restriction Category	Total cash and investments as at 30 December 2023 (\$'m)	Percentage of Total Portfolio - %
Internally Restricted	\$ 65.6M	32
Externally Restricted	\$119.3M	58
Unrestricted	\$ 21.0M	10
<b>Total</b>	<b>\$205.9M</b>	<b>100</b>

## 5. RISKS AND OPPORTUNITIES

Investments in this report have been considered in light of adopted Investment policy and risk management guidelines around the preservation of capital, diversification, market interest rates, liquidity and maturity risks.

## 6. CONCLUSION

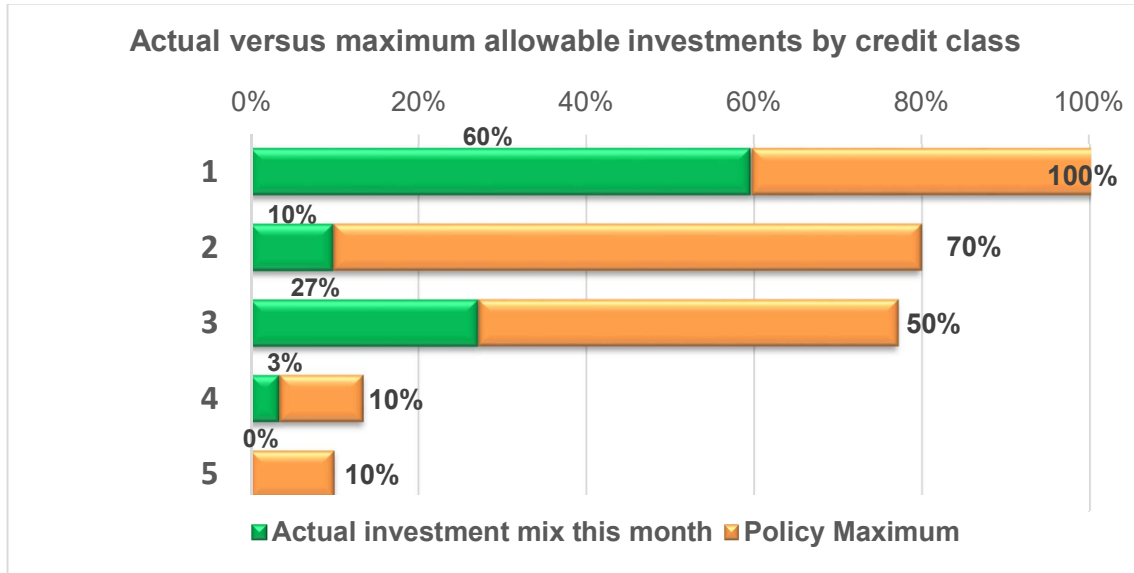
Council's investment holdings at 31 December 2023 have been made in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2021*, the *Investment Policy* adopted by Council on 14 December 2020, *Ministerial Investment Order* issued February 2011 and Division of Local Government (as it was then known) *Investment Policy Guidelines* published in May 2010.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	Maximise interest rate returns and comply with all relevant legislation.
<b>Policy</b>	This report relates to Council's <i>Investment Policy</i> which safeguards Council's investment portfolio.
<b>Consultation</b>	Not applicable.
<b>Risk</b>	Investments in this report have been considered in light of adopted Investment policy and risk management guidelines around the preservation of capital, diversification, market interest rates, liquidity and maturity risks.
<b>Resource</b>	Council's bank balances and investment holdings are managed within existing staff resources within the Finance Unit.
<b>Legal</b>	There are no legal considerations applicable to this report.
<b>Legislation</b>	Under <i>Section 625</i> of the <i>Local Government Act 1993</i> the Responsible Accounting Officer must provide Council with a monthly report setting out details of all money that the Council has invested.
<b>Budget/Financial</b>	<p data-bbox="475 1120 1396 1254">In accordance with Clause 212 of <i>Local Government (General) Regulation 2021</i>, this report must include Certification as to whether or not the Investments have been made in accordance with the Act, the Regulations and Council's <i>Investment Policy</i>.</p> <p data-bbox="475 1288 1316 1355">The monthly investment report details the interest income for the month and any other relevant information required by Council.</p> <p data-bbox="475 1388 1380 1489">Council's Cash and Investments holdings at 31 December 2023 were \$205.9M and Interest returns are on track to exceed the annual budget of \$8.4M.</p>

**Investment Report Attachment 1 - Performance against Investment Policy and Budget**

Actual Performance against Investment Policy settings and budget is detailed below:

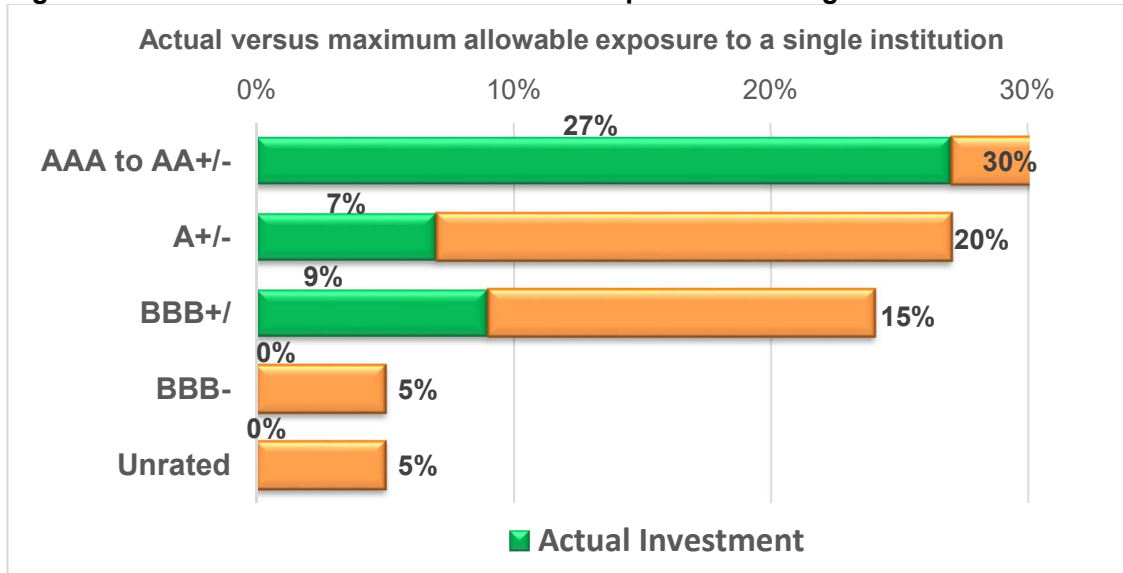
**Figure 1 – Actual versus maximum allowable investments by credit class**



Credit Risk refers to the risk of loss due to the insolvency of an institution or institutions that Council is investing funds with. To ensure that Credit Risk is minimised, Council relies on external rating agencies (such as Standard and Poors Global Rating) and sets targets for each rating class (with a higher proportion of the portfolio in higher rated / less risky classes and lower amounts in lower credit classes).

**Figure 1** shows that this month Council’s portfolio meets policy requirements as the percentage of investments in each credit class is equal to or lower than the policy prescribed maximums.

**Figure 2 - Actual versus maximum allowable exposure to a single institution**



In addition to minimising credit risk by concentrating investments in highly rated institutions (**Figure 1**), Council also needs to ensure that exposure to loss from one single organisation (counterparty risk) is minimised. The policy therefore prescribes maximum percentage targets for amounts invested in a single institution.

**Figure 2** shows that this month Council's investment portfolio meets policy requirements as exposure to single entities is equal to or lower than the policy prescribed maximums.

**Figure 3 – Interest Rate Comparison for 31 December 2023**

<u>Description</u>	<u>Average Interest Rate</u>
Council Portfolio	<u>4.81%</u>
Benchmark – Bloomberg AUSBond Bank Bill Index (1 Month)	<u>4.43%</u>
Over Benchmark Return	<u>0.38%</u>

**Figure 3** shows the monthly interest rate achieved by Council on its investment portfolio compared with the one month Bloomberg AUSBond Bank Bill Index. Council's return has over performed that benchmark by 0.38%.

A more appropriate benchmark is Council's historical 12 months average return compared to the 12 months Average Bloomberg AUSBond Bank Bill Index. **Figure 4** compares Council's 12 months Average return with the 12 months Average Bloomberg Bank Bill Index.

**Figure 4 – Interest Rate Comparison – 12 Month Average**

<u>Description</u>	<u>Average Interest Rate</u>
Council Portfolio – 12 month Average	<u>3.48%</u>
Benchmark – Bloomberg AUS Bond Bank Bill Index (12 Month Average)	<u>3.45%</u>
Under (over) Benchmark Return	<u>(0.03)%</u>

**Figure 5 – Investment Return for 31 December 2023**

<u>Description</u>	<u>Interest Achieved (\$000's)</u>
Council Actual Interest Return	<u>\$844K</u>
Budgeted Return	<u>\$693K</u>
Over (under) Budgeted Return	<u>\$151K</u>

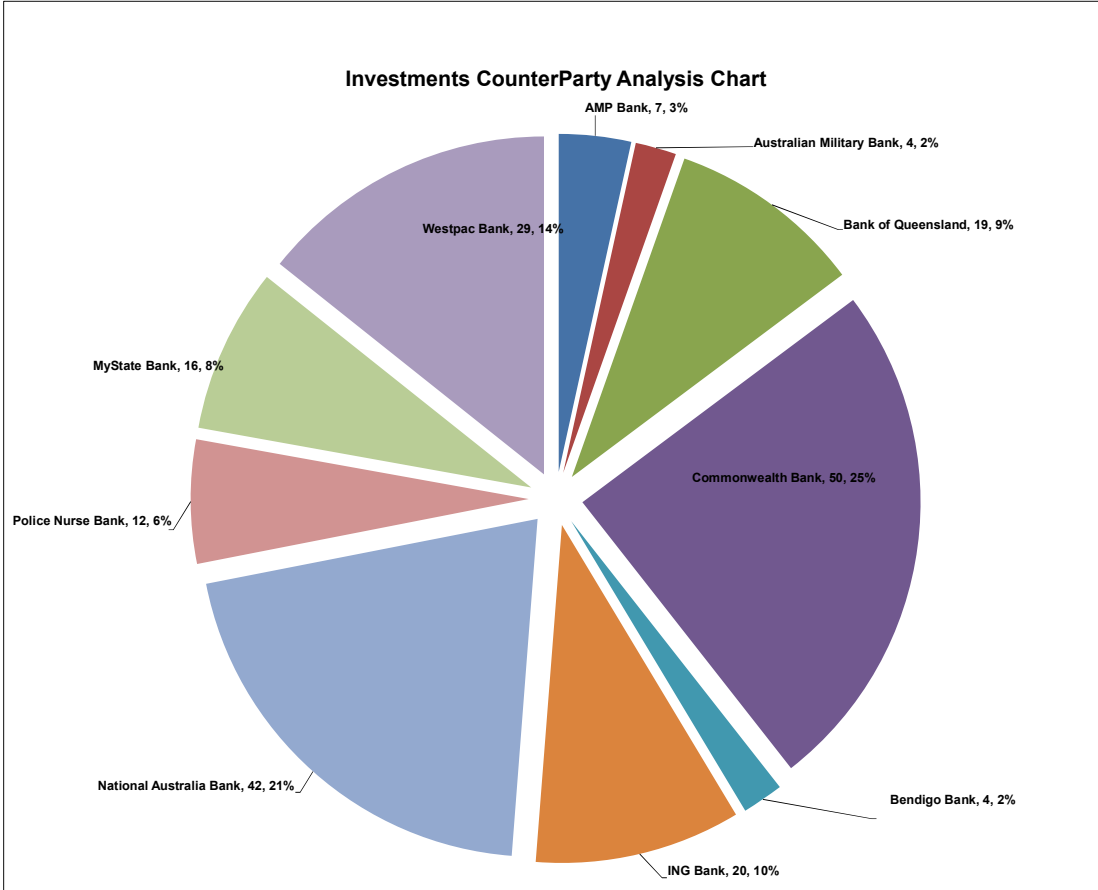
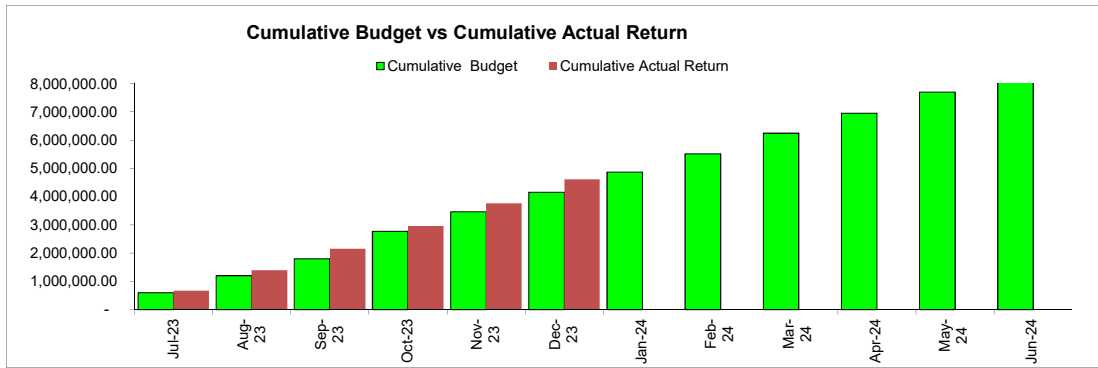
**Figure 5** provides a comparison of the actual interest return on investments for the month with the budget and shows that the monthly return is \$151K better than budget.

LIST OF INVESTMENTS	Credit Rating	FRN /TD	Investment Amount \$	Return % p.a.	Monthly Income \$	Investment Date	Mature & Reset Date	Period/ Matur. Date
<b>Investments that matured during the month:</b>								
Westpac Bank (9619113)	AA-	TD	2,000,000	1.21%	862	09/12/2021	14/12/2023	Matured
Westpac Bank (9298720)	AA-	TD	2,000,000	0.65%	463	17/06/2021	14/12/2023	Matured
Commonwealth Bank (2123)	A1+	TD	5,000,000	4.69%	12,849	20/12/2022	21/12/2023	Matured
<b>Current Investments:</b>								
MyState Bank (55631)	BBB+	TD	2,000,000	1.20%	2,038	09/12/2021	04/01/2024	0-3 mths
Commonwealth Bank (2124)	A1+	TD	5,000,000	4.69%	19,916	20/12/2022	11/01/2024	0-3 mths
Bank of QLD (664520)	A2	TD	7,000,000	4.55%	27,051	12/01/2023	12/01/2024	0-3 mths
Commonwealth Bank (2132)	A1+	TD	12,000,000	4.74%	48,309	12/01/2023	12/01/2024	0-3 mths
Westpac Bank (9678135)	AA-	TD	1,000,000	1.31%	1,113	14/01/2022	18/01/2024	0-3 mths
Commonwealth Bank (2133)	A1+	TD	5,000,000	4.71%	20,001	16/01/2023	18/01/2024	0-3 mths
Westpac Bank (10509567)	A1+	TD	3,000,000	4.60%	11,721	16/01/2023	18/01/2024	0-3 mths
Westpac Bank (10512363)	A1+	TD	4,000,000	4.60%	15,627	17/01/2023	25/01/2024	0-3 mths
Westpac Bank (10509535)	A1+	TD	6,000,000	4.60%	23,441	16/01/2023	01/02/2024	0-3 mths
Commonwealth Bank (2134)	A1+	TD	6,000,000	4.71%	24,002	16/01/2023	08/02/2024	0-3 mths
ING Bank (170222)	A+	TD	1,000,000	2.00%	1,699	17/02/2022	15/02/2024	0-3 mths
Westpac Bank (10509521)	A1+	TD	5,000,000	4.60%	19,534	16/01/2023	15/02/2024	0-3 mths
National Australia Bank (70-562-1720)	AA-	TD	2,000,000	1.81%	3,075	17/02/2022	22/02/2024	0-3 mths
National Australia Bank (928293939)	A1+	TD	7,000,000	5.00%	29,726	23/02/2023	22/02/2024	0-3 mths
National Australia Bank (928489202)	A1+	TD	5,000,000	5.00%	21,233	23/02/2023	22/02/2024	0-3 mths
Westpac Bank - Green Tailored Deposit (7553241)	AA-	TD	1,000,000	4.37%	3,712	28/02/2019	01/03/2024	0-3 mths
Police Nurse Bank (57025)	BBB-	TD	2,000,000	2.00%	3,397	10/03/2022	07/03/2024	0-3 mths
ING Bank (57154)	A+	TD	1,000,000	2.02%	1,716	17/03/2022	21/03/2024	0-3 mths
Police Nurse Bank (57153)	BBB-	TD	2,000,000	2.05%	3,482	17/03/2022	21/03/2024	0-3 mths
Mystate Bank (30261468)	A2	TD	4,000,000	4.60%	15,627	23/03/2023	21/03/2024	0-3 mths
Mystate Bank (30261472)	A2	TD	4,000,000	4.60%	15,627	23/03/2023	28/03/2024	0-3 mths
National Australia Bank (955038589)	AA-	TD	4,000,000	2.85%	9,682	14/04/2022	18/04/2024	4 mths
Police & Nurses Bank (180424)	A2	TD	3,000,000	4.75%	12,103	27/04/2023	18/04/2024	4 mths
Police & Nurses Bank (020524)	A2	TD	2,000,000	4.75%	8,068	27/04/2023	02/05/2024	5 mths
Commonwealth Bank (2100)	AA-	TD	1,000,000	3.70%	3,142	05/05/2022	16/05/2024	5 mths
Australian Military Bank (23052024)	A2	TD	1,000,000	5.06%	4,298	24/05/2023	23/05/2024	5 mths
ING BANK (949745)	A-	TD	1,000,000	3.76%	3,193	26/05/2022	30/05/2024	6 mths
Mystate Bank (30271360)	A2	TD	3,000,000	5.70%	14,523	27/06/2023	27/06/2024	6 mths
National Australia Bank (30-862-1903)	AA-	TD	1,000,000	0.80%	679	08/07/2021	04/07/2024	7 mths
Mystate Bank (30271364)	A2	TD	3,000,000	5.70%	14,523	27/06/2023	04/07/2024	7 mths
AMP Bank (270723)	A2	TD	4,000,000	5.55%	18,855	27/07/2023	25/07/2024	7 mths
Commonwealth Bank (2154)	A1+	TD	5,000,000	5.54%	23,526	10/08/2023	08/08/2024	8 mths
Bendigo Bank (4452208)	A2	TD	4,000,000	5.50%	18,685	27/07/2023	08/08/2024	8 mths
Commonwealth Bank (2155)	A1+	TD	6,000,000	5.57%	28,384	16/08/2023	15/08/2024	8 mths
National Australia Bank (29-130-3289)	AA-	TD	2,000,000	0.78%	1,325	12/08/2021	15/08/2024	8 mths
Commonwealth Bank (2156)	A1+	TD	3,000,000	5.44%	13,861	24/08/2023	22/08/2024	8 mths
Australian Military Bank (220824)	BBB+	TD	3,000,000	4.45%	11,338	31/08/2022	22/08/2024	8 mths
National Australia Bank (10858418)	A1+	TD	7,000,000	5.21%	30,975	24/08/2023	29/08/2024	9 mths
Commonwealth Bank (2162)	A1+	TD	7,000,000	5.36%	31,866	21/09/2023	19/09/2024	9 mths
Police & Nurses Bank (060235)	BBB-	TD	3,000,000	4.40%	11,211	08/09/2022	19/09/2024	9 mths
National Australia Bank (10862995)	A1+	TD	7,000,000	5.35%	31,807	21/09/2023	26/09/2024	9 mths
National Australia Bank (10862996)	A1+	TD	7,000,000	5.35%	31,807	21/09/2023	26/09/2024	9 mths
AMP Bank (342225216)	BBB+	TD	2,000,000	4.70%	7,994	13/10/2022	17/10/2024	10 mths
Westpac Bank - Green Tailored (11151149)	A1+	TD	5,000,000	5.36%	22,762	25/10/2023	24/10/2024	10 mths
Westpac Bank (10768193)	A1+	TD	4,000,000	5.36%	18,209	25/10/2023	24/10/2024	10 mths
ING Bank (1015290)	A+	TD	3,000,000	4.90%	12,485	27/10/2022	24/10/2024	10 mths
Bank of QLD (868372)	A2	TD	2,000,000	5.40%	9,173	22/11/2023	14/11/2024	11 mths
Bank of QLD (868270)	A2	TD	3,000,000	5.40%	13,759	22/11/2023	21/11/2024	11 mths
Bank of QLD (628601)	BBB+	TD	4,000,000	4.61%	15,661	23/11/2022	21/11/2024	11 mths
AMP Bank (960694305)	A2	TD	1,000,000	5.30%	4,501	23/11/2023	28/11/2024	12 mths
ING Bank (1160142)	A-	TD	5,000,000	5.40%	22,932	25/10/2023	30/10/2025	>12 mths
Bank of QLD (868274)	A2	TD	3,000,000	5.30%	13,504	22/11/2023	27/11/2025	>12 mths
ING Bank (1171988)	A-	TD	3,000,000	5.35%	13,632	22/11/2023	27/11/2025	>12 mths
<b>Current Investments - "New and Rollover" made during the month:</b>								
ING Bank (121224)	A+	TD	3,000,000	5.23%	5,158	20/12/2023	12/12/2024	12 mths
ING Bank (51224)	A+	TD	3,000,000	5.18%	5,109	20/12/2023	05/12/2024	12 mths
Total Current Investments, Monthly Interest and Weighted Return			203,000,000	4.81%	814,942			
Other Cash and Monthly Interest (11am STMM)		Cash	2,877,630		28,836			
Total Cash & Investments			205,877,630		843,778			
Benchmark: Bloomberg AUSBond Bank Bill Index				4.43%				
Investments Margin above Benchmark				0.38%				

Investments Maturity Period	0-3 Months	4-12 Months	> 12 Months	Total \$	chk s/rbe 0
Amount	85,000,000	107,000,000	11,000,000	203,000,000	0
% of Total	41.9%	52.7%	5.4%	100%	

Cash & Investments Return:	Budget \$	Actual \$	Var. \$
Current Month	692,883	843,778	150,895
Year to Date	4,153,193	4,602,866	449,673





Investment return for 2022-2023		
Month	Ausbond bank Bill Index Return % p.a	Returns from Investment
Dec-22	2.98%	2.13%
Jan-23	3.18%	3.16%
Feb-23	3.18%	3.37%
Mar-23	3.39%	3.56%
May-23	3.53%	3.73%
Jun-23	3.72%	3.85%
Jul-23	4.48%	3.96%
Aug-23	4.39%	4.30%
Sep-23	4.18%	4.42%
Oct-23	4.01%	4.56%
Nov-23	4.34%	4.75%
Dec-23	4.43%	4.81%
<b>Annualised return</b>	<b>3.45%</b>	<b>3.48%</b>

**12.2 INVESTMENT REPORT FOR THE MONTH OF JANUARY 2024**

<b>ATTACHMENTS:</b>	<b>1. INVESTMENT REPORT ATTACHMENT 1 - PERFORMANCE AGAINST INVESTMENT POLICY AND BUDGET</b>
	<b>2. INVESTMENT REPORT ATTACHMENT 2- DETAIL OF INVESTMENT HOLDINGS 31 JANUARY 2024</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON, 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To provide a report setting out Council's bank balances and investment portfolio performance as at 31 January 2024 under section 625 of the *Local Government Act 1993*.

**2. OFFICERS RECOMMENDATION**

**That Council receive the Statement of Bank Balances and Investment Holdings as at 31 January 2024.**

**3. BACKGROUND**

The Responsible Accounting Officer must provide Council with a monthly report setting out details of all money that the Council has invested under Section 625 of the *Local Government Act 1993*.

In accordance with Clause 212 of *Local Government (General) Regulation 2021*, this report must include Certification as to whether or not the Investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

**4. DISCUSSION**

The *Investment Policy* adopted by Council at its meeting on 14 December 2020 applies to all investments from that date.

A summary of Council's holdings as at 31 January 2024 is included in Section 4.1 below. Council's actual performance against policy settings and budget are included in **Attachment 1**.

Details of holdings and counterparty analysis is included in **Attachment 2**.

The monthly investment report details the interest income for the month and any other relevant information.

#### 4.1 Summary of holdings and Key Financial Indicators

The key financial indicators for Council's investment holdings at 31 January 2024 include:

Combined Bank Balance:	\$10.6M
Investment Holdings:	\$196.0M
Total Cash and Investments:	<b>\$206.6M</b>
Return on Investments:	5.03%, (0.59% over benchmark of 4.44%) (Refer to <b>Attachment 1</b> – Figures 3 and 4).
Actual Interest Return (Month):	\$804K (\$96 better than \$708K budget) (Refer to <b>Attachment 1</b> – Figure 5).
Actual Interest Return (Year to Date):	Actual Year to Date Interest of \$5,407K is \$546K favourable to Year to Date budget of \$4,861K.

#### 4.2 Restricted versus Unrestricted Cash and Investments

Total cash and investments as at 31 January was \$206.6M. Of this amount, \$184m, or 89% is restricted to be spent on specific purposes. This leaves \$22.6m or 11% of unrestricted cash and investments for working capital purposes to ensure Council can meet its financial obligations as they fall due.

Figure 1 shows the breakdown of cash and investments.

**Figure 1 – Restricted versus unrestricted cash and investments as at 31 January 2024**

Restriction Category	Total cash and investments as at 31 January 2024 (\$'m)	Percentage of Total Portfolio - %
Internally Restricted	\$ 66.3M	32
Externally Restricted	\$117.7M	57
Unrestricted	\$ 22.6M	11
<b>Total</b>	<b>\$206.6M</b>	<b>100</b>

## 5. RISKS AND OPPORTUNITIES

Investments in this report have been considered in light of adopted Investment policy and risk management guidelines around the preservation of capital, diversification, market interest rates, liquidity and maturity risks.

## 6. CONCLUSION

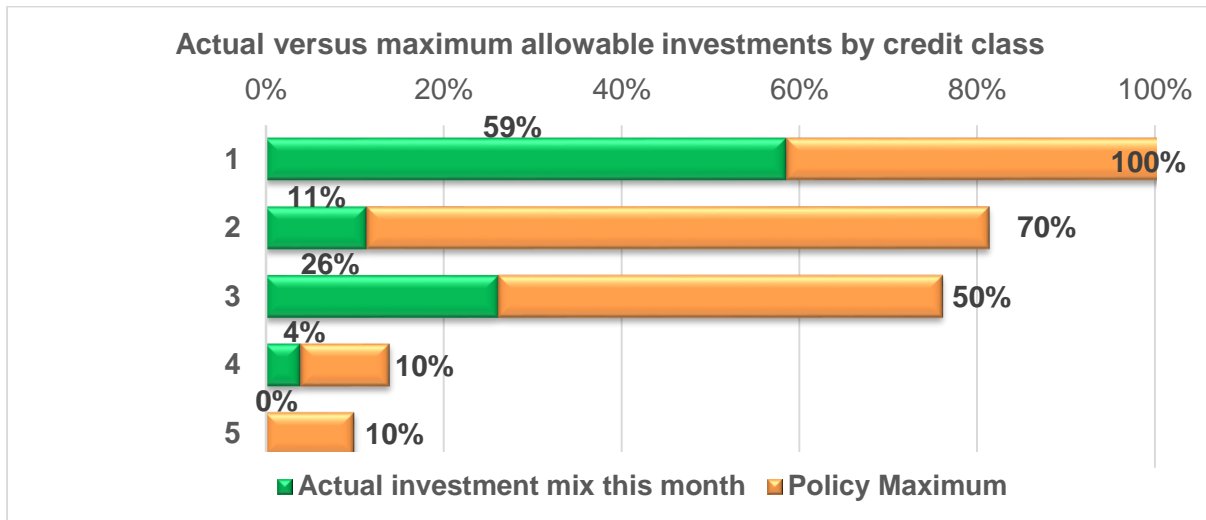
Council's investment holdings at 31 January 2024 have been made in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2021*, the *Investment Policy* adopted by Council on 14 December 2020, *Ministerial Investment Order* issued February 2011 and Division of Local Government (as it was then known) *Investment Policy Guidelines* published in May 2010.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	Maximise interest rate returns and comply with all relevant legislation.
<b>Policy</b>	This report relates to Council's <i>Investment Policy</i> which safeguards Council's investment portfolio.
<b>Consultation</b>	Not applicable.
<b>Risk</b>	Investments in this report have been considered in light of adopted Investment policy and risk management guidelines around the preservation of capital, diversification, market interest rates, liquidity and maturity risks.
<b>Resource</b>	Council's bank balances and investment holdings are managed within existing staff resources within the Finance Unit.
<b>Legal</b>	There are no legal considerations applicable to this report
<b>Legislation</b>	Under <i>Section 625</i> of the <i>Local Government Act 1993</i> the Responsible Accounting Officer must provide Council with a monthly report setting out details of all money that the Council has invested.
<b>Budget/Financial</b>	<p>In accordance with Clause 212 of <i>Local Government (General) Regulation 2021</i>, this report must include Certification as to whether or not the Investments have been made in accordance with the Act, the Regulations and Council's <i>Investment Policy</i>.</p> <p>The monthly investment report details the interest income for the month and any other relevant information required by Council.</p> <p>Council's Cash and Investments holdings at 31 January were \$206.6M and Interest returns are on track to exceed the annual budget of \$8.4M.</p>

## Investment Report Attachment 1 - Performance against Investment Policy and Budget

Actual Performance against Investment Policy settings and budget is detailed below:

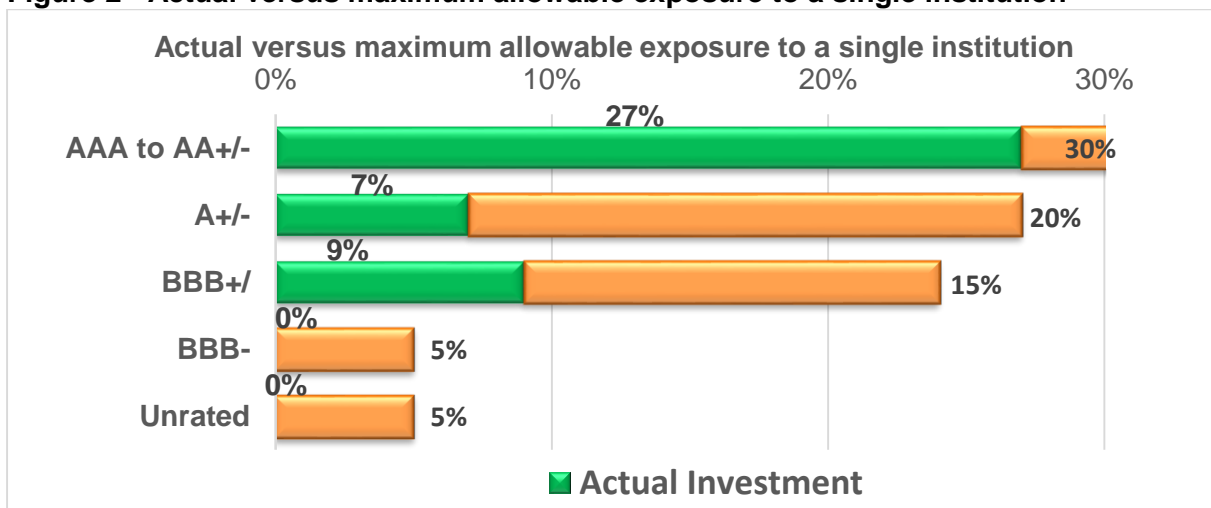
**Figure 1 – Actual versus maximum allowable investments by credit class**



Credit Risk refers to the risk of loss due to the insolvency of an institution or institutions that Council is investing funds with. To ensure that Credit Risk is minimised, Council relies on external rating agencies (such as Standard and Poors Global Rating) and sets targets for each rating class (with a higher proportion of the portfolio in higher rated / less risky classes and lower amounts in lower credit classes).

**Figure 1** shows that this month Council’s portfolio meets policy requirements as the percentage of investments in each credit class is equal to or lower than the policy prescribed maximums.

**Figure 2 - Actual versus maximum allowable exposure to a single institution**



In addition to minimising credit risk by concentrating investments in highly rated institutions (**Figure 1**), Council also needs to ensure that exposure to loss from one single organisation (counterparty

risk) is minimised. The policy therefore prescribes maximum percentage targets for amounts invested in a single institution.

**Figure 2** shows that this month Council's investment portfolio meets policy requirements as exposure to single entities is equal to or lower than the policy prescribed maximums.

**Figure 3 – Interest Rate Comparison for 31 January 2024**

<u>Description</u>	<u>Average Interest Rate</u>
Council Portfolio	<u>5.03%</u>
Benchmark – Bloomberg AUSBond Bank Bill Index (1 Month)	<u>4.44%</u>
Over Benchmark Return	<u>0.59%</u>

**Figure 3** shows the monthly interest rate achieved by Council on its investment portfolio compared with the one month Bloomberg AUSBond Bank Bill Index. Council's return has over performed that benchmark by 0.59%.

A more appropriate benchmark is Council's historical 12 months average return compared to the 12 months Average Bloomberg AUSBond Bank Bill Index. **Figure 4** compares Council's 12 months Average return with the 12 months Average Bloomberg Bank Bill Index.

**Figure 4 – Interest Rate Comparison – 12 Month Average**

<u>Description</u>	<u>Average Interest Rate</u>
Council Portfolio – 12 month Average	<u>3.71%</u>
Benchmark – Bloomberg AUS Bond Bank Bill Index (12 Month Average)	<u>3.57%</u>
Under (over) Benchmark Return	<u>(0.14)%</u>

**Figure 5 – Investment Return for 31 January 2024**

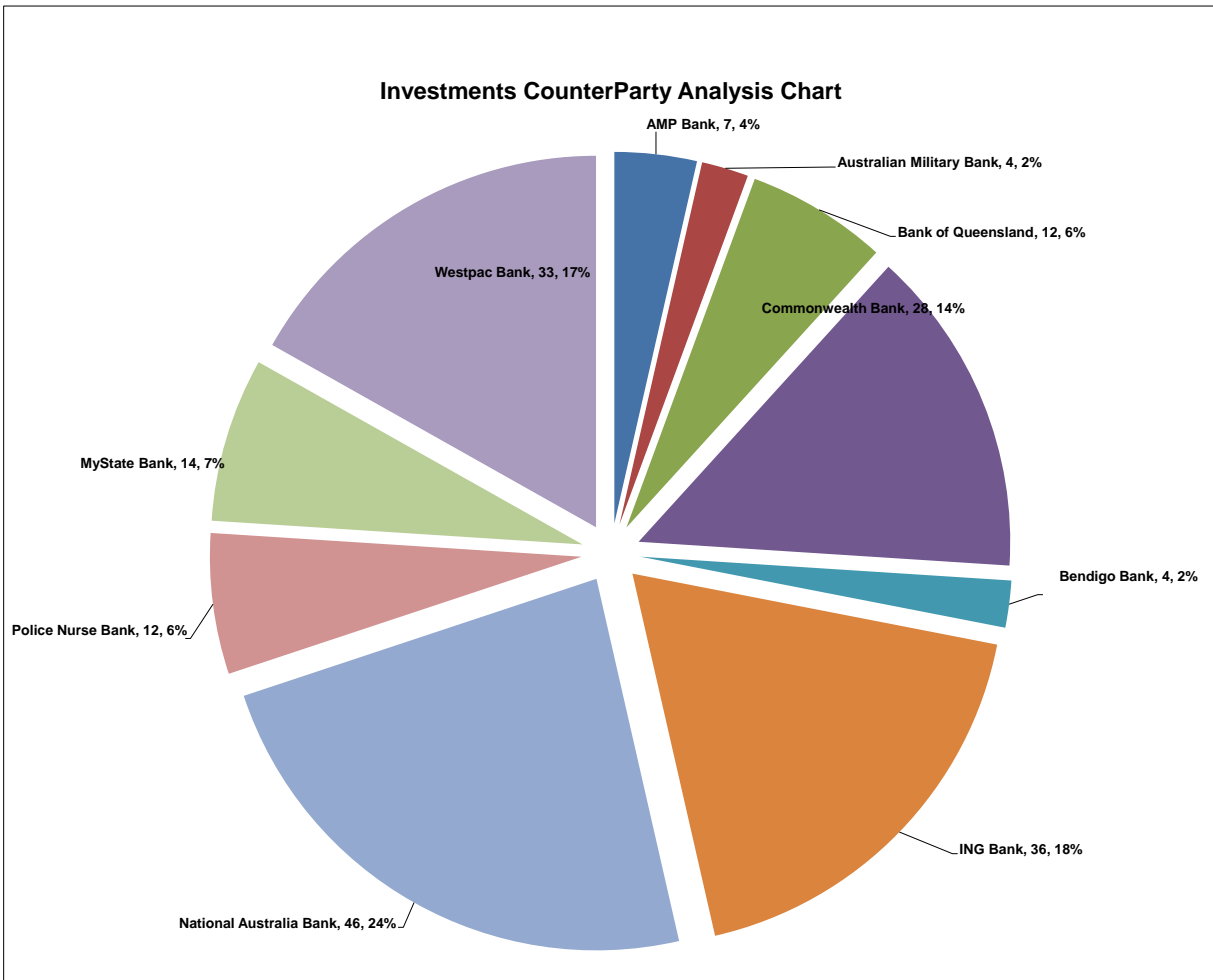
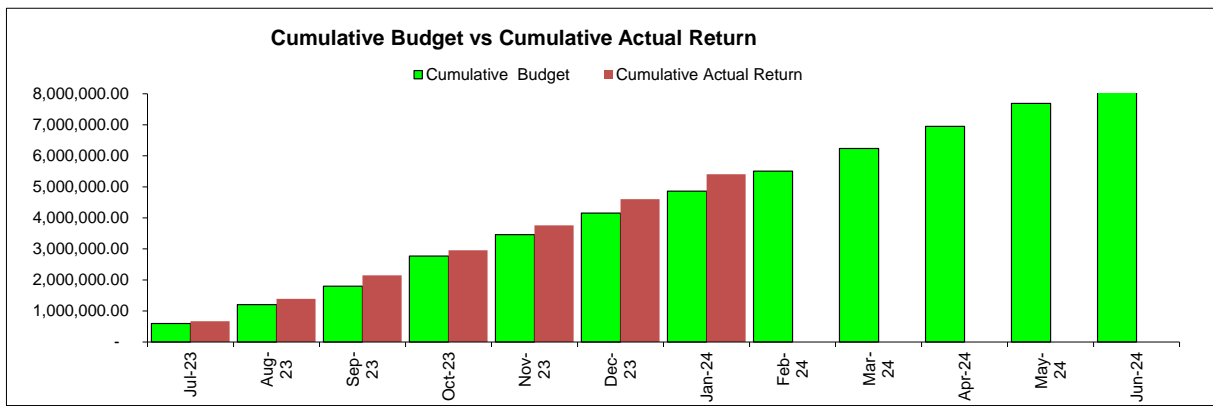
<u>Description</u>	<u>Interest Achieved (\$000's)</u>
Council Actual Interest Return	<u>\$804K</u>
Budgeted Return	<u>\$708K</u>
Over (under) Budgeted Return	<u>\$96K</u>

**Figure 5** provides a comparison of the actual interest return on investments for the month with the budget and shows that the monthly return is \$96K better than budget.

LIST OF INVESTMENTS	Credit Rating	FRN /TD	Investment Amount \$	Return % p.a.	Monthly Income \$	Investment Date	Mature & Reset Date	Period/ Matur. Date
<b>Investments that matured during the month:</b>								
MyState Bank (56631)	BBB+	TD	2,000,000	1.20%	197	9/12/2021	4/01/2024	matured
Commonwealth Bank (2124)	A1+	TD	5,000,000	4.69%	6,425	20/12/2022	11/01/2024	Matured
Bank of QLD (664520)	A2	TD	7,000,000	4.55%	9,599	12/01/2023	12/01/2024	Matured
Commonwealth Bank (2132)	A1+	TD	12,000,000	4.74%	17,142	12/01/2023	12/01/2024	Matured
Westpac Bank (9678135)	AA-	TD	1,000,000	1.31%	610	14/01/2022	18/01/2024	Matured
Commonwealth Bank (2133)	A1+	TD	5,000,000	4.71%	10,968	16/01/2023	18/01/2024	Matured
Westpac Bank (10509567)	A1+	TD	3,000,000	4.60%	6,427	16/01/2023	18/01/2024	Matured
Westpac Bank (10512363)	A1+	TD	4,000,000	4.60%	12,099	17/01/2023	25/01/2024	Matured
<b>Current Investments:</b>								
Westpac Bank (10509535)	A1+	TD	6,000,000	4.60%	23,441	16/01/2023	1/02/2024	0-3 mths
Commonwealth Bank (2134)	A1+	TD	6,000,000	4.71%	24,002	16/01/2023	8/02/2024	0-3 mths
ING Bank (170222)	A+	TD	1,000,000	2.00%	1,699	17/02/2022	15/02/2024	0-3 mths
Westpac Bank (10509521)	A1+	TD	5,000,000	4.60%	19,534	16/01/2023	15/02/2024	0-3 mths
National Australia Bank (70-562-1720)	AA-	TD	2,000,000	1.81%	3,075	17/02/2022	22/02/2024	0-3 mths
National Australia Bank (928293939)	A1+	TD	7,000,000	5.00%	29,726	23/02/2023	22/02/2024	0-3 mths
National Australia Bank (928489202)	A1+	TD	5,000,000	5.00%	21,233	23/02/2023	22/02/2024	0-3 mths
Westpac Bank - Green Tailored Deposit (7553241)	AA-	TD	1,000,000	4.37%	3,712	28/02/2019	1/03/2024	0-3 mths
Police Nurse Bank (57025)	BBB-	TD	2,000,000	2.00%	3,397	10/03/2022	7/03/2024	0-3 mths
ING Bank (57154)	A+	TD	1,000,000	2.02%	1,716	17/03/2022	21/03/2024	0-3 mths
Police Nurse Bank (57153)	BBB-	TD	2,000,000	2.05%	3,482	17/03/2022	21/03/2024	0-3 mths
Mystate Bank (30261468)	A2	TD	4,000,000	4.60%	15,627	23/03/2023	21/03/2024	0-3 mths
Mystate Bank (30261472)	A2	TD	4,000,000	4.60%	15,627	23/03/2023	28/03/2024	0-3 mths
National Australia Bank (955038589)	AA-	TD	4,000,000	2.85%	9,682	14/04/2022	18/04/2024	0-3 mths
Police & Nurses Bank (180424)	A2	TD	3,000,000	4.75%	12,103	27/04/2023	18/04/2024	0-3 mths
Police & Nurses Bank (020524)	A2	TD	2,000,000	4.75%	8,068	27/04/2023	2/05/2024	4-12mths
Commonwealth Bank (2100)	AA-	TD	1,000,000	3.70%	3,142	5/05/2022	16/05/2024	4-12mths
Australian Military Bank (23052024)	A2	TD	1,000,000	5.06%	4,298	24/05/2023	23/05/2024	4-12mths
ING BANK (949745)	A-	TD	1,000,000	3.76%	3,193	26/05/2022	30/05/2024	4-12mths
Mystate Bank (30271360)	A2	TD	3,000,000	5.70%	14,523	27/06/2023	27/06/2024	4-12mths
National Australia Bank (30-862-1903)	AA-	TD	1,000,000	0.80%	679	8/07/2021	4/07/2024	4-12mths
Mystate Bank (30271364)	A2	TD	3,000,000	5.70%	14,523	27/06/2023	4/07/2024	4-12mths
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Bendigo Bank (4452208)	A2	TD	4,000,000	5.50%	18,685	27/07/2023	8/08/2024	4-12mths
Commonwealth Bank (2155)	A1+	TD	6,000,000	5.57%	28,384	16/08/2023	15/08/2024	4-12mths
National Australia Bank (29-130-3289)	AA-	TD	2,000,000	0.78%	1,325	12/08/2021	15/08/2024	4-12mths
Commonwealth Bank (2156)	A1+	TD	3,000,000	5.44%	13,861	24/08/2023	22/08/2024	4-12mths
Australian Military Bank (220824)	BBB+	TD	3,000,000	4.45%	11,338	31/08/2022	22/08/2024	4-12mths
National Australia Bank (10858418)	A1+	TD	7,000,000	5.21%	30,975	24/08/2023	29/08/2024	4-12mths
Commonwealth Bank (2162)	A1+	TD	7,000,000	5.36%	31,866	21/09/2023	19/09/2024	4-12mths
Police & Nurses Bank (060235)	BBB-	TD	3,000,000	4.40%	11,211	8/09/2022	19/09/2024	4-12mths
National Australia Bank (10862995)	A1+	TD	7,000,000	5.35%	31,807	21/09/2023	26/09/2024	4-12mths
National Australia Bank (10862996)	A1+	TD	7,000,000	5.35%	31,807	21/09/2023	26/09/2024	4-12mths
AMP Bank (342225216)	BBB+	TD	2,000,000	4.70%	7,984	13/10/2022	17/10/2024	4-12mths
Westpac Bank - Green Tailored (11151149)	A1+	TD	5,000,000	5.36%	22,762	25/10/2023	24/10/2024	4-12mths
Westpac Bank (10768193)	A1+	TD	4,000,000	5.36%	18,209	25/10/2023	24/10/2024	4-12mths
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Bank of QLD (628601)	BBB+	TD	4,000,000	4.61%	15,661	23/11/2022	21/11/2024	4-12mths
AMP Bank (960694305)	A2	TD	1,000,000	5.30%	4,501	23/11/2023	28/11/2024	4-12mths
ING Bank (1160142)	A-	TD	5,000,000	5.40%	22,932	25/10/2023	30/10/2025	>12 mths
Bank of QLD (868274)	A2	TD	3,000,000	5.30%	13,504	22/11/2023	27/11/2025	>12 mths
ING Bank (1171988)	A-	TD	3,000,000	5.35%	13,632	22/11/2023	27/11/2025	>12 mths
ING Bank (121224)	A+	TD	3,000,000	5.23%	13,326	20/12/2023	12/12/2024	4-12mths
ING Bank (51224)	A+	TD	3,000,000	5.18%	13,198	20/12/2023	5/12/2024	4-12mths
<b>Current Investments - "New and Rollover" made during the month:</b>								
ING Bank(119449)	A	TD	4,000,000	5.15%	7,901	18/01/2024	18/01/2029	>12 mths
ING Bank(119445)	A	TD	4,000,000	5.04%	7,733	18/01/2024	19/02/2026	>12 mths
ING Bank(119448)	A	TD	4,000,000	5.05%	7,748	18/01/2024	21/01/2028	>12 mths
ING Bank(119448)	A	TD	4,000,000	5.00%	7,671	18/01/2024	21/01/2027	>12 mths
National Australia Bank (10880803)	A	TD	4,000,000	4.95%	7,595	18/01/2024	12/02/2026	>12 mths
Westpac Bank (1093177)	AA-	TD	4,000,000	5.12%	7,855	18/01/2024	23/01/2025	4-12mths
Westpac Bank (10937165)	AA-	TD	4,000,000	5.12%	7,855	18/01/2024	16/01/2025	4-12mths
Westpac Bank (10937142)	AA-	TD	4,000,000	5.09%	7,809	18/01/2024	9/01/2025	4-12mths
Total Current Investments, Monthly Interest and Weighted Return			Inv	196,000,000	5.03%	762,910		
Other Cash and Monthly Interest (11am STMM)			Cash	10,599,804		41,379		
Total Cash & Investments				<u>206,599,804</u>		<u>804,289</u>		
Benchmark: Bloomberg AUSBond Bank Bill Index					4.44%			
Investments Margin above Benchmark					0.59%			

Investments Maturity Period	0-3 mths	4-12mths	>12 mths	Total \$	chk s/be 0
Amount	53,000,000	112,000,000	31,000,000	196,000,000	0
% of Total	27.0%	57.1%	15.8%	100%	

Cash & Investments Return:	Budget \$	Actual \$	Var. \$
Current Month	692,883	804,289	111,406
Year to Date	4,153,193	4,602,866	449,673



Investment return for 2022-2023		
Month	Ausbond bank Bill Index Return % p.a	Returns from Investment
Jan-23	3.18%	3.16%
Feb-23	3.18%	3.37%
Mar-23	3.39%	3.56%
May-23	3.53%	3.73%
Jun-23	3.72%	3.85%
Jul-23	4.48%	3.96%
Aug-23	4.39%	4.30%
Sep-23	4.18%	4.42%
Oct-23	4.01%	4.56%
Nov-23	4.34%	4.75%
Dec-23	4.43%	4.81%
Jan-24	4.44%	5.03%
<b>Annualised return</b>	<b>3.57%</b>	<b>3.71%</b>



**12.3 QUARTERLY BUDGET REVIEW 2023/24 - DECEMBER QUARTER REPORT**

<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. 2023-24 QBR2 ATTACHMENT 1 BUDGET VARIATIONS</li><li>2. 2023-24 QBR2 ATTACHMENT 2_QBRS_DEC 2023_24 V5</li><li>3. 2023-24 QBR2 ATTACHMENT 3 PRINCIPAL ACTIVITIES VARIATIONS V6</li><li>4. 2023-24 QBR2 ATTACHMENT 4 PROJECTS AND CAPITAL WORKS V7</li><li>5. 2023-24 QBR2 ATTACHMENT 5 PROJECTS AND CAPITAL WORKS CONTINGENCY FUND</li></ol>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON, 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>26 FEBRUARY 2024</b>

**1. PURPOSE OF REPORT**

To seek Council approval for proposed budget adjustments and to report on financial performance during the second quarter (Q2) of the 2023/24 financial year (1 October 2023 to 31 December 2023).

**2. OFFICERS RECOMMENDATION**

That Council:

1. Note the Quarterly Budget Review for 2023/24 Quarter 2 (December). Net negative variances identified during the second quarter reduce the projected full year budget surplus (including capital revenue) by \$58k to a \$17.1M surplus. The projected full year deficit before capital revenue has increased from \$3.6M to \$5.5M.
2. Approve the increase in Capital Grants & Contributions revenue of \$1.8M mainly due to additional developer contribution income received.
3. Approve the increase in operating budget income (excluding capital income) of \$0.6M and the increase in operating budget expense of \$2.5M resulting in a net negative impact of \$1.9M to the 2023/24 forecast full year budget operating result before capital items. The income increase is mainly due to higher returns from interest on investments and higher restoration income. The expense increase is mainly due to one off factors increasing employee costs (for example delayed outsourcing of Devonshire Childcare and Connect Project timing), and higher legal costs for planning matters.

4. Approve the reduction in Capital Expenditure for the 2023/24 Financial Year of \$2.3M. The reduction in Capital Expenditure is due to reduced forecast expenditure on several major projects where budgets have been aligned to changed project timing.
5. Note the temporary allocation, under Chief Executive Officer (CEO) delegation, of \$1.8M of the Projects and Capital Works contingency budget to fund eight projects where urgent work was required before Quarter 2 budget variations are approved.

### 3. BACKGROUND

The Quarterly Budget Review Statement is required under the *Local Government Act 1993*, Clause 203 of the *Local Government (General) Regulation 2021* and the *Office of Local Government's (OLG) 'Integrated Planning and Reporting framework'*.

The *Local Government Act 1993* mandates that specific information is to be reported to Council on a quarterly basis. The *Local Government (General) Regulation 2021* requires a council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of council. This report presents for Council's consideration the 2023/24 Quarter 2 financial information required under legislation.

Councillors were provided with a briefing pack providing detail on the proposed budget revisions on 12 February 2024.

### 4. DISCUSSION

#### 4.1 Budget Summary

The Quarterly Budget Review Statement for the 2023/24 Quarter 2 (**Attachment 2**) includes:

- The adopted budget for 2023/24.
- Year to date approved budget changes and revised current budget.
- The budget variations proposed for approval for 2023/24 Quarter 2

The key highlights of Council's 2023/24 Quarter 2 budget review are:

- The Income and Expenses Budget Review Statement shows that the projected Net Operating position (including capital grants and contributions) for the year is a surplus of \$17.1M comprising Income of \$156.3M and Expenses of \$139.2M.
- After deducting \$22.6M of projected Grants and Contributions to be received for Capital Purposes, the projected Net Operating Result (before capital grants and contributions) for the year is a \$5.5M deficit.
- Capital expenditure is forecasted to be \$2.3M lower. Full year projected capital expenditure for 2023/24 is \$71.6M.
- Total Cash and Investments of \$205.3M as at 31 December 2023 including \$184.8M (90%) restricted for specific purposes.
- Projected unrestricted cash has decreased by \$700k and is expected to be \$13.5M by the end of June 2024. This is an adequate working capital balance.

#### 4.2 Budget Variations and Variances

Figure 1 provides detail on underlying movements to the 2023/24 operating budget. Positive variances identified during the second quarter increase the projected full year budget surplus (including capital revenue) by \$58k to a \$17.1M surplus. The projected full year deficit before capital revenue has increased by \$1.9M from \$3.6M to \$5.5M.

**Figure 1: Budget Variations (Additions/Reductions)**

<b>Account Group</b>	<b>Explanation</b>	<b>\$K</b>
<b>INCOME</b>		
Rates & Annual Charges	To reflect the increase in Rates & Annual Charges of \$62k mainly due to year-to-date additional rates received.	62
User Charges and Fees	To reflect the increase in User Charges & Fees of \$1,457k, mainly from: 1. \$1,409k mainly due to year-to-date additional Restoration income received 2. \$179k higher childcare program fees due to changed timeframe for outsourcing of Devonshire Long Day Care service. 3. \$122k due to year-to-date additional permit fees received from Design & Infrastructure Delivery 4. \$37k additional fees expected from Zenith Theatre Offset against: 5. \$244k less DA fees expected	1,457
Interest & Investment Revenue	To reflect the increase in Interest & Investment Revenue of \$774k due to higher returns on investments.	774
Other Revenues	To reflect the increase in Other Revenues of \$134k, mainly from: 1. \$217k additional higher parking fine and penalty notice income received Offset against: 2. \$32k year-to-date lower income received from Arts & Events 3. \$36k year-to-date lower sundry income received from Property	134
Rental Income	To reflect the decrease in forecast Rental Income of \$143k mainly due to decrease in forecast rental income from Affordable Housing.	(143)
Grants & Contributions - Operating	To reflect the decrease in Operating Grants of \$1,621k. It mainly comes from: 1. \$2,290k decrease from EL New Pacific Hwy (Chatswood & St Leonards) Shared Path-Design. Revenue cannot be recognised as the project is delayed due to State approvals. This reduction is entirely offset by expenditure reduction in materials and contracts. Offset against: 2. \$53k higher grants in Community Life plus \$370k higher Child Care Subsidy due to the changed timeframe for outsourcing of Devonshire Child Care. This is more than offset by higher Devonshire expenditure. 3. \$155k higher than expected TfNSW grant for Traffic Signals upgrade at Victoria Ave & High St Chatswood 4. \$100k grant received to repair damaged retaining walls	(1,621)

Grants & Contributions - Capital	To reflect the increase in Capital Grants of \$1,828k, including: 1. \$1,947k additional developer contribution income received 2. \$150k additional capital grant expected for Upgrade Thomson park synthetic surface, walls, fences & seating Offset against: 3. \$174k decrease in Grant Income for Naremburn local centre streetscape to match what will actually be received. 4. \$145k decrease from Chatswood & St Leonards Bicycle Route Improvement Plan-Detailed Design as the project budget is reduced	1,828
	<b>Total Income Variation Increase/(Decrease)</b>	<b>2,491</b>
<b>EXPENDITURE</b>		
Employee Costs	To reflect the increase in Employee costs of \$1,293k. It mainly comes from: 1. \$687k increase due to changed timeframe for outsourcing of Devonshire Child Care. 2. \$294k increase from the Connect project phase 3 3. \$107k increase overtime from Works Services 4. \$144k budget increase from other areas	1,293
Borrowing Cost	Reduction in Borrowing Cost of \$14k to align to the loan schedule.	(14)
Materials & Contracts	To reflect the increase in Materials & Contracts of \$1,225k, mainly from: 1. \$1,607k increase from Works Services (including \$1,263k increase from Restoration), funded by additional restoration income received 2. \$610k increase in Planning legal budget 3. \$663k increase in Property costs (including \$510k for Street Lighting) 4. \$458k increase in Contractor - Agency Contract Personnel in Planning 5. \$177k increase from other areas Offset against: 6. \$2,290k reduction in EL New Pacific Hwy (Chatswood & St Leonards) Shared Path - Design.	1,225
Depreciation	To reflect the increase in Depreciation of \$60k.	60
Other Expenses	To reflect the decrease in Other Expenses of \$15k mainly come from subsidies and donations	(15)
	<b>Total Expenditure Variation Increase/(Decrease)</b>	<b>2,549</b>
<b>Net Result</b>	<b>Net Increase (Decrease) to Operating Surplus</b>	<b>(58)</b>

#### 4.3 Projects and Capital Works Contingency Fund

Council set aside a proportion of Projects and Capital Works bid amounts across all program families to create float and contingency for interim approvals or unknown works. This has been approved as part of the budget adoption on 26 June 2023. The opening balance of the contingency fund was \$2M.

In Quarter 2, eight projects requested contingency fund budget of \$1.8M to fund these projects in 2023/24 financial year (refer **Attachment 5**).

Six projects totalling \$200k relate to permanent budget variances, while the other two projects totalling \$1.6M are timing differences and/or the budget exists in outer years.

Council plan to reduce the contingency by \$200k for the six projects with permanent budget variances and replenish the contingency by \$1.6M for "WLC Pool upgrade" and "Bicentennial Reserve – Netball courts re-sheeting upper court" projects which are timing differences. The contingency will decrease by \$200k to \$1.8M.

#### 4.4 Other highlights

Council's second quarter (December) and projected full year 2023/24 financial performance is summarised and evaluated in the attachments. Other highlights relating to attachments include:

- During the quarter, Council's Principal Activities included 14 projects with milestones variations; 1 new projects, 1 cancelled project and 1 project with project title changed (refer **Attachment 3**).
- A review of Projects and Capital Works showed that 18 projects required additional funding and 25 projects had reduced budget during the quarter (refer **Attachment 4**).

The forecast full year expenditure on Projects and Capital Works (PCW) has been revised downward by \$4M from \$85M to \$81M. The \$4M expenditure decrease is comprised of \$2.2M increase of Capital projects and \$1.8M of Operational projects.

## 5. RISKS AND OPPORTUNITIES

There is risk that lack of financial discipline or poor decision making could adversely affect Council's financial position. Financial Risk is mitigated through monthly and ad-hoc monitoring, regular Council briefings and this quarterly budget review so any negative trends or issues can be identified and resolved in a timely manner.

## 6. CONCLUSION

Council's projected full year 2023/24 position has been significantly impacted by increase on employee costs and material & contract cost at the December Quarterly Budget Review, which resulted in a further \$1.9M of negative budget adjustments during Quarter 2. The deficit before Capital Revenue is now forecast to be \$5.5M.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	To monitor and improve Council's financial performance and ensure that all legislative requirements are met.
<b>Policy</b>	This report is compliant with a range of Council Policies in particular the summary of significant accounting policies included in the <i>Audited Annual Financial Statements</i> .
<b>Consultation</b>	Councillors were provided with a briefing pack on 12 February 2024 providing detail on the proposed budget revisions.
<b>Risk</b>	There is risk that lack of financial discipline or poor decision making could adversely affect Council's financial position. Financial Risk is mitigated through monthly and ad-hoc monitoring, regular Council briefings and this quarterly budget review so any negative trends or issues can be identified and resolved in a timely manner.
<b>Resource</b>	The Quarterly Budget Review is undertaken using existing staff resources within the Finance Strategy Unit.
<b>Legal</b>	There are no legal considerations applicable to this report.
<b>Legislation</b>	<i>The Local Government Act 1993</i> and <i>Clause 203 of the Local Government (General) Regulation 2021</i> .
<b>Budget/Financial</b>	<p>The quarterly budget review statement for the December 2023/24 quarter includes:</p> <ul style="list-style-type: none"> <li>• the adopted budget 2023/24</li> <li>• year to date approved budget changes and revised current budget</li> <li>• the budget variations during the December quarter 2023/24</li> </ul>

**BUDGET VARIATIONS DECEMBER QUARTER (2023/24)**

**\$000's**

	<u>Income</u>		<u>Expenditure</u>		<u>Income</u>		<u>Expenditure</u>		<u>Income</u>		<u>Expenditure</u>	
	Increase/ Decrease ()		Increase/ Decrease ()		Increase/ Decrease ()		Increase/ Decrease ()		Increase/ Decrease ()		Increase/ Decrease ()	
<b>Council Service:</b>	<u>Income Statement</u>				<u>Capital Statement</u>				<u>Net Variations Qtr 2</u>			
General Management	0	40	0	0	0	0	0	40	0	40		
Customer & Corporate	2,658	1,330	0	(396)	2,658	934			2,658	934		
Community Culture & Leisure	1,005	356	0	293	1,005	649			1,005	649		
Planning & Infrastructure	(1,172)	823	0	(2,154)	(1,172)	(1,331)			(1,172)	(1,331)		
<b>Total</b>	<u>2,491</u>	<u>2,549</u>	<u>0</u>	<u>(2,257)</u>	<u>2,491</u>	<u>292</u>			<u>2,491</u>	<u>292</u>		
<b>Summary Of Variations:</b>	<u>Income Statement</u>				<u>Capital Statement</u>				<u>Total</u>			
Total Income Variation	2,491				0				2,491			
Total Expenditure Variation	2,549				(2,257)				292			
<b>Net Variations Qtr 2</b>	<u>(58)</u>				<u>(2,257)</u>				<u>2,199</u>			
<b>Reconciliation: Increase/(Decrease)</b>	<u>Oper. Inc</u>	<u>Oper. Exp</u>	<u>Oper. Net</u>	<u>Cap Expend.</u>	<u>Reserves/Non-Cash</u>	<u>Net Result</u>						
Total Variations Qtr 2	2,491	2,549	(58)	(2,257)	2,923	(724)						

**Willoughby City Council**

**Quarterly Budget Review Statement**  
 Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023

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- 3.2 Income & Expenses Budget Review Statement
- 3.3 Capital Budget Review Statement
- 3.4 Summary explanation on Recommended Changes
- 3.5 Cash & Investments Budget Review Statement
- 3.6 Comment on Cash & Investment Position
- 3.7 Key performance Indicator (KPI) Budget Review Statement
- 3.8 Contract & Other Expenses Budget Review Statement
- 3.9 Consultancy & Legal Expenses Budget Review Statements



**Willoughby City Council**

**Quarterly Budget Review Statement**  
Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023

**Report by Responsible Accounting Officer**

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2021:

It is my opinion that the Quarterly Budget Review Statement for Willoughby City Council for the quarter ended 31/12/23 indicates that Council's projected financial position at 30/6/24 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

**Signed:** Stephen Naven

**Date:** 12/02/2024

Stephen Naven  
Responsible Accounting Officer

<b>Willoughby City Council</b>		<b>Quarterly Budget Review Statement - Income &amp; Expenses</b>				
		Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023				
<b>Income &amp; Expenses Budget \$000's</b>	<b>Orig. Budget 2023/24</b>	<b>YTD Approved Budget Adjustments</b>	<b>Current Budget 2023/24</b>	<b>Vari-ation Qtr 2</b>	<b>Revised Budget 2023/24</b>	<b>Ytd Actual 2023/24</b>
<b>Income</b>						
Rates & Annual Charges	73,301	107	73,408	62	73,470	73,547
User Charges & Fees	16,200	935	17,135	1,457	18,592	10,106
Interest & Investment Revenue	7,321	1,149	8,470	774	9,244	4,651
Other Revenues	8,876	270	9,146	134	9,280	3,511
Rental Income	14,077	104	14,181	(143)	14,038	7,014
Grants & Contributions - Operating	9,741	828	10,570	(1,621)	8,949	3,128
Grants & Contributions - Capital -Contribution (+S94)	10,995	9,755	20,750	1,828	22,578	14,006
Net Gain from the disposal of Assets	100	0	100	0	100	0
Share of interests in Joint Ventures & Associates	0	0	0	0	0	0
<b>Total Income from continuing operations</b>	<b>140,611</b>	<b>13,149</b>	<b>153,760</b>	<b>2,491</b>	<b>156,251</b>	<b>115,963</b>
<b>Expenses **</b>						
Employee Costs	50,453	(664)	49,789	1,293	51,082	25,245
Borrowing Costs	2,308	0	2,308	(14)	2,294	734
Materials & Contracts	54,858	4,341	59,199	1,225	60,424	26,902
Depreciation	21,565	0	21,565	60	21,625	10,783
Other Expenses	3,102	646	3,748	(15)	3,733	1,849
Net Loss from Disposal of Assets	0	0	0	0	0	0
Share of interests in Joint Ventures & Associates	0	0	0	0	0	0
<b>Total Expenses from continuing operations</b>	<b>132,286</b>	<b>4,323</b>	<b>136,609</b>	<b>2,549</b>	<b>139,158</b>	<b>65,513</b>
<b>Net Operating Surplus/(Deficit) from continuing operations</b>	<b>8,325</b>	<b>8,826</b>	<b>17,151</b>	<b>(58)</b>	<b>17,093</b>	<b>50,450</b>
<b>Grants &amp; Contribution provided for Capital Purpose</b>	<b>10,995</b>	<b>9,755</b>	<b>20,750</b>	<b>1,828</b>	<b>22,578</b>	<b>14,006</b>
<b>Net Operating Surplus/(Deficit) Result before capital items</b>	<b>(2,670)</b>	<b>(929)</b>	<b>(3,599)</b>	<b>(1,886)</b>	<b>(5,485)</b>	<b>36,444</b>

\*\* All expenditure types (except depreciation) may include capital expenditure which will be capitalised as assets at year end.

**Willoughby City Council**

**Quarterly Budget Review Statement**

Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023

**Capital Budget \$000's**

	<b>Orig. Budget 2023/24</b>	<b>YTD Approved Budget Adjustments</b>	<b>Current 2023/24</b>	<b>Vari- ation Qtr 2</b>	<b>Revised Budget 2023/24</b>	<b>YTD Actual 2023/24</b>
<b>Capital Funding</b>						
Rates and Other untied Funding	(5,950)	73	(5,877)	160	(5,717)	(1,708)
Proceeds from Sale of Plant & Equipment	(100)	0	(100)	0	(100)	0
Capital Grants & Contributions	(10,055)	(6,591)	(16,646)	(1)	(16,648)	(4,454)
Internal Restrictions	(24,573)	(7,941)	(32,514)	667	(31,847)	(1,338)
External Restrictions	(18,057)	(712)	(18,770)	1,431	(17,338)	(8,979)
Other Capital Funding Sources	0	0	0	0	0	0
<b>Total Capital Funding</b>	<b>(58,735)</b>	<b>(15,172)</b>	<b>(73,907)</b>	<b>2,257</b>	<b>(71,650)</b>	<b>(16,479)</b>
<b>Capital Expenditure</b>						
New Assets						
- Plant and Equipment	0	0	0	0	0	0
- Land and Buildings	4,317	155	4,472	(2,018)	2,454	389
- Roads, Bridges, Footpaths	888	1,720	2,608	(732)	1,876	330
- Other Infrastructure	310	480	790	0	790	458
- Others	235	(24)	211	7	218	96
Renewals(Replacement)						
- Plant and Equipment	2,146	0	2,146	(68)	2,078	558
- Land and Buildings	5,573	7,867	13,440	(545)	12,895	583
- Roads, Bridges, Footpaths	10,795	4,022	14,817	764	15,581	5,141
- Other Infrastructure	34,402	877	35,279	376	35,655	8,859
- Others	69	75	144	(41)	103	65
Loan Repayments (Principal)	0	0	0	0	0	0
<b>Total Capital Expenditure</b>	<b>58,735</b>	<b>15,172</b>	<b>73,907</b>	<b>(2,257)</b>	<b>71,650</b>	<b>16,479</b>

**Willoughby City Council**

**Quarterly Budget Review Statement - Income & Expenses**

Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023

**Summary explanation on Recommended Changes to Revised Budget**

**Income & Expenses Budget**

All items of income and expenditure were reviewed and the recommended changes are reflected as near as possible anticipated estimates for the year to 30 June 2024. Below are some explanations for the major changes:

Rates & Annual Charges	To reflect the increase in Rates & Annual Charges of \$62k mainly due to year-to-date additional rates received.
User Charges & Fees	To reflect the increase in User Charges & Fees of \$1,457k, It mainly comes from: 1. \$1,409k mainly due to year-to-date additional Restoration income received 2. \$179k higher child care program fee due to service change due to changed timeframe for outsourcing of Devonshire Child Care. 3. \$122k due to year-to-date additional permit fee received from Design & Infrastructure Delivery 4. \$37k additional fees expected from Zenith Theatre to cover additional expenditure budget Offset against: 5. \$244k less DA fees expected
Interest & Investment Revenue	To reflect the increase in Interest & Investment Revenue of \$774k due to higher returns on investments.
Other Revenues	To reflect the increase in Other Revenues of \$134k, It mainly comes from: 1. \$217k additional higher parking fine and penalty notice income received Offset against: 2. \$32k year-to-date lower income received from Arts & Event 3. \$36k year-to-date lower sundry income received from Property
Rental Income	To reflect the decrease in forecast Rental Income of \$143k mainly due to decrease in forecast rental income from Affordable Housing.

Grant & Contribution (Operating)	<p>To reflect the decrease in Operating Grants of \$1,621k. It mainly comes from:</p> <ol style="list-style-type: none"> <li>1. \$2,290k decrease from EL New Pacific Hwy (Chatswood &amp; St Leonards) Shared Path-Design. Revenue cannot be recognised as the project is delayed due to State approvals. This reduction is entirely offset by expenditure reduction in materials and contracts.</li> </ol> <p>Offset against:</p> <ol style="list-style-type: none"> <li>2. \$53k higher grants in Community Life plus \$370k higher Child Care Subsidy due to the changed timeframe for outsourcing of Devonshire Child Care. This is more than offset by higher Devonshire expenditure.</li> <li>3. \$155k higher than expected TfNSW grant for Traffic Signals upgrade at Victoria Ave &amp; High St Chatswood</li> <li>4. \$100k grant received to repair damaged retaining walls</li> </ol>
Grant & Contribution (Capital)	<p>To reflect the increase in Capital Grants of \$1,828k. It mainly comes from:</p> <ol style="list-style-type: none"> <li>1. \$1,947k additional developer contribution income received</li> <li>2. \$150k additional capital grant expected for Upgrade Thomson park synthetic surface,walls,fences &amp; seating</li> </ol> <p>Offset against:</p> <ol style="list-style-type: none"> <li>3. \$174k decrease in Grant Income for Naremburn local centre streetscape to match what will actually be received.</li> <li>4. \$145k decrease from Chatswood &amp; St Leonards Bicycle Route Improvement Plan-Detailed Design as the project budget is reduced</li> </ol>
Employee Cost	<p>To reflect the increase in Employee costs of \$1,293k. It mainly comes from:</p> <ol style="list-style-type: none"> <li>1. \$687k increase due to changed timeframe for outsourcing of Devonshire Child Care.</li> <li>2. \$294k increase from the Connect project phase 3</li> <li>3. \$107k increase overtime from Works Services</li> <li>4. \$144k budget increase from other areas</li> </ol>
Borrowing Cost	<p>To reflect the decrease in Borrowing Cost of \$14k based on the loan schedule.</p>
Materials & Contract	<p>To reflect the increase in Materials &amp; Contracts of \$1,225k. It mainly comes from:</p> <ol style="list-style-type: none"> <li>1. \$1,607k increase from Works Services (including \$1,263k increase from Restoration), funded by additional restoration income received</li> <li>2. \$610k increase in Planning legal budget</li> <li>3. \$663k increase in Property costs (including \$510k for Street Lighting)</li> <li>4. \$458k increase in Contractor - Agency Contract Personnel in Planning</li> <li>5. \$177k increase from other areas</li> </ol> <p>Offset against:</p> <ol style="list-style-type: none"> <li>6. \$2,290k reduction in EL New Pacific Hwy (Chatswood &amp; St Leonards) Shared Path - Design.</li> </ol>
Depreciation	<p>To reflect the increase in Depreciation of \$60k.</p>
Other Expenses	<p>To reflect the decrease in Other Expenses of \$15k mainly come from subsidies and donations</p>

**Willoughby City Council**

**Quarterly Budget Review Statement**

Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023

**Cash & Investments Budget \$000's**

	EOY Actual 2022/23	B/fwd Budget 2023/24	Orig. Budget 2023/24	Current Budget 2023/24	Vari- ation Qtr 2	Revised Budget 2023/24	Ytd Actual 2023/24
<b>Externally Restricted <sup>(1)</sup></b>							
Developer Contributions	73,834	(249)	(8,783)	69,063	3,201	72,264	73,384
All other externally restricted	46,544	(764)	(1,482)	44,356	460	44,816	45,926
<b>Total Externally Restricted</b>	<b>120,378</b>	<b>(1,013)</b>	<b>(10,265)</b>	<b>113,419</b>	<b>3,661</b>	<b>117,080</b>	<b>119,310</b>
(1) Funds that must be spent for a specific purpose							
<b>Internally Restricted <sup>(2)</sup></b>							
All Internally Restricted	64,806	(843)	(20,660)	37,089	(678)	36,411	65,484
<b>Total Internally Restricted</b>	<b>64,806</b>	<b>(843)</b>	<b>(20,660)</b>	<b>37,089</b>	<b>(678)</b>	<b>36,411</b>	<b>65,484</b>
(2) Funds that Council has earmarked for a specific purpose							
<b>Unrestricted (ie. available after the above Restrictions)</b>	15,392	(490)	1,464	14,262	(724)	13,538	20,502
<b>Total Cash &amp; Investments</b>	<b>200,576</b>	<b>198,230</b>	<b>(29,461)</b>	<b>164,770</b>	<b>2,259</b>	<b>167,029</b>	<b>205,296</b>

**Willoughby City Council**

**Quarterly Budget Review Statement**  
 Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023

**Cash & Investments Budget Review Statement**

**Comment on Cash & Investments Position**

Council's cash and investment position are on target with the Operational Plan.

Investments have been invested in accordance with Council's Investment Policy.

The value of Cash at Bank which has been included in the Cash & Investment Statement totals \$205,296,202

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.  
 The date of this bank reconciliation is 31/12/23.

**Reconciliation Status**

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

	<b>\$ 000's</b>
Cash at Bank (as per bank statements)	2,878
Investments on Hand	203,000
<b>Total Cash at Bank and Investments on Hand</b>	<b>205,878</b>
less: Unpresented Cheques	(67)
add: Undeposited Funds	77
less: Identified Deposits (not yet accounted in Ledger)	(624)
add: Identified Outflows (not yet accounted in Ledger)	32
less: Unidentified Deposits (not yet actioned)	
add: Unidentified Outflows (not yet actioned)	
<b>Reconciled Cash at Bank &amp; Investments</b>	<b>205,296</b>
<b>Balance as per Review Statement:</b>	<b>205,296</b>
Difference:	-

**Recommended changes to revised budget**

Budget Variations being recommended reflect as near as possible anticipated full year estimates.

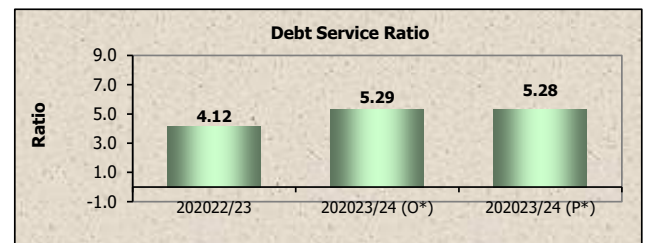
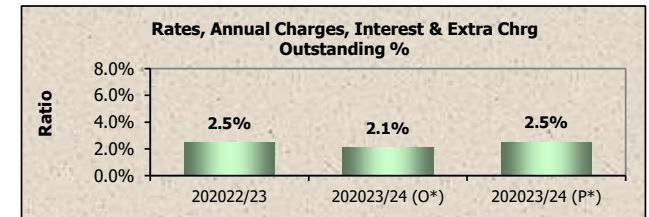
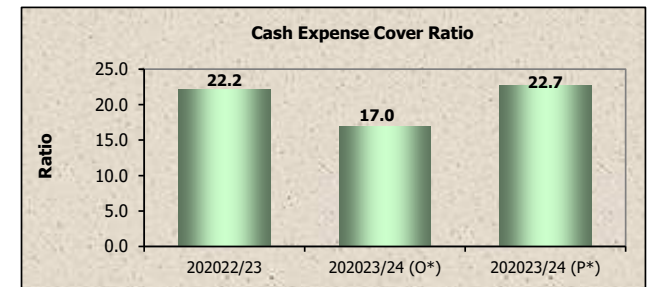
**Willoughby City Council**

**Quarterly Budget Review Statement**  
 Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023

**Key Performance Indicators Budget Review Statement**

Budget review for the quarter ended 31 December 2023

(\$000's)	Current Projection		Original Indicator 2023/24	Actuals Prior Periods 2022/23	WCC Benchmark
	Amounts 2023/24	Indicator 2023/24			
The Council monitors the following Key Performance Indicators:					
<b>Cash Expense Cover Ratio</b>					
Current year's cash and cash equivalents plus all term deposits	205,296	22.7 mths	16.95	22.2	> 3 months
Payment from cash flow of operating and financing activities	9,031				
<b>Rates, Annual Charges, Interest &amp; Extra Chrg Outstanding %</b>					
Rates, Annual & Extra Charges Outstanding	1,857	2.51%	2.11%	2.50%	< 5%
Rates, Annual & Extra Charges Collectible	73,867				
<b>Debt Service Cover Ratio</b>					
Operating result before capital excl. int. & depn/impairment/amort.	18,334	5.3	5.3	4.1	> 2x
Principal repayments plus borrowing costs	3,476				





**Willoughby City Council**

**Quarterly Budget Review Statement**  
Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023

**Contracts Budget Review Statement**

**Part A - Contracts Listing** - contracts entered into during the quarter

<b>Contractor</b>	<b>Contract detail &amp; purpose</b>	<b>Contract Value</b>	<b>Start Date</b>	<b>Duration of Contract</b>	<b>Budget (Y/N)</b>
INTREC MANAGEMENT (NSW) PTY LTD	Construction - Victor Street Refurbishment	\$ 6,769,125.00	12/12/2023	30/06/2024	Y
CERTIS SECURITY AUSTRALIA PTY LTD	Property - Security Services	\$ 197,447.09	06/11/2023	31/03/2024	Y
CLEANAWAY	Waste - Disposal street cleansing	\$ 100,000.00	11/10/2023	18/10/2023	Y
SAVILLS (NSW) PTY LIMITED	Marketing and Leasing Services - Shop 8 - The Concourse	\$ 97,281.00	13/12/2023	31/03/2024	Y
CROSSLEY TRANSPORT PLANNING	Consultant - Smith St Shared Path Detailed Design	\$ 94,143.50	28/10/2023	30/06/2024	Y
HAYS PERSONNEL SERVICES	Labour Hire - Property	\$ 87,100.00	23/11/2023	30/06/2024	Y
HAYS PERSONNEL SERVICES	Labour Hire - Property	\$ 87,100.00	14/11/2023	30/06/2024	Y
ALTUS GROUP COST MANAGMENT PTY LTD	Consultant - Quantity Surveying Services WLC	\$ 87,054.00	01/11/2023	30/01/2025	Y
MCDERMOTT BAXTER PTY LTD	Events - Dragon Main Artwork - LNY 2024	\$ 86,130.00	18/10/2023	28/02/2024	Y
HAYS PERSONNEL SERVICES	Labour Hire - Property	\$ 83,200.00	12/10/2023	30/06/2024	Y
THREATDEFENCE PTY LTD	Software - ThreatDefence Licence	\$ 79,200.00	28/11/2023	30/06/2024	Y
HAYS PERSONNEL SERVICES	Labour Hire - Planning	\$ 75,000.00	06/10/2023	30/06/2024	Y
HAYS PERSONNEL SERVICES	Labour Hire - Property	\$ 74,559.60	03/11/2023	31/03/2024	Y
AECOM	Consultant - Pacific Highway Shared Path	\$ 69,420.00	27/11/2023	30/06/2024	Y
MICROMEX SYSTEMS PTY LTD	Consultant - Community Wellbeing Survey	\$ 68,761.00	17/10/2023	31/12/2023	Y
TECH LOGIC CORPORATION	Software - Service Agreement & system support	\$ 67,000.00	22/12/2023	31/12/2024	Y
THE TRUSTEE FOR DESIGN & BUILD RECRUITMENT UNIT TRUST	Labour Hire - Planning	\$ 65,000.00	07/12/2023	14/12/2023	Y
UNIVERSITY OF WESTERN SYDNEY	Consultant - Microclimate Mapping	\$ 62,450.00	20/11/2023	30/06/2024	Y
ID CONSULTING PTY LTD	Software - Annual subscription fees (2023/24)	\$ 62,315.00	12/12/2023	14/12/2023	Y
THE TRUSTEE FOR LUCAS STAPLETON JOHNSON AND PARTNERS UNIT TRUST	Consultant - Heritage Review Study	\$ 59,865.00	07/12/2023	31/03/2024	Y
LG SOFTWARE SOLUTIONS PTY LTD	Software - Pulse annual Renewal 23-24	\$ 59,071.10	11/12/2023	30/06/2024	Y
TPG NETWORK PTY LTD	Utilities - Internet Service	\$ 56,888.93	05/12/2023	31/12/2023	Y
SYNERGY FIRE & SECURITY PTY LIMITED	Annual Fire Safety Statement Form	\$ 53,387.13	18/12/2023	31/03/2024	Y
STANTEC AUSTRALIA	Consultant - Cycling Strategy & Action Plan 2034	\$ 52,613.00	27/10/2023	30/06/2024	Y
FPP INDUSTRIES PTY LTD	Construction - Flexible porous paving	\$ 50,000.00	17/11/2023	30/06/2024	Y

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

**Willoughby City Council**

**Quarterly Budget Review Statement**

Quarter 2 2023/24 - for the period 01/10/2023 to 31/12/2023

**Consultancy & Legal Expenses Budget Review Statement**

**Part B - Consultancy & Legal Expenses Overview**

<b>Expense</b>	<b>YTD Expenditure (Actual Dollars '\$000)</b>	<b>Budgeted (FY) '\$000</b>
Consultancies	948	3,023
Legal Fees	913	1,929

**Definition of a consultant:**

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management.

Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

**Comments**

There are two elements contributed to the YTD expenditure in consultancies expense:

Part of the consultancies is budgeted to two areas, Material & Contract and Consultancy cost.

Part of actual expenditure in consultancies will be capitalised at the end of financial year as part of year end project capitalisation.

Second quarter variations to the 2023/2024 Operational Plan principal activities are summarised here.

**Projects and Capital Works**

Code	Project title	Project category	Change	Reason
<b>Adjustments for Q2 2023/2024 Adopted Operational Plan</b>				
302434	CONNECT Phase 3B	Information Technology	Project Milestone variation	<p>Project has encountered challenges with the processes and data, the amount of business analysis and business improvement required for this phase of the project was greater than planned for and a revised approach, delivery timeframes and resourcing is required.</p> <p>The following milestones have been recast:  <b>Parallel rates runs completed</b> - from 30 November 2023 to 30 August 2024.  <b>User acceptance testing (UAT) completed</b> - from 22 December 2023 to 30 August 2024,  <b>Data validation final sign-off</b> - from 26 January 2024 to 27 September 2024,  <b>Configuration final sign-off</b> - from 26 January 2024 to 26 July 2024,  <b>End user training (EUT) go-live readiness completed</b> - from 9 February 2024 to 25 October 2024,  <b>Phase 3B go-live</b> - from 14 February 2024 to 28 October 2024.  <b>New milestone Fees and charges review</b> - 8 March 2024.</p>
302327	Community Engagement Strategy	Community Engagement	Project Milestone variation	<p>Delayed due to staff changes and prioritisation of Community Engagement Tool Kit. Awaiting approval of Draft Community Participation Plan currently on public exhibition for Council approval of proposed notification zones.</p> <p>The following milestones have been recast:  <b>Protocol for notification zones and methods</b> - from 31 August 2023 to 30 April 2024  <b>Submissions and comments protocol</b> - from 30 November 2023 to 30 April 2024.  <b>Staff Training</b> - from 31 December 2023 to 30 April 2024.</p>

Code	Project title	Project category	Change	Reason
302299	Muston Park Master Plan - South lawn zone - construction	Recreation – Parks and Playgrounds	Project Title Change	Change the project title from ' <i>Muston Park Master Plan – South lawn zone – construction</i> ' to ' <i>Muston Park Wisteria Walk Design and Park Activations</i> ' to more accurately reflect the scope and project deliverables. This change responds to community feedback received during community consultation and creates alignment to Council's shift to a place making approach for public spaces.
302299	Muston Park Master Plan - South lawn zone - construction	Recreation – Parks and Playgrounds	Project Milestone Variation	Change in project milestones to reflect new project scope and deliverables. The following milestones have been recast: <b>Contractor Letter of Award</b> amended to ' <b>Concept Design Complete</b> ' – 31 March 2024 <b>Site works commence</b> amended to ' <b>Detailed Design complete</b> ' – 31 May 2024 <b>'Site work complete - practical completion'</b> amended to ' <b>Ready for tender</b> ' – 30 June 2024.
302409	Sportsground Pavilion Rolling Program	Building and Investment Property	Project Milestone Variation	Delay and reduction in project scope for the program: Outsourcing of design only portions have resulted in project savings returned at QBR2. Any further savings after engaging design consultants to be returned at QBR 3. The following milestones have been recast: <b>Engage Design Consultants</b> - from 31 October 2023 to 29 February 2024 <b>Concept Design Complete</b> - from 31 December 2023 to 31 March 2024 <b>Community Consultation Complete</b> - from 31 January 2024 to 30 April 2024 <b>Detailed Design Complete</b> - from 29 February 2024 to 31 May 2024 <b>'Site work complete - practical completion'</b> amended to ' <b>Ready for Quotation</b> ' – 30 June 2024
302121	Pacific Highway between Chatswood to St Leonards - Shared Path - Construction	Transport - Active	Project Milestone variation/ Project Deferred	Delay in obtaining TfNSW approval due to internal restructure and change of TfNSW project managers. Budget reduced to reflect traffic signal approval delay. Project Deferred to 2024-2025 The following milestones have been recast: <b>Site work Commence</b> - from 15 February 2024 to 30 September 2025.

Code	Project title	Project category	Change	Reason
				<b>Site work Complete</b> - from 28 June 2024 to March 2026. <b>Inspection upon completion</b> - from 28 June 2024 to March 2026.
302120	Disabled parking spaces in Council on and off street parking areas in Priority Areas in Willoughby LGA – audit and design	Traffic Management	Project Milestone variation	Delay due to additional time required to consult the advisory committee (Access and Inclusion Advisory Committee). The following milestone has been recast: <b>Construction Start</b> - from 20 November 2023 to 15 April 2024.
302056	Smith Street and High Street, Chatswood shared path - detailed design	Transport - Active	Project Milestone variation	Initial Milestone programming error. Was programed for commencement in 2022/2023 rather than 2023/2024. Program adjusted for actual start date of project in 2023/2024 FY. The following milestones have been recast: <b>Consultant Brief Complete</b> - from 26 August 2022 to 26 August 2023. <b>Detailed Design Complete</b> - from 31 March 2023 to 31 March 2024. <b>Consultant Report Complete</b> - from 16 June 2023 to 16 June 2024.
302323	Castle Cove Local Centre - pedestrian crossing facility - detailed design and construction	Traffic Management	Project Cancelled	High Pedestrian Activity Area grant received from TfNSW to carry out the project, which increases the scope including the pedestrian crossing facility to be implemented.
302328	Pacific Highway Chatswood to Roseville - shared path – concept design	Transport - Active	Project Milestone variation	The key deliverable of the project is the concept design to accompany the report. <b>“Finalise Consultants Report”</b> to be changed to <b>“Finalised Consultants Report and Concept Design”</b> , and its Target Date to change from 17 February 2024 to 30 June 2024.
302458	Castlecrag 40kph HPAE_Edinburgh Road - detailed design and construction	Traffic Management	Project Milestone variation	The Community Consultation commenced at the end November 2023 which required a consultation period of 3 months given the holiday period. The following milestone has been recast: <b>Community Consultation complete</b> - from 30 November 2023 to 28 February 2024.
302339	Stormwater - patch program	Stormwater Drainage	Project Milestone Variation	Program delay as a result of project changes to address residents concerns. The following milestones have been recast:

Code	Project title	Project category	Change	Reason
				<p><b>Contractor letter of award</b> - from 31 October 2023 to 30 February 2024</p> <p><b>Site works commence</b> - from 1 December 2023 to 15 March 2024.</p>
301983/ 302362	Naremburn Local Centre	Public Domain	Project Milestone Variation	<p>Delays due to design excellence review changes and requiring documentation changes to the shade structure and seating/ wall arrangement. Additional investigations also required to obtain Sydney Water approvals. The tender process, which was also delayed, has resulted in increases in budget required due to market price of tenders exceeding budget.</p> <p>The following milestones have been recast:</p> <p><b>Contractor Letter of Award</b> - from 13 December 2023 to 20 February 2024</p> <p><b>Site works commence</b> - from 5 February 2024 to 5 March 2024</p>
301962	Gore Hill Indoor Sports Centre	Culture & Leisure	Project Milestone variation	<p>Council was briefed in September 2023 on alternative delivery options due to funding shortfall, discussions are being held with State Government authorities around alternative sites and partnerships to deliver similar outcomes.</p> <p>The following milestone has been recast:</p> <p><b>Report to Council</b> - from September 2023 to May 2024.</p>
302383	Corner Small and Tulloh St – Footpath – Design and Construction	Transport / Active	Project Milestone Variation	<p>Delays in obtaining Sydney Water concept design to lower water main. This work needs to be completed to facilitate the project.</p> <p>The following milestones have been recast:</p> <p><b>Detailed Design Complete</b> - from 15 March 2024 to 30 April 2024</p> <p><b>Concept Design Complete</b> - from 29 February 2024 to 30 March 2024</p>
302714	Warner's Park Community Centre – major repairs	Building and Investment Property	New Project	<p>Urgent flooring repairs are required to enable the use of the centre for community activities.</p>
302359	Hampden Road Artarmon, streetscape construction	Public Domain	Project Milestone Variation	<p>Delay in milestone completion date due to amended contractor staging dates. While certain stages have been completed ahead of schedule (e.g. Stages 9 &amp;10) these will not be handed over until all site works are complete.</p> <p>No change to Practical Completion milestone of 31 July 2024.</p> <p>The following milestones have been recast:</p>

Code	Project title	Project category	Change	Reason
				<b>Stages 1- 3 complete</b> - from 7 July 2023 to 30 June 2024. <b>Stages 9 &amp; 10</b> - from 22 December 2023 to 30 June 2024.

Funding Source Code: GF General Fund ; 2 Internal Reserve ; 3 External Reserve ; 4 Grant & Contribute ; 6 Infra Levy ; 7 S/W Levy ; 8 Env Levy ; 9 Sponsorship ; 10 Sundry Income ; 11 Internal Revenue ; 12 Dev Contribute

Key Direction	Project I.D. and Name	Orig. Budget 2023/24 \$'000	B/fwd Budget 2023/24 \$'000	Curr Budget 2023/24 \$'000	Var Q2 Budget 2023/24 \$'000	Rev Budget 23/24 20\$'000	YTD Dec-23 Actual \$'000	Funding Source	Dec-23 Comments for Q2 Budget Variations
	<b>Planning and Infrastructure Management</b>								
1.2	401210 - Greening our City 2022 - Edward-Penshurst St	450.0	0.0	200.0	-(99.0)	101.0	12.8	4	Re-phasing to reflect project delivery timeframe.
	<b>Environmental Levy - Sustainability</b>								
1.4	401013 - WCC owned buildings - electricity meter - upgrades	30.0	0.0	30.0	-(6.9)	23.1	8.1	8	Project scope reduced after site evaluation.
	<b>Environmental Levy - Sustainability</b>								
1.5	401108 - WCC buildings - solar photovoltaic (PV) and battery installation/maintenance	350.0	0.0	350.0	-(290.8)	59.2	9.2	8	Contribution to the Willoughby Leisure Centre PV installation is deferred to align with project delivery timeframes.
	<b>Traffic and Transport</b>								
2.1	400099 - Shared path detailed design for Pacific Highway (Chatswood to St Leonards)	2,411.0	90.0	2,501.0	-(2,290.0)	211.0	116.0	12	Budget reduced to reflect Traffic Signal Approval delay. Works deferred to 2024/25.
2.1	400962 - Chatswood to St Leonards via Artarmon - bicycle route improvement plan – detailed design	0.0	0.0	1,000.0	-(145.0)	855.0	0.0	4	Budget reduced to match project timing and milestones.
	<b>Work Services Road Pavement</b>								
2.1	401187 - Regional and Local Roads Repair Program (RLRRP)	1,526.4	0.0	1,526.4	86.3	1,612.7	1,282.7	3	Align budget to the Regional and Local Road Repair grant received.
2.1	401217 - Renewal of failed infrastructure : Road Works >\$10,000	350.0	0.0	350.0	-(3.5)	346.5	17.8	GF	Savings reallocated to other priority works.
	<b>Work Services Kerb &amp; Gutter</b>								
2.1	401114 - Kerb and gutter repair program- Glenroy Ave, Middle Cove (At the Cul-de-Sac)	42.3	0.0	42.3	-(4.0)	38.3	38.3	GF	The project has been completed under budget with savings returned.
2.1	401201 - K&G Repair-Mabel St, Stage 1-East(#35/37#30/95 Laurel St)	33.0	0.0	33.0	19.0	52.0	0.0	GF	Increased budget to align with tender pricing.



Key Direction	Project I.D. and Name	Orig. Budget 2023/24 \$'000	B/fwd Budget 2023/24 \$'000	Curr Budget 2023/24 \$'000	Var Q2 Budget 2023/24 \$'000	Rev Budget 23/24 20\$'000	YTD Dec-23 Actual \$'000	Funding Source	Dec-23 Comments for Q2 Budget Variations
2.1	401203 - Renewal of failed infrastructure:Kerb & Gutter Works>\$10,000	100.0	0.0	100.0	-(19.0)	81.0	0.0	GF	Savings reallocation to other priority works.
	<i>Development Control</i>								
2.8	401239 - Review of Flooding Technical Standard	80.0	0.0	80.0	-(30.0)	50.0	0.0	2;GF	Quotations received were less than anticipated.
	<i>Traffic and Transport</i>								
3.1	401081 - Traffic Signals upgrade at Victoria Ave & High St Chatswood Detailed Design and Construction	0.0	114.8	114.8	40.5	155.3	1.0	4	Increase in project budget to match higher than anticipated grant. Fully funded by TfNSW.
	<i>Work Services Road Pavement</i>								
3.1	401082 - LATM - New 40 km/h High Pedestrian Activity Area for St Leonards Royal North Shore Hospital precinct	0.0	59.8	59.8	-(39.6)	20.2	0.0	4	Anticipated savings from reduced project cost.
	<i>Work Services Footpath</i>								
3.1	401175 - Edward Street Pedestrian and Cyclist Improvement Works - Construction	400.0	0.0	400.0	-(338.7)	61.3	47.2	12	Re-allocate balance of funds to 2024-25 to align with project timing.
	<i>Project Management Capital</i>								
3.2	400118 - Gore Hill Oval – design - stage 2 works	2,000.0	0.0	1,907.8	-(1,657.3)	250.5	41.5	12	Project budget adjusted to match expenditure requirements in 2023/24.
	<i>Open Space</i>								
3.2	401126 - Renew/Upgrade Thomson Park synthetic surface, walls, fences & spectator seating- Consultation/Design	1,425.0	0.0	1,425.0	361.0	1,786.0	18.1	4;12	Budget increased from successful NSW Football Legacy Fund Grant and Environmental levy funding.
3.2	401232 - Sportsground Pavilion Rolling Program	250.0	0.0	250.0	-(100.0)	150.0	0.0	2;12	Delay and reduction in project scope for the program: Outsourcing of design only portions have resulted in project savings returned at QBR2. Any further savings after engaging design consultants to be returned at QBR 3.

Key Direction	Project I.D. and Name	Orig. Budget 2023/24 \$'000	B/fwd Budget 2023/24 \$'000	Curr Budget 2023/24 \$'000	Var Q2 Budget 2023/24 \$'000	Rev Budget 23/24 20\$'000	YTD Dec-23 Actual \$'000	Funding Source	Dec-23 Comments for Q2 Budget Variations
3.2	401204 - Bicentennial Reserve-Netball courts-resheeting upper courts	200.7	0.0	325.0	88.6	413.6	389.2	2;GF	Budget increased to account for latent site conditions.
3.2	401212 - Sutherland Park - playground - Design	0.1	0.0	0.1	1.1	1.2	1.2	GF	Budget increase for site investigation work.
3.2	401213 - OH Reid Reserve - playground - Design	0.1	0.0	0.1	0.4	0.5	0.5	GF	Increased budget to support additional site investigations.
3.2	401214 - Kingsford Smith Park - playground - Design & Construction	0.1	0.0	0.1	0.4	0.5	0.5	GF	Budget increase for site investigation work.
	<b>Open Space Organised Sporting Fields</b>								
3.2	401123 - Renew centre cricket wickets-rolling renewals various sites-Implementation	15.0	0.0	15.0	-(1.4)	13.6	13.6	12	The project has been completed under budget with savings returned.
3.2	401124 - Renew remote irrigation/lighting controllers-rolling renewals at various sites-Implementation	15.0	0.0	15.0	-(1.5)	13.5	13.5	12	The project has been completed under budget with savings returned.
	<b>Project Management Capital</b>								
3.5	400795 - Essential Housing - Abbott Rd, Artarmon - Design and Construction	300.0	0.0	300.0	-(65.2)	234.8	26.7	3	Returned anticipated savings from project costs.
	<b>Work Services Retaining Walls</b>								
3.5	401138 - Rebuild and Repair damaged retaining walls	0.0	453.0	777.6	100.0	877.6	375.4	4	Budget increase to match \$100k additional grant income recognised in 2023/24.
	<b>Events Management</b>								
3.6	400483 - Willoughby Street Fair(Chatswood)	115.6	0.0	115.6	-(56.1)	59.5	59.5	10;GF	Partial expenditure was funded by the Multicultural NSW grant for the Emerge festival and it resulted in saving for this project.

Key Direction	Project I.D. and Name	Orig. Budget 2023/24 \$'000	B/fwd Budget 2023/24 \$'000	Curr Budget 2023/24 \$'000	Var Q2 Budget 2023/24 \$'000	Rev Budget 23/24 20\$'000	YTD Dec-23 Actual \$'000	Funding Source	Dec-23 Comments for Q2 Budget Variations
	<b>Public Domain</b>								
4.6	401086 - Create new public square in Bellambi Street, Northbridge	0.0	216.2	216.2	-(133.7)	82.5	82.5	4	Work completed and savings returned.
	<b>Information Services Management</b>								
5.1	400043 - CONNECT software implementations Phase 3	1,600.0	0.0	1,983.5	300.1	2,283.6	1,240.7	2;GF	During the initial stages of this phase of the project, challenges emerged with the scale of business analysis and improvement work required. As a result, the breadth of work required by internal project resources to deliver this has changed and increased and the delivery timeframe has been extended. Funding for additional internal resources and the extension of existing internal project resources is required.
	<b>The Concourse Facility Management</b>								
5.3	401095 - The Concourse - Membrane & Water leak remediation (Non Roof Related)	0.0	219.0	219.0	-(50.0)	169.0	82.6	2	The cost to remedy initial repairs is lower than anticipated.
	<b>Project Management Capital</b>								
5.3	400114 - Hampden Road Artarmon, streetscape stage 2 - Construction	3,405.3	0.0	3,405.3	644.7	4,049.9	1,052.9	2;12	Increase in project budget required to ensure contingency for Traffic Signal and service works after delayed TfNSW signals approval.
5.3	401000 - Naremburn local centre streetscape - design	850.0	70.0	920.0	220.3	1,140.3	89.0	4;12	Increase in budget required due to market price of tenders exceeding budget.

Key Direction	Project I.D. and Name	Orig. Budget 2023/24 \$'000	B/fwd Budget 2023/24 \$'000	Curr Budget 2023/24 \$'000	Var Q2 Budget 2023/24 \$'000	Rev Budget 23/24 20\$'000	YTD Dec-23 Actual \$'000	Funding Source	Dec-23 Comments for Q2 Budget Variations
	<b>IL Infrastructure Asset - Building Property</b>								
5.3	401090 - Council Building Minor Capital Works Program	0.0	16.8	16.8	-(0.1)	16.7	16.7	2	The project is completed with minor savings.
5.3	401096 - Northbridge Baths - Renewal & Repair Works	0.0	33.9	33.9	5.1	38.9	38.9	3	The project is completed with a variation on handrail and larger landing at bottom of the steps.
	<b>Property Services Council Property</b>								
5.3	401188 - Council Property-13 Eastern Valley Way, Northbridge-upgrade	70.0	0.0	88.3	-(0.1)	88.2	88.2	2	Project is completed with minor savings.
5.3	401244 - Warners Park Community Centre major repairs	0.0	0.0	0.0	200.0	200.0	0.0	2	Additional works are being undertaken to strengthen the floor structure and replace floor boards so the facility can be used for a dance school.
	<b>Property Services Commercial Property</b>								
5.3	401021 - Chatswood Leisure Centre - Plant & Equipment replacement	1,400.0	0.0	1,400.0	-(600.0)	800.0	0.0	2	Partial works scheduled for 2024/25 to enable approvals for access to condenser water supply from shared chiller in Regency Building.
	<b>Work Services Road Pavement</b>								
5.3	401233 - Bicentennial Reserve Lower Car Park - (capital repairs)	37.0	0.0	37.0	3.5	40.5	40.5	2;GF	Increased budget funded by savings in other projects.
	<b>Work Services Drainage</b>								
5.3	401004 - Stormwater Renewal - Pipe Replacement Program	371.9	0.0	371.9	165.6	537.5	37.1	2;GF	Increase budget to allow pipe replacement at 4 additional locations – First Ave & Stan St, Cnr Sunnyside and Rutland Ave, Sheppard and Tindale St Artarmon, Byora Cres, Northbridge.
5.3	401032 - Stormwater Upgrade: Inlet safety program - Fencing Channel 22/23FY	0.0	10.0	10.0	4.6	14.6	14.6	GF	The project has been completed with additional minor work required.

Key Direction	Project I.D. and Name	Orig. Budget 2023/24 \$'000	B/fwd Budget 2023/24 \$'000	Curr Budget 2023/24 \$'000	Var Q2 Budget 2023/24 \$'000	Rev Budget 23/24 20\$'000	YTD Dec-23 Actual \$'000	Funding Source	Dec-23 Comments for Q2 Budget Variations
5.3	401166 - Stormwater Renewal - Pipe Relining program, D&C	359.5	87.9	447.4	63.0	510.4	179.4	2;7;GF	Increase funding to allow additional Relining project at Kameruka Road Northbridge.
5.3	401170 - Bicentennial Stormwater Repair	400.0	35.4	285.4	-(228.6)	56.8	15.8	2;7	Funds reprioritised to other more essential works.
	<b>Help and Service</b>								
5.7	401198 - Cust Experience - mapping customer interactions with Council	53.0	0.0	54.2	-(0.1)	54.1	54.1	GF	Project completed under budget.
	401177 - Projects & Capital Works Contingency Funding (5600)	2,202.4	0.0	2,002.4	-(177.5)	1,825.0	0.0	8;GF	Please refer to Attachment 6 2023/24 Projects and Capital Works Contingency Fund - December Quarter for breakdown (Type 2 - Extra budget required – Contingency Reduced).
	<b>TOTAL PROJECT AND CAPITAL WORKS EXPENDITURE Q2 BUDGET VARIATIONS</b>				-(4,033.6)				

<b>Type 1: Interim - Timing issue only – budget exists</b>						
No.	Amount	PM No. (Pulse)	Project I.D. and Name	Dec-23 Comments for Request from PCW Contingency Fund	Permanent v Interim v NA	Replenish v Reduce Contingency
1	1,554,520		400054 - WLC Major Upgrade of Pool Hall - Design	Additional budget required for asbestos management, additional piling, contiguous pile wall, site soil classification and piling	Interim - Timing only - Budget exists.	Interim Only - Replenish
2	82,652		401204 - Bicentennial Reserve-Netball courts-resheeting upper courts	Additional budget required to fund re-sheeting of the upper netball courts at Bicentennial Reserve. Total requested \$124,264 but \$82,652 was funded by Open space reserve and reported in the 2023/24 September Quarterly Budget Review.	Interim - Timing only - Budget exists.	Interim Only - Replenish
<b>Total approved requests - Interim Approval only (Replenish)</b>		<b>1,637,172</b>				

<b>Type 2: Extra budget required – Contingency Reduced</b>						
3	500		401214 - Kingsford Smith Park - playground - Design & Construction	Additional budget required to fund tree survey report as part of the assessment of the existing site conditions for informing playground design	Interim	Reduce Contingency
4	1,200		401212 - Sutherland Park - playground - Design	Additional budget required to fund tree survey report as part of the assessment of the existing site conditions for informing playground design	Interim	Reduce Contingency
5	500		401213 - OH Reid Reserve - playground - Design	Additional budget required to fund tree survey report as part of the assessment of the existing site conditions for informing playground design	Interim	Reduce Contingency
6	45,000		102180 - Main Project - Corporate Project Management	Quantity surveyors during the 2023/24 project bid stage	Interim	Reduce Contingency
7	41,612		401204 - Bicentennial Reserve-Netball courts-resheeting upper courts	Additional budget required to fund re-sheeting of the upper netball courts at Bicentennial Reserve. Total requested \$124,264 but \$82,652 was funded by Open space reserve and reported in the 2023/24 September Quarterly Budget Review.	Interim	Reduce Contingency
8	88,642		401204 - Bicentennial Reserve-Netball courts-resheeting upper courts	Additional budget required to fund variations to complete re-sheeting of the upper netball courts at Bicentennial Reserve.	Interim	Reduce Contingency
<b>Total approved requests during the December Quarter</b>		<b>177,454</b>				

<b>PCW Contingency funding</b>	
<b>Opening Balance after Quarter 1</b>	<b>2,002,447</b>
<b>Remaining Balance</b>	<b>187,821</b>
<b>Interim Approval only (Replenish)</b>	<b>1,637,172</b>
<b>Quarter 2 End Balance</b>	<b>1,824,993</b>

**12.4 SUBMISSION TO IPART - TERMS OF REFERENCE**

<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li><b>ATTACHMENT 1_DRAFT-TERMS-OF-REFERENCE-FOR-NSW-COUNCIL-FINANCIAL-MODEL-REVIEW-JANUARY-2024</b></li><li><b>ATTACHMENT 2_WCC SUBMISSION TO DRAFT TERMS OF REFERENCE FOR INVESTIGATION OF COUNCIL FINANCIAL MODEL IN NSW V1</b></li></ol>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON, CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>STEPHEN NAVEN, CHIEF FINANCIAL OFFICER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.2 DEMONSTRATE LEADERSHIP AND ADVOCACY FOR LOCAL PRIORITIES.</b>  <b>5.1 BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

**1. PURPOSE OF REPORT**

To provide a draft submission to the Independent Pricing and Regulatory Tribunal on the Draft Terms of Reference for the Investigation of council financial model in NSW.

**2. OFFICERS RECOMMENDATION**

That Council:

- Approve the submission to on the draft Terms of Reference for the “Investigation of council financial model in NSW” to the Independent Pricing and Regulatory Tribunal (Attachment 2)**
- That Council delegate any minor edits or corrections to the attached draft submission to the Chief Executive Officer.**

**3. BACKGROUND**

On 9 November 2023, the Independent Pricing and Regulatory Tribunal (IPART) released its Final Report on their “Review of the Rate Peg”. That report introduced a new methodology for calculating the annual rate peg, but also identified that “councils can face significant and often different challenges in managing their revenues and costs to meet their community’s needs and ensure their financial sustainability. The recent COVID-19 pandemic, economic volatility, bushfires, droughts and floods, and growing climate and cyber security threats, have increased these challenges.” IPART recommended that the NSW Government commission an independent review of the financial model for councils in NSW.

On 11 January 2024, the Premier of NSW, Chris Minns MP, referred a draft Terms of Reference for the “Investigation of council financial model in NSW”, to IPART and directed IPART to consult on the draft terms of reference in accordance with the *Independent Pricing and Regulatory Tribunal Act 1992*. Submissions on the draft Terms of Reference are due to IPART by 15 March 2024.

This report outlines Willoughby City Council's draft submission for Council's consideration.

#### 4. DISCUSSION

One of the recommendations arising from the IPART final report on the Review of the Rate Peg was “That the NSW Government consider commissioning an independent review of the financial model for councils in NSW including the broader issues raised in this report”. Section 9.3 of the report outlined measures which may be of benefit to the local government framework including:

- Better targeting eligibility criteria for rates exemptions. This would help to ensure ratepayers do not subsidise the costs of providing council services to properties where it is not justified on efficiency and equity grounds.
- Allowing councils to use the Capital Improved Value method to set the variable component of rates to ensure they can set equitable and efficient rates for all residential and business ratepayers, regardless of their property type.
- Ensuring that statutory charges reflect the efficient costs incurred by councils in providing statutory services, so councils do not need to use rates income to cover the costs of providing these services.
- Developing a mechanism to enable councils found to have insufficient base rates income to achieve financial sustainability.
- Supporting councils to serve their communities more effectively to build community trust in councils. This could include improvements in how councils undertake and implement their integrated planning and reporting.
- Alternative funding mechanisms, such as targeted grants, should be considered to support councils to provide essential social services to disadvantaged or vulnerable communities, with special attention to the unique challenges faced by rural and regional areas.
- A comprehensive state-wide evaluation of existing pensioner concessions should be conducted, along with the exploration of additional initiatives to enhance support for vulnerable ratepayers. Clear communication and proactive promotion of available assistance options offered by councils are essential.
- Methods to increase the confidence ratepayers have in the rating system should be explored, which could involve introducing additional constraints (i.e. conditions) on the rate peg.

The draft Terms of Reference to address IPART’s recommendation for “an independent review of the financial for councils in NSW” was issued to IPART on 11 January 2024 and was entitled “Investigation of council financial model in NSW”.

The draft Terms of Reference (**Attachment 1**) do not address any of the matters raised by IPART in their final report on the Review of the Rate Peg (November 2023). Instead, the draft Terms of Reference appear to primarily focus on the performance of councils and the need for councils to improve and/or undertake more reporting and compliance activities, as opposed to examining the underlying adequacy of the funding models that councils are compelled to comply with. The majority of questions are focused on processes or capabilities without asking the fundamental question of whether rating structures and other revenue streams are equitable or adequately fund councils.



Addressing the Terms of Reference in their current state would cause significant data gathering and reporting overhead for councils during the IPART review and any findings would not address the structural issues facing the existing council financial models (as identified by IPART). Conversely, any findings on the draft Terms of Reference would lead to increased reporting and compliance overheads on councils and would require significant resource and costs to satisfy. This would adversely impact council's attempts to contain costs without solving fundamental shortcomings and inequities in council financial models.

The "current funding model" section is focused on the need for councils to identify "other revenue sources" which may not exist or may not be profitable given competition, lack of demand, or regulatory constraints. It does not focus on whether existing funding sources (or even new funding sources) are adequate to fund the growing expectations of the community.

Council's submission (**Attachment 2**) seeks a significant revision to the Terms of Reference so that the review is focused on addressing the issues existing with council financial models as originally identified by IPART.

## 5. RISKS AND OPPORTUNITIES

Advocacy on this issue is important to ensure that Council continues to have adequate transparency, whilst limiting the increased administrative and cost burden as a result of the Review if the Terms of Reference remain as they are. This would adversely impact council's attempts to contain costs without solving fundamental shortcomings and inequities in council financial models.

## 6. CONCLUSION

The proposed IPART Terms of Reference for the "Investigation of council financial model in NSW" does not address the fundamentals of the financial models councils are required to work within. Council's submission highlights this significant inadequacy.

<b>7. IMPLICATIONS</b>	<b>COMMENT</b>
<b>City Strategy Outcome</b>	5.2 Demonstrate leadership and advocacy for local priorities. 5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	This supports advocacy on local government priorities.
<b>Policy</b>	There is no applicable policy related to this recommendation.
<b>Consultation</b>	This report makes recommendation to make a submission on the consultation on the IPART Terms of Reference on the "investigation of council financial model in NSW" currently for consultation by the State Government, and closing on 15 March 2024..
<b>Risk</b>	There is no risk applicable to this recommendation.
<b>Resource</b>	This recommendation can be undertaken within existing resources.
<b>Legal</b>	There is no legal considerations applicable to this recommendation.
<b>Legislation</b>	There is no legislative considerations applicable to this recommendation.
<b>Budget/Financial</b>	There is no financial considerations applicable to this recommendation. Noting that the subject of the IPART Terms of Reference if the financial model of councils.

Carmel Donnelly PSM  
Chair  
IPART  
PO Box K35  
HAYMARKET POST SHOP  
NSW 1240

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Re: Referral to commence review of the financial modelling of councils

Dear Ms Donnelly,

I refer the financial modelling of councils to IPART under section 12A of the *Independent Pricing and Regulatory Tribunal Act 1992* (the Act).

**Enclosed** are a draft terms of reference as provided to me by the Minister for Local Government. I understand that IPART will consult on the draft terms of reference in line with the requirements of the Act.

I look forward to hearing about the next steps and outcomes of this work.

Sincerely,



Chris Minns MP  
Premier of New South Wales

CC: The Hon. Ron Hoenig MP, Minister for Local Government

11 / JAN / 2024

## DRAFT TERMS OF REFERENCE

### Investigation of council financial model in NSW

I, the Hon. Christopher John Minns MP, Premier, under section 12A of the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW), request the Independent Pricing and Regulatory Tribunal (IPART) to investigate and report on the financial model for councils in NSW.

#### The task

IPART should review and recommend improvements on the following matters:

#### 1. **The visibility of councillors and the community over the financial and operational performance of their councils**

- Are the mechanisms for reporting on council performance clear and understood. Does the accounting code for local government provide meaningful financial information to enable councillors to understand and influence the financial and budget performance of their council. Is there a need to update the performance indicators to make them more useful for 'real time' monitoring.
- Are councillors receiving timely and appropriate information to enable decisions on allocation of public funds in an efficient and cost effective way.
- Are there benefits to moving to dedicated budget or expenditure review committee models to ensure budget decisions are understood by councillors and the communities they serve?

#### 2. **Whether the current budget and financial processes used by councils are delivering value-for-money for ratepayers and residents**

- Is the Integrated Planning and Reporting process, currently used by councils to make budget decisions, effective in allowing councillors to engage with the community on the challenges in setting a budget and meeting service level expectations
- How well Councils are setting service delivery standards that match revenue, managing their expenses within allocated budgets, and what opportunities exist for improvement in efficiency, service quality and sustainability.
- How to visibly boost elected councillor accountability for council budgets and expenditure to the community

#### 3. **Whether the current funding model will sustainably support the needs of communities**

- How do councils balance cash flow to manage the different (and sometimes uncertain), timeframes for revenue and grants money (including Financial Assistance Grants), coming into council
- How effective are councils in identifying and using other revenue sources beyond grants and rates to support the needs of communities and sustainably provide services required to be delivered by councils.
- Identify measures to put downward pressure on rates through other 'own source' revenue or closer scrutiny of expenditure.
- Consider the needs of diverse communities and councils and protect the interests of current and future ratepayers from unnecessary impact on their cost of living

**4. Whether councils (both councillors and staff) have the financial capacity and capability to meet current and future needs of communities.**

- Are councils equipped with the right internal capabilities to deliver on the services which their community requires?
- Has the Audit Mandate been successful in providing a consistent view on the accounting and risk management practices of councils?
- Are there opportunities to look at long term expenditure and service delivery improvements by insourcing services? Where outsourcing models have been used, do they provide an efficient and effective means of meeting community needs?
- What examples of best practice capability building and innovation could be implemented more widely?

**5. How can better planning and reporting systems improve long term budget performance, transparency and accountability to the community?**

- How effective councils are in managing their assets and planning for future growth and renewal of assets.
- Whether current community engagement allows for effective long-range planning and sustainable funding.
- Whether the current framework of reporting and compliance is appropriate and effective.

**6. Any other matters IPART considers relevant.**

**The review process and timeline**

IPART is required to consult publicly as part of this review, including publishing a Draft Report for comment and undertaking a public hearing prior to finalising its Final Report. IPART may undertake other methods, including targeted consultation, that it considers appropriate.

IPART will provide the final report to the Minister administering the Independent Pricing and Regulatory Tribunal Act 1992 (IPART Act) and the Minister for Local Government within 12 months of receiving the final terms of reference.

The Minister administering the IPART Act will table the final report in each House of Parliament and forward a copy to the Parliamentary Librarian in accordance with section 19 of the IPART Act. Once the final report has been tabled in Parliament or earlier if requested by the Minister administering the IPART Act, IPART will publish a copy of the report on its website.

**The Hon. Christopher John Minns MP**  
Premier



The Office of the Chief Executive

28 February 2024

Independent Pricing and Regulatory Tribunal  
C/ - ipart@ipart.nsw.gov.au

Dear Sir / Madam

**Willoughby City Council Submission: *Draft Terms of Reference for the “Investigation of council financial model in NSW”***

Willoughby City Council appreciates the opportunity to provide comment on the ***draft Terms of Reference for the “Investigation of council financial model in NSW”*** to be undertaken by the Independent Pricing and Regulatory Tribunal.

Please find attached Council’s submission on this matter.

Given the significance of this review it is recommended that IPART undertake significant consultation with local councils during the review process. Council would participate in any future engagement process.

For further information on this submission, please contact Stephen Naven, Chief Financial Officer on 9777 1010.

Yours sincerely

Debra Just  
CHIEF EXECUTIVE OFFICER



# Willoughby City Council Submission

## IPART Draft Terms of Reference: “Investigation of council financial model in NSW”

February 2024

## About Willoughby City

The City of Willoughby occupies 23 square kilometres on the lower north shore of Sydney, with its own CBD of Chatswood and a large part of St Leonards. Located 8.5 kilometres north of the Sydney CBD, Willoughby City incorporates the suburbs of Artarmon, Castle Cove, Castlecrag, Chatswood, Middle Cove, Naremburn, Northbridge and Willoughby, as well as parts of Gore Hill, Lane Cove North, St Leonards and Roseville.

The Lane Cove River and the foreshore of Middle Harbour feature treasured bushland, while our City's residential areas are home to more than 81,000 people. Industrial and commercial zones support approximately 73,000 jobs and a gross regional product of \$11.5 billion. The City of Willoughby's population is forecast to grow to 104,000 in 2041. During the same period, the City expects to support approximately 530 new workers per year.

Council manages many assets and delivers numerous services to meet the needs of our community. As with many councils, we are facing increasing expectations and costs associated with delivering these services. We regularly review how we operate and our service costs to ensure we are operating as efficiently as possible and within our means. Even so, the rate peg is not keeping pace with cost escalations making it more difficult for Council to meet the expectations of our community. At 42%, our rates are a key component of our revenue, and to have a rating methodology and financial model which is outdated and not reflective of the costs we face to deliver our services to our community is extremely challenging.

Council supports the work IPART are doing on the review of the rating methodology, and in considering our previous and current feedback on the rating methodology review.

## Overall Feedback

The draft Terms of Reference do not address any of the matters raised by the Independent Pricing and Regulatory Tribunal (IPART) in their final report on the Review of the Rate Peg (November 2023). Instead draft Terms of Reference appear to primarily focus on the performance of councils and need for councils to improve and/or undertake more reporting and compliance activities, as opposed to examining the underlying adequacy of the funding models that contain structural and regulatory deficiencies that threaten the financial viability of councils.

The recommendation arising from IPART's final report on the Review of the Rate Peg was "That the NSW Government consider commissioning an independent review of the financial model for councils in NSW including the broader issues raised in this report". That report identified that "councils can face significant and often different challenges in managing their revenues and costs to meet their community's needs and ensure their financial sustainability. The recent COVID-19 pandemic, economic volatility, bushfires, droughts and floods, and growing climate and cyber security threats, have increased these challenges".

Section 9.3 of IPART's final report on the Review of the Rate Peg outlined measures which may be of benefit to the local government framework, which Council would support exploration of, including:

- Better targeting eligibility criteria for rates exemptions. This would help to ensure ratepayers do not subsidise the costs of providing council services to properties where it is not justified on efficiency and equity grounds.
- Allowing councils to use the Capital Improved Value method to set the variable component of rates to ensure they can set equitable and efficient rates for all residential and business ratepayers, regardless of their property type.



- Ensuring that statutory charges reflect the efficient costs incurred by councils in providing statutory services, so councils do not need to use rates income to cover the costs of providing these services.
- Developing a mechanism to enable councils found to have insufficient base rates income to achieve financial sustainability.
- Supporting councils to serve their communities more effectively to build community trust in councils. This could include improvements in how councils undertake and implement their integrated planning and reporting.
- Alternative funding mechanisms, such as targeted grants, should be considered to support councils to provide essential social services to disadvantaged or vulnerable communities, with special attention to the unique challenges faced by rural and regional areas.
- A comprehensive state-wide evaluation of existing pensioner concessions should be conducted, along with the exploration of additional initiatives to enhance support for vulnerable ratepayers. Clear communication and proactive promotion of available assistance options offered by councils are essential.
- Methods to increase the confidence ratepayers have in the rating system should be explored, which could involve introducing additional constraints (i.e. conditions) on the rate peg

The draft Terms of Reference for the “Investigation of council financial model in NSW” do not address any of these issues and do not examine any structural deficiencies in the funding models that councils are compelled to comply with.

The draft Terms of Reference instead focus on the adequacy of existing Integrated Planning and Reporting processes, the capability of council staff and councillors, and propose increased reporting and compliance frameworks to be applied to councils. These matters do not align with the issues raised by IPART and as such do not assist councils in addressing financial sustainability challenges.

Conversely any findings arising from the draft Terms of Reference would lead to increased reporting and compliance overheads on councils and would require significant resource and costs to satisfy. This would adversely impact council’s attempts to contain costs without solving fundamental shortcomings and inequities in council financial models.

Willoughby City Council request significant revision to the Terms of Reference so that the review is focused on addressing the issues existing with council financial models as originally identified by IPART. This includes amending the Terms of Reference to at least provide focus on:

- Ensuring that statutory charges reflect the efficient costs incurred by councils in providing statutory services, so councils do not need to use rates income to cover the costs of providing these services. Current statutory charges are wholly inadequate in compensating councils for the real and reasonable costs of providing services such as Stormwater Management, Development Approval fees and compliance activities.
- Compensating councils for cost shifting from other levels of Government, including administrative overhead in providing services for and excessive reporting to other levels of Government.
- Better targeting eligibility criteria for rates exemptions.
- Alternative funding mechanisms, such as targeted grants, to support councils to provide essential social services to disadvantaged or vulnerable communities.
- Allowing councils to use the Capital Improved Value method to set the variable component of rates to ensure they can set equitable and efficient rates for all residential and business ratepayers, regardless of their property type.
- State-wide evaluation of existing pensioner concessions and also examination of the adequacy of compensation provided to councils for the existing pensioner concessions

(currently the State Government only compensate councils for 50% of total pensioner concessions).

If the draft Terms of Reference remain as they are, significant consultation with councils across NSW must be undertaken. It is important to ensure there is adequate understanding of the current processes and resources required to deliver existing processes in addition to any proposed changes. The significant administrative burden councils already have, as required by the State Government cannot be under estimated.

Council's previous submission to IPART on the Review of the Rate Peg Methodology Draft Report June 2023 also provides relevant information to consider in the financial model of councils in NSW.

**12.5 LEGAL MATTER REPORT - FEBRUARY 2024**

<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. OPEN - LEGAL MATTERS REPORT - FEBRUARY</li> <li>2. CLOSED - LEGAL MATTERS REPORT - FEBRUARY</li> </ol>
<b>RESPONSIBLE OFFICER:</b>	MAXINE KENYON, CUSTOMER & CORPORATE DIRECTOR
<b>AUTHOR:</b>	NATALIE TAYLOR, COUNCIL & CORPORATE SUPPORT OFFICER
<b>CITY STRATEGY OUTCOME:</b>	5.1 BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO.
<b>MEETING DATE:</b>	26 FEBRUARY 2024

**1. PURPOSE OF REPORT**

To present for noting matters that relate to legal services in which Council is involved.

**2. OFFICERS RECOMMENDATION**

That Council note the legal matters report for October 2023 – January 2024.

**3. BACKGROUND**

At its meeting on 27 February 2023, Council resolved:

*That Council:*

1. Note the final monthly legal matters report; and
2. Receive the quarterly legal matters reports, noting any progress made during the quarter will be provided to Councillors via the Councillor Weekly News.

This report presents the legal matters report (**Attachment 1** open and **Attachment 2 Confidential**) for Council's consideration, which is current at the time of publication. **Attachment 2** to this report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and (g)) of the Local Government Act 1993, as information contained relates 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
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**4. DISCUSSION**

The report includes four tables for the different categories of matters:

1. Reviews of decisions and complaints such as GIPA and privacy matters

2. Civil claims including:
  - 2.1 Contractual claims by and against Council, property and leasing disputes, as well as claims by and against Council for property damage or personal injury and defamation proceedings.
  - 2.2 Participation in any class actions.
3. Compliance actions and prosecutions.
4. Planning appeals.

**Attachment 2** to this report provides information that assists Councillors to understand the status of current legal matters. The release of this information would provide person(s) with whom Council conducts business or parties subject to legal proceedings, details of Council's legal strategy, intentions and expenditure. On balance, it is not in the public interest to release information, which, if disclosed, would compromise Council's legal prospects. Should Councillors wish to discuss any specific information included in the confidential Attachment, it may be required they resolve into closed session of Council in accordance with Section 10A(2)(c) and (g) of the *Local Government Act 1993*.

## 5. RISKS AND OPPORTUNITIES

Due to the identified risks associated with the subject matter of this report, information which would constitute a breach of the *Privacy and Personal Information Protection Act 1998* or information which would compromise Council's legal prospects has been included in the open report.

## 6. CONCLUSION

The legal matters report offers an overview of legal matters in which Council is involved.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	The provision of a quarterly report is related to the work undertaken by General Counsel and the Governance, Risk and Compliance Unit.
<b>Policy</b>	The report is produced pursuant to a resolution of Council.
<b>Consultation</b>	Internal consultation is undertaken to produce the report.
<b>Risk</b>	Due to the identified risks associated with the subject matter of this report, information which would constitute a breach of the <i>Privacy and Personal Information Protection Act 1998</i> or information which would compromise Council's legal prospects has been included in the open report.
<b>Resource</b>	The report is provided using staff resources and external legal providers.
<b>Legal</b>	The purpose of this report is to inform Council on current legal proceedings involving Council.
<b>Legislation</b>	<p>On 27 March 2023, Council resolved to delegate to the Chief Executive Officer the functions of the Council under the <i>Local Government Act 1993</i> and any other legislation conferring functions on the Council, with the exception of functions which are required by legislation to be performed by the governing body of the Council and certain other matters specified in the instrument of delegation.</p> <p>In accordance with this delegation, to Chief Executive Officer is authorised to manage litigation and claims.</p>
<b>Budget/Financial</b>	Proceedings undertaken are financed through approved budgets.

**Legal Matters Report**

This report was current at the time of publication.  
Items highlighted in *Italics* display the most recent updates.

1. **Reviews of Decisions and Complaints - GIPA, Privacy Complaints – there are no current matters.**
2. **Civil Claims - Contractual or property including leasing disputes, contractual claims by and against Council as well as claims by and against Council for property damage or personal injury, defamation proceedings and any class actions**

<b>Court / Matter No or Ref</b>	<b>Counter Party</b>	<b>Type of Matter</b>	<b>Status Update</b>	<b>Law firm / counsel engaged</b>	<b>Insurer</b>
NSW District Court 2019/96207	John Hooper	Defamation Proceedings	<p>UPDATED</p> <p>The matter returns to Court on 1 February 2024 for an argument about whether there should be a jury or judge alone trial.</p> <p><i>The judge held that a jury trial should be allowed. The trial is listed for hearing on 4 April 2024.</i></p>	RGS Lawyers appointed by Council’s insurers.	State Wide Mutual
Federal Court NSD215/2019	Lead Plaintiffs The Owners – Strata Plan No 87231 v 3A Composites GmbH & Halifax Vogel Group Pty Ltd, Federal Court of Australia, Proceeding number NSD215/2019 (“Alucobond Combustible Cladding Class Action”)	Council is participating as a Funded Group Member in the Alucobond Combustible Cladding Class Action in relation to Alucobond installed at The Concourse.	<p>NO CHANGE</p> <p>Following a mediation on 29 and 30 March 2023, a further mediation was ordered by the Court for 15 February 2024. The matter has also been listed for hearing in the Federal Court for 8 weeks commencing on 26 August 2024.</p>	William Roberts Lawyers instructed by litigation funders Omni Bridgeway (Previously IMF Bentham).	N/A

Court / Matter No or Ref	Counter Party	Type of Matter	Status Update	Law firm / counsel engaged	Insurer
N/A	2 Buddha Pty Ltd	Lease dispute with Tenant	NO CHANGE  The Lease has been terminated.  Council has received legal advice. Recovery proceedings to begin shortly.	Pikes Verekers	N/A
Land & Environment Court 2021/169065	Blanc Black Projects Pty Ltd	Class 4 appeal against deemed refusal of DA for residential flat development at 58-60 Eastern Valley Way, Northbridge.	UPDATED  The Court of Appeal found in favour of Council and remitted the hearing back to the Land & Environment Court to be re-considered. No date has been set for the reconsideration.  <i>The Court ordered that Blanc Black pay 85% of Council's costs of the appeal.</i>	Maddocks	N/A

### 3. Compliance actions and prosecutions

There are no current cases.

### 4. Planning Appeals

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court 2021/168727 and 2021/168747	Lin Yu and Jay Jay Xu	Class 1 appeal against refusal of the Building Information Certificate and a Class 4 action against a compliance order issued for 16 Johnson Street, Chatswood regarding the unauthorised conversion of a garage for habitable purposes.	<p>UPDATED</p> <p><i>Works are continuing to comply with the Court Order. Officers are satisfied with progress. Pending Sydney Water Certification and an updated survey report being submitted to Council satisfaction, a re-inspection is scheduled by the end of April to confirm compliance. No further legal action is anticipated to resolve the issue.</i></p>	HWL Ebsworth
Land & Environment Court LEC 2021/292505	Victor Lahoud	Class 4 Appeal Lahoud v Willoughby City Council relating to DA 2020/238 for adaptive reuse of and existing commercial building to shop top housing at 131 Sailors Bay Rd, Northbridge.	<p>UPDATED</p> <p><i>Mr Lahoud appealed against the Willoughby Local Planning Panel's decision to grant consent to this development application.</i></p> <p><i>The matter was heard in the Land &amp; Environment Court on 1 &amp; 2 November 2022 and decided in favour of Council with the Court confirming that the consent granted by the Willoughby Local Planning Panel is valid.</i></p> <p><i>Mr Lahoud has appealed against that decision.</i></p>	Lindsay Taylor Lawyers



Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2022/ 00273498	Metro Donnelly Road Pty Ltd	Class 1 Appeal - Refusal of DA 2021/340 for Mixed use development comprising the demolition of existing school building, additions to St Leonards Church comprising parish hall and presbytery, construction of multi dwelling housing, conversion of existing presbytery to a dwelling and construction of a dwelling house at 43 Donnelly Rd, Naremburn.	NO CHANGE  Matters on hold while the Interim Heritage Order appeal is finalized.	HWL Ebsworth  (Peter Wells)
Land & Environment Court  LEC 2022/00386077	Metro NSWSPV 26	Class 1 Appeal – Deemed Refusal of DA 2022/228 - Torrens Title Subdivision in to five (5) separate lots and new access driveway and service to all new lots and associated works.  (Tresillian Family Care Centre)	UPDATED  Given both DA-2022/228 & DA-2022/229 are interrelated, the proceedings will be consolidated.  <i>S34 conciliation conference approved settlement.</i>  <b>COMPLETED</b>	Maddock  (Patrick Williams)
Land & Environment Court  LEC 2022/00386101	Metro NSWSPV 26	Class 1 Appeal – Deemed Refusal of Demolition of existing auxiliary buildings Unit A, C and D, partial demolition of Unit B and alterations and addition to heritage dwelling, new swimming pool, garage, courtyard, landscaping, tree removal and associated works.  (Tresillian Family Care Centre)	UPDATED  Given both DA-2022/228 & DA-2022/229 are interrelated, the proceedings will be consolidated.  <i>S34 conciliation conference approved settlement.</i>  <b>COMPLETED</b>	Maddocks  (Patrick Williams)

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2022/003370718	BM Chatswood Pty Ltd	Deemed Refusal- DA 2022/308 for Demolition of existing structures on the site and construction of 2 x five-storey residential flat buildings (Building A and B), plus a mezzanine level in each building serving the ground level, containing a total of 123 units (22 x 1 bed, 66 x 2 bed, 35 x 3 bed), 2-storey basement car park comprising 147 car spaces; vehicular access from Bowen Street, dedication of land to facilitate construction of a cul-de-sac, removal of 43 trees and associated tree replacement and landscaping works.	NO CHANGE  S34 conciliation conference held 15 June 2023. Matter adjourned, listed for 14 July 2023 to provide update to court on Council's position on amended without prejudice plans.  Amended Statement of Facts and Contentions due 26 October 2023. Joint reports due 11 December 2023.  Matter set for hearing on 22, 23, 26 and 27 February 2024.	Maddocks  (Peter Wells)
Land & Environment Court LEC 2022/00343917	Wilbec Chatswood Pty Ltd	Deemed Refusal - Development application DA 2022/240 for Demolition of existing structures and construction of a 26-storey building comprising community facilities from ground level to level 3, residential communal open space at level 3, 42 residential units above, and 4 levels of basement carparking.	NO CHANGE  Sec 34 on 23 May 2023.  Orders made on 5 July 2023 to terminate the s34 conciliation conference. Second directions was held on Wednesday 19 July 2023.  Hearing set for 13,14 and 15 February 2024.	Maddocks  (Peter Wells)

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2023/00042161	Mark Camuglia	Deemed Refusal - Development application DA 2022/367 for Alterations and additions to existing Heritage building and change of use to a single dwelling house and construction of a new tennis court, swimming pool and associated works at 97 Ashley Street, Roseville	NO CHANGE  Without prejudice discussions being held on 29/03/2023.  Agreement reached prior to the S34. Notice of Orders Made on 16 June 2023, however, Commissioner's judgement is yet to be published.	Lindsay Taylor Lawyers  (Akshay Bishnoi)
Land & Environment Court LEC 2023/00080448	Sam & Lena Koura	Deemed Refusal - Development application DA-2022/231 for demolition of existing dwelling and swimming pool and construction of a new dwelling, basement garage with storage, swimming pool, tree removal, landscaping and associated works at 10 Willis Road, Castle Cove.	NO CHANGE  Agreement reached.  Awaiting final orders and court issued consent.	Lindsay Taylor Lawyers  (Patrick Williams)
Land & Environment Court LEC 2023/152289	Mackenzie Architects International Pty Ltd	Class 1 Appeal - Refusal of DA 2021/190 for demolition of the existing dwelling and structures and construction of multi dwelling housing development consisting of four (4) dwellings, basement car parking, landscaping and associated works at 15 Talus Street, Naremburn.	NO CHANGE  Awaiting dates for a without prejudice meeting for planning and engineering.	HWL Ebsworth  (Patrick Williams)

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2023/127538	Blanc Black Projects Pty Limited	Deemed Refusal – Modification application DA-2021/90/A Modify original proposal to include internal and external alteration works to unit 3.02, delete condition 3(a), removal of car stacker, changes to car parking, basement, level three roof and associated works.	NO CHANGE  Hearing date set for 26 and 27 March 2024	Maddocks  (Peter Wells)
Land & Environment Court LEC 2023/00208085	Simon Ochudzawa (Legal Representative: Conomos Legal)	Deemed refusal DA-2023/75 - Dwelling house 31 Willis Road, Castle Cove.	NO CHANGE  Joint Report due 13 November 2023.  Matter is listed for S34AA and hearing on 5 and 6 February 2024	Maddocks  (Tony Blue)
Land & Environment Court LEC 2023/00115353	Katherine Fleur McKenna (Legal Representative - Graham Neil McKee)	Deemed refusal of Modification application DA-2022/314/A – proposed garage: deletion of consent conditions at 26 Narooma Road, Northbridge.	UPDATED  <i>Appeal upheld on 17 January 2024.</i>  <b>COMPLETED</b>	Maddocks  (Tony Blue)
Land & Environment Court LEC 2023/00215797	Jasmine Isabelle Stefanovic (Legal Rep. Maysaa Parrino)	Deemed Refusal of Development application DA 2023/78 for Demolition of the existing dwelling and construction of a new dwelling house with basement car parking and associated works, at 44 Sunnyside Crescent, Castlecrag.	NO CHANGE  Mediation undertaken 4 September 2023.  Sec34aa and hearing on 15 and 16 February 2024.	LT Lawyers  (Eric Kim)

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2023/219724	Aplus Architecture Pty Ltd (Legal Rep. Ryan John Bennett, Pike & Verekers Lawyers)	Deemed Refusal of Modification Application for Development Application DA-2022/2 as approved by the Land and Environment Court in LEC proceedings 2022/00142105 (please refer to attached Class 1 application form). The address for this appeal is 284 Victoria Avenue, Chatswood.	NO CHANGE  Statement of Facts and Contentions were due on 1 September 2023.  S34A Conciliation Conference set for 19 February 2024.	HWL Ebsworth  (Peter Wells)
Land & Environment Court LEC 2023/219735	Aplus Architecture Pty Ltd (Legal Rep. Ryan John Bennett, Pike & Verekers Lawyers)	Deemed Refusal of Modification Application for Development Application DA-2022/95 as approved by the Land and Environment Court in LEC proceedings 2022/00142088 (please refer to attached Class 1 application form). The address for this appeal is 282 Victoria Avenue, Chatswood.	NO CHANGE  Statement of Facts and Contentions were due on 1 September 2023.  S34A Conciliation Conference set for 19 February 2024.	HWL Ebsworth  (Peter Wells)
Land & Environment Court LEC 2023/240260	The Trustee for the Wu & Kuo Family Trust	2 Terssa Street, Chatswood	NO CHANGE  Statement of Facts and Contentions filed on 29 August, listed for conciliation 14 March 2024.	HWL Ebsworth  (Akshay Bishnoi)
Land & Environment Court LEC 2023/242544 & 2023/242545	Northcote Development Company Pty Ltd	2-6 Northcote Street, Naremburn	UPDATED  <i>In principle agreement reached during S34 Conciliation Conference.</i>  COMPLETED	Lindsay Taylor Lawyers  (Patrick Williams)
Land & Environment Court LEC 2023/304529 2022/282616	Chung Kei Ng	6 View Street, Chatswood	UPDATED  <i>S34 conciliation conference listed for 22 April 2024</i>	

<b>Court or Tribunal / Matter No or Ref</b>	<b>Counter Party</b>	<b>Type of Matter / Property</b>	<b>Status Update</b>	<b>Law firm / counsel engaged</b>
<i>Land &amp; Environment Court LEC 2023/23882 7</i>	<i>Esan Rahmani</i>	<i>36 Headland Road, Castle Cove</i>	<i>NEW ITEM</i>  <i>Joint report submitted on 11 November 2023.</i>  <i>Hearing on 19-20 February 2024</i>	<i>Maddocks</i>  <i>(Tony Blue)</i>
<i>Land &amp; Environment Court LEC 2023/33720 9</i>	<i>Aidan Marks</i>	<i>240 Edinburgh Road, Castlecrag</i>	<i>NEW ITEM</i>  <i>Notice to Produce scheduled for 13 February 2024 ahead of hearing dates for 16&amp;17 May 2024</i>	<i>APEX LAW</i>  <i>(Saumya Shai)</i>
<i>Land &amp; Environment Court LEC 2023/36056 3</i>	<i>Polytec Australia Three Pty Ltd</i>	<i>688-692 Pacific Hwy, Chatswood</i>	<i>NEW ITEM</i>  <i>Statement of Facts and Contentions filed on 21 December 2023.</i>  <i>S34 conciliation conference listed for 10 May 2024</i>	<i>HWLE</i>  <i>(Adiba Kashfi)</i>
<i>Land &amp; Environment Court LEC 2023/35637 6</i>	<i>Willoughby Rd Pty Ltd</i>	<i>539 Willoughby Road, Willoughby</i>	<i>NEW ITEM</i>  <i>Statement of Facts and Contentions filed on 6 December 2023.</i>  <i>S34 conciliation conference listed for 4 June 2024</i>	<i>APEX LAW</i>  <i>(Adiba Kashfi)</i>
<i>Land &amp; Environment Court LEC 2023/445946</i>	<i>Toppings Pty Ltd</i>	<i>211 Victoria Avenue, Chatswood</i>	<i>NEW ITEM</i>  <i>Statement of Facts and Contentions in reply due 28 February 2024.</i>  <i>2<sup>nd</sup> direction hearing listed for 18 July 2024</i>	<i>Maddocks</i>
<i>Land &amp; Environment Court LEC 2023/463385</i>	<i>MH Architects Pty Ltd</i>	<i>61 Neerim Rd, Castle Cove</i>	<i>NEW ITEM</i>  <i>Statement of Facts and Contentions to be filed by 2 February 2024</i>  <i>S34AA listed for 19 -20 June 2024</i>	<i>Apex</i>

<b>Court or Tribunal / Matter No or Ref</b>	<b>Counter Party</b>	<b>Type of Matter / Property</b>	<b>Status Update</b>	<b>Law firm / counsel engaged</b>
<i>Land &amp; Environment Court LEC 2023/463224</i>	<i>Daneil Novakovic &amp; Katherine Novakovic</i>	<i>15 Minimbah Rd, Northbridge</i>	<i>NEW ITEM  Statement of Facts and Contentions to be filed by 9 February 2024</i>	<i>Apex</i>
<i>Land &amp; Environment Court LEC 2023/460094</i>	<i>YunYun Cai</i>	<i>56 Headland Rd, Castle Cove</i>	<i>NEW ITEM  Statement of Facts and Contentions filed on 25 January 2024  S34 conciliation conference listed for 2-3 July 2024</i>	<i>Apex</i>

**12.6 MATTERS DEALT WITH UNDER DELEGATED AUTHORITY DURING THE CHRISTMAS/NEW YEAR RECESS PERIOD 12 DECEMBER 2023 TO 29 JANUARY 2024**

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON, CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>NATALIE TAYLOR, COUNCIL &amp; CORPORATE SUPPORT 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>26 FEBRUARY 2024</b>

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**1. 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.

**2. OFFICERS RECOMMENDATION**

**That Council receive the report to Council on matters dealt with under delegated authority during the Christmas/New Year recess period and note that no matters were determined during this time.**

**3. BACKGROUND**

At its meeting of 11 December 2023, Council resolved:

*That Council:*

- Note the Council will be in recess from 12 December 2023 to 29 January 2024.*
- Delegate authority to the Mayor and Chief Executive Officer from 12 December 2023 to 29 January 2024 to deal with matters during the break, subject to:*
  - compliance with relevant legislation*
  - the limitations to delegations under section 377 of the Local Government Act 1993*
  - matters that are considered urgent in nature or would cause undue delays to stakeholders*
  - consultation with Ward Councillors for decisions involving planning proposals*
  - decisions being deferred where Council policy provides no clear guidelines*
- Note that a report outlining how the authority was exercised will be provided to Council at its meeting of 26 February 2024.*



#### **4. DISCUSSION**

Delegations to the Mayor and Chief Executive Officer are used in periods when meetings are not held. These delegations ensure that urgent matters can be attended to during the recess period. This delegation was provided to the Mayor and Chief Executive Officer by Council at its meeting of 11 December 2023.

There were no matters delegated to the Mayor and Chief Executive Officer between 12 December 2023 and 29 January 2024.

#### **5. RISKS AND OPPORTUNITIES**

The provision of this report ensures that the Council and community are informed of any circumstances in which delegated authority was exercised while the Council was in recess; ensuring openness, transparency and accountability.

#### **6. CONCLUSION**

The delegations to the Mayor and Chief Executive Officer were not exercised during the recess period.

<b>7. IMPLICATIONS</b>	<b>COMMENT</b>
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	The Governance, Risk and Compliance Business Unit provides support to the Council in the preparation of Council meeting reports, agendas and minutes.
<b>Policy</b>	There are no policy implications applicable to this report.
<b>Consultation</b>	Consultation was undertaken with the Chief Executive Officer.
<b>Risk</b>	The provision of this report ensures that the Council and community are informed of any circumstances in which delegated authority was exercised while the Council was in recess; ensuring openness, transparency and accountability.
<b>Resource</b>	As the delegation was not exercised, there are no resources implications.
<b>Legal</b>	There are no legal implications applicable to this report as the authority was not exercised.
<b>Legislation</b>	There are no legislation implications applicable to this report as the authority was not exercised.
<b>Budget/Financial</b>	There are no financial implications applicable to this report as the authority was not exercised.

**12.7 NATIONAL GENERAL ASSEMBLY 2024**

<b>ATTACHMENTS:</b>	<b>1. 2024-NGA-MOTIONS-DISCUSSION-PAPER</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON, CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>SAMANTHA CONNOR, GOVERNANCE, RISK AND COMPLIANCE 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>26 FEBRUARY 2024</b>

**1. PURPOSE OF REPORT**

To advise Council that the National General Assembly (NGA) of Local Government will be held in Canberra from 2-4 July 2024, and to seek attendees and consideration of motions for submission to the conference.

**2. OFFICERS RECOMMENDATION**

That Council:

- 1. Determine the single Councillor voting delegate, and attendees to attend the National General Assembly of Local Government from 2-4 July 2024 in Canberra.**
- 2. Note that no motions have been received for consideration at the National General Assembly of Local Government.**

**3. BACKGROUND**

The National General Assembly (NGA) is the peak meeting forum for local government in Australia. The Assembly, held every year, is sponsored by the Australian Local Government Association (ALGA), the national peak body for local government. Council is a current member of ALGA.

ALGA will forward the agenda to all registered attendees once it is released.

**4. DISCUSSION**

This year's NGA theme is "Building Community Trust", centering on the critical importance of trust in governments, between governments, institutions, and citizens.

NGA 2024 sessions and special guest speakers will cover a range of engaging topics including politics and civic engagement, intergenerational equity, the impact of the built environment on social capital, and how to deliver effective community engagement in the face of distrust.

The National General Assembly provides the opportunity for Council to raise motions of importance to our sector on a national scale. Councils are able to submit motions to the Conference that address the theme of the 2024 NGA. The Discussion Paper (**Attachment 1**) outlines the criteria for motions.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions are required to meet the following criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of your state and territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome i.e. call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group or councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significant of the matter to local government nationally.

Motions are due by 29 March 2024. Council staff have not proposed any motions to be submitted at the time of preparing this report. Should Councillors wish to submit a motion in accordance with the aforementioned criteria, recommendation 2 should be amended accordingly. Any motions presented to and resolved by Council at the 25 March 2024 Council meeting will be submitted by staff prior to the 29 March 2024.

Over the past several years the Mayor has represented the Council at the Assembly, and Councillors and the Chief Executive Officer (CEO) have attended. Last year's attendance included the Mayor, CEO and Councillors Moratelli and Rozos.

Attendance by Councillors at the Conference is consistent with Council's *Mayor and Councillors Expenses and Facilities Policy 2022*. The policy classifies the National General Assembly as being included in Council's annual program of conferences with all Councillors eligible to attend. Attendance will form part of Councillor's Professional Development Plan and will be funded separately to the individual allocations.

Noting there is no limit to the number of Councillors who can attend the conference, each Council however is only eligible for one voting delegate.

## **5. RISKS AND OPPORTUNITIES**

There are no risks associated with this report. It provides an opportunity for Councillors to represent the needs of Council at a national forum and for individual Councillors to undertake professional development to support them to carry out their civic duties.

## **6. CONCLUSION**

The National General Assembly provides the opportunity for Council to raise motions of importance to our community and the sector; while providing networking opportunities for Willoughby Councillors.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	The Governance team facilitates the attendance of Council representatives and submission of motions to the conference.
<b>Policy</b>	Councillors' attendance at conferences is enabled by provisions in Council's policy " <i>Mayor and Councillors – Expenses and Facilities Policy</i> ". Section 3.1 deals with attendance at seminars and conferences.  Section 3.1.1 notes that the National General Assembly is included in the annual program of conferences, and that attendance is subject to Council selecting its representatives by resolution at an open Council meeting
<b>Consultation</b>	The National General Assembly is an annual conference that Councillors are informed about each year via a Council Report.
<b>Risk</b>	There are no risks associated with this report.
<b>Resource</b>	This process is facilitated by existing resources within the Governance Team.
<b>Legal</b>	There are no legal implications associated with this report.
<b>Legislation</b>	There are no legislated implications associated with this report.
<b>Budget/Financial</b>	This is within approved budget.



AUSTRALIAN  
LOCAL GOVERNMENT  
ASSOCIATION

# 2024 NGA

Building  
Community  
Trust

National Convention Centre  
Canberra



2 - 4  
JULY  
2024

DISCUSSION  
PAPER



## KEY DATES

29 March 2024 | Acceptance of Motions

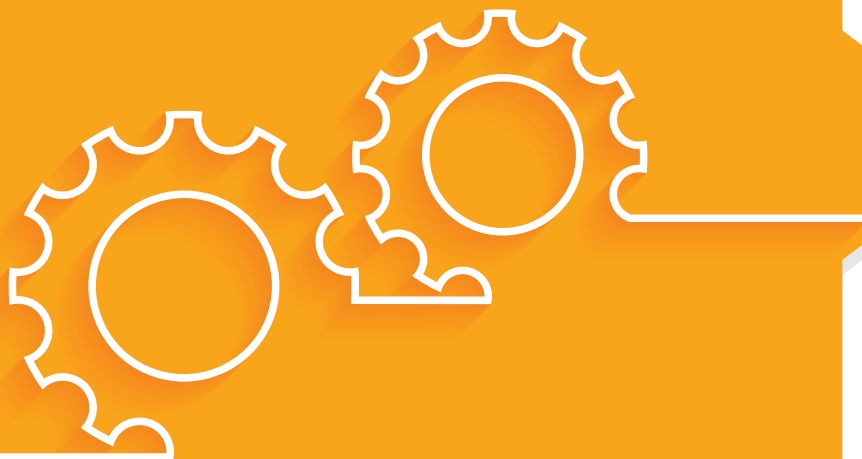
2 July 2024 | Regional Cooperation & Development Forum

3 - 4 July 2024 | National General Assembly

5 July 2024 | Australian Council of Local Government

## TO SUBMIT YOUR MOTION

VISIT: **ALGA.COM.AU**







The Australian Local Government Association (ALGA) is pleased to convene the 30th National General Assembly of Local Government (NGA), to be held in Canberra from 2-4 July 2024.

As convenor of the NGA, the ALGA Board cordially invites all councils to send representatives to this important national event.

The NGA is the premier national gathering of local governments, and provides councils with the opportunity to come together, share ideas, debate motions, and most importantly unite and further build on the relationship between local government and the Australian Government.

This discussion paper contains essential information for Australian councils considering submitting motions for debate at the 2024 National General Assembly of Local Government (NGA).

It is recommended that all councils and delegates intending to attend the 2024 NGA familiarise themselves with the guidelines for motions contained in this paper on page 6.

## **BACKGROUND TO ALGA AND THE NGA**

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ALGA was established 1947. In structure, ALGA is a federation of member state and territory associations. Its mission is to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and our communities.

Since 1994, the NGA has built the profile of local government on the national stage, showcased the value of councils, and most importantly demonstrated - particularly to the Australian Government - the strength and value of working with local government to help deliver on national priorities.

Debate on motions was introduced to the NGA as a vehicle for councils from across the nation to canvas ideas. Outcomes of debate on motions (NGA Resolutions) could be used by participating councils to inform their own policies and priorities, as well as their advocacy when dealing with federal politicians.

At the same time, they help ALGA and its member state and territory associations gain valuable insight into council priorities, emerging national issues, and the level of need and support for new policy and program initiatives.

Given the structure of ALGA, its Constitution, and level of resources, the NGA does not bind the ALGA Board. However, the Board carefully considers NGA resolutions as it determines ALGA's policies, priorities and strategies to advance local governments within the national agenda.

This is your NGA and ALGA is pleased to act as the convenor. ALGA's policies and priorities will continue to be determined by the ALGA Board in the interests of all councils.

**The ALGA Board thanks all councils for attending the NGA and those that will take the time to reflect on the purpose of debate on motions outlined in this paper, and to submit motions for debate at the 2024 NGA.**

# SUBMITTING MOTIONS

Australia is one of the world's great democracies. It is held in high regard across the world but should never be taken for granted.

## **The theme of the 2024 NGA is – Building Community Trust.**

This theme aims to explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental building block of our nation's democracy.

While relatively low key, over the past decade there has been increasing public debate by scholars and policy makers about the level of trust in government, its institutions and indeed the operation of our democracy more broadly.

Mark Evans et al (2019) published research in 'The Conversation' indicating that Australians' trust in politicians (our political representatives) and democracy has hit an all-time low. This report indicates 'fewer than 41% of Australian citizens are satisfied with the way democracy works in Australia, down from 86% in 2007.

Public satisfaction has fallen particularly sharply since 2013, when 72% of Australian citizens were satisfied. Generation X is least satisfied (31%) and Baby Boomers most satisfied (50%). Some political authors suggest that these trends in part explain the rise in popularity and the relative success of independents and micro or single-issue parties.

These statistics should be of concern to every level of government and those interested in the future of our communities and Australia's democratic system.

It is said that 'trust is hard-earned, easily lost, and difficult to re-establish – and a key to absolutely everything.' While media and public attention frequently focuses on levels of trust in the national and state governments, local governments have an equally important role in building, maintaining and indeed, often repairing government-community relationships.

At its most fundamental level, the 2024 NGA focusses on the role of local government and how all levels of government can help each other build, maintain and strengthen government-community relationships.

This discussion paper is a call for councils to submit motions for debate at the 2024 NGA to be held in Canberra from 2-4 July 2024.

Motions for this year's NGA should consider:

- how all levels of government in Australia can build trust in each other and earn greater trust from the community;
- practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government's objectives.

Motions should be concise, practical and implementable and meet the guidelines for motions set out in the paper.

You are encouraged to read all the sections of the paper but are not expected to respond to every issue or question. Your council's motion/s must address one or more of the issues identified in the discussion paper.

Motions must be lodged electronically using the online form available on the NGA website at: [www.alga.com.au](http://www.alga.com.au) and received no later than 11:59pm AEST on Friday 29 March 2024.

All notices of motions will be reviewed by the ALGA Board's NGA Sub-committee prior to publishing the NGA Business Paper to ensure that they meet these guidelines. This sub-committee reserves the right to select, edit or amend notices of motions to facilitate the efficient and effective management of debate on motions at the NGA.

All NGA resolutions will be published on [www.nationalgeneralassembly.com.au](http://www.nationalgeneralassembly.com.au).

As the host of the NGA, ALGA will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on this website.

Please note that if your council does submit a motion, there is an expectation that a council representative will be present at the NGA to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2024 NGA.

# CRITERIA FOR MOTIONS

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome ie call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions must commence with the following wording:

***This National General Assembly calls on the Australian Government to ...***

**Please note that resolutions of the NGA do not automatically become ALGA's national policy positions.**

# OTHER THINGS TO CONSIDER

It is important to complete the background section of the submission form. Submitters of motions should not assume that NGA delegates will have background knowledge of the proposal. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. Please note, motions should NOT be prescriptive in directing how the matter should be pursued.

**Try to keep motions practical, focussed and capable of implementation to ensure that relevant Australian Government Ministers provide considered, thoughtful and timely responses.**

Try to avoid motions that are complex, contain multi-dot points and require complex cross-portfolio implementation.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-committee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers.

When reviewing motions, the Sub-committee considers the criteria, clarity of the motion and the importance and relevance of the issue to local government.

If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. With the agreement of the submitting council, these motions may be edited before inclusion in the NGA Business Papers.

To ensure an efficient and effective debate, where there are numerous motions on a similar issue, the NGA Sub-committee will group these motions together under an overarching strategic motion. The strategic motions will have either been drafted by ALGA or will be based on a motion submitted by a council which best summarises the subject matter.

Debate will occur in accordance with the rules for debate published in the Business Papers and will focus on the strategic motions. Associated sub-motions will be debated by exception only or in accordance with the debating rules.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

All motions require:

- a contact officer;
- a clear national objective;
- a summary of the key arguments in support of the motion; and
- endorsement of your council.

**Motions should be lodged electronically using the online form available at [www.alga.asn.au](http://www.alga.asn.au).  
Motions should be received no later than 11:59pm AEST on Friday 29 March 2024.**

# SETTING THE SCENE

The theme for NGA24 'Building Community Trust' aims to focus on the role of local government in the Australian system of government and explore the critical importance of trust in governments, between governments, its institutions, and our citizens.

In a recent essay on Capitalism after the Crisis (2023) the Treasurer the Hon Dr Jim Chalmers MP wrote:

*'Our mission is to redefine and reform our economy and institutions in ways that make our people and communities more resilient, and our society and democracy stronger as well.'*

The need to strengthen our democracy was also emphasised the Prime Minister the Hon Anthony Albanese MP in a speech at Queensland's Woodford Folk Festival toward the end of 2022:

*'I urge anyone who thinks our democracy is unassailable to have a look around the world. Even some of the oldest, most stable democracies have come under attack from a whole range of corrosive, insidious forces. No one is immune. Our democracy is precious, something we have carefully grown and nurtured from one generation to the next. One of our core responsibilities is to make it stronger, and the key to that strength is transparency and accountability.'*

In early 2023 the Australian Government established a taskforce to advise government on 'what can be done – practically – to strengthen Australian democracy'.

The 2024 NGA provides you - the elected representatives of Australia's local councils and communities - with the opportunity to engage with the Federal Government and key Ministers.

Further, it is your opportunity to advocate for new or expanded programs and key policy initiatives that could strengthen local governments, its capacity to deliver services and infrastructure to local communities across the nation. This service delivery is critical to build, maintain and strengthen the trust of our citizens.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations;
- Financial sustainability;
- Roads and infrastructure;
- Emergency management;
- Housing and homelessness;
- Jobs and skills;
- Community services;
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
- Data, digital technology and cyber security;
- Climate change and renewable energy;
- Environment; and
- Circular economy.



# 1. INTERGOVERNMENTAL RELATIONS

'Australia's federal structure, built upon reciprocal financial, legislative and policy responsibilities, requires intelligent cooperation on issues of strategic national significance.'

National Cabinet is a forum for the Prime Minister, Premiers and Chief Ministers to meet and work collaboratively. National Cabinet was established on 13 March 2020 and is chaired by the Prime Minister. The National Cabinet is a key mechanism in Australia's current intergovernmental architecture.

A representative of local government, the President of ALGA, is invited to meet with National Cabinet once each year. The President of ALGA also attends one meeting per year of the Council on Federal Financial Relations comprising the Commonwealth Treasurer as Chair and all state and territory treasurers.

A substantial body of research, from Australia and internationally, has highlighted that governments that work together are generally more successful in achieving shared national objectives, including economic recovery from events like the COVID-19 pandemic as well as in service and infrastructure delivery.

This research reinforces the need for local government to be included in relevant ministerial forums that support national priorities – from housing affordability to reaching net-zero emissions. ALGA currently participates in National Cabinet (1/year), Council on Federal Financial Relations (1/year), Infrastructure Transport Ministers Meeting, National Emergency Managers Meeting, Local Government Ministers Forum, Joint Council on Closing the Gap, Planning Ministers Meeting, Meeting of Environment Ministers, Energy and Climate Change Ministers and the Road Safety Ministers Meeting, to represent local government views.

Local government input can provide a community voice, enabling our intergovernmental forums to make decisions with greater legitimacy and authority.

*Given the importance of trust in governments, between governments and its citizens, how can intergovernmental arrangements be further improved in Australia?*

*Are there ways of maintaining and enhancing the community's trust in local government?*

*Are there new initiatives and programs that could be adopted to improve the level of cooperation and collaboration between the Australian Government and local government?*



## 2. FINANCIAL SUSTAINABILITY

Trust in governments is highly correlated with their ability to fulfill the implicit social contract between government and its citizens by keeping promises.

Local government is the third sphere of government in Australia's system of government. Councils are comprised of locally elected representatives who understand local needs and engage locally on strategies to meet those needs.

Councils are responsible for providing a wide range of critical local area services including planning, libraries, waste management systems, transport and infrastructure (eg roads and footpaths, parks, sporting grounds and swimming pools) and social services.

These services are critical to the wellbeing, liveability and productivity of all local communities, and therefore the nation. Equally important is the sustaining of democratic processes at the local and regional level.

Local government's total annual expenditure in 2021 -22 was approximately \$43.6 billion. Non-financial assets including roads, community infrastructure such as buildings, facilities, airports, water, and sewerage (in some states) including land, are valued at \$539 billion [ABS Government Finance Statistics, Australia, 2021-22].

In 2021-22, the Australian Government provided \$2.6 billion in Financial Assistance Grants funding to councils. This included \$1.3b which was brought forward from the 2021-22 estimate and paid through state and territory governments in 2020-21.

Nationally, local government derives nearly 90% of its revenue from its own sources (including rates and services charges), compared to around 50% for state governments. Grants from other levels of government make up just over 10% of local government's total revenue, however these grants are particularly important in areas with a low-rate base, and/or high growth rates, and rapidly expanding service and infrastructure needs.

In 2021-22 Financial Assistance Grants to local governments was less than 0.6% of Commonwealth taxation revenue (CTR), a significant drop from 1996 when these grants were at 1% of CTR. In 2023-24 Financial Assistance Grants have fallen to 0.5% of Commonwealth taxation.

*What improvements are needed to the intergovernmental financial transfer system, particularly the Commonwealth transfers to local government, to enhance the community's trust in local government and by extension all governments?*

*Noting that Commonwealth tied funding is provided with detailed requirements how can this system be improved to provide flexibility and maximize the benefit to local communities?*

# 3. ROADS AND INFRASTRUCTURE

ALGA's 2021 National State of the Assets Report (NSoA) is currently being updated and expected to be launched in 2024. The most recent NSoA shows that while most local government assets such as roads, bridges, buildings, parks and recreation, stormwater, water and wastewater, and airports and aerodromes are generally in good to very good condition, around 10% are not fit for purpose, and around 20–25% are only fair and over time will need attention.

The last NSoA found that in 2019–20 non-financial infrastructure assets were valued at \$342 billion and were depreciating at \$7.7 billion per year. Replacement costs of these infrastructure assets were in the order of \$533 billion.

Local government assets make up a significant proportion of the physical structure of local communities and often provide critical access to and support for citizens to engage in state and national assets and opportunities.

For example, local roads provide important “first and last-mile access” for communities and industry to road networks, integral to economic development and community connection. Local sporting grounds can provide access for community groups to build community participation that has social, health and economic benefits.

*Are there programs or initiatives that the Australian Government could adopt to improve the long-term sustainability of local government infrastructure?*

*Are there programs or initiatives that the Australian Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?*

*Are there programs or initiatives that the Australian Government could develop to maintain, strengthen and enhance the reputation of Australia's infrastructure providers, including local government?*

# 4. EMERGENCY MANAGEMENT

In 2022 alone, 46 disasters were declared across Australia, covering more than 300 different council areas. In recent years, almost every Australian council has been impacted in some way by fires, floods, or cyclones.

Last year's flooding caused a damage bill of approximately \$3.8 billion to local roads across Queensland, New South Wales, Victoria and South Australia. This was just a fraction of the total disaster costs incurred by governments across the country.

There have been numerous NGA motions in recent years regarding natural disasters and this has been a significant priority in ALGA's advocacy program.

In 2022 ALGA successfully advocated for a new \$200 million per year Disaster Ready Fund, with the first round of funding allocated in June 2023. This fund will support councils and communities to mitigate against the risk of future disasters and help address the significant imbalance between mitigation and recovery spending.

Councils are encouraged to draw on their practical experience of the improvements that could be made to managing emergencies.

Please note that many aspects of emergency management are state or territory responsibilities, and your motions should focus on how the Australian Government could assist.

*What new programs, or improvements to existing programs, could the Australian Government develop to partner with local government to improve the current natural disaster management systems to further assist in recovery and build resilience?*

# 5. HOUSING AND HOMELESSNESS

Almost every Australian council and community is facing challenges around a lack of affordable housing.

Alarming research by the UNSW City Futures Research Centre shows 640,000 Australian households – or one in 15 households – are under housing stress.

All levels of government, including councils, have a fundamental role to play in addressing this crisis, which is being compounded by high interest rates, rising construction costs and skills shortages.

At a national level, ALGA is a signatory to the National Housing Accord, and in 2023 successfully advocated for a new \$500 million Housing Support Program for state and local governments to deliver supporting infrastructure for new housing developments.

While the provision of affordable housing is not a local government responsibility, councils have a role to play in ensuring there is enough suitably located land available for housing and that a diversity of housing stock is supported. Councils also want to ensure that new housing developments are supported with the necessary services and infrastructure to create liveable and sustainable communities.

Many councils are also addressing thin markets and developing land and housing themselves, delivering local solutions to meet the needs of their communities.

Councils also want to ensure that they engaged with planning decisions that affect local communities. Taking planning powers away from councils does not always support the best local outcomes.

Councils also play an important role addressing some of the causes of homelessness, including social inclusion programs that can assist mental health and family violence issues, as well as providing support for people currently experiencing homelessness.

*What new programs and policies could the Australian Government develop to partner with local government to support the provision of more affordable housing?*

*How can the Australian Government work with councils to address the causes and impacts of homelessness?*

## 6. JOBS AND SKILLS

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Local government is a major employer in Australia providing employment, career advancement and training opportunities for more than 190,800 Australians, across an estimated 400 occupations.

However, councils are facing significant jobs and skills shortages that are constraining their capacity to deliver services and build and maintain local infrastructure.

ALGA's 2022 National Local Government Workforce Skills and Capability Survey indicated that more than 90 percent of Australia's 537 councils were experiencing skills shortages.

The survey also showed that for approximately two-thirds of these councils, these shortages were impacting on project delivery.

In particular, councils are facing a shortage of planners, engineers, building surveyors, environmental officers and human resources professionals.

Skills shortages occur for a variety of reasons including an inability to compete against the private sector, worker accommodation, support services for families, ageing of the workforce and geographic isolation.

*Are there programs or initiatives that the Australian Government could implement that would enhance local government's capacity to attract and retain appropriately skilled staff now and into the future?*

*Are there programs or changes to existing programs that would increase local government's ability to employ apprentices and trainees?*

*Are there other initiatives that the Australian Government could provide to improve the sector's ability to plan and develop skills fit for the future?*

# 7. COMMUNITY SERVICES

Councils provide a wide range of services based on local characteristics, needs, priorities, and the resources of their community. Indeed, it is this level of responsiveness and accountability to the local community that is an essential feature of democratic local governments worldwide.

Some of these services are provided to address market failure, and many of them are provided by councils on behalf of other levels of government.

It is important to note that nationally local government is more than 83% self-sufficient ie funded at the local level either through rates, fees and charges, sale of goods and services, or interest. The Australian Bureau of Statistics data shows that total local government annual expenditure in 2021-22 was \$43.6 billion.

Only 17% comes from grants and subsidies from other levels of government. Unfortunately, many of these grants and subsidies are tied, or require matching funding which restricts the ability to address local priorities in the way the council and community might need.

Arguably there is no greater obligation upon government than to maintain the trust that citizens have in meeting their community services obligations and promises, particularly to society's most vulnerable.

Local government community services are broadly defined, and may include but are not limited to:

- environmental health including food safety;
- childcare, early childhood education, municipal health;
- aged care, senior citizens;
- services to people living with disability;
- programs to address disadvantage, to reduce poverty and homelessness;
- sporting and recreational programs;
- arts and cultural activities, programs and festivals;
- tourism and economic development activities; and
- library services.

*Noting the funding arrangements for the provision of local government community services are there programs and initiatives that the Australian Government could implement to improve the delivery of these services?*

*Are there reforms or improvements in national community services program that would help local governments support the Australian Government to deliver on its national objectives?*

# 8. CLOSING THE GAP AND ABORIGINAL AND TORRES STRAIT ISLANDER RECONCILIATION

In 2021, ALGA co-signed a landmark national agreement to close the gap between Indigenous and non-Indigenous Australians. At the heart of the National Agreement on Closing the Gap Partnership are four agreed priority reform targets and 19 socio-economic targets in areas including education, employment, health and wellbeing, justice, safety, housing, land and waters, and Aboriginal and Torres Strait Islander languages.

The Indigenous Voice Co-design Final Report to the Australian Government was released in December 2021. The Local & Regional Voice will contribute to achieving the Closing the Gap outcomes by providing avenues for Indigenous voices to be heard, including to provide feedback to government on Closing the Gap.

As the level of government closest to the people, councils have an essential role supporting and helping to steer the development of policies and programs in partnership with local Indigenous peoples that address closing the gap priorities at the local and regional level.

Local government plays a positive role in reconciliation and celebrating Indigenous culture and identity, and sustainably funded could work effectively to reduce Indigenous disadvantage in all its forms.

On 14 October 2023, Australians voted in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing a body called the Aboriginal and Torres Strait Islander Voice. The referendum did not pass.

*Are there programs or initiatives that the Australian Government could adopt to assist local government to advance reconciliation and close the gap?*

*Are there practical programs or initiatives that local government and the Australian Government could introduce to maintain, build and strengthen the level of trust between Aboriginal and Torres Strait Islanders and governments?*

# 9. DATA, DIGITAL TECHNOLOGY AND CYBER SECURITY

Provision of information technology to all Australians is vital to innovation, economic growth, and social equity. However, it is potentially even more important to regional Australia where the tyranny of distance increases the inequity of services available – including education, health, economic and social. Innovative technology is becoming more broadly available and could boost productivity and economic growth.

Councils around Australia continue to embrace new technologies to improve their service delivery standards and broaden consultation and engagement with their local communities. However, implementation can be hindered without access to basic technological infrastructure and the necessary IT skills and resources.

In recent times, cyber-attacks on major corporations and other businesses have resulted in significant data breaches. It is a timely reminder as digital information, services and products become an increasing feature of modern business operation including in local government.

Like all risks, local government must manage the risk of cyber-attacks and address cyber security. At a national level, there is limited understanding of local governments' vulnerability to cyber-attacks, preparedness and adequacy of risk management strategies or business continuity planning.

While this is primarily a responsibility of the sector itself, governments at all levels must work together to ensure that the public have confidence in government information management systems and its security.

*Drawing upon your council's experience, and your knowledge of other councils within your state or territory, are there programs and initiatives that the Australian Government could implement to help local government develop its digital technology services and infrastructure?*

*Are there actions the Australian Government could take to improve cyber security within the local government sector?*



# 10. CLIMATE CHANGE AND RENEWABLE ENERGY

Australia's changing climate presents a significant challenge to governments, individuals, communities, businesses, industry, and the environment.

The Australian Government has committed to address climate change and in June 2022 submitted its revised National Determined Contribution (NDC) to the United Nations Framework Convention on Climate Change. The revised NDC included reaffirming a target of net zero emissions by 2050 and committing to reduce greenhouse gas emissions by 43% from 2005 levels.

Local governments have played an important leadership role in addressing climate change, and councils have supported a wide range of community-based programs and initiatives to lower the carbon footprint of their own business operations and of their local communities.

As a sector, local government has been an advocate and active participant in the debate for lowering carbon emissions, is sourcing renewable energy, has responded creatively to reduce greenhouse gas emissions from landfills, and facilitated the construction of green buildings and water sensitive design of cities and towns.

Local government has been at the forefront in addressing the impacts of climate change and adaptation to climate change. In particular, councils have a practical understanding of the risk and impact of climate change on Australia's infrastructure and physical assets, natural ecosystems, local economies and their community.

*Noting the Australian Government's approach to reducing emissions, are there partnerships, programs, and initiatives that local government and the Australian Government can form to achieve Australia's 2050 net zero emissions target?*

*Are there initiatives that could assist local governments to build trust in the community for implementation of key climate change and emissions reduction initiatives?*

# 11. ENVIRONMENT

Australia's 537 local councils play an essential role in providing, regulating and managing Australia's environmental services and infrastructure.

Whether it's biodiversity, biosecurity, natural resource management (NRM), contaminated lands, waste management, water resources, sustainability or roadside environments, councils are responsible for educating households and businesses on environment policy, as well as driving environmental programs and initiatives in their local communities.

In recent years the National General Assembly has considered a range of environmental issues, and passed resolutions on biodiversity, biosecurity, conservation, climate change and water security.

*How could the Australian Government partner with local government to strengthen Australia's environmental services and infrastructure?*

*What new programs could the Australian Government partner with local government in to progress local regional and national objectives?*



# 12. CIRCULAR ECONOMY

Local government is responsible for the management of household and domestic waste and has a critical role to play in further developing the circular economy.

Australia's 537 councils manage approximately 26 percent of Australian waste, either directly or through contractual arrangements. Each year, local governments collect around 9.7 million tonnes of waste from kerbside bin services, sort it at material recovery facilities (MRFs), and dispatch what can be recycled to reprocessing facilities in Australia and overseas.

Where waste cannot be recovered it is landfilled, and local governments in most jurisdictions must pay a significant levy per tonne for landfilled waste, as well as incur the operational costs of maintaining and managing a landfill.

Collecting, treating, and disposing of Australian domestic waste costs local government an estimated \$3.5 billion annually. Local government also dedicates resources to administering community waste-education programs, collecting litter, addressing illegal rubbish dumping, and ensuring compliance with waste bylaws.

In November 2023, Australia's Environment Ministers agreed that the Federal Government would establish new regulations for packaging as well as mandate how packaging is designed, develop minimum recycled content requirements and prohibit harmful chemicals being used. These changes are expected to have a positive impact on the amount of waste sent to landfill, and the costs borne by councils and their communities.

*How could the Australian Government further strengthen product stewardship arrangements to support local governments in their endeavours to increase recycling and reduce the volume of waste?*

*How could the Australian Government partner with local government to advance the circular economy?*

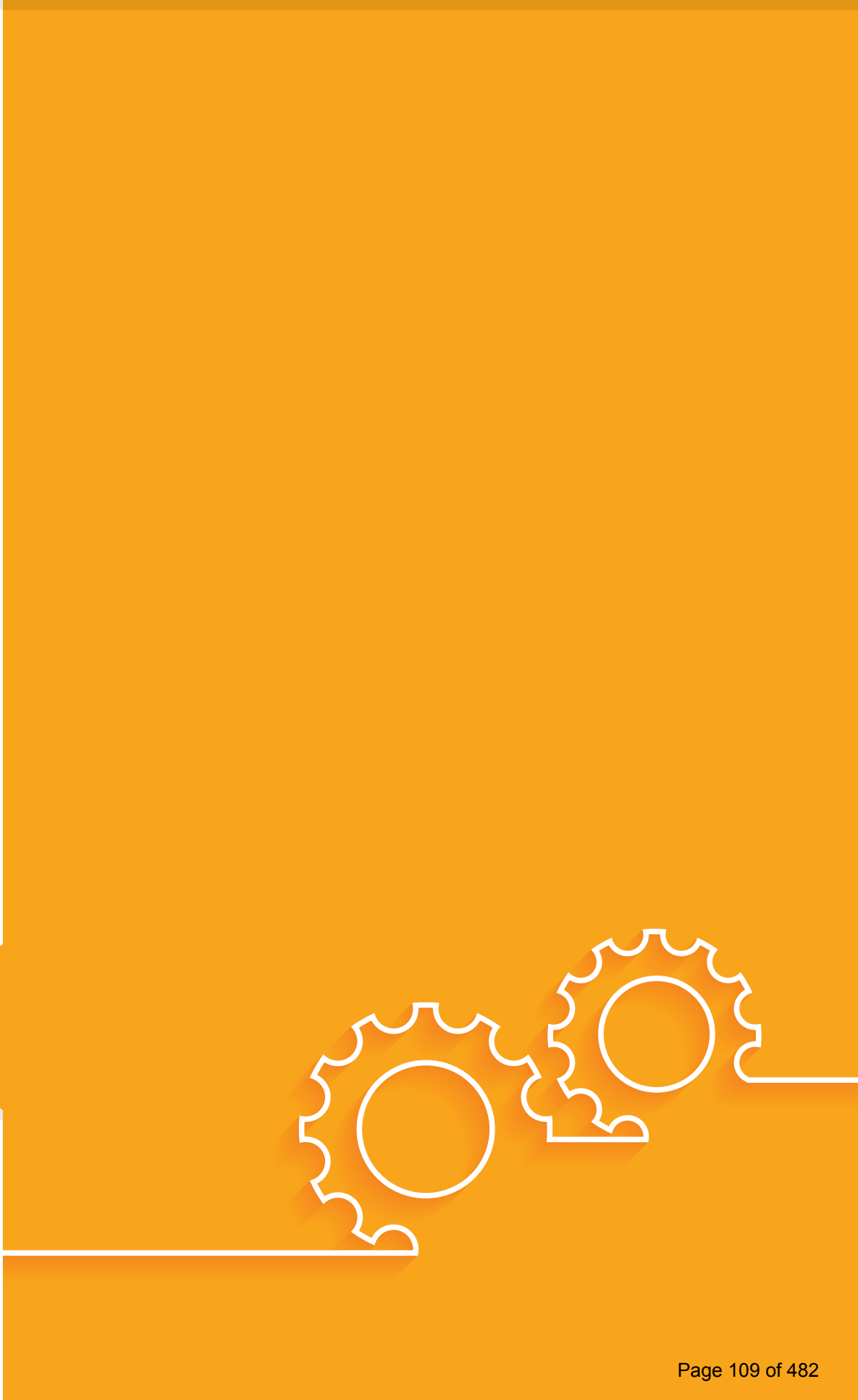
# CONCLUSION

Thank you for taking the time to read this discussion paper and your support for the 2024 National General Assembly of Local Government.

## **A FINAL REMINDER:**

- » Motions should be lodged electronically at [www.alga.com.au](http://www.alga.com.au) and received no later than 11.59pm on Friday 29 March 2024.
- » Motions must meet the criteria published in this paper.
- » Motions should commence with the following wording: 'This National General Assembly calls on the Australian Government to...'
- » Motions should not be prescriptive in directing how the matter should be pursued.
- » Motions should be practical, focussed and relatively simple.
- » It is important to complete the background section on the form.
- » Motions must not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- » When your council submits a motion there is an expectation that a council representative will be present at the 2024 National General Assembly to move and speak to that motion if required.
- » Resolutions of the National General Assembly do not automatically become ALGA's national policy positions. The resolutions are used by the ALGA Board to inform policies, priorities and strategies to advance local governments within the national agenda.

We look forward to hearing from you and seeing you at the 2024 National General Assembly in Canberra.





AUSTRALIAN  
**LOCAL GOVERNMENT**  
ASSOCIATION

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**12.8 APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER'S SELECTION PANEL**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 OLG GUIDELINES FOR THE APPOINTMENT AND OVERSIGHT OF GENERAL MANAGERS 2022</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON, 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To outline the recruitment process for a new Chief Executive Officer, including appointment of a selection panel and tasks to be delegated to the selection panel and Mayor.

**2. OFFICERS RECOMMENDATION**

That Council:

- 1. Establish a selection panel in accordance with the Guidelines for the Appointment and Oversight of General Managers, consisting of at least the Mayor, the Deputy Mayor, another councillor and a suitably qualified person independent of the council, to conduct the recruitment and selection process for the recruitment of a new CEO.**
- 2. Delegate to the selection panel relevant tasks, including:**
  - participating in the recruitment and selection process, including participation on interview panels.**
  - reporting the findings and recommendations of the selection panel to the council.**
- 3. Delegate to the Mayor the tasks of ensuring:**
  - the CEO's position description is current and evaluated in terms of salary to reflect the responsibilities of the position**
  - the proposed salary range reflects the responsibilities and duties of the position**
  - the position is advertised according to the requirements of the Act**
  - information packages are prepared, and**
  - applicants selected for interview are notified.**
- 4. Delegate to the selection panel the appointment of an external recruitment consultant to assist with recruitment and selection process. Ensuring this engagement shall be carried out in line with Council's procurement process.**

### 3. BACKGROUND

Under clause 223 (1) (i) of the NSW *Local Government Act 1993* one of the roles of the governing body is to determine the process for appointment of the general manager (referred to as CEO at Willoughby Council) and to monitor the general manager's performance.

The appointment of a general manager is a non-delegable function of a council under clause 377 of the Act and a general manager cannot be appointed without a formal resolution of the governing body.

Under clause 336 of the Act, if a vacancy occurs in the position of general manager, the governing body must immediately appoint a person under clause 334 to the vacant position or appoint a person to act in the vacant position.

All recruitment must be carried out in line with clause 349 of the Act in relation to merit selection.

Further details on the processes for the recruitment and selection of a general manager is set out in the Office of Local Government's, *Guidelines for the Appointment & Oversight of General Managers 2022* (the Guidelines). The Guidelines are included as **Attachment 1**.

### 4. DISCUSSION

On Wednesday, 31 January 2024, Chief Executive Officer, Debra Just, provided notification to councillors and staff of her intent to retire. She has confirmed that her final date of work will be Friday, 1 March 2024.

The Guidelines recommend that full responsibility for the recruitment be delegated to a selection panel (the Panel) determined by Council.

The Guidelines recommend that a selection panel should consist of at least the mayor, the deputy mayor, another councillor and a suitably qualified person independent of the council. Following the recruitment process, the Panel will report back to the Council on the process and recommend the most meritorious applicant for appointment by the council.

The Panel membership should remain the same throughout the entire recruitment process. Selection panels should, where possible, have a mix of genders.

The Guidelines also provide that external recruitment consultant should be engaged to assist the Panel with the recruitment process and that consultant should have a role in verifying that proper processes and procedures are followed in the appointment of the CEO. Selection of an external recruitment consultant will need to follow relevant procurement processes.

It is noted that in 2014 when the current CEO was recruited the Panel consisted of the Mayor, a councillor from each ward and an independent person selected by the Panel. The recruitment process included candidates initially being reviewed by the external recruitment consultant, agreed shortlisted candidates then attending an interview with the Panel, and then a final selection of shortlisted candidates providing a presentation to all Councillors prior to the Panel preparing their report.



The Guidelines recommend that Council should also delegate to one person (generally the Mayor) the task of ensuring:

- the selection panel is established,
- the CEO's position description is current and evaluated in terms of salary to reflect the responsibilities of the position,
- the proposed salary range reflects the responsibilities and duties of the position,
- the position is advertised according to the requirements of the Act,
- information packages are prepared, and
- applicants selected for interview are notified.

Following the selection and interview process the Panel will report back to the Council on their findings and recommendations. This report is confidential and reported to a closed meeting of the Council. Under the Guideline's the council's governing body must by resolution approve the position of the CEO being offered to the successful candidate before the position is offered to the candidate.

Under the Guidelines following a resolution of council, the Mayor may then make the offer of employment and undertake any discussions in relation to term length and remuneration, although this must be within the range approved by Council.

The standard contract of employment for general managers, as approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act, must be used and may not to be varied, other than as indicated.

Please note that as per clause 336 of the Act, the Council will also need to determine acting arrangements for the role of CEO whilst the recruitment process is underway. This is subject to a separate Mayoral Minute to Council.

Following appointment of the new CEO, agreed performance criteria must be established within three months from the commencement of the new contract. A Performance Review Panel will be established prior to this, and as per the Guidelines, to finalise the criteria and to then undertake the mid-year and annual reviews. The logic for separating the selection and performance review panels' selection, is that the OLG Guidelines provide for the general manager to select one of the four panel members.

## **5. RISKS AND OPPORTUNITIES**

By following the requirements in the OLG Guidelines limited risk is associated with this action.

## **6. CONCLUSION**

Under the NSW Local Government Act 1993, if a vacancy occurs in the position of general manager (CEO), the council must immediately appoint a person under section 334 to the vacant position or appoint a person to act in the vacant position.

It is therefore recommended, that Council establish a selection panel to undertake the process and, also as per the Guidelines delegate the outlined responsibilities to the Selection Panel and Mayor to carry out the recruitment and selection of a new CEO.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 - Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	People and Culture Team support the administration of recruitment of the Chief Executive Officer
<b>Policy</b>	Guidelines for the Appointment & Oversight of General Managers as issued by the Departmental Chief Executive in accordance with section 23A of the <i>Local Government Act 1993</i> .
<b>Consultation</b>	Not required
<b>Risk</b>	By following the requirements in the OLG Guidelines limited risk is associated with this action. The risk is also mitigated by utilising the services of an experienced external executive recruiter.
<b>Resource</b>	The appointment of an external recruitment agency to take assist with the process.
<b>Legal</b>	This process is a requirement of the NSW <i>Local Government Act 1993</i>
<b>Legislation</b>	Relevant legislative provisions include sections 223, 334,336, 344,348,349 and 377 of the <i>Local Government Act 1993</i> . The performance review process is set out in the Guidelines for the Appointment & Oversight of General Managers as issued by the Departmental Chief Executive in accordance with section 23A of the <i>Local Government Act</i> .
<b>Budget/Financial</b>	Expected recruitment costs are unbudgeted and will need to be sourced as part of Quarter 3 budget review process and recovered from other costs savings.

# Guidelines for the Appointment and Oversight of General Managers

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2022



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# INTRODUCTION

The *Local Government Act 1993* (the Act) requires councils to appoint a person to be the council's general manager (section 334).

One of the prescribed functions of the governing body of a council is to determine the process for the appointment of the general manager and to monitor their performance (section 223).

These Guidelines have been developed to assist councillors when performing their functions under the Act relating to the appointment of general managers and overseeing their performance. They provide guidance on:

- the role of the general manager and the importance of a good working relationship between councillors and the general manager
- the recruitment process and the appointment of a general manager
- day to day oversight of and liaison with the general manager
- the performance review process
- separation, and
- renewal of the general manager's contract.

These Guidelines are issued under section 23A of the Act and must be taken into consideration by councils when exercising their functions in relation to the recruitment and oversight of general managers. They should be read in conjunction with the relevant provisions of the Act and the *Local Government (General) Regulation 2021* (the Regulation) and the standard contract of employment for general managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act (the approved standard contract).

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# ROLE OF THE GENERAL MANAGER

Councillors comprise the governing body of a council and make decisions by passing resolutions. It is the general manager's role to implement the lawful decisions of the council and to carry out the functions conferred on them by the Act and Regulation and other legislation.

General managers also perform other functions delegated to them by the governing body.

The governing body monitors the implementation of its decisions through the general manager's reports to council meetings.

## Key functions of the general manager

The Act confers certain functions on general managers of councils (section 335). Key aspects of the general manager's role are set out below:

### Management of the council

The general manager is responsible for conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies approved by the governing body of the council and implementing without undue delay, lawful decisions of the governing body.

### Assisting the governing body to set the strategic direction

The general manager also plays a key role in assisting the governing body to develop the council's strategic direction. The general manager is responsible for guiding the preparation of the community strategic plan and the council's response to it via the delivery program and operational plans. The general manager is also responsible for implementing the delivery program and operational plans and reports to the governing body on their

implementation. More information on this is available on the Office of Local Government's [website](#).

### Determining the organisation structure

The general manager is responsible for determining the organisation structure of the council (other than senior staff positions) following consultation with the governing body and in accordance with the budget approved by the governing body (section 332). The positions within the organisation structure of the council must be determined to give effect to the priorities set out in the council's strategic plans, including the community strategic plan and delivery program.

### Appointment and direction of staff

The general manager is responsible for the appointment and direction of staff and their dismissal. The general manager must consult with the governing body before appointing or dismissing senior staff.

### Supporting councillors

The general manager is also responsible for ensuring councillors are provided with the information and the advice they require to make informed decisions and to carry out their civic duties.

The general manager should ensure that council meeting business papers contain sufficient information to allow councillors to make informed decisions and to allow them to effectively monitor and review the council's operations and performance. This will assist councils in ensuring they are complying with statutory requirements, keeping within the budget approved by the council, and achieving the strategic goals set by the council in its delivery program and operational Plan.

The governing body may direct the general manager to provide councillors with advice but

cannot direct them as to the content of that advice.

Requests by councillors for assistance or information outside of meetings should be made to the general manager unless the general manager has authorised another staff member to receive such requests. The *Model Code of Conduct for Local Councils in NSW* contemplates that councils should adopt a policy to provide guidance on interactions between councillors and staff. The policy should be agreed to by both the governing body and the general manager. To assist councils, the Office of Local Government has prepared a model councillor and staff interaction policy which reflects best practice. This is available on the Office of Local Government's [website](#).

## The delegation of functions to the general manager

A governing body may delegate certain functions of the council to the general manager but cannot delegate the functions set out in section 377(1) of the Act. The delegation of a council's functions must be made by resolution and be evidenced in writing. Delegations must be reviewed during the first 12 months of each term of the council (section 380).

The general manager may sub-delegate a function delegated to them by the governing body (section 378). However, the general manager still retains responsibility to ensure that any sub-delegated function is carried out appropriately.

## The importance of a good working relationship with the general manager

The position of general manager is pivotal in a council. It is the interface between the governing body which sets the strategic

direction of the council and monitors its performance, and the administrative body of the council, headed by the general manager, which implements the decisions of the governing body. A good working relationship between the general manager and the councillors is therefore critical for good governance and a well-functioning council. Where this relationship breaks down, this can quickly lead to dysfunction.

The Centre for Local Government at the University of Technology in Sydney has identified the following as key components of a good working relationship between councillors and the general manager:

- mutual trust and respect
- councillors publicly supporting the work of the general manager
- councillors dealing with any performance concerns through appropriate channels e.g., not the media or council meetings
- councillors not getting involved in the day-to-day operational matters of the council (which makes it difficult for the general manager to do their job)
- councillors having a clear understanding of how and when to approach the general manager or other staff for information or support and following agreed protocols
- regular meetings between the general manager, mayor and councillors to ask questions and share information and advice
- respect of confidentiality, and
- any conflict is dealt with professionally and quickly and where it can't be addressed informally, proper processes are followed.



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# RECRUITMENT AND SELECTION

## Requirements of the *Local Government Act 1993*

One of the prescribed functions of the governing body of a council is to determine the process for the appointment of the general manager (section 223).

When recruiting a new general manager, the position must be advertised in a manner sufficient to enable suitably qualified persons to apply for the position (section 348).

As with the appointment of all council staff, councils must ensure that the appointment of the general manager is made using merit selection principles (section 349). Recruitment using merit selection is a competitive process where the applicant who demonstrates that they have the best qualifications and experience relevant to the role is appointed. Equal employment opportunity principles also apply to the recruitment of general managers (sections 349 and 344).

The recruitment process must be open and transparent, but the confidentiality of individual applicants must be maintained. A failure to maintain appropriate confidentiality may constitute a breach of the Act, the council's code of conduct and the *Privacy and Personal Information Protection Act 1998*.

Councils should engage an external recruitment consultant to assist them with the recruitment process and that person should have a role in verifying that proper processes and procedures are followed in the appointment of the general manager.

There are a range of possible approaches to undertaking the recruitment of the general manager. The guidance contained in these Guidelines reflects what the Office of Local Government considers to be best practice.

## The pre-interview phase

As noted above, the council's governing body is responsible for determining the process for recruiting the general manager.

The governing body should delegate the task of recruitment to a selection panel led by the mayor and approve the recruitment process. The panel will report back to the governing body on the process and recommend the most meritorious applicant for appointment by the council.

The selection panel should consist of at least the mayor, the deputy mayor, another councillor and a suitably qualified person independent of the council. Where practicable, the selection panel membership should remain the same throughout the entire recruitment process.

Selection panels should, where possible, have a mix of genders.

The council's governing body should delegate to one person (generally the mayor) the task of ensuring:

- the selection panel is established
- the general manager's position description is current and evaluated in terms of salary to reflect the responsibilities of the position
- the proposed salary range reflects the responsibilities and duties of the position
- the position is advertised according to the requirements of the Act
- information packages are prepared, and
- applicants selected for interview are notified.

The mayor, or another person independent of council staff, should be the contact person for the position and should maintain confidentiality with respect to contact by potential applicants.

## Interview phase

Interviews should be held as soon as possible after candidates are short listed.

Questions should be designed to reflect the selection criteria for the position and assist the selection panel to assess the suitability of the candidate for the position.

Interviews should be kept confidential.

All written references must be checked. The selection panel must delegate the task of contacting referees to one panel member. Other panel members should not contact referees.

If contact with someone other than a nominated referee is required, the applicant's permission must be sought.

At least 2 referees must be contacted and asked questions about the candidate relevant to the selection criteria.

Where tertiary qualifications are relied on, they should be produced for inspection and if necessary, for verification.

Appropriate background checks must be undertaken, for example, bankruptcy and criminal records checks and whether the candidate has been disqualified from managing a corporation by the Australian Securities and Investments Commission. For guidance on better practice recruitment background checks, see the Australian Standard AS 4811:2022 [Workforce Screening](#) and the Independent Commission Against Corruption's publication, *Strengthening employment screening practices in the NSW public sector* which is available on its [website](#).

## Selection panel report

The selection panel is responsible for preparing a report to the council's governing body that:

- outlines the selection process

- recommends the most meritorious applicant with reasons
- recommends an eligibility list if appropriate
- recommends that no appointment is made if the outcome of interviews is that there are no suitable applicants.

This report should be confidential and reported to a closed meeting of the council.

The appointment of a general manager is a non-delegable function of the council under section 377 of the Act and a general manager cannot be appointed without a formal resolution of the council.

The council's governing body must by resolution approve the position of the general manager being offered to the successful candidate before the position is offered to the candidate.

## Finalising the appointment

The mayor makes the offer of employment after the governing body has resolved to appoint the successful candidate. The initial offer can be made by telephone.

Conditions such as term of the contract (1-5 years) and remuneration package (within the range approved by the governing body of the council) can be discussed by telephone but must be confirmed in writing.

The standard contract of employment for general managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act must be used. The approved standard contract is available on the Office's [website](#). The terms of the approved standard contract must not be varied. Only the term of the contract and the schedules to the approved standard contract can be adapted by councils.

General managers must be employed for 1–5 years.

The contract governs:

- the duties and functions of general managers
- performance agreements
- the process for renewal of employment contracts
- termination of employment and termination payments
- salary increases, and
- leave entitlements.

It should be noted that the Departmental Chief Executive of the Office of Local Government cannot approve individual variations to the standard terms of the contract.

Candidates who are placed on the eligibility list and unsuccessful applicants should be advised of the outcome of the recruitment process before the successful applicant's details are made public.

## **Record keeping**

Councils should retain all records created as part of the recruitment process including the advertisement, position description, selection criteria, questions asked at interview, interview panel notes, selection panel reports and notes of any discussions with the selected candidate. These records are required to be stored and disposed of in accordance with the *State Records Act 1998*.

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# DAY-TO-DAY OVERSIGHT AND LIAISON WITH THE GENERAL MANAGER

While one of the prescribed functions of the governing body is to monitor the general manager's performance, day-to-day oversight of and liaison with the general manager should be undertaken by the mayor.

The mayor's role in the day-to-day management of the general manager should include:

- approving leave
- approving expenses incurred, and
- receiving and managing complaints about the general manager in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*.

The council's governing body should ensure there are adequate and appropriate policies in place to guide the mayor in the day-to-day oversight of and liaison with the general manager and keep those policies under regular review.

Some of the key policies the governing body should ensure are in place are those relating to:

- leave
- travel
- credit cards
- purchasing and procurement
- expenses and facilities
- petty cash, and
- financial and non-financial delegations of authority.

The governing body should also ensure there are appropriate policies in place with respect to the expenditure of council funds and reporting requirements in relation to that expenditure.

The council's governing body should satisfy itself that any policy governing the conferral of a benefit on the general manager, such as use of a motor vehicle, allows the actual dollar value of that benefit to be quantified so it can be accurately reflected in the general manager's salary package in Schedule C to the approved standard contract.

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# PERFORMANCE MANAGEMENT

## Managing the performance of the general manager

The general manager is made accountable to the council for their performance principally through their contract of employment.

The role of the governing body is to monitor the general manager's performance in accordance with their contract of employment.

The performance of the general manager must be reviewed at least annually against the agreed performance criteria for the position. Councils may also choose to undertake more frequent interim reviews of the general manager's performance.

The agreed performance criteria must be set out in an agreement that is signed within three months of the commencement of the contract. Development of the performance agreement is discussed below.

## Establishing a performance review panel

The governing body must establish a performance review panel led by the mayor, and delegate the task of undertaking the general manager's performance reviews to the panel. The extent of the delegation should be clear.

It is recommended that full responsibility for performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.

Performance review panels should comprise of the mayor, the deputy mayor, another councillor nominated by council and a councillor nominated by the general manager.

The council's governing body may also consider including an independent observer on the panel. Panel members should be trained in the performance management of general managers.

The role of the review panel includes:

- conducting performance reviews
- reporting the findings and recommendations of reviews to the council, and
- development of the performance agreement.

The governing body and the general manager may agree on the involvement of a suitably qualified external facilitator such as a human resources professional to assist with the performance review process and the development of a new performance agreement. That person may be selected by the governing body or the performance review panel.

Councillors who are not members of the performance review panel may be invited to contribute to the performance review process by providing feedback to the mayor on the general manager's performance relevant to the agreed performance criteria.

All councillors should be notified of relevant dates in the performance review cycle and be kept advised of the panel's findings and recommendations.

The panel should report back to the governing body of the council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review. This should not be an opportunity to debate the results or revisit the general manager's performance review. The general manager should not be present when the matter is considered.

The performance agreement, action plan and any associated records that contain specific information about the work performance or conduct of the general manager are to remain confidential unless otherwise agreed to by the general manager or are required to be disclosed by law. The unauthorised disclosure of this information may constitute a breach of the Act, the council's code of conduct and the *Privacy and Personal Information Protection Act 1998*.

## Establishing the performance agreement

The performance agreement is the most important component of successful performance management. The performance agreement should include clearly defined and measurable performance indicators against which the general manager's performance can be measured.

As one of the general manager's key responsibilities is to oversee the implementation of the council's strategic direction, it is important to align the general manager's performance criteria to the goals contained in the community strategic plan, and the council's delivery program and operational plans.

The performance agreement should also include indicators relevant to the general manager's personal contribution to the council's key achievements and their core capabilities, including leadership qualities.

The performance agreement should also include indicators related to promoting and maintaining an ethical culture within the council. These could include the conduct and measurement of the outcomes from staff surveys and the promotion of whistleblowing procedures under the *Public Interest Disclosures Act 1994* and the reporting of suspected wrongdoing to appropriate oversight agencies including the Independent Commission Against Corruption and the Office of Local Government.

The performance agreement should contain but not be limited to key indicators that measure how well the general manager has met the council's expectations with respect to:

- service delivery targets in the council's delivery program and operational plans
- budget compliance
- organisational capability
- timeliness and accuracy of information and advice to councillors
- timely implementation of council resolutions
- management of organisational risks
- promotion of an ethical culture
- ensuring a safe workplace and facilitating compliance with the *Work Health and Safety Act 2011*, and
- leadership and providing a consultative and supportive working environment for staff etc.

## Performance review process

The approved standard contract requires that the performance of the general manager must be formally reviewed at least annually. The governing body of the council may also undertake interim performance reviews as appropriate.

The assessment should include:

- a self-assessment by the general manager, and
- an assessment by the review panel of the general manager's performance against the performance agreement.

The performance review meeting should be scheduled with sufficient notice to all parties in accordance with clauses 7.6 and 7.7 of the approved standard contract. These require:

- the general manager to give the council 21 days' written notice that an annual performance review is due, and
- the council to give the general manager at least 10 days' written notice that the performance review is to be conducted.

The meeting should concentrate on constructive dialogue about the general manager's performance against all sections of the performance agreement.

The meeting should identify any areas of concern and agreed actions to address those concerns.

In undertaking the performance review, care must be taken to ensure that the review is conducted fairly and in accordance with the principles of natural justice. The appointment by the council, in agreement with the general manager, of a suitably qualified external facilitator to advise on the process (see above) should assist councils to comply with these requirements.

The council's governing body must advise the general manager, in writing, in clear terms, the outcome of any performance review.

The new performance agreement for the next period should be prepared as soon as possible after the completion of the previous period. The agreement should be presented to the governing body of the council for discussion in a closed meeting together with the outcomes of the previous review period.

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## REMUNERATION AND REWARD

Under the approved standard contract, general managers are entitled to an annual increase in their salary package on each anniversary of the contract, equivalent to the latest percentage increase in remuneration for NSW public sector senior executive office holders as determined by the Statutory and Other Offices Remuneration Tribunal.

Councils may also approve discretionary increases to the general manager's total remuneration package under the approved standard contract as a reward for good performance. Discretionary increases may only be approved after a formal review of the general manager's performance has been undertaken and the general manager's performance has been assessed as being better than satisfactory.

Any discretionary increases should be modest and in line with community expectations and only apply for one year unless the council determines that it is to apply for the balance of the contract. All discretionary increases in remuneration, together with the reasons for the increase, must be reported to an open meeting of the council.

Councils may also on one occasion during the term of the contract approve the payment of a retention bonus to the general manager as an incentive for them to serve out their contract. If approved, the retention bonus is to be accrued on an annual, pro-rata basis for the remainder of the contract and is to be paid at the end of the contract period.



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# SEPARATION

## Termination of the general manager's employment

The approved standard contract sets out how the general manager's employment contract can be terminated before its expiry date by either the governing body or the general manager (see clause 10 of the approved standard contract). The circumstances in which the general manager's employment contract may be terminated are set out below:

### By agreement

The contract may be terminated at any time by written agreement between the council and the general manager.

### Resignation

The general manager may terminate the contract by giving 4 weeks written notice to the governing body of the council.

### Incapacity

A council may terminate the general manager's contract by giving them 4 weeks written notice or by paying the equivalent of 4 weeks' remuneration calculated in accordance with Schedule C of the approved standard contract where:

- the general manager has become incapacitated for 12 weeks or more
- they have exhausted their sick leave, and
- the duration of the incapacity is either indefinite or for a period that would make it unreasonable for the contract to be continued.

### Poor performance

A council may terminate the general manager's contract by giving them 13 weeks written notice or by paying the equivalent of 13 weeks' remuneration calculated in accordance with Schedule C of the approved

standard contract on grounds of poor performance.

A council may only terminate the general manager's contract on the grounds of poor performance where:

- a performance review has been conducted, and
- the council has concluded that the general manager's performance falls short of the performance criteria or the terms of their performance agreement, and
- the general manager has been afforded a reasonable opportunity to utilise dispute resolution under clause 17 of the contract (see below).

### No fault termination

A council may terminate the general manager's contract at any time by giving them 38 weeks written notice or paying the equivalent of 38 weeks remuneration calculated in accordance with Schedule C of the approved standard contract. If there are less than 38 weeks left to run in the term of the general manager's contract, the council can pay out the balance of the contract in lieu of notice.

Where the council proposes to terminate the general manager's contract on these grounds, if either party requests it and both parties agree, they may participate in mediation in relation to the proposed decision to terminate the contract. If the council does not agree to participate in mediation, it must give the general manager reasons for its decision where the general manager requests them.

Where a council terminates the contract on these grounds, it must give the general manager reasons for its decision to terminate their employment where the general manager requests it.

## Summary dismissal

Councils may summarily dismiss the general manager on the grounds set out under clause 10.4 of the approved standard contract. These include:

- serious or persistent breach of the employment contract
- serious and wilful disobedience of any reasonable and lawful instruction or direction given by the council,
- serious and wilful misconduct, dishonesty, insubordination or neglect in the discharge of the general manager's duties and functions under their contract,
- failure to comply with any law or council policy concerning sexual harassment or racial or religious vilification
- serious or persistent breach of the council's code of conduct
- commission of a crime, resulting in conviction and sentencing (whether or not by way of periodic detention), which affects the general manager's ability to perform their duties and functions satisfactorily, or that brings the council into disrepute
- absence without approval for a period of 3 or more consecutive business days.

## Automatic termination

The general manager's contract of employment is automatically terminated where the general manager becomes bankrupt, or they are disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001*.

Where this occurs, the general manager's employment with the council automatically ends without the need for a decision by the council to terminate their contract of employment.

## Suspension of the general manager

Councils may suspend the general manager, for example while allegations against them are

being investigated. Suspension should be on full pay for a clearly defined period.

Councils should not suspend a general manager's employment without first seeking expert legal advice. It would not be appropriate to seek advice from council human resources staff on the proposed suspension of the general manager.

Any decision to suspend a general manager should be made at a closed council meeting, having first carefully considered the expert legal advice received in relation to the specific matter.

The principals of procedural fairness apply to any decision to suspend a general manager, i.e., the general manager must be advised of the circumstances leading to their suspension, the reasons for the suspension, the period of the suspension and be given a right to respond to the decision to suspend.

## Dispute resolution

The approved standard contract contains a dispute resolution clause at clause 17. These provisions are designed to encourage councils and general managers to attempt to resolve disputes when they arise.

Councils are required to offer the general manager an opportunity to utilise dispute resolution before they can terminate their employment for poor performance.

Where it is proposed to terminate the contract on the "no fault" grounds (clause 10.3.1(e)), if either party requests it and both parties agree, they may participate in mediation under clause 17 in relation to the proposed decision to terminate. If the council does not agree to participate in mediation, it must give the general manager reasons for its decision where the general manager requests them.

The governing body of the council should ideally resolve to delegate this function to the mayor or a panel of 3 councillors including the mayor.

If the dispute involves the mayor, then the deputy mayor should take the mayor's place. If there is no deputy mayor then the governing body should resolve to appoint another councillor to take the mayor's place.

The governing body of the council and the general manager should agree on an independent mediator to mediate the dispute. The approved standard contract allows the Departmental Chief Executive of the Office of Local Government to appoint a mediator where the parties cannot agree on one.

Councils and general managers may also agree on a mediator when the contract is made.

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# RENEWING THE GENERAL MANAGER'S CONTRACT

Clause 5 of the approved standard contract sets out the process for renewing the general manager's contract of employment. The key steps in the process are as follows:

- At least 9 months before the contract expires (or 6 months if the term of employment is for less than 3 years), the general manager must apply to the council in writing if seeking re-appointment to the position
- At least 6 months before the contract expires (or 3 months if the term of employment is for less than 3 years), the council must respond to the general manager's application by notifying the general manager in writing of its decision to either offer the general manager a new contract of employment (and on what terms) or to decline their application for re-appointment
- At least 3 months before the contract expires (or 1 month if the term of employment is for less than 3 years) the general manager must notify the council in writing of their decision to either accept or decline the offer made by the council.

Approval may be sought from the Departmental Chief Executive of the Office of Local Government to vary these timeframes in exceptional or unforeseen circumstances.

The terms of the new contract of employment, and in particular the schedules to the new contract, should be set out in the letter of offer. Before offering a new contract, the council should carefully review the terms of the schedules to the new contract.

The governing body should ensure that the performance criteria of the new performance agreement adequately reflect its expectations of the general manager's performance.

The governing body should also consider previous performance reviews conducted under previous contracts.

The process of deciding whether to offer the general manager a new contract should be as follows:

- a performance review is conducted
- findings and recommendations are reported to a closed council meeting in the absence of the general manager
- the closed meeting considers and decides whether to offer a new contract of employment to the general manager and on what terms as set out in the schedules to the contract
- the mayor informs the general manager of the council's decision.

Details of the decision to offer a new contract and a salary package should be reported to an open council meeting.

# Appendix 1 – Performance management timelines

<b>Timeline</b>	<b>Activity</b>	<b>Responsibility</b>
At commencement of each new council	Provide induction training on performance management of the general manager	Council
Within 3 months of the commencement date of the contract	A performance agreement setting out agreed performance criteria must be signed between the general manager and the council	Council or council panel General Manager
Within 2 months of the signing of the performance agreement	The general manager must prepare and submit to the council an action plan which sets out how the performance criteria are to be met	General Manager
21 days' notice (before annual review)	The general manager gives the council written notice that an annual performance review is due	General Manager
At least 10 days' notice	The council must give the general manager written notice that the performance review is to be conducted	Council or council panel
After 6 months	The council may also decide, with the agreement of the general manager, to provide interim feedback to the general manager midway through the annual review period	Council or council panel General Manager
Prior to the annual review	Ensure all councillors on the review panel have been trained in performance management of general managers	Council
Prior to the annual performance review	The general manager may submit to council a self-assessment of their performance	General Manager
Annually	The general manager's performance must be reviewed having regard to the performance criteria in the agreement	Council or council panel General Manager
Annually	The performance agreement must be reviewed and varied by agreement	Council or council panel General Manager
Within 6 weeks of the conclusion of the performance review	Council will prepare and send to the general manager a written statement with council's conclusions on the general manager's performance during the performance review period	Council or council panel
As soon as possible after receipt of the statement	The general manager and the council will agree on any variation to the performance agreement for the next period of review	Council or council panel General Manager

## Appendix 2 – Stages of performance management

STAGE	ACTION	PROCESS
1. Developing performance agreement	<ul style="list-style-type: none"> <li>▪ Examine the position description and contract</li> <li>▪ List all position responsibilities from the position description</li> <li>▪ Identify stakeholder expectations</li> <li>▪ List the key strategic objectives from the delivery program and operational plans</li> <li>▪ Develop performance measures (identify indicators - set standards)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Good planning</li> <li>▪ Direct and effective communication</li> <li>▪ Open negotiation</li> <li>▪ Joint goal setting</li> </ul>
2. Action planning	<ul style="list-style-type: none"> <li>▪ Develop specific strategies to meet strategic objectives</li> <li>▪ Identify resources</li> <li>▪ Delegate tasks (e.g., put these delegated tasks into the performance agreements for other senior staff)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Detailed analysis</li> <li>▪ Two-way communication</li> <li>▪ Detailed documentation</li> </ul>
3. Monitoring progress (feedback halfway through the review period)	<ul style="list-style-type: none"> <li>▪ Assess performance</li> <li>▪ Give constructive feedback</li> <li>▪ Adjust priorities and reset performance measures if appropriate</li> </ul>	<ul style="list-style-type: none"> <li>▪ Communication</li> <li>▪ Avoid bias</li> <li>▪ Counselling</li> <li>▪ Coaching</li> <li>▪ Joint problem solving</li> </ul>
4. Annual	<ul style="list-style-type: none"> <li>▪ Assess performance against measures</li> <li>▪ Give constructive feedback</li> <li>▪ Identify poor performance and necessary corrective action</li> <li>▪ Identify outstanding performance and show appreciation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Evaluation of the reasons behind performance being as assessed</li> <li>▪ Open, straightforward communication (as bias free as possible)</li> <li>▪ negotiation</li> <li>▪ Counselling, support, training</li> <li>▪ Documenting</li> <li>▪ Decision making</li> </ul>
5. Developing revised agreement	See stage 1	See Stage 1

**12.9 DELIVERY PROGRAM SIX-MONTH PROGRESS REPORT JULY TO DECEMBER 2023**

<b>ATTACHMENTS:</b>	<b>1. DELIVERY PROGRAM SIX-MONTH PROGRESS REPORT - JULY-DECEMBER 2023</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON, CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>ERVINA LAY, CORPORATE PERFORMANCE 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>26 FEBRUARY 2024</b>

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## 1. PURPOSE OF REPORT

To inform Council on the progress of the implementation of Willoughby City Council's *Delivery Program 2022-2026* and *Operational Plan 2023/24*.

## 2. OFFICERS RECOMMENDATION

**That Council note the six-monthly progress report on Council's *Delivery Program 2022-2026* and the *Operational Plan 2023/24* as at 31 December 2023.**

## 3. BACKGROUND

Each year, Council reviews its four-year Delivery Program and prepares an annual Operational Plan which sets out the activities that Council intends to deliver over the coming 12 months, aligned to the Delivery Program. Council is required under the *Local Government Act 1993* to report to the community at least every six months on progress towards achieving the Delivery Program.

This is the first six-month report for 2023/24 on the progress achieved during the first half of the year July-December 2023. The Progress Report (refer Attachment 1) contains the following elements:

- A summary highlighting overall performance
- A detailed report on the progress of projects, capital works, and business improvement initiatives
- Analysis of performance indicators, both Key Performance Indicators for services, and Corporate Performance Indicators as per the Operational Plan 2023/24.

## 4. DISCUSSION

This report provides an overview of the progress made in various areas, including overall deliverables, projects and capital works, business improvement initiatives, Key Performance Indicators and Corporate Performance Indicators.

### A. Deliverables

There were a total of 225 deliverables across Council's projects, capital works, business improvement initiatives, Key Performance Indicators and Corporate Performance Indicators.

Of these, 88% (197) were completed or on track, while 12% (28) were off track. Four deliverables were deferred or cancelled and have been excluded from the totals and progress calculations. Additional details are available within each category in the following pages.

**Figure 1: Progress of deliverables as at 31 December 2023**

Status	Number of Deliverables	Percentage
Completed	21	10%
On track	176	78%
Off track	28	12%
Deferred or cancelled*	4	N/A – excluded
<b>Total</b>	<b>225</b>	<b>100%</b>

\*These figures are excluded from the total and calculation of progress and are therefore not applicable

### B. Projects and Capital Works

Projects and capital works include all major Council activities with allocated funding and defined start and finish dates.

There are **154** projects and capital works in the Operational Plan for 2023/24.

Figure 2 provides a summary of progress as at 31 December 2023, showing 94% (145) of Council's projects and capital works program (excluding deferred or cancelled), were delivered as planned (including 13% (21) completed), exceeding the overall target of 85%.

Projects that are off track, deferred or cancelled, were due to reasons such as adverse weather conditions and State Government approval delays, which are outside of Council's control, or budget reallocation through Quarterly Budget Review to other urgent or higher priority projects or budget shortfalls. The lengthy delays in State government approvals are now being factored into project timelines.

**Figure 2: Progress of projects and capital works, at 31 December 2023**

Status	Number of Projects and Capital Works	Percentage
Completed	21	14%
On track	124	80%
Off track	9	6%
Deferred or cancelled*	4	N/A - excluded
<b>Total</b>	<b>154</b>	<b>100%</b>

\*These figures are excluded from the total and calculation of progress and are therefore not applicable



### C. Business Improvement Initiatives

Business improvement initiatives aim to improve service efficiency and effectiveness, the customer experience and maximise value for money by ensuring Council's processes are effective and efficient.

There are five business improvement initiatives in the Operational Plan for 2023/24. 100% (5 of 5) of the business improvement initiatives (excluding those deferred or cancelled), were on track to be delivered as planned, exceeding the overall target of at least 85% on track.

**Figure 3: Progress of business improvement initiatives, at 31 December 2023**

Status	Number of Business Improvement Initiatives	Percentage
Completed	0	0%
On track	5	100%
Off track	0	0%
Deferred or cancelled*	0	N/A - excluded
<b>Total</b>	<b>5</b>	<b>100%</b>

\*These figures are excluded from the total and calculation of progress and are therefore not applicable

### D. Corporate Performance Indicators

There are eight Corporate Performance Indicators (CPIs) from Council's Operational Plan 2023/24. These CPIs are used to monitor Council's progress across a range of corporate services and processes, and help to ensure that our services are meeting community needs.

For the six-months to 31 December 2023, 63% of CPIs were on track. Council's operations have been affected by impacts from previous extreme weather events which resulted in asset backlog works (i.e. increased maintenance and repair work), resourcing and new staff onboarding, macroeconomic conditions (i.e. high inflation and labour shortages), delays in approvals which have impacted achievement of milestones. One of the CPIs deemed off track, actually indicates an improved financial result.

**Figure 4: Performance of Corporate Performance Indicators, at 31 December 2023**

Status	Number of Corporate Performance Indicators	Percentage
On track	5	63%
Off track	3	37%
<b>Total</b>	<b>8</b>	<b>100%</b>

### E. Key Performance Indicators

Key Performance Indicators (KPIs) measure performance for the delivery of a range of Council's services. There are 82 key performance indicators from the Operational Plan 2023/24.

Council's target is for at least 85% of KPIs to meet or exceed their targets. For the six-months to 31 December 2023, 72% (42 of 58) of KPIs (excluding those deferred or cancelled) met or exceeded their targets, falling short of the overall target.

Service delivery has been affected in the first half of the 2022/23 financial year by external factors such as previous extreme weather events, high inflation, and labour shortages especially in specialist positions. These factors resulted in an increased backlog of

maintenance and repair work, increased costs, and resourcing and onboarding challenges.

**Figure 5. Performance of Key Performance Indicators, at 31 December 2023**

Status	Number of Key Performance Indicators	Percentage
On track	42	72%
Off track	16	28%
Deferred or cancelled*	0	N/A - excluded
<b>Total</b>	<b>58</b>	<b>100%</b>

\*These figures are excluded from the total and calculation of progress and are therefore not applicable

## 5. RISKS AND OPPORTUNITIES

Council must prepare a six-monthly progress report under the *Local Government Act 1993*. The risk to Council of not meeting this legislative requirement is effectively mitigated by this report.

## 6. CONCLUSION

Council has demonstrated commendable performance in advancing its goals and objectives despite challenging macroeconomic conditions, including inflation and labour shortages (especially in specialist roles), including increased backlog of maintenance and repair work, and delays in State Government approval timeframes.

Labour shortages in the first half of the 2022/23 financial year have impacted our ability to provide services and complete projects as planned. Local, state, and private sectors are competing for staff, leading to delays in some projects and unmet performance indicators. Delays in obtaining State Government approval, which is beyond the Council's control, have hindered project delivery.

Despite the impacts of these challenges on service and project delivery, targets for Projects and Capital Works and Business improvements were met.

Council has made significant progress in achieving its commitments at a time when we have faced impacts from staff vacancies and a demanding work program.

Overall, performance was on track as at 31 December 2023.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	This report is part of the Integrated Planning and Reporting Framework as described in the <i>Integrated Planning and Reporting Guidelines for local government in NSW 2021</i> and complies with the requirements of the <i>Local Government Act 1993</i> .
<b>Policy</b>	The Delivery Program, Operational Plan and related Progress Reports are deliverables of the Integrated Planning and Reporting Framework.
<b>Consultation</b>	There are no consultation requirements applicable to this report.
<b>Risk</b>	Council must prepare a six-monthly progress report under the <i>Local Government Act 1993</i> . The risk to Council of not meeting this legislative requirement is effectively mitigated by this report.
<b>Resource</b>	This report was prepared using existing resources.
<b>Legal</b>	There are no legal implications applicable to this report.
<b>Legislation</b>	<i>Section 406 of the Local Government Act 1993</i> and the <i>Local Government (General) Regulation 2021</i> authorise the <i>Integrated Planning and Reporting Guidelines 2021</i> . Essential Element 4.9 of the Guidelines requires that Progress Reports on the principal activities of the Delivery Program are provided to Council at least every six months.
<b>Budget/Financial</b>	There are no financial implications arising directly from this report. Any budget implications during the year from implementing the Delivery Program are reported in Council's Quarterly Budget Review Statements.



# Delivery Program Six-Month Progress Report - July to December 2023

# About the Delivery Program Progress Report

This report on the Delivery Program provides an account of Council's achievements for the six months to 31 December 2023. It assesses our progress against the commitments set out in Year 2 of the Delivery Program 2022-2026 (i.e. Operational Plan 2023/24) and our performance against our key performance indicators.

The progress of the Delivery Program is monitored and reported to Council every six months and contains the following:

- A summary report outlining overall performance over the last six months, July to 31 December 2023
- Detailed updates on the progress of deliverables across these elements:



Projects and capital works



Business improvement initiatives



Corporate Performance Indicators and Key Performance Indicators

All items have been assessed and given a status rating, as explained in How to Read this Report.

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# 1. How to read this report

In Section 3 Performance Detail, the tables cover various activities and indicators.

**Strategic alignment:** Each item has an allocated theme from the Community Strategic Plan (CSP), *Our Future Willoughby 2032* to link to the high-level outcomes that Council works towards:

1. A City that is green
2. A City that is connected, inclusive and resilient
3. A City that is liveable
4. A City that is prosperous and vibrant
5. A City that is effective and accountable

**Projects** are also provided with the project title and I.D. number from the Operational Plan.

**Status ratings** are colour-coded and used to rate the progress of each project and indicator:



**Completed**

Delivered in this reporting period or earlier



**On track**

Projects: Progressed or delivered as planned  
Indicators: target met



**Off track**

Projects: Did not progress/not delivered as planned  
Indicators: did not meet target



**Deferred or Cancelled**

Postponed or did not proceed



## 2. Performance Summary



# 2.1 Highlights

Over the six months from July 2023 to December 2023, Council achieved several highlights beyond the projects covered in Section 3.1. These highlights address the range of our community's aspirations in the Community Strategic Plan (CSP):

## 1. A City that is green

- A comprehensive investigation into large-scale tree vandalism along Willowie Road; and advocated to the NSW Government to set harsher penalties.
- 'Get the Site Right' campaign to improve sediment and erosion controls on building sites; and engaged with the community on household cleanup collections.

## 2. A City that is connected, inclusive and resilient

- Reaffirmed our commitment to reconciliation; and prepared a Reconciliation Action Plan – all to strengthen our relationships with Aboriginal and Torres Strait Islander peoples.
- Community engagement on pedestrian and bike safety around schools and Royal North Shore Hospital district.

## 4. A City that is prosperous and vibrant

- Emerge Festival in September-October 2023 was a success with art exhibitions, dining and many outdoor and digital activities.
- Adopted the Night-Time Economy Strategy.

## 3. A City that is liveable

- The award-winning Hi Neighbours program is continuing, building a network of participating apartments, and providing small grants for community-led neighbour events.
- Celebrated 30-years of service by the MOSAIC Centre as a multicultural one stop assistance centre.
- Consultation on the Community Participation Plan for planning and development matters.

## 5. A City that is effective and accountable

- Community engagement was completed on future rating options for Council's financial sustainability. This is to enable us to serve our growing and changing population into the future.
- Council is preparing a Special Rate Variation application to the NSW Government in line with the preferred rate rise of 15%.

# 2.2 Progress and performance

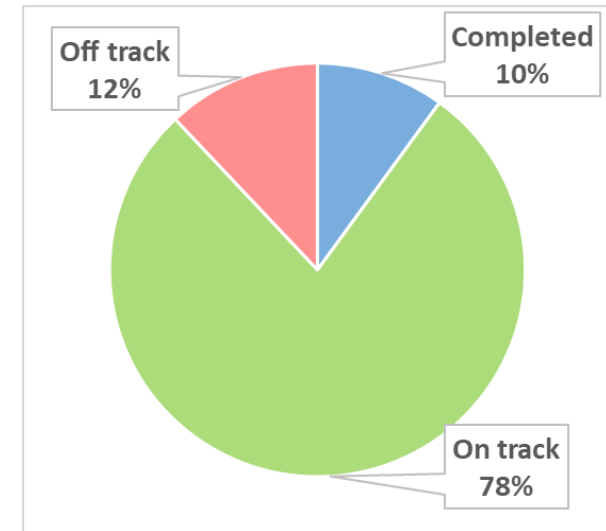
There are 225 deliverables for 2023/24 in the Operational Plan, across various activities and indicators. The overall result for the deliverables July – December 2023 is below (excluding deferred and cancelled items):

- 88% (197) are completed or on track\*
- 12% (28) were off track.\*

**Figure 1: Status for deliverables**

Deliverable	Completed	On track**	Off track	Cancelled / Deferred	Total*
Projects and Capital Works	21	124	9	4	<b>154</b>
Business Improvements	0	5	0	0	<b>5</b>
Corporate Performance Indicators	N/A	5	3	0	<b>8</b>
Key Performance Indicators	N/A	42	16	0	<b>58</b>
<b>Total</b>	<b>21</b>	<b>176</b>	<b>28</b>	<b>4</b>	<b>225</b>

**Figure 2: Overall status (%)\***



\*Cancelled/Deferred deliverables excluded from total. Percentages may not up add to 100% due to rounding.

\*\* Includes projects not yet due to start.

## Deliverables consist of the following elements:

---

### 154 Projects and capital works

94%\* (145) of this year's projects and capital works program were completed or on track as planned by 31 December 2023, exceeding the overall delivery target of 85%\*. Details on all projects and capital works can be found in section 3.1 including initiatives such as:

**Our urban environment improvements** are making good progress with greening and streetscape projects:

- Planning the greening of Edward St-Penshurst St South together with the project working group
- Designs completed for greening Endeavour St Chatswood
- Commenced streetscape construction for Naremburn local centre
- Site designs are underway for green plantings in targeted CBD hotspots



**Our open space improvements** are in progress at Artarmon Parklands Pavilion, with final demolition, site stripping and recycling of materials. Building works will commence in early 2024. The sportsground pavilion at Artarmon Reserve will also be upgraded with the design consultant to be appointed in February 2024.

**Customer Focus:** We've been 'customer journey mapping' seven of Council's services to gain a deeper understanding of our customers' experiences, needs and expectations; and designing an improved customer feedback system. We're also implementing the new Community Engagement Strategy, developing a comprehensive Engagement Tool Kit for staff, and designing specialist staff training.

**To improve liveability:** we've consulted the community on the proposed Essential Housing at Abbott Road, Artarmon; and the Development Application has been approved.

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\*Excludes deferred or cancelled deliverables.



## 5 Business Improvement Initiatives

100% (5/5) of the Council's business improvement initiatives are on track or delivered as planned, exceeding the overall delivery target of at least 85%\*. The initiatives drive a range of improvements across the following areas:

- Customer experience
- Community engagement
- Planning approval process
- Corporate processes
- Implementing the CONNECT corporate systems project.



## 8 Corporate Performance Indicators

There are eight Corporate Performance Indicators (CPIs) from Council's Operational Plan 2023/24. These CPIs are used to monitor Council's progress across a range of corporate services and processes and help to ensure that our services are meeting community needs.

From July 2023 to December 2023, 63% (5/8) of the Council's corporate performance indicators were meeting or exceeding their targets. Council's operations have been affected by impacts from previous extreme weather events, high inflation and labour shortages, delays in approvals affecting milestone delivery and the resourcing and staffing of some services.



## 82 Key Performance Indicators

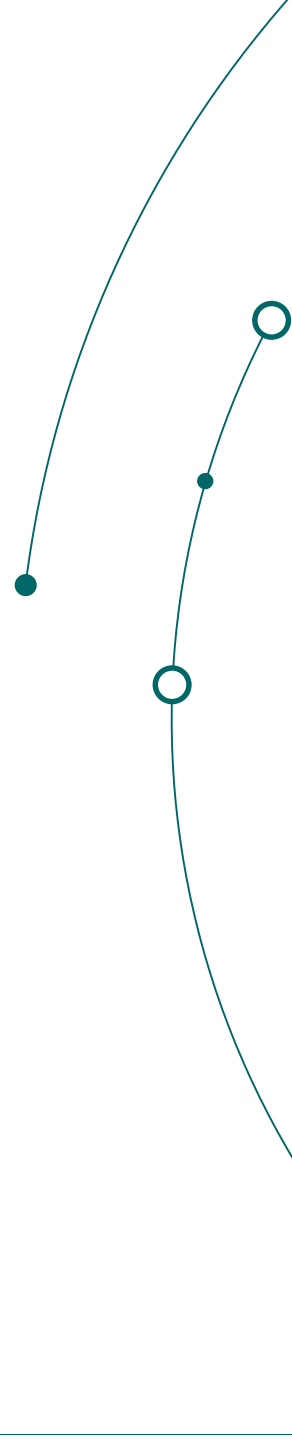
72% (42/58) of the Council's key performance indicators were meeting or exceeding their targets, not meeting the overall delivery target of at least 85%\*.

Service delivery has been affected in the first half of the 2022/23 financial year by external factors such as previous extreme weather events, high inflation, and labour shortages especially in specialist positions. These factors resulted in an increased backlog of maintenance and repair work, increased costs, and resourcing and onboarding challenges.

\*Excludes deferred, cancelled and not due to start deliverables.

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# 3. Performance Detail



# 3.1 Projects And capital works

# Bridges



Project ID	Project Title	CSP Link	Comment	Status
302366	Bridge design and Construction works	2	RFQ sent out to consultants for the design of the remedial works for The Bulwark culvert and head walls. Reviewing quotes from contractors for the Mitchell St culvert remedial works.	On track

\* Carry over project from previous year

\*\* Newly created project

# Buildings and Investment Properties



Project ID	Project Title	CSP Link	Comment	Status
301199	The Incinerator - Small Street Willoughby - structural ground floor repairs	5	Tender assessment completed, works commenced December 2023. Works to be completed May 2024.	On track
302254*	The Concourse - Membrane & Water leak remediation (Non Roof Related)	5	Rectification of waterproofing issues at top of Concourse stairs is completed. Minor rectification works to be undertaken for water entry near library water feature.	On track
301964	Council building - Victor Street asset renewal and refurbishment	5	Finalisation and development of the design and construction tender was undertaken. The tender was awarded in December 2023.	On track
301984	Regency Leisure Centre capital works, 24 Endeavour Street Chatswood	5	Design being reviewed of existing air conditioning system. It is likely that a more efficient design is required. Delay due to approval of owners' corporation being required to access centralised condenser water.	Off track
302159*	Gibbes Street Depot awnings - Construction	5	Funding to be reallocated to Warners Park flooring renewal.	Cancelled
302161*	Chatswood Commons	4	Project will start March 2024 in order to have better understanding of Council's intentions for the site.	On track
302250	Asset data, capture and validation program	5	Planning phase completed - scope defined. Draft buildings asset hierarchy developed Comparing various asset data sources to identify gaps and overlaps in the data required for system reconfiguration and data migration.	Off track
302255	Northbridge Baths - Renewal & Repair Works	5	Soft fall installed. Restrooms refreshed and painted. New stairs and handrails installed.	Completed

\* Carry over project from previous year

\*\* Newly created project



# Buildings and Investment Properties



Project ID	Project Title	CSP Link	Comment	Status
302256*	The Concourse - Century Venues Minor Capital Works	5	Works completed include Theatre chair replacements, light track replacements and PA processor replacement.	On Track
302361	Artarmon Parklands Pavilion - Construction	5	Construction Certificate Approved. Contractor has established site with stripping of the building underway to be sent to recycling yards where possible. Finalise demolition with piling installation to kick off the building works in the New year.	On track
302384	Chatswood Youth Centre - bathrooms upgrade	2	Upgraded the bathrooms, plumbing, tiling and shower room.	Completed
302398	Concourse - Replacement of shade structures for external dining	5	Architect selected and visited the site. Concept drawings under preparation. Delays caused by late engagement of architect due to availability.	Off track
302407	The Concourse Theatre - lighting replacement	5	Replacement for foyer lighting currently under review with lighting consultant. Delay due to investigations to identify light fittings that offer value for money for future replacements.	Off track
302409	Sportsground Pavilion Rolling Program	3	Stakeholder engagement completed. Artarmon Reserve pavilion design consultant to be appointed February 2024.	On track
302417	Dougherty Community Centre - AV Upgrade	3	Installation of new audio-visual equipment for the Dougherty Community Centre has been completed on-time and on-budget.	Completed
302438	MOSAIC Kitchen upgrade and stairlift installation	2	Upgrade Works completed.	Completed
302674**	Warners Park Community Centre – repair and replace floor	5	Funding to be reallocated from Gibbes Street awnings project.	Off Track

\* Carry over project from previous year

\*\* Newly created project

# Carparks



Project ID	Project Title	CSP Link	Comment	Status
302309	Northbridge Plaza Car Park capital repairs	5	Completed repair of damaged sections of car park pavement.	Completed
302352	Bicentennial Reserve Lower Car Park capital repairs	5	Project works completed. Financial obligations being finalised before project closure.	On track
302354	Cleland Park Car Park Construction	5	Works to commence in April 2024.	On track
302356	Clive Park Car Park construction	5	Resurfacing of aged and failed asphalt pavement completed resulting in reduced maintenance costs.	Completed
302357	Naremburn Park Carpark construction - Francis St	5	Scope of works complete. Design plans currently underway. Work to be issued to contractor early 2024.	On track
302364	Carpark - design - various locations	5	Detailed survey of Sailors Bay carpark, Ann Street on street parking, The Bulwark on street parking.	On track
302365	Renew of on-street parking meters	5	Tender specifications and evaluation plan completed. Targeting public tender release middle of January 2024. Delay caused by an extended internal tender review.	Off track

\* Carry over project from previous year

\*\* Newly created project

# Community Engagement



Project ID	Project Title	CSP Link	Comment	Status
302327	Community Engagement Strategy implementation	5	Development of a comprehensive staff 'Engagement Tool Kit' being drafted, and a schedule of specialist staff training currently being finalised by March 2024.	On track

# Community Life

Project ID	Project Title	CSP Link	Comment	Status
301801	Affordable Housing - Abbott Rd, Artarmon	3	Community consultation is complete. Development Application has been approved. Construction certificate and associated documentation currently being prepared.	On track
302371	Community Well Being Survey	2	Survey component complete, draft report due in January 2024.	On track

# Corporate Services



Project ID	Project Title	CSP Link	Comment	Status
302243*	Public Toilet Strategy – Consultancy	3	The Public Toilet Strategy has been developed.	Completed
302448	Public Toilet Strategy - Implementation	3	The Public Toilet Strategy implementation program is being developed for delivery in 2024-2025.	Off Track

# Culture and Leisure

Project ID	Project Title	CSP Link	Comment	Status
301962	Gore Hill Indoor Sports Complex - planning and design	3	Business case being finalised, project timeframe being reviewed to determine funding gap and next steps.	On Track
302186	Willoughby Leisure Centre - construction for major upgrade of pool hall	3	The project will be transitioning from piling and foundation works to capping of the site, and commencement of the pool shell construction in late January 2024. Significant unforeseen conditions have led to design and construction methodology changes at the WLC upgrade project, along with slowing the progress of the overall project. A report will be presented to the February Council meeting with an update on the project.	Off track
302443	Willoughby Leisure Centre exercise equipment.	3	New modern treadmills and other equipment have been purchased.	Completed

\* Carry over project from previous year

\*\* Newly created project

# Customer Service



Project ID	Project Title	CSP Link	Comment	Status
302326	Website and other customer information content strategy	5	This project is not due to start until early 2024.	On track
302375	Customer Experience - implementation of the Customer Feedback Program	5	Scope and outline of requirements has been created. A review of systems is currently in progress, to provide this functionality.	On track
302377	Customer Experience - mapping customer interactions with Council	5	Customer Journey Mapping of 7 Council services has been undertaken to develop a deeper understanding of our customers' experiences, needs and expectations.	On track

# Economic Development

Project ID	Project Title	CSP Link	Comment	Status
302195	Economic Development	4	Night Time Economy Strategy approved by Council in September 2023. Business Events undertaken during Small Business Month in October 2023. Data acquisition and analysis to inform project delivery in place, and being used to monitor local economy and business conditions.	On Track

\* Carry over project from previous year

\*\* Newly created project

# Environmental Projects



Project ID	Project Title	CSP Link	Comment	Status
301968	Water harvesting program	1	Works already commenced at WLC building upgrade and water harvesting systems due for completion by assigned contractor late 2024.	On Track
301969	Water efficiency upgrade	1	Damaged meters & loggers replaced. Leaks identified and repaired. Monitoring of water usage continues.	On Track
301970	Water asset maintenance	1	Scheduled asset cleans completed for Jul-Dec 2023. FY works program on track.	On Track
301971	Water quality monitoring	1	Scheduled water testing undertaken for Jul-Dec 2023 . FY works program on track.	On Track
301977	Water Sensitive Urban Design	1	WSUD for Flat Rock Catchment completed in McLachlan Ave, Marden St & Lanceley Place Artarmon. Additional site for Lanceley Place planned for 2024. Endeavour St WSUD construction to commence early 2024.	On Track
302124	Natural Area Management - Middle Harbour maintenance	1	Contractors given site briefings to identify priorities consistent with Reserve Action Plans, including the proposed update to Griffin Reserves and Flat Rock Gully Reserve Action Plans. Contractor work commenced on all sites identified in Reserve Action Plans for the Middle Harbour Catchment.	On Track
302125	Natural Area Management - Lane Cove River Catchment - Maintenance	1	Contractors given site briefings to identify priorities consistent with Reserve Action Plans, including the updates to Mowbray Park and Blue Gum Reserve Action Plans. Contractor work commenced on all sites identified in Reserve Action Plans for the Lane Cove River Catchment.	On Track

\* Carry over project from previous year

\*\* Newly created project

# Environmental Projects



Project ID	Project Title	CSP Link	Comment	Status
302126	Catchment Management Actions - Lane Cove River Catchment Maintenance	1	Contractors given site briefings to identify priorities consistent with Reserve Action Plans (RAP), including the proposed update to Blue Gum Reserve. Field work commenced on all sites identified in RAPs for the Lane Cove River Catchment.	On track
302127	Catchment Management Actions - Middle Harbour Maintenance	1	Contractors given site briefings to identify priorities consistent with Reserve Action Plans (RAP), including the proposed update to Flat Rock Gully RAP. Contractor work commenced on all sites identified in RAPs for the Middle Harbour Catchment.	On track
302128	Reserve linkage planting- Maintenance	1	Tender panel established. Contractors given site briefings to identify priorities, particularly at Richmond Ave Reserve, Artarmon where work has focused on access upgrades that will link with the Artarmon to Tunks Park Greenway.	On track
302129	Streetscape canopy replenishment, Willoughby Implementation	1	Plant orders and design locations prepared. Initial plantings carried out, with pause due to hot spring- summer period.	On track
302130	'Live Well' bushland community project Education	1	'Live Well' events, including bushwalks, community workshops and educational materials delivered as scheduled.	On track

# Environmental Projects



Project ID	Project Title	CSP Link	Comment	Status
302131	Flat Rock Gully restoration, Small Street Naremburn Implementation	1	Ongoing restoration work carried out by contractors with detailed site briefings to identify priorities consistent with Flat Rock Gully Reserve Action Plan.	On track
302138	Waterway Plan - Manual cleaning of creeks - Maintenance	1	Contractor given site briefings to identify creek litter cleaning priorities consistent with Reserve Action Plans. Regular cleaning of litter in all creek catchments has been carried out, including waterborne estuary cleaning of Sugarloaf Creek and Scotts Creek.	On track
302154	Live Well in Willoughby sustainability education campaign	1	60 "Live well in Willoughby" program activities delivered, with over 4,300 attendees between July and December. Very high satisfaction ratings for the workshops and events produced.	On track
302285	Urban Tree Canopy and Greening	1	Design completed for Endeavour Street Chatswood greening and construction due to commence early 2024. Site designs planned for planting in targeted CBD hotspots.	On track



# Environmental Projects



Project ID	Project Title	CSP Link	Comment	Status
302330	Resilient Willoughby Program 2023/2024	2	<p>Action 5 Connecting the Disaster Dots: three community workshops on 'prepare for emergencies' in English, Cantonese and Mandarin. Attended by 70 residents and supported by staff from Red Cross, Community Life and Libraries.</p> <p>Action 10 Beat the Heat Program: Installed 110 automatic heat sensors across the LGA for Western Sydney University's Urban Heat Benchmark Study.</p> <p>Action 15 Urban forest program: Project Working Group meetings for the Edward and Penshurst St South Streetscape Improvement.</p> <p>Action 20 Partner with resilience organisations: 30 staff increased their knowledge at a presentation by visiting Canadian academic and PHD candidate AJ Wray on 'open space, greenways and streetscape improvement issues in Toronto, Ontario'.</p>	On track
302342	WCC owned buildings - electricity meter - upgrade	1	A list of 30 Council buildings due for electricity meter upgrades were submitted to contractor for 2024 implementation.	On track
302343	WCC owned lighting - interior and exterior - LED upgrade	1	Lighting projects being planned at Zenith Theatre (theatre LED upgrades) and the Concourse bar (LED upgrade).	On track

\* Carry over project from previous year

\*\* Newly created project

# Environmental Projects



Project ID	Project Title	CSP Link	Comment	Status
302344	Better Business Partnership (BBP) - community support progress	1	Program continues to be delivered for FY23/24. As the role has been vacant since 1/11/23 we are presently recruiting for a new Program Manager.	On track
302345	WCC buildings - solar photovoltaic (PV) and battery installation	1	Maintenance at Solar Farm 2 completed in October 2023. Funds for the PV installation at the Leisure Centre upgrade to be transferred in Quarter 3 this year.	On track
302346	Sustainable Fleet and Plant - procurement	1	Six hybrid motor vehicles were procured from July – December 2023.	On track
302347	WCC LGA solar PV / battery assessments	1	PV system / energy audits mostly for apartment blocks continue with 7 completed in 23/24.	On track
302348	Air quality monitoring - Artarmon Industrial Estate	1	Monitoring continues for 23/24 with no air quality exceedances recorded for PM10 and PM 2.5 particles.	On track
302349	WCC LGA - Street Light Improvement Program main roads	1	3,395 streetlights out of a total of 4,600 have been upgraded to LED. 2,000 of these LED streetlights are in residential areas. A remaining 1100 main road lights to upgrade to LED will commence in 2024-25.	On track
302350	WCC Net Zero Emissions Roadmap - review and update	1	Progress updating the Net Zero target was delayed, however projects continued to be delivered. Further information will be provided to Council to ensure the most appropriate roadmap is set.	On track
302351	WCC energy and carbon reporting platform - licence fees/maintenance	1	Carbon reporting platform for WCC corporate footprint supplier now selected via regional tender process. Procurement expected early 2024	On track

\* Carry over project from previous year

\*\* Newly created project

# Events and Marketing



Project ID	Project Title	CSP Link	Comment	Status
302400	Chatswood CBD Special event - Culture Bites	4	Various 2024 programs finalised including Vivid. Artists/collaborators booked.	On Track
302401	Chatswood Lunar New Year Festival	2	On track for February 2024 festival.	On Track
302402	Carols at Willoughby Park	3	Event held 2 December 2023. 4,000 attendees due to good weather.	Completed
302403	Australia Day	2	On track for January 2024 event.	On Track
302404	Willoughby Street Fair, Chatswood	3	Event held 2 September. 15,000 attendees, after a three year break due to COVID.	Completed
302405	CBD Christmas tree	4	Tree installed and festive flags produced and presented. Tree to be dismantled in January.	Completed
302406	Emerge Festival	4	Held from 1 Sep – 8 Oct, fifty events, additional events due to partial NSW Government grant. Increase of \$4.2 million visitor discretionary spending (dining, travel) from the 2022 festival within the LGA.	Completed
302408	CBD marketing and destination plan	4	Sponsorship discussions and contract negotiations for annual advertising conducted.	On Track
302425	Gaimariagal Festival	2	Not due to start until March 2024.	On track

\* Carry over project from previous year

\*\* Newly created project



Project ID	Project Title	CSP Link	Comment	Status
302418	Digital and Cyber security strategy implementation	5	Draft Digital strategy has been prepared for review prior to public consultation. Cyber security strategy adopted in 2023 and is being implemented.	On track
302434	CONNECT Software Implementations Phase 3	5	This is a multi-year project, with the final implementation planned for October 2024. To date the design has been completed, along with functional testing, key user training, and initial user testing and data validation for Phase 3B. Note: extension of delivery timeframe.	On track

## Kerb and Gutter

Project ID	Project Title	CSP Link	Comment	Status
302308	Kerb and gutter rehabilitation with pavement Work	2	As a result of site investigations and PMS program forward planning, works have been conducted to extend the life of the pavement asset.	Completed
302340	Kerb and gutter repair- Glenroy Avenue, west side at the cul-de-sac	2	Works successfully completed at this location.	Completed
302353	Kerb and Gutter Repair at Mabel St, Stage 1- East Side (no 35/37 & no. 30/95 Laurel St.)	5	Drawings/plans will be available early next year then request for quotations from contractors to start immediately.	On track
302395	25-47 Moola Parade, Chatswood (Stage 1)	2	Drawings/plans will be available early next year then request for quotation from contractors to start immediately.	On track
302419	Renewal of failed infrastructure: Kerb & Gutter Works >\$10,000	2	Kerb and gutter repair works in Edinburgh Rd, Castlecrag and Lawrence St, Chatswood, have been issued to contractors and will start in Feb-Mar 2024.	On track

\* Carry over project from previous year

\*\* Newly created project

# Knowledge and Community Learning



Project ID	Project Title	CSP Link	Comment	Status
302116	Resource collections - central library	2	Responsive budget management to meet community demand for popular titles, faster delivery times, new materials in LOTE and for CALD communities.	On track
302117	Resource collections - branches	2	Responsive budget management to meet community demand for popular titles and faster delivery times.	On track
302118	Library services- furniture and fittings	2	Furniture selected to increase seating and study spaces Orders have been placed, delivery expected in early 2024.	On track

## Open Space - Sport

Project ID	Project Title	CSP Link	Comment	Status
302098*	Renew water tank-Bicentennial Oval-Construction	5	Practical completion on-site achieved. Renewal of water tank and pump final activities.	Completed
302099	Centre cricket wickets - various sites - implementation	3	Naremburn nets wickets completed.	Completed
302296	Thomson Oval- synthetic surface renewal and spectator seating - construction	3	Procurement for a specialist contractor has been finalised and contract awarded. On-site works due to commence in January 2024.	On track
302307	Bicentennial Reserve - netball courts - re-sheeting upper courts	3	Courts have been resurfaced, linemarked and posts reinstated. Financial obligations currently being completed before official project closure.	On track
302100	Remote irrigation/lighting controllers - various sites - implementation	4	Ongoing program of work to replace or upgrade Cloudmaster remote lighting and irrigation control systems at various sites.	On track
302101	Sportsground light globes - various sites - implementation	3	Ongoing audits for sportsground lighting globe replacements. Baseball Bicentennial, Holstrom, Artarmon and Naremburn ovals completed.	On track

\* Carry over project from previous year

\*\* Newly created project

# Public Domain



Project ID	Project Title	CSP Link	Comment	Status
302219*	LATM - Alleyne Street Outside No. 26 & 23, Chatswood - Landscaping Works	5	Designed and constructed landscape works at Alleyne Street outside No.26 & 23. Works included replacement of porphyry stone infill with low lying planting.	Completed
302303	Wilkes Ave Precinct - remediation	3	Concept prepared. Committed to start coordination and works in early 2024.	On track
302304	High Street, Willoughby Village Lighting	4	Ausgrid requirements has resulted in increased scope and additional coordination.	Off track
302305	CBD North Place Framework Plan	3	Consultant selected, finalising contract.	On track
302306	CBD- South Place Framework Plan	3	Consultant selected, finalising contract.	On track
302359	Hampden Road Artarmon, streetscape - construction	5	The Village Green Park from north of the tunnel and south of the amenities is complete. A section of the footpath extension on the retail side between Francis Rd and Broughton Rd is 90% complete and works between the pedestrian crossing and Francis Rd is 80% complete.	On track
302362	Naremburn local centre streetscape - design and construction	5	Detailed Design and design excellence review complete. Tenders released, with tender assessment underway. Contractor will be engaged early 2024. A meeting between the Naremburn Chamber of Commerce and the local businesses is scheduled in early 2024.	On track
302426	Willoughby City Signage   Threshold/ Identity Statement	3	Consultant selected, finalising Contract.	On track
302430	Greening our City 2022 - Edward-Penshurst Street	1	This is a joint project with 302399 Edward Street Precinct, each with different strategic outcomes. Progress includes: Initial investigative work: Underground services, parking studies. Installed Active Pathway decals on footpaths to Willoughby Public School, 'School Active program'. Procuring and engaging with external design consultant.	On track
302455	Artarmon to Middle Harbour Greenway - Willoughby South Missing Links	1	Finalising consultant brief.	On track

# Recreation - Parks and Playgrounds



Project ID	Project Title	CSP Link	Comment	Status
302147	Bales Park - playground - stage 2 construction	3	Bales Park playground design - Stage 2 has been finalised. Works tender and contractor appointed to start February 2024 and complete all works including play equipment/furniture in mid April 2024.	On track
302289	Cleland Park - playground - design	3	Preparation of Cleland Park playground equipment upgrade plan has been completed. Community consultation on the draft plan was undertaken from 27 November 2023 to 18 December 2023.	On track
302290	Sutherland Park - playground - design	3	Survey updated. Tree inventory completed. Preliminary site investigations undertaken.	On track
302291	OH Reid Reserve - playground - design	3	Site analysis and investigation has been completed. Community consultation and co-design is the next step. Concept design will be completed prior to a Council Report.	On track
302292	Kingsford Smith Park - playground - design	3	First round community consultation completed. Draft Playground Improvement Plan expected to be exhibited in early 2024.	On track
302293	Sanders Park - playground - stage 1 construction	3	Landscape construction works awarded and due to commence in March. Playground equipment ordered.	On track
302299	Muston Park Master Plan - South lawn zone - construction	3	Initial community consultation complete with a placemaking approach for future works identified. An Expression of Interest for a community co-design group is currently open for participant applications. Investigation for future Wisteria Walk renewal underway.	On track
302370	Park, Edinburgh Road, Castlecrag shops - part construction	3	The planning for the new sculpture commemorating Marion Mahony Griffin is on track for completion in the Heritage Festival of 2024. Two car spaces at the Castlecrag shops are being transformed into a landscaped garden for the new sculpture. Native plants will surround the plinth.	On track

# Retaining Walls



Project ID	Project Title	CSP Link	Comment	Status
302267*	Rebuild and Repair damaged retaining walls. Program of works to retaining walls includes: The Outpost; 6 Cawarra Road and Upper Minimbah	3	Works at other sites planned for early to mid 2024 completion.	On track
302369	Rebuild and repair damaged retaining walls 25 Grafton Avenue, Naremburn.	5	Access and permission granted by resident. Resident Development Application for works adjoining will include easement.	On track
302429	Rebuild and repair damaged retaining walls 21 Cawarra and 9-13 Cawarra Road embankments.	5	All works completed except fencing/handrails due for installation April 2024.	On track

\* Carry over project from previous year

\*\* Newly created project



# Road Pavements



Project ID	Project Title	CSP Link	Comment	Status
302310	Roads and Maritime Services Block Grant	2	State funded works for regional roads not owned by Council. For restoring and enhancing Mowbray Road west, outside Mowbray West public school.	On track
302311	Bus bay road pavement repair	2	Sailors Bay Road completed.	On track
302312	Pavement management (repair 50/50) - Lady Game Drive (Millwood Avenue - LGA boundary) - road pavement - construction	2	Grant funding cancelled by State Government.	Cancelled
302313	Road patching <\$15,000	2	Works were completed at Railway Street near McIntosh Street, Hart Street (from Coolaroo Road – Mooney Street).	On track
302314	Road pavement, Roads to Recovery Rosewall Street (High Street - Penshurst Street), Centennial Avenue (Dardanelles Road- Carr Street)	2	Rosewall Street and Railway Street near McIntosh Street, Hart Street (Coolaroo Road – Mooney Street) completed.	On track
302317	Pavement management – Various locations	2	Completed Gillam Street, Drake Street, Ranelagh Crescent, Widgiewa Road, Cramer Crescent, Shelley Lane, Campbell Street.	On track
302410	Renewal of failed infrastructure - road works >\$10,000	2	Carlotta Street (Clarendon Street – no.8 Carlotta Street), Victoria Avenue (Penshurst – High Street) completed.	On track
302440	Roads and Maritime Services Block Grant - supplementary	2	Archer Street (Albert Avenue –Johnson Street) completed.	On track
302445	Road Patching Grant	2	Works completed at Havilah Street (from Victoria Avenue – Nicholson Street), Greenfield Avenue(from Glenroy Avenue – North Arm Road).	Completed

# Stormwater and Drainage



Project ID	Project Title	CSP Link	Comment	Status
302208*	Stormwater Upgrade: Stormwater Pipe Extension - Hotham Parade	5	Constructed a new stormwater system.	Completed
301708*	Stormwater design and investigation for Mabel, Penshurst and High Streets, Willoughby	5	Consultation completed, detailed design commencing February 2024.	On track
302022*	Scotts Creek Flood Study and Risk Management Plan	5	Flood Model Developed by consultants. Community consultation will be conducted by June 2024.	On track
302332	Stormwater design and investigation program	5	Design works to commence in early 2024 on 2024/2025 PCW Program	On track
302334	Stormwater upgrade: pipe upgrade program	5	3 of 4 projects are completed - Glenroy Street and Ulric Lane construction and Range Street design completed.	On track
302335	Flat Rock Gully - stormwater upgrade - construction	5	Construction was deferred during Quarter 2 and is now scheduled to next year. While the Design budget has been retained, the Construction budget has been reallocated to fund other stormwater works this year.	Deferred
302336	Stormwater - pipe relining program, design and construct	5	Site works completed.	Completed
302337	Stormwater - pipe replacement program (LGA wide)	5	Three of five jobs are complete. Works are yet to commence at Byora Crescent Northbridge; and Herbert / Cleg Streets Artarmon (repair of offset joint in January 2024).	On track
302338	Stormwater - pit upgrade	5	Project deferred to fund Stormwater Cleaning Program.	Deferred
302339	Stormwater - patch program	5	Sites identified and works packages issued - The Outpost/Bligh Street/Headland Way. Works completed at Flatrock/Artarmon Road.	On track

# Stormwater and Drainage



Project ID	Project Title	CSP Link	Comment	Status
302420	Renewal of failed infrastructure - stormwater works >\$10,000	5	Continual repair works carried out to maintain a safe and functional stormwater network.	On track
302441	Sugarloaf Creek Peshurst Street - planning and implementation	3	Draft engagement outcome report prepared following consultation of draft study. Implementation of measures proposed to commence early 2024.	On track

\* Carry over project from previous year \*\* Newly created project

# Traffic Management



Project ID	Project Title	CSP Link	Comment	Status
302113	Road safety behavioural program	2	Child safety seat program implemented to 80 applicants. Our Lady of Mercy College pedestrian safety awareness to campus perimeter streets implemented. General public pedestrian safety awareness over Holiday period implemented.	On track
302120	Disabled parking spaces in Council on and off street parking areas in Priority Areas in Willoughby LGA - audit and design	2	Detailed design and community consultation completed for 22 prioritised mobility spaces. This will be implemented by end June 2024.	On track
302259	Traffic, bicycle and pedestrian count survey	2	Conducted traffic, bicycle and pedestrian counts at Reserve Road McClland Road, Sailors Bay Road, Edward Street, Victoria Avenue, William Street, Fullers Road.	On track
302321	Road Safety Audit and minor improvement works (corrective actions)	2	Road safety audits undertaken at Reserve Road McClland Road, Sailors Bay Road, Edward Street, Victoria Avenue, William Street, Fullers Road	On track

\* Carry over project from previous year

\*\* Newly created project

# Traffic Management



Project ID	Project Title	CSP Link	Comment	Status
302322	High Street, Willoughby Local Centre - 40km/h High Pedestrian Activity Area - Study & Design	3	Survey and study completed. Grant application submitted to Transport for NSW (TfNSW) for approval to implement High Pedestrian Activity Area.	Completed
302323	Castle Cove Local Centre - pedestrian crossing facility - detailed design and construction	3	Concept design complete. Finalising detailed design for implementation.	On track
302324	Willoughby Area parking management (study & implementation)	2	Parking management study complete. The study provides recommendations for community consultation. Community consultation concludes in February 2024.	On track
302325	Road Network performance monitoring	1	Monitoring of intersections and road corridors has been undertaken at various locations. Have assessed and identified the sites for minor traffic improvement works, signage and line markings.	On track
302399	Edward Street Precinct	3	Note: This project has been combined with 302430 Greening our City 2022 - Edward-Penshurst Street as a joint project. Each project will achieve different strategic outcomes. Initial investigative work - Underground services search and parking studies. Installed Active Pathway decals on footpaths to Willoughby Public School, 'School Active program'. Council Procurement and finalising engagement of external consultant for design of project.	On track

# Traffic Management



Project ID	Project Title	CSP Link	Comment	Status
302458**	Castlecrag 40kph High Pedestrian Activity Area - Edinburgh Road - detailed design and construction	2	Concept design developed Developing detailed design for implementation.	On track
302459**	Willoughby Leisure Centre - Nine by Mirvac-traffic survey	2	Consultant on board to carry assessment. Council working with consultant on traffic improvement options.	On track

\* Carry over project from previous year \*\* Newly created project

# Transport – Active (Footpaths/Bicycles)



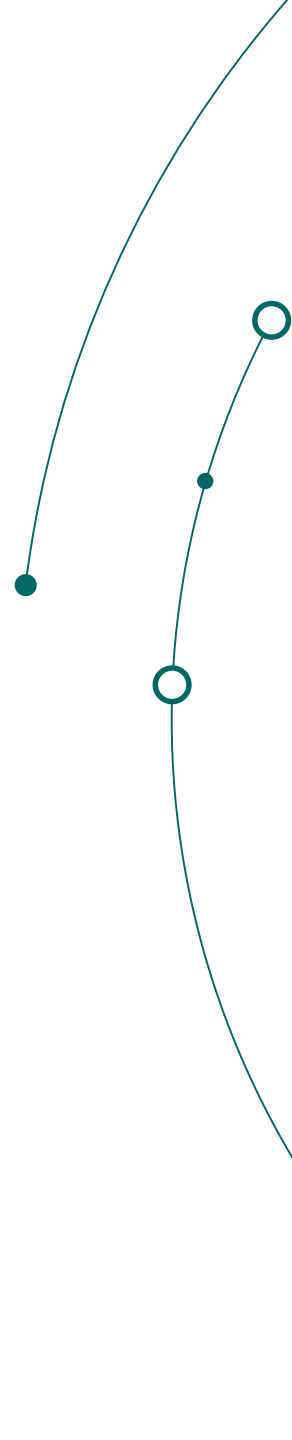
Project ID	Project Title	CSP Link	Comment	Status
302056	Smith Street and High Street, Chatswood shared path - detailed design	2	Procurement complete to engage consultant. Consultant currently on board to undertake detailed design.	On track
302121	Environmental Levy - Pacific Highway between Chatswood to St Leonards - shared path - construction	2	Commenced traffic signal approvals with TfNSW. Delays due to the TfNSW approval process.	Off track
302262	Pacific Highway, Boundary Street to Mowbray Road shared path - design	2	Procurement complete. Consultant has started on concept design.	On track
302328	Pacific Highway Chatswood to Roseville - shared path – concept design	2	Procurement complete. Consultant has started on concept design.	On track
302329	Willoughby Council Cycling Strategy and Action Plan	2	Procurement complete. Consultant has come on board and commenced drafting the strategy. One round of vision workshop carried out to identify key strategies.	On track
302372	Footpath Missing Links program	2	Euroka Street design has been drafted and is under review. Avian Crescent works due to start in late January 2024.	On track
302374	Pedestrian ramps - Construction - various locations	2	Pedestrian and pram ramps being investigated for renewal.	On track
302383	Corner Small and Tulloh Street - footpath - design and construction	2	Seeking quotation from Sydney Water for their water main lower/relocate.	On track
302391	Bus stop access upgrade - construction	2	Works to commence in February 2024.	On track
302411	Renewal of failed infrastructure - footpath works >\$10,000	2	Have completed the 5-31 Tulloh St, Willoughby concrete footpath repair work and contractor to start a few more footpath repair works from mid-January 2024.	On track
302456	Chatswood to St Leonards via Artarmon - bicycle route improvement plan - detailed design	2	Council internal review of project. Further design development. Design consultancy to be engaged to further detail design.	On track

# Urban Planning



Project ID	Project Title	CSP Link	Comment	Status
302331	Chatswood CBD Strategy implementation	3	A consultant has been appointed after a competitive tender process. Initial information gathering has commenced.	On track
302363	Willoughby Heritage Review	2	Consultant Heritage Expert appointed. Review of nominated sites has commenced and will continue through January 2024.	On track
302367	Integrated Transport Strategy implementation	3	Council is drafting a new Road Safety Plan and a new Cycling Strategy. Community consultation will be held in early 2024.	On track
302433	Review of Flooding Technical Standard	2	Recommended consultant about to be engaged, Project to commence in January 2024.	On track





# 3.2 Business Improvements

# Business Improvement Initiatives



Business Improvement Initiative	CSP Link	Comment	Status
Improve customer experience	5	<p>The customer experience strategy program of work continues to be delivered including delivery the following;</p> <ul style="list-style-type: none"> <li>• Customer Journey mapping stage one is completed including mapping 7 customer journeys and report to identify continues improvement opportunities.</li> <li>• The Voice of the Customer initiative in progress currently completing the review of identifying a new voice of the customer tool to centralize feedback.</li> <li>• Draft complaint policy and procedure complete, these documents are due for public exhibition from January to February.</li> <li>• Customer Experience induction implemented and completed by 70% of Council staff</li> <li>• Implemented new reporting and management of CSR's to ensure customers are kept up to date with the progress of request</li> <li>• Customer success group implemented and workshops have commenced with teams</li> </ul>	On track
Improve community engagement	5	<p>This program is on track. It will ensure high-quality community engagement by implementing and supporting the Community Engagement Strategy.</p> <p>It includes key deliverables to be finalised by March 2024, including the development of a comprehensive staff 'Engagement Tool Kit', and a schedule of specialist staff training.</p>	On track

# Business Improvement Initiatives

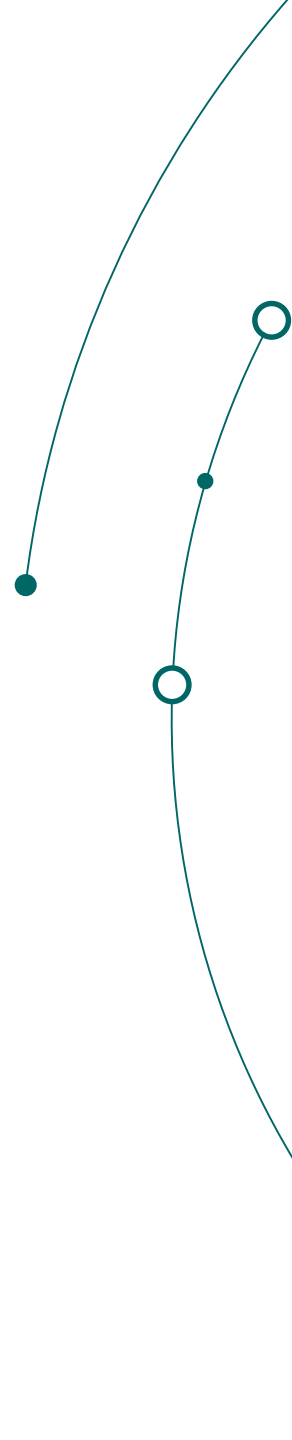


Business Improvement Initiative	CSP Link	Comment	Status
Improve planning approval process	1	<p>Customer Journey Mapping training was undertaken to facilitate ongoing process review and improvement.</p> <p>Fees and charges were reviewed with increases proposed to improve cost recovery on major developments.</p> <p>Staff continue to work on development assessment software improvements, which are to be implemented later in 2024.</p>	On track
Implement CONNECT (corporate systems) project	5	<p>Multi-year project with the final phase of property and rating, customer requests and enterprise cash receipting going live in October 2024. Works completed to date include:</p> <ul style="list-style-type: none"> <li>• data discovery</li> <li>• design confirmation</li> <li>• configuration design</li> <li>• functional testing</li> <li>• key user training</li> <li>• key user testing</li> <li>• user acceptance testing rounds 1 and 2</li> <li>• data validation rounds 1 and 2</li> </ul>	On track

# Business Improvement Initiatives



Business Improvement Initiative	CSP Link	Comment	Status
Improve corporate processes	5	<p>Our organisation is currently engaged in extensive process improvement initiatives, with active participation from our staff to enhance business operations. The main focus is on implementing structured process management while concurrently refining processes. This includes continuous reviews of Customer Service Requests, forms, and key business processes, as well as the migration of procurement forms and website updates.</p> <p>Looking ahead, there is a plan to revitalise structured business process management practices over the next six months. The objective is to systematically document all key and core processes for knowledge management, fostering a culture of continuous improvement. This strategic approach underscores our commitment to excellence, adaptability, and the assurance that institutional knowledge is well-documented for future reference, as we continuously strive for process excellence.</p>	On track



# 3.3 Performance Indicators

# Corporate Performance Indicators

Indicator	Target	YTD result at Dec 2023	Comment
<b>Operational budget</b> Year-to-date (YTD) actual compared to revised budget	$\leq \pm 5\%$ (Within 5%)	8.7%	This indicator measures variance from Council's revised operational budget to actual operational budget position. Council's actual budget is in a stronger position than forecast with an 8.7% positive variance from both higher income and lower expenditure than projected in the revised operational budget.  This indicator result has been marked as off track as the variance is outside of the target range but represents a stronger than expected financial position.
<b>Projects and capital works</b> Year-to-date expenditure compared to revised budget	$\leq \pm 5\%$ (Within 5%)	-5.2%	This indicator measures variance from Council's revised project and capital works (PCW) expenditure compared to actual PCW expenditure.  There was a -5.2% projects and capital works underspend for the YTD, which slightly exceeds the target variance of within 5%. Underspending is linked to challenges experienced with reduced milestone delivery including authority approval delays, resourcing challenges.

# Corporate Performance Indicators



Indicator	Target	YTD result at Dec 2023	Comment
<b>Projects and capital works</b> Milestones delivered on time	≥ 85%	61%	YTD milestones lagged behind the target with 77% delivered (61% on-time + 16% late). Delays were caused by various reasons including: Authority approval delays (TfNSW, Ausgrid, etc). Resource constraints both within Council and with external contractors Unexpected issues arising in projects affecting project timelines Christmas holiday period causing delays in December. Project teams will work to compensate for this in the following months
<b>Community perception</b> Overall community satisfaction	≥ 70%	95%	Overall community satisfaction was 95% as measured in the December 2022 Community Perception Survey (CPS). The CPS is completed every two years. All actions from CPS are meeting project timelines in the action plan.
<b>Customer satisfaction</b> Overall customer satisfaction with Council services	≥ 70%	70%	Meeting the YTD target. This result measures satisfaction directly from customer surveys for users of these services currently: the Development Application process, environmental education, library and Willoughby Leisure Centre. The range of services gauged will grow, as we are in the process of creating a new 'voice of the customer' program to improve how we measure customer satisfaction and introduce more surveys.

# Corporate Performance Indicators



Indicator	Target	YTD result at Dec 2023	Comment
<b>Enterprise risk management</b> Open actions not overdue	≥ 85%	92%	100% of risk management actions has remained steady from previous month.  Five action items are currently open from the December 2023 ARIC meeting. These include:  Reviewing the ARIC Charter, Internal Audit Charter and the ARIC forward planner, currently underway, following the release of the OLG Risk Management and Internal Audit Guidelines on 5 December 2023  Reviewing the Council's policy framework  Providing high-level operational risk observations at a future meeting, and  Report complaint management statistical outcomes
<b>Work health and safety</b> Lost Time Incident Injury Rate	≤ 4.10	0.70	All employee lost time injuries are reviewed to ensure appropriate injury management and return to work.
<b>Work health and safety</b> Matters addressed within 30 days	≥ 90%	91%	Supervisors and safety team members review all incidents to ensure an appropriate response including action to prevent reoccurrence.



# Key Performance Indicators

## Arts and Events



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Arts and Events - Customer satisfaction	3	≥80%	≥80%	80%	90%	Feedback from customers, attendees and stakeholders have been positive. With survey results being in the high 80% when asked if attendees would recommend our events to other people.	On track
Percentage increase in attendance at free events and festivals on previous year	4	≥10%	≥5%	5%	N/A – new	All events have been steadily rising in attendance compared to prior Covid restriction years.	On track

# Arts and Events



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Number of visitors at Art Spaces (10% increase on previous year)	3	≥ 21,890 visitors	≥ <b>10,945 visitors</b>	<b>12,161 visitors</b>	19,900 visitors	Art Space on the Concourse and Incinerator Art Space has received 10,945 visits in six months. Art Space on the Concourse visitation was boosted by Council curated programming, that included the Chatswood Culture Bites exhibition "Persistence of Vision; The Sleep of Reason Produces Monsters" and the Emerge exhibition "Entwined Within". These two exhibitions have received the highest number of visitation of any exhibitions since Art Space on The Concourse opened to the public.	On track
Attendance – occupancy at Chatswood Mall Market	4	≥90%	≥ <b>90%</b>	<b>100%</b>	93%	The stallholder occupancy rate at the Chatswood Mall Markets is meeting the YTD target for the July to December 2023 period.  Both monthly and YTD targets have been met with 100% stallholder occupancy rates.	On track

# Community Life



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Occupancy rate of leased units	3	≥95%	<b>≥95%</b>	<b>100%</b>	100%	All Council's 37 affordable housing dwellings are tenanted by local essential worker households.	On track
Total utilisation rate of Community Life Venues	2	≥50%	<b>≥50%</b>	<b>48%</b>	50%	Warners Park Community Centre closed for maintenance - 16th November 2023.  Status would be on track ≥50% if Warners Park Centre was excluded for December.	Off track
Number of Willoughby Youth Action Group meetings facilitated	2	≥6 meetings	<b>≥3 meetings</b>	<b>6 meetings</b>	23 meetings	Willoughby Youth Action Group (WYAG) continues to provide input into youth program planning and youth development in Willoughby City.	On track
Total volunteer hours	2	≥18,000 hours	<b>≥9,000 hours</b>	<b>11,954 hours</b>	25,124 Hours	Volunteer hours have remained steady for the last six months and are comparable to the same period in FY 2022/23.	On track

# Community Life



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Total utilisation rate of Council childcare services	4	≥80%	≥80%	71%	76.6%	<p>Overall, average childcare service utilisation is not meeting target for the six-months to December 2023.</p> <p>Devonshire Street Long Day Care Centre utilisation averaged 82% from July - December 2023.</p> <p>Artarmon Out of School Hours Care utilisation averaged 71% from July - December 2023.</p> <p>Chatswood Out of School Hours Care (OOSH) averaged 50% utilisation and has been declining since 2020. Chatswood OOSH closed in December 2023.</p>	Off track

# Culture and Leisure



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Number of active Willoughby Leisure Centre memberships during pool hall closure	3	≥490 memberships	<b>≥490 memberships</b>	<b>483 memberships</b>	486	<p>The current membership status, standing at 483 members, is slightly below the target of 490. Willoughby Leisure Centre remains committed to enhancing membership numbers, employing a multi-faceted approach that combines marketing, sales, and membership transition strategies.</p> <p>The focus on closing sales and converting promotional members is pivotal to achieving the set target of 490 members.</p> <p>Regular assessments and adaptability will be key to ensuring success in the coming months.</p>	Off track
Number of visits to Willoughby Leisure Centre	3	≥177,000 visits	<b>≥85,750 visits</b>	<b>88,910 visits</b>	189,694	The visit figures to Willoughby Leisure Centre are advancing as scheduled and aligning with the year-to-date target for July to December 2023.	On track
e-Loans as a proportion of all loans	2	>15%	<b>&gt;15%</b>	<b>18.7%</b>	16%	367,457 library items were borrowed from July to December 2023, with 298,752 physical items (81.3%) and 68,705 electronic items (18.7%).	On track

# Culture and Leisure



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Percentage increase in visits to branch libraries in comparison to previous year	2	≥10%	≥10%	25%	N/A - new	Visitation to Willoughby's branch libraries, particularly Northbridge and Artarmon, are increasing steadily.	On track
Percentage increase in visits to Chatswood Library in comparison to previous year	2	≥10%	≥10%	18%	N/A - new	Visitation to Chatswood Library continues to grow steadily.	On track
Percentage of Open Space capital works program delivered on time and on budget	3	≥85%	≥40%	40%	95%	<p>Five planning projects commenced with community consultation undertaken. One implementation project completed within final budget.</p> <p>Contracts awarded and works scheduled to commence in early-2024 for three implementation projects.</p> <p>Design finalised and procurement commenced for final implementation project.</p> <p>Stage 2 consultation now concluded for strategy project.</p>	On track

# Customer Experience



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Mystery calling/call quality program score	5	≥80%	≥80%	80%*	81%	Result is meeting target for the year-to-date.	On track
Percentage of calls to Contact Centre answered	5	≥85%	≥85%	90%	87%	Progressing as planned. KPI has been met after a number of operational changes have improved this result.	On track
Percentage of queries resolved in the first contact  (First contact resolution rate)	5	≥75%	≥75%	97%	88%	Progressing as planned. We continue to review the progress on this KPI to ensure it accurately reflects first contact resolution.	On track

\*Figure rounded to nearest percentage

# Design and Infrastructure



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Percentage of (Traffic & Transport) Operational Plan projects completed on time and within budget	5	≥85%	≥42%*	52%*	93%	The overall Traffic & Transport year-to-date program has progressed well, although the Pacific Highway shared path Traffic Control Signal project has experienced a delay in advancement due to TfNSW's prolonged review and approval process.	On track
Percentage of (Project Management) Operational Plan projects completed on time and within budget	5	≥85%	≥42%*	43%*	93%	Artarmon Pavilion commenced.  Hampden Road Streetscape 75% complete.  Delays to the WLC due to latent conditions.	On track
Percentage of (Design & Drainage) Operational Plan projects completed on time and within budget	5	≥85%	≥42%*	42%*	95%	Most Projects On-Track - Some Exceeding: <ul style="list-style-type: none"> <li>• Over 60% of SW program complete</li> <li>• QBR2 adjustment for Bicentennial Reserve Pipe Replacement that has encountered design issues and can't be constructed within the FY to fund additional construction and relining projects.</li> </ul>	On track

\*Figure rounded to nearest percentage



# Engagement and Communications



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Average CEO Update open rate greater than 44%	5	≥44%	≥44	45%	42%	On track for the year to date with monthly opening rates reaching monthly targets.	On track
Number of positive media releases issued	5	≥84 media releases	≥42 media releases	41 media releases	28 <small>(Annual target for 2022/23 was ≥24)</small>	Progressing well.  Focus for engagement via media the last 6 months has been more diverse and includes media releases, but also includes media pitches, social media, and media enquiries. Only 1 media release off the YTD target (Jul-Dec 2023).	Off track

# Environment



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Behavioural change post environmental education activities	1	≥80%	≥80%	98%	98%	'Live Well in Willoughby' participants have indicated strong positive behaviour change commitments to support environmental and sustainability practices in their lifestyles.	On track
Customer satisfaction post environmental education activities	1	≥85%	≥85%	96%	95%	60 'Live Well in Willoughby' program activities delivered with over 4,300 attendees for the six months to December 2023.  Very high satisfaction ratings for the environmental and sustainability workshops and events provided.	On track
Number of businesses achieving Better Business Partnership (BBP) re/accreditations	1	≥36	≥18	8	38	BBP Program Manager vacant since Oct 2023 - recruitment underway. It's anticipated to be filled by end of Jan 2024. Uncertain if full KPI can be achieved for 23/24.	Off track

# Finance



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Ensure adequate Working Capital	5	≥\$11 million	≥\$11 million	\$21 million	\$15.3 million	Working Capital has been adequate at all times during the financial year to date.	On track
Ensure all regulatory obligations are achieved at high quality	5	≥100%	≥100%	100%	100%	All Finance related regulatory obligations have been satisfied at a high level of quality in the year to date.	On track

# Governance, Risk and Compliance



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Percentage of complaints responded to within 10 days	5	≥85%	≥85%	100%	N/A - new	All complaints received have been responded to within 10 days.	On track
Percentage of governance reporting completed in accordance with legislative requirements and timeframes	5	=100%	=100%	90%	100%	All but one legislative requirement met.  The Mandatory Notification of Data Breach (MNDB) Scheme commenced in NSW on 28 November 2023. Councils were required to develop and publish a data breach policy by 28 November 2023. Council has not yet completed the data breach policy.	Off track

# Information Services



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
IT Core systems availability	5	≥99.5%	≥99.5%	99.95%	99.99%	99.95% uptime across production servers for the 23/24 financial year.	
Percentage of requests (GIS, LIS, NAR) completed within agreed response time	5	≥95%	≥95%	100%	100%	Each month (Jul-Dec 2023) the percentage of requests for Geographic Information Systems, Land Information Systems and Name and Address Records has been within the agreed response time frame for more than 95% of requests.	On track
Percentage of incoming correspondence scanned and registered into ECM within 1 working day	5	≥85%	≥85%	99%	98%	From July-December 2023 a total of 40,468 records have been received and 39,760 records have been registered within 1 business day.	On track
Percentage of new starters requiring record management training arranged within the first month	5	≥85%	≥85%	100%	100%	Over the past six-months, ECM training has been provided to all new staff commencing at Willoughby City Council.	On track

# People and Culture



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
New starter turnover (less than 12 months)	5	≤16%	≤16%	<b>3.75%</b>	5.25%	Turnover for new staff (less than 12 months service) is significantly lower than past 2 years. This is an excellent trend considering the high numbers of new starters over last 12 months.	On track
Turnover (existing)	5	≤18%	≤18%	<b>10%</b>	19.75%	Staff turnover is trending below figures at same time last year with lower levels of resignations. These figures are total figures and include end of contract departures, involuntary and voluntary turnover.	On track
Unplanned absenteeism	5	≤6%	≤6%	<b>4.73%</b>	4.97%	Unplanned Absences (Sick Leave, Carers Leave etc.) continue to be lower than last year but still higher than pre-COVID-19. This is due to ongoing COVID-19 and Flu in the community.	On track

# Planning



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Median net determination timeframe of Section 4.55 applications (days)	5	<52 days	<b>&lt;52 days</b>	<b>65 days</b>	76 days	The monthly processing time is an improvement on past months, and there is steady progress towards achieving the YTD target rate of 52 days.	Off track
Median gross determination of all unauthorised Building Information Certificates (days)	5	<180 days	<b>&lt;180 days</b>	<b>46 days</b>	N/A - new	30 Building Information Certificates determined in the first 6 months taking a median time of 46 days to determine.	On track
Median gross determination time of all Construction Certificates (days)	5	≤20 days	<b>≤20 days</b>	<b>21 days</b>	18 days	9 Construction Certificates determined in the first 6 months taking a median time of 21 days to determine.	Off track
Median net determination time of all Complying Development Certificates (days)	5	≤20 days	<b>≤20 days</b>	<b>12 Days</b>	14 days	6 Complying Development Certificates determined in the first 6 months taking a median time of 12 days to determine.	On track
Number of pool inspections completed per year	5	≥100 inspections	<b>≥50 inspections</b>	<b>51 inspections</b>	N/A - new	51 swimming pool safety barriers inspected in the first 6 months, which excludes November stats.	On track

# Planning



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Turnaround time (days) for comments on DAs	5	≤21 days	≤21 days	<b>22.3 days</b>	26 days	<p>The average DA turnaround time for engineering referrals is slightly above the target time of 21 days.</p> <p>Vacant positions within the team along with higher-than-average inspection numbers have negatively impacted referral times. All vacant positions are now filled, which will reduce times over the next six months.</p>	<b>Off track</b>
Median net determination timeframe of Development Applications (days)	5	<80 days	<80 days	<b>108 days</b>	118 days	<p>The implementation of new LEP and DCP, changes in state legislation along with recruitment and onboarding of new Planners has resulted in marginal delays in assessment times.</p>	<b>Off track</b>



# Property and Facility Management



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Percentage of property maintenance customer service requests responded to within 14 days	5	≥90%	≥90%	63%	86%	Off track has been selected as target is not being met however improvements are expected to be seen in coming months due to improved processes and accountabilities being a focus of the Property Unit for the 2024 year.	Off track

# Safe City



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Percentage of registered food business premises inspections completed in accordance with schedule (a minimum of 1 inspection per premises required per year)	3	=100%	≥50%*	43%	100%	<p>As at 31 December 2023, there were 601 high and medium-risk fixed registered food premises. The Environmental Health Officers have undertaken inspections of 43% of the total number of registered food businesses over the course of 2023/2024.</p> <p>Increasing the number of inspections will assist the unit to track and increase the likelihood that the KPI will be achieved and meet the objectives.</p>	Off track
Percentage of registered skin penetration business premises inspections completed in accordance with schedule  (a minimum of 1 inspection per premises required per year)	3	=100%	≥50%*	12%*	70%	<p>As at 31 December 2023, there were 91 registered skin penetration premises. Environmental Health Officers have undertaken inspections of 12.1% of the total number of registered skin penetration premises over the course of 2023/2024.</p> <p>Increasing the number of inspections will assist the unit to track and increase the likelihood that the KPI will be achieved and meet the objectives.</p>	On track

\*Figure rounded to nearest percentage

# Safe City



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Percentage of Customer Service Requests (CSRs) for Safe City Unit services processed in accordance with Council's adopted Customer Service Charter	3	≥85%	≥85%	72%	72%	<p>Demand on regulatory services has increased for the given period and is affecting the Team's capacity to respond to CSRs within adopted timeframes.</p> <p>Regulatory services are often complex and require additional staff time to resolve.</p> <p>Enforcement outcomes including education programs are being achieved and overall productivity is high.</p>	Off track

# Works Services



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Percentage of recreation customer service requests responded to within 14 days	3	≥90%	≥90%	100%	100%	All service requests received for park and oval maintenance requests were responded to within 14 days.	On track
Percentage of recreation sites where minimum levels of service are met	5	≥90%	≥90%	100%	100%	Recreation site services are undertaken at 130 sites and they were all completed during the July to December period.	On track
Percentage of street cleansing customer service requests responded to within 14 days	3	≥90%	≥90%	90%	92%	221 street cleansing service requests were received from July to December and 90% of requests were actioned within 14 days.	On track
Percentage of streets cleaned in accordance with Street Cleansing Program schedule	5	≥90%	≥90%	90%	90%	Street Cleansing services levels have been maintained for the period July to December 2023.	On track
Percentage of street tree customer service requests responded to within 6 weeks	1	≥90%	≥90%	83%	82%	Higher demand for these services has meant that Council was unable to achieve service levels for the period July to December 2023.	Off track
Percentage of streetscape customer service requests responded to within 3 weeks	3	≥90%	≥90%	87%*	85%	Higher demand for these services has meant that Council was unable to achieve service levels for the period July to December 2023.	Off track

\*Figure rounded to nearest percentage

# Works Services



Indicator	CSP Link	Annual Target	YTD Target	Result at Dec 2023	Result at Jun 2023	Comment	Status
Percentage of footpath customer service requests responded to within 14 days	5	≥90%	≥90%	90%	90%	199 footpath service requests were received from July to December and 90% of requests were actioned within 14 days.	On track
Percentage of road and kerb and gutter customer service requests responded to within 14 days	5	≥90%	≥90%	90%	90%	207 road and kerb & gutter service requests were received from July to December and 90% of requests were actioned within 14 days.	On track
Percentage of stormwater customer service requests responded to within 14 days	5	≥90%	≥90%	90%	90%	119 stormwater service requests were received from July to December and 90% of requests were actioned within 14 days.	On track
Percentage of streets within the Willoughby LGA visited for stormwater cleaning within 12-week period	3	≥90%	≥90%	90%	90%	Council was able to complete 90% of its routine stormwater pit inspections and cleaning program during the July to December period.	On track

**12.11 DRAFT MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE  
MEETING HELD 13 DECEMBER 2023**

<b>ATTACHMENTS:</b>	<b>1. 13 DECEMBER 2023 - DRAFT MINUTES - ARIC</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON, CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>NATALIE TAYLOR, COUNCIL &amp; CORPORATE SUPPORT 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>26 FEBRUARY 2024</b>

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## 1. PURPOSE OF REPORT

To present Council with the draft minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 13 December 2023.

## 2. OFFICERS RECOMMENDATION

**That Council note the draft minutes of the Audit, Risk and Improvement Committee meeting held on 13 December 2023.**

## 3. BACKGROUND

The *Audit Risk and Improvement Committee Charter* requires that the minutes of each ARIC meeting be presented to Council.

## 4. DISCUSSION

The ARIC met on 13 December 2023. Some of the topics discussed included:

- Closing out of the Audit process for Year Ended 30 June 2023
- Councils plan to progress the Rate Rise Option post exhibition
- Updates on Councils risk management activities including major projects, procurement and the annual Insurance renewals
- Internal Audits report on the Volunteer Review and upcoming Waste Management review
- Verbal updates provided by both the Chair and CEO

The minutes of the meeting have been reviewed by the ARIC Chair and ARIC members and are contained in **Attachment 1**. The draft minutes are scheduled for adoption at the next ARIC meeting planned for 14 February 2024.

## 5. RISKS AND OPPORTUNITIES

There are no risks associated with this report.

**6. CONCLUSION**

It is recommended that Council note the draft minutes of the ARIC meeting held on 13 December 2023.

**7. IMPLICATIONS COMMENT**

<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	The Audit, Risk and Improvement Committee (ARIC) is a statutory committee, which provides assurance in the areas of internal and external audit, risk management, business improvement and governance. This promotes effective performance in pursuit of the priorities outlined in the <i>Our Future Willoughby 2032 Community Strategic Plan</i> .
<b>Policy</b>	<i>Audit, Risk and Improvement Committee Charter.</i>
<b>Consultation</b>	The minutes have been reviewed by the ARIC Chair and ARIC members. They will be presented to the 14 February 2024 meeting of ARIC for final endorsement.
<b>Risk</b>	There are no risks associated with this report.
<b>Resource</b>	Administrative support is provided to this Committee by the Governance, Risk & Compliance team.
<b>Legal</b>	There are no legal implications associated with the report.
<b>Legislation</b>	There are no legislative implications associated with the report.
<b>Budget/Financial</b>	There are no legal implications budgetary or financial implications applicable to this report.





# **Willoughby City Council**

## **AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**

**13 DECEMBER 2023**

**DRAFT MINUTES**

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## PRE-MEETING – COMMITTEE MEMBERS IN CAMERA WITH EXTERNAL AUDITORS

Prior to the commencement of the meeting, the ARIC members had an in camera session with the external auditors. No members of staff or observers were in the room.

### 1 OPENING AND INTRODUCTIONS

#### 1.1 ACKNOWLEDGEMENT OF COUNTRY

At 8:40 am, the Chair, Ms E Gavey, opened the meeting, welcomed those present and delivered the following 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.

### 2 ATTENDANCE AND APOLOGIES

#### Committee Members:

Ms E Gavey (Chair)  
Mr C Davies  
Mr R Lagaida  
Cr R Samuel  
Cr J Xia *Apology*  
Cr N Wright (Alternate Committee Member) *Apology*

#### Council Officers:

Ms D Just (Chief Executive Officer)  
Ms M Kenyon (Customer & Corporate Director)  
Mr H Phemister (Planning & Infrastructure Director)  
Ms L Perrine (Community Culture & Leisure Director)  
Mr S Naven (Chief Financial Officer)  
Ms S Connor (Governance, Risk and Compliance Manager) (*for items 10.1 and 11.1*)  
Ms C Chiu (Risk Specialist) (*for item 9.2*)  
Mr B Herring (Chief Information Officer) (*for item 9.3*)  
Mr G Drinan (Project Management Team Leader) (*for items 9.4 and 9.5*)  
Ms B Yparraguirre (Internal Auditor) (*for items 13.1, 13.2, 13.3 and 13.4*)  
Ms N Taylor (Council & Corporate Support Officer) (*minute taker*)

#### External Attendees:

Mr J Winter representing external auditors, Grant Thornton Australia Limited (*via Zoom*)  
Mr K Leung representing the Audit Office of NSW (*via Zoom*)

#### Observer:

Cr A Greco

**3 DISCLOSURES OF INTEREST****Standing Declarations:**

Ms Gavey declared a non-significant non-pecuniary interest by advising she holds the following positions:

- Chair/Independent Member - Camden Council Audit, Risk and Improvement Committee
- Chair/Independent Member - Penrith City Council Audit, Risk and Improvement Committee
- Chair/Independent Member - Waverley Council Audit, Risk and Improvement Committee
- Audit and Risk Committee Member - Electoral Commission of NSW
- Audit and Risk Committee Member - Office of Independent Review
- Audit and Risk Committee Member - Audit Office of NSW
- Audit and Risk Committee Member – Museums of History NSW
- Audit and Risk Committee Member - Local Government NSW
- Chair/Director - Primary and Community Care Services Limited

Ms Gavey also declared:

“There is the potential for a conflict of interest to arise with my role on the Audit Office of NSW Audit and Risk Committee (as Council is its audit client); and Local Government NSW, of which Council is a member. Any potential conflict of interest will be managed on a case by case basis with appropriate mitigating action taken as required.”

Ms Gavey informed the Committee she is no longer an Independent Panel Member of the Disciplinary Tribunal of Chartered Accountants Australia and New Zealand and removed this position from her standing declaration.

Clr Samuel declared he is a former Partner of Grant Thornton Australia Limited, which is the contracted external auditor on behalf Council’s current external auditor, the Audit Office of NSW. He also declared his brother operates a private equity company that invests in a variety of businesses, including a parking meter company which would be a prospective supplier should Council procure parking meters.

Mr Lagaida declared he is an Independent Member of the Wollongong City Council Audit, Risk and Improvement Committee and an Independent Member of the Northern Beaches Council Audit, Risk and Improvement Committee.

Mr Davies declared he is now employed by Turner & Townsend, working on the Sydney Metro West Project.

Ms Debra Just, Chief Executive Officer, declared she is a Director of Civic Risk Mutual Limited, of which Council is an Affiliate Member.

**4 EXTERNAL GUESTS****4.1 FINANCIAL REPORTS, AUDITOR'S REPORTS, ENGAGEMENT CLOSING REPORT AND MANAGEMENT LETTER FOR THE YEAR ENDED 30 JUNE 2023****DISCUSSION**

The discussion opened with the auditors complementing council on the good constructive relationship between both parties, commenting the audit process went very smoothly and they were pleased to issue an unmodified audit report.

The auditors noted from the focus areas of the process there was nothing substantive or significant to note, which was very pleasing. The matters raised in the Management letter were in relation to:

- The prior year adjustment of Community Land values
- Long service leave provisions for casual employees, noting that this is not material to the financial statements, but that Council should ensure it is factored in going forwards..

The Committee also questioned staff whether there were any long term contractors which were deemed employees. Management is looking in to this.

The Committee also noted matters contained in the previous year's Management Letter had been addressed.

Community land valuation and differences between Council and the Valuer General records was discussed in some detail. It was noted that Finance will work with the GIS Team to attempt to reconcile land valuations with the Valuer General. The Committee queried why this sits with the CIO and not Finance. Stephen Naven, Chief Financial Officer, responded that ownership and expertise on Council's Land Register resided with the GIS Team reporting to the CIO.

The Committee were advised that Council was confident that the Community Land valuation for 2023/24 would be adequate and was interested to know what confidence Council had in future years. The CFO was unable to project Council positions and would use the current valuations for the next couple of years until the next full re-evaluation by the Valuer General. Any variance will be caused by valuation of land.

In accordance with good practice, there will be a change in the Audit Office leader and contract external auditors for the next audit cycle. The Committee acknowledge the good work of the Kenneth Leong and Grant Thornton and thanked them for their service over the past three (3) years.

**COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee receive and note the Financial Reports for the year ended 30 June 2023, the Audit Engagement Closing Report 2023 and the Management Letter 2023.**

**5 EXTERNAL ACCOUNTABILITY****5.1 FINANCE UPDATE 13 DECEMBER 2023****DISCUSSION**

The Committee asked questions around increases in materials and contract costs in the Quarterly Budget Review. Management confirmed this was largely due to higher inflation.

**COMMITTEE RESOLUTION**

That the Audit, Risk and Improvement Committee receive and note:

1. The Quarter 4 carryover of unspent project funds from 2022/23 to 2023/24.
2. The results for investments during October 2023.
3. The Quarterly Budget Review report for Quarter 1 2023/24 and the budget adjustments and year to date performance reported.

**5.2 POST-EXHIBITION REPORT ON RATE RISE OPTIONS****DISCUSSION**

Debra Just, Chief Executive Officer, advised Council had resolved to proceed with the 15% option and the application for IPART is being prepared for consideration at an additional meeting in January 2024. The proposed 15% rate increase includes the IPART advised rate cap for 2024/25 of 5%.

The Committee commended Council on the process surrounding the Special Rate Variation (SRV) and the level of engagement with the Community. They questioned the efficiency targets included in the SRV proposal and Council confirmed the 2M would be a mix of efficiencies, savings and non-rate revenue.

The Committee also appreciated there had been a number of cuts to expenses and they were now limited options for further expense cuts and noted that Willoughby rates are reasonable in comparison to other areas of Sydney. A request for a summary of the long term financial plan to be presented to the next meeting of ARIC.

**COMMITTEE RESOLUTION**

That the Audit, Risk and Improvement Committee note the Council decision on 27 November 2023 relating to a proposed Special Rate Variation.

**Action:**

Council to present a summary of the Long Term Financial Plan to the next meeting of ARIC

## **6 CONFIRMATION OF MINUTES – ARIC MEETING – 26 OCTOBER 2023**

### **6.1 CONFIRMATION OF MINUTES - 26 OCTOBER 2023**

#### **DISCUSSION**

The Committee agreed the minutes were an accurate representation of the meeting.

#### **COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee receive and accept the minutes as a true and accurate record of the Audit, Risk and Improvement Committee meeting held on 26 October 2023.**

---

## **7 ACTION LOG**

#### **DISCUSSION**

With regards to the first item of the Action Log, (changes to the ARIC and Internal Audit Charters to reflect the OLG Draft Guidelines for Risk Management and Internal Audit), Management advised that a comparison review indicated that there were not too many gaps between the current charters and the OLG model charters.. The Committee noted that the Action Log had been reviewed and was a manageable list.

#### **COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee note the status report on the Action Log.**

---

## **8 CHIEF EXECUTIVE OFFICER VERBAL UPDATE**

### **8.1 CHIEF EXECUTIVE OFFICER VERBAL UPDATE**

#### **DISCUSSION**

Debra Just, Chief Executive Officer, provided a brief update to the Committee.

CEO is very pleased and proud of the work by staff on the Special Rate Variation.

Staffing ratio is looking good – just under 9% vacancy rate without the inclusion of Willoughby Leisure Centre.

The Committee was interested to know if the increase in staffing levels was driving an increase in leave provisions.

The CEO responded management were attempting to drive leave down further by encouraging staff to take leave where appropriate.

Major projects was briefly discussed (to be further discussed in the Risk Management papers), however, the implications of the asbestos and historical inadequate piling at Willoughby Leisure Centre has now been shared with Councillors and the Victor Street Refurbishment project is proceeding.

Willoughby Council secured cover for Cyber Security losses which is a significant achievement. This cover was not subject to a premium increase reflecting the insurer's assessment of Council's cyber security maturity..

Currently key staffing issues relate to two (2) project managers leaving from the Willoughby Leisure Centre project which have created a gap in this project.

## COMMITTEE RESOLUTION

**That the Audit, Risk and Improvement Committee note the verbal report provided by the Chief Executive Officer.**

---

## 9 RISK MANAGEMENT FRAMEWORK

### 9.1 QUARTERLY PROCUREMENT REPORT

#### DISCUSSION

Referring to Executive Summary of the Attachment:

#### 1.4 – Training

The Committee requested for future reports to include more information on the percentage of eligible staff completing procurement training to indicate the coverage of that training.

#### Attachment 1

The Committee commented on the high number of purchase orders raised by Property Services and Community Life. Hugh Phemister, Planning & Infrastructure Director, advised there are a number of arrangements in place to reduce these.

The Committee suggested that Council should look to consolidate purchases where possible as this could lead to better pricing.

The Committee suggested Council consider adopting a 'Procurement Strategy' and does a complete analysis on:

1. Market Supply
2. Currency volume
3. Supplier engagement

The CEO commented Council did look at this a few years ago.



The question was asked if Council sources goods and services through Panels as they can shorten the procurement process and provide transparency. Management responded that this is the case, although quotes are sought on large requirements. Council has a balance between procurement through panels and quotes.

## COMMITTEE RESOLUTION

**That the Audit, Risk and Improvement Committee note the update on procurement activities.**

---

## 9.2 RISK MANAGEMENT UPDATE

### DISCUSSION

Debra Just, CEO, advised the Committee, that Celine Chui, Risk Specialist, had resigned and would be leaving Council at the end of the year.

The Committee commented on the departure of the Risk Specialist and the excellent reported tabled. The Committee noted that Risk Management is moving along well and asked how momentum can continue with Celine's departure.

The Risk Specialist replied by saying Willoughby has a good culture and wants to do the right thing. Business Unit support and collaboration would be beneficial for ongoing risk management within Council. Comprehensive handover notes are being prepared with a gap analysis and a draft risk management plan which includes proposed initiatives and time frames which will meet one of the upcoming obligations in the OLG Guidelines. Council is hoping to recruit quickly and support the Internal Auditor independent assurance work in the absence of a dedicated Risk Management resource.

Further comments from the Committee were positive. Council can build on the foundation created and added to by the new Risk Specialist.

The Committee finished off asking about a risk recording system which is currently in Pulse. The TechOne risk module still needs to be evaluated by the incoming Risk Specialist.

Risk Velocity is a topic the Committee would like explored and added to the Risk Management Plan.

The Committee noted that "identification of the risk is only half the story, the other half is how it is brought under control". In addition, Council could consider looking at risk velocity in the future as fast moving risks often require more prompt responses than higher rated, but slowing evolving risks.

## COMMITTEE RESOLUTION

**That ARIC note the status of Council's risk management program.**

**9.3 RISK MANAGEMENT - MAJOR PROJECTS - CORPORATE SYSTEMS REPLACEMENT****DISCUSSION**

The Committee commented on the fact the date had been pushed out to October 2024 to complete the review of Council's business processes.

Brad Herring, the CONNECT Project Lead, explained:

- Sample testing of Council's business processes was conducted in November/December 2022 but it didn't not uncover the true scale the gaps
- A full review of Council's business processes in September 2023 determined there were more gaps in the key dependencies than what had been initially anticipated and that these emerging issues were going to impact the project timeline.
- The full review identified the need to adjust methodology and the resources and expertise are now required
- the project team was resourced to the required scale

There was never an intention the re-engineer Councils existing business processes. As with prior phases, the guiding principle is Council implements the templated out of the box solution and decisions to deviate from this would require strong justification.

This approach was very much suited for Phase 3B as a large majority of the process are guided by legislation, regulations and policy which do not require much deviation. Small changes can be made if required to support.

The Committee then noted that:

- some staff members will return to the normal role within Council.
- continuous improvement framework is in place and improvements for modules implemented in phase 1, 2 and 3A have and will continue.
- This is an organisational change project assisting to reshaped the way Council works

**COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee (ARIC) note the Risk Management – Major Projects – Corporate Systems Replacement report.**

**Action:**

ARIC (chair) to provide Council with contacts willing to share Project Reporting.

**9.4 RISK MANAGEMENT MAJOR PROJECTS - GORE HILL INDOOR SPORTS CENTRE****DISCUSSION**

Gynt Drinan, Project Manager Team Leader advised that there is still a significant shortfall funding gap and a revised business case is expected to be put to Council in 2024. In addition, Council is investigating other opportunities of integrating the project with other possible NSW Government projects. Debra Just, Chief Executive Officer, advised Willoughby Council was also considering a partnership to share the risk of the development.

The Committee queried why Council continues to revise the business case and whether this is draining the budget. Hugh Phemister, Planning & Infrastructure Director explained they needed to identify what could be done and then wrap the project up to a point whereby if an opportunity came along in 6, 12 or 18 months they knew where the project was at. Mr Phemister also provided information on the variance between the budget vs actual costs. The project had not hit the DA phase yet which had kept costs down and the budget would be rebased in the next budget

There was discussion on the NSW Government reviewing opportunities for development, however, Council are not to lose sight of the ongoing cost of maintaining of these structures.

**COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee (ARIC) note the Risk Management – Major Projects – Gore Hill Indoor Sports Centre report.**

**9.5 RISK MANAGEMENT MAJOR PROJECTS - WILLOUGHBY LEISURE CENTRE****DISCUSSION**

The Committee asked whether early investigations could have disclosed the issues currently being experienced concerning asbestos and insufficient piling prior to work commencing. Mr Gynt Drinan, Project Management Team Leader, advised site testing had been undertaken, however, given it is an existing facility, machines were unable to get in and access underneath the pool floor etc. Testing on the pilings did not reveal the extent of the issue.

Ms Debra Just, Chief Executive Officer, commented the area had a history of being a waste disposal site and that Council would adopt a position of extremely robust contingencies should it conduct work on similar sites in the future. The risk assessment methodology will also be assessed prior for new projects with follow up during the course of the project.

Contingency on this project was set at 10.5% compared to the state government which sets contingency between 15% and 22%.

Mr Drinan also noted that problems with the piling in place could also be the result of different specifications required in the 80's when the pool was originally built compared to the more stringent requirements today.

The CEO commented Councillors have not been asked to vote on alternate options yet. More information and statistics need to be ascertained and the right contingency needs to be determined. These will be defined prior to the February meeting of Council.

The Committee suggested that the PCG reports to ELT and ELT should ultimately approve variations. They also indicated it is valuable having an independent “expert” on the PCG to strengthen governance processes. The CEO indicated the membership of PCG’s would be strengthened.

The Committee suggested the following ways of improving governance of large projects -  
Independent risk assessment of the project / peer review of risk  
Contingency to reflect risk level of project  
Independent expert as a member of the PCG  
Enhance reporting to ELT and Councillors of projects; ELT to approve variations to projects

The next report to ARIC on this subject will be after the 26 February 2024 Council meeting.

## COMMITTEE RESOLUTION

**That the Audit, Risk and Improvement Committee (ARIC) note the public report on Major Projects – Willoughby Leisure Centre Upgrade.**

## 9.6 RISK MANAGEMENT - MAJOR PROJECTS - VICTOR STREET ASSET RENEWAL AND REFURBISHMENT

### DISCUSSION

The Committee enquired as to whether there is any probability of asbestos being located when the refurbishment begins.

Maxine Kenyon, Customer & Corporate Director, advised it was unlikely. Mechanical and site engineers have had an initial look and had not detected asbestos. Ms Kenyon also advised the Tender had been resolved by Council.

The Committee commented on the budget and queried whether it was 11.1M or 12.1M. Ms Kenyon advised the original forecast cost of 12.1M had been revised down to 11.1M. This reduction provided an opportunity for items value managed out to be evaluated and added back in.

### COMMITTEE RESOLUTION

**That the Audit, Risk and Improvement Committee (ARIC) note the Risk Management – Major Projects – Victor Street Asset Renewal and Refurbishment report.**

**9.7 INSURANCE - ANNUAL RENEWALS****DISCUSSION**

The Insurance report was noted by the Committee.  
Some additional information regarding insurance was discussed in the confidential section.

**COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee note the Insurance – Annual Renewals report.**

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**10 CONTROL FRAMEWORK****10.1 GOVERNANCE UPDATE****DISCUSSION**

- The Committee requested for a statement on whether there had been any reported instances of Fraud and Corruption to be included in the report going forwards.
- People & Culture are looking at the development of a Work, Health & Safety Plan which will include a psychosocial statement.
- Data Breach Policy development was not completed by the required date of 28 November 2023 which means Council has not met its legislative compliance to develop and publish a Data Breach Policy as required by the IPC.
- PID training will be rolled out to Councillors, ARIC, staff and other public officials and persons required to be aware of the new PID Act in February/March 2024.

**COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee note the Governance Update report.**

**Action:**

Include a statement as to whether there have been any reported instances of Fraud & Corruption in the Governance reports going forwards

## 11 LEGISLATIVE COMPLIANCE

### 11.1 EXTERNAL COMPLIANCE UPDATE

#### DISCUSSION

- The Planning & Infrastructure team are now fully staffed.
- The Committee recommended Council consider developing a compliance framework with staff to sign off confirming compliance with relevant legislation and policies, in line with the attestation process under the new OLG Guidelines, and include training and awareness for a culture where staff feel comfortable to report non-compliance.
- New Complaints Policy going on Public Exhibition. Is clearer, has changes in processing, will focus internally on the process, is more readable and easier to understand. Council will be doing more work on analysing feedback to determine any actions it needs to take.

#### COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the External Compliance Update report.

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## 12 GENERAL COMPLIANCE AND BUSINESS IMPROVEMENT

### 12.1 BUSINESS IMPROVEMENT AND SERVICE REVIEW UPDATE

#### DISCUSSION

Maxine Kenyon, Customer & Corporate Director provided an update on new starters in the team, the business improvement review had started and would be aligned with CONNECT.

The Service Review Framework has been developed and is with the ELT for endorsement.

The Committee was pleased to hear that the recruitment for the Business Improvement Team has been completed and requested that they meet with the team in 2024 to be given a presentation on the Service Review Framework and the program of work proposed.

#### COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Business Improvement and Service Review Update report.

#### Action:

Business Improvement Team to give the Committee a presentation on the Service Review Framework and the program of work proposed in 2024

**13 INTERNAL AUDIT****13.1 INTERNAL AUDIT ACTION UPDATE****DISCUSSION**

The Internal Audit Action Plan report was noted.

The Committee suggested that the Internal Auditor review the open recommendations to ensure they are still relevant.

**COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee note the Internal Audit Actions Update.**

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**13.2 INTERNAL AUDIT PROGRAM UPDATE (INTERNAL AUDIT PLAN)****DISCUSSION**

The Committee discussed the Governance Review undertaken which assessed Council's operations against the Audit Office of NSW's "Lighthouse Model", noting an overall assessment of "green", with 14 of the 17 individual components being assessed as "green" and 3 as "amber". The Committee asked why the Continuous Disclosure component had been assessed as green, although the narrative indicated that Council did not have a Continuous Disclosure policy. Lui Yparraguirre explained she had given it a Green light because the disclosure mechanism is available, even though Council does not have a specific disclosure policy..

The Committee were pleased that the review had been undertaken as it identifies a baseline from which Council can identify focus areas.

**COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee receive and note the Internal Audit Program Update.**

**13.3 INTERNAL AUDIT WASTE MANAGEMENT REVIEW****DISCUSSION**

The Committee reviewed the Engagement Scope for the Internal Audit Waste Management Review and suggested that the review of waste service contracts could also consider suggesting high level future strategies for waste service arrangements.

**COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee note and provide feedback on the Engagement Plan Waste Management Review.**

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**13.4 INTERNAL AUDIT VOLUNTEER MANAGEMENT REVIEW****DISCUSSION**

The Committee was pleased that the Volunteer Management review had been undertaken as it is a high risk area. It noted that overall rating assigned of "Need for Improvement" and that management had accepted all 8 audit findings and recommendations. The Committee commended Ms Yparraguirre for being frank in her assessment of the deficiencies in volunteer management controls whilst focussing on the high risk areas.

Lui Yparraguirre, Internal Auditor, explained the approach taken within Council to manage volunteers was not consistent with the *Volunteer Placement Policy*. Some areas comply with the requirements and some others don't.

Debra Just, Chief Executive Officer, was disappointed with the outcome of the audit because a Volunteer Coordinator had been appointed to oversee the service and programs previously. The role has become disaggregated and the CEO flagged the potential to centralised Volunteer Management with People & Culture.

Management will investigate to see if Council's corporate system has the functionality to assist with the management of volunteers.

**COMMITTEE RESOLUTION**

**That the Audit, Risk and Improvement Committee receive and note the Volunteer Management Review Report.**



## 14 GENERAL BUSINESS

### 14.1 ANNUAL REPORT AND SURVEY – VERBAL UPDATE

Ms Elizabeth Gavey, Chair, advised that a draft Annual Report will be circulated out of session.

The Annual Survey of the ARIC's performance had very good responses – with every response rating above 4 (out of 5).

The areas of focus identified for 2024 were Risk Management and Internal Audit, noting that these 2 functions inform each other.

Overall the feedback provided was very positive. Comments were made around the sheer volume of information and expanding scope of the ARIC's oversight, requiring attention to -

- The number of meetings
- Fine-tuning the reporting to the ARIC to ensure papers and presentations are concise but still informative

### 14.2 FORWARD PLANNER

#### DISCUSSION

The proposed dates provided to ARIC contains a number of clashes. An agreement was reached to have the next meeting on Wednesday, 14 February 2024.

Governance to circulate alternate meeting date options after being advised of members unavailability.

#### COMMITTEE RESOLUTION

**That the next Audit, Risk and Improvement Committee be held on Wednesday 14 February 2024.**

#### Action:

Governance to circulate proposed dates for remainder of the ARIC meetings for 2024.

## 15 CONCLUSION OF MEETING / NEXT MEETING

The next Committee meeting will be held on Wednesday 14 February 2024 commencing at 8.30am.

The meeting concluded at 11:50am.

**12.12 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF FLAT ROCK GULLY RESERVE ACTION PLAN 2023**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - FLAT ROCK GULLY RAP 2023</b> <b>2. ATTACHMENT 2 - FLAT ROCK GULLY RESERVE ACTION PLAN 2023 - EXHIBITION SUMMARY REPORT</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To adopt the amended *Flat Rock Gully Reserve Action Plan 2023* after considering feedback received during the public exhibition process.

**2. OFFICERS RECOMMENDATION**

That Council:

- 1. Adopt the *Flat Rock Gully Reserve Action Plan 2023* as amended and attached to this report at Attachment 1.**
- 2. Rescind the *Flat Rock Gully Reserve Action Plan 2018***
- 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 *Flat Rock Gully Reserve Action Plan 2023* which do not alter the intent.**

**3. BACKGROUND**

The *Flat Rock Gully Reserve Action Plan* (the Plan) was adopted by Council in July 2018. The Plan is reviewed annually and updated every five years. Accordingly, the plan has been publicly exhibited, submissions considered and an updated draft has been prepared for Council's adoption through this report.

**4. DISCUSSION**

Reserve Action Plans contain the practical actions for individual bushland reserves and provide detailed site-specific information including proposed management actions, maps, reserve profile, statement of significance, reserve impacts, wildlife habitat issues, achievements and a native plant species list.

The key actions in the draft *Flat Rock Gully Reserve Action Plan 2023* are outlined in **Attachment 1** and include bush regeneration, bank stabilisation and weed removal.

The exhibition period for the draft *Flat Rock Gully Reserve Action Plan 2023* occurred for a one-month period from 21 September 2023 to 19 October 2023. The Action Plan was exhibited on Council's Have Your Say webpage, letters were distributed to approximately 604 surrounding properties, and signage was placed at Flat Rock Gully advising of the consultation process.

The public consultation resulted in 52 responses including 49 through *Have Your Say* and three via email. 26 Have Your Say submissions did not provide specific comment or feedback. One comment was removed from Have Your Say as the respondent provided a more detailed response via email. A public exhibition summary report, including methods of consultation, a summary of submissions received and responses from Council Officers is outlined in **Attachment 2**.

Comments received were generally supportive of the plan and work to date and sought a focus on biodiversity conservation. Following the consultation period, several amendments were made:

Street names were added to the map

- The contractor work areas, between actions 14 and 16, were extended.
- A new action, number 32, was added that states "Stormwater infrastructure works to commence in 2024-25 financial year followed by revegetation of impacted area."
- A new action, number 33, was added that states "Liaise with FRNSW to implement proposed prescribed burn".
- New action numbers 32 and 33 were added to the map
- Symbols were added the map legend for bush care and prescribed burning.

## 5. RISKS AND OPPORTUNITIES

Potential risks include:

- NSW Government revitalisation of the Beaches Link project.
- Ammonia leachate from the former landfill at Bicentennial into the waterway.
- Bushcare volunteer numbers decline.

Opportunities include:

- Ongoing consultation and engagement through the Reserve Action Plan, Urban Bushland Plan of Management and the Voluntary Management Proposal will identify areas of concern to allow for continual improvement.
- The Voluntary Management Proposal for the ammonia leachate from the former Bicentennial landfill was requested by the Environmental Protection Authority. Council's engagement of specialist consultants to develop this document will improve Councils knowledge and ongoing management of the area.

## 6. CONCLUSION

The draft *Flat Rock Gully Reserve Action Plan 2023* has been publicly exhibited, with consideration given to all submissions received. The *Flat Rock Gully Reserve Action Plan 2023* is recommended for Council's adoption.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	1.3 – Enhance, protect and respect waterways, bushland, nature, wildlife
<b>Business Plan Objectives, Outcomes / Services</b>	Assist in the implementation of the Reserve Action Plans as required by the <i>Urban Bushland Plan of Management 2023</i>
<b>Policy</b>	<i>The Urban Bushland Plan of Management 2023</i> guides the future management of bushland across the Willoughby Local Government Area.
<b>Consultation</b>	Consultation has occurred with the community using Council's Have Your Say webpage and by email. All comments have been responded to and letters were sent to 604 properties. Signage was erected on site advising of the consultation process.
<b>Risk</b>	Potential risks include NSW Government revitalisation of the Beaches Link project, ammonia leachate from the former landfill site, Bushcare volunteer numbers decline and potential for bushfire.
<b>Resource</b>	Works can be undertaken within Council's present staff and contract resourcing.
<b>Legal</b>	There are no legal implications arising from the <i>Flat Rock Gully Reserve Action Plan 2023</i> .
<b>Legislation</b>	Adoption of the <i>Flat Rock Gully Reserve Action Plan 2023</i> is in accordance with all relevant legislation.
<b>Budget/Financial</b>	There are no additional costs to the recurrent budget or Environment Levy for this work plan.

# Reserve Action Plan Flat Rock Gully

2023

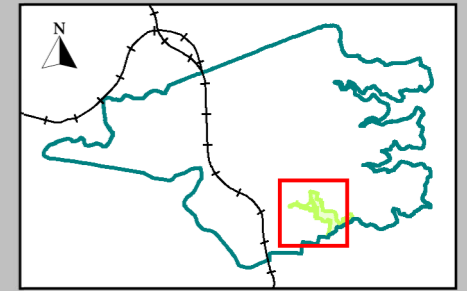


WILLOUGHBY  
CITY COUNCIL  
*City of Diversity*

## Flat Rock Gully Bushland Management Actions

Priorities will be given to programs for the long term benefit to the reserve. Natural assets at greatest risk will be given priority to avert irreversible deterioration. All measures cannot be implemented simultaneously - resources may not be available or it may not be appropriate.

1. Planting at West Street and on Bicentennial pathway to be maintained by FRG contractors.
2. Bushcare group to continue management of site in accordance with the Bushcare Action Plan. Contract mower to maintain lawn area and edges.
3. Improvement of stormwater swales and flow paths to reduce erosion and define flow path.
4. FRG contractors to maintain entrances to the reserve.
5. Woody weeds and vines to be controlled by FRG contractors in the meantime.
6. FRG contractors to control weeds on landscaped areas. Create habitat for small birds and reptiles where possible.
7. Bushland Contractors (BC) to continue the control of privets and manage other weed species below Pyalla Street.
8. FRG contractors to continue maintenance of Calbina Road entrance ensuring stormwater impacts are reduced.
9. FRG contractors to continue ongoing maintenance of woody weed and vines.
10. FRG contractors to maintain track that crosses private property.
11. FRG contractors to continue the targeting of invasive species in the lower slopes of the creek line. Assisted regeneration to be carried out on these areas.
12. FRG contractors to progressively regenerate bushland to stabilize former tip face.
13. Area below Dawson Street to have vines and privets controlled by bushland contractors encouraging native canopy.
14. Bushland contractors to carry out secondary weeding with attention given to the control of vines.
15. Assisted regeneration in post fire area adjacent to property boundaries.
16. Contractors to continue regeneration work along stormwater line and embankment. The targeting of isolated Blue Gums will also commence in this area.
17. FRG contractors to continue maintenance of ruins area. Implement measures to protect ruins from fire (refer Bushfire Risk Management Plan).
18. Revegetation and bank stabilization along creek line managed by FRG contractors.
19. Contractors to carry out secondary weeding and assisted regeneration in this area. Seating area also to be maintained by contractors.
20. Contractor mower to maintain lawn areas adjacent to West Street.
21. Investigate the possibility of a track upgrade from the West Street entrance to ruins.
22. Contractors to continue secondary weeding. The end of West Street through to Quarry Street to be maintained by Streetscapes staff.
23. FRG contractors and bushland staff to maintain areas for interpretive events.
24. Bushland contractors to continue restoration of vegetation around stormwater outlet and adjacent areas.
25. Investigate and minimise floating gross pollutants.
26. Contractors to ensure areas are mown. Tree staff to under prune trees when required on the corner of Strathallen Avenue and Cliff Avenue.
27. Assisted regeneration focusing along property edge by bushland contractors.
28. Gradual removal of Camphor Laurel trees protecting Smooth-barked Apple vegetative community.
29. Ongoing assisted regeneration by contractors below Lower Cliff Avenue.
30. FRG and Bushland contractors to consult with wildlife and habitat officers on installation of arboreal, terrestrial and other features to improve wildlife habitat.
31. FRG and Bushland contractors to consult with wildlife and habitat officers on strategic plans to improve habitat connectivity with adjoining areas.
32. Stormwater infrastructure works to commence in 2024-25 financial year followed by revegetation of impacted area.
33. Liaise with FRNSW to implement proposed prescribed burn.



### Plan details

Status: **Draft**  
 Prepared by: N. Yu  
 Drawn by: N. Prasad  
 Date printed: 16/11/2023  
 Approximate Scale: 1:4500 on A3

### Legend

- Property number
- Action plan activity
- Stormwater node
- Approximate fire hydrant location
- 5m contours
- Stormwater network - Underground \*
- Stormwater network - Overground / Unknown \*
- Bush track / Path \*
- Property boundary
- Reserve / bushland
- Council bush regeneration contractors
- Council staff regeneration site
- Prescribed Burn
- Bushcare Group

\* The accuracy of this data is not guaranteed and must be verified prior to use.

The information contained herein has been provided in good faith. Effort has been made to ensure its accuracy and completeness.

Willoughby City Council does not take any responsibility for errors or omissions nor any loss or damage that may result from the use of this information.

#### References

V:\PROJECTS\MANAGEMENT PLANS\RESERVE ACTION PLANS\  
 FLAT ROCK GULLY RAP 2018\MAP\INFO\Workspaces\  
 Flat Rock Gully RAP 2018-Draft.wor

# Draft Flat Rock Gully Reserve Action Plan

## Reserve Profile

Flat Rock Gully (FRG) encompasses a total area of 22.3 ha inclusive of a portion of Bicentennial Reserve. Remnant bushland, approximately 14 ha, occurs within the Flat Rock Creek Catchment Area. It is bounded by Flat Rock Drive to the west and extends beyond the historic Cammeray Bridge to the east, adjacent to Tunks Park. Private property backs on to the remaining boundaries of the Reserve. FRG contributes to a habitat linkage (non-continuous) that includes Tunks Park, Northbridge Park, Cliff Ave Reserve, Bicentennial Reserve and Artarmon Reserve. FRG is dominated by Hawkesbury Sandstone with areas classified as Disturbed Terrain. Part of the Gully was used as a tip from the 1930s until 1985 when the rubbish was covered over with landfill and then revegetated.

PLANT COMMUNITY: The reserve is largely dominated by Coastal Sandstone Foreshores Forest (S\_DSFO6) on its northern and eastern boundaries. This vegetative community consists of large trees, shrub layer and ground cover of ferns, rushes and grasses. The canopy is predominantly Smooth barked apple (*Angophora costata*) with a layer of hardy mesic small trees and shrubs including Sweet pittosporum (*Pittosporum undulatum*), Cheese tree (*Glochidion ferdinandi*) and Blueberry ash (*Elaeocarpus reticulatus*). Coastal Enriched Sandstone Moist Forest (S\_WSF02) dominates the southern and western boundaries of the reserve. This community is a tall open eucalypt forest with a distinctive mesic shrub and small tree layer. The canopy is dominated by various combinations of eucalypts including Blackbutt (*Eucalyptus pilularis*) and Sydney peppermint (*Eucalyptus piperita*). Smooth-barked apple (*Angophora costata*) is invariably present in this area of the reserve. Tall and small trees present closer to Flat Rock Creek are rainforest plants such as coachwood (*Ceratopetalum apetalum*) and blueberry ash (*Elaeocarpus reticulatus*). Located in the north-west corner of the reserve Hornsby Enriched Sandstone Exposed Woodland (S\_DSFO10). This is low open eucalypt woodland with an open to dense shrub layer. It is one of a suite of heath sandstone woodlands found in Sydney coastal environments. Sydney peppermint (*Eucalyptus piperita*) is prominent on exposed slopes in this vegetative community. The shrub layer carries a diverse mix of sclerophyllous shrubs that are typical in other Sydney sandstone woodlands. A constructed wetland has been established at the end of Flat Rock Creek, at culverts leading through to Long Bay under Tunks Park, to reduce stormwater runoff impacts.

## Statement of Significance

Flat Rock Gully is classified as bushland as defined in State Environmental Planning Policy No 19 (\*Vol 1, 1.4), and is protected under State and Commonwealth Legislation (\*Vol 1, 1.5.2). It is zoned as E2 Environmental Conservation.

ABORIGINAL CULTURAL SIGNIFICANCE: Prior to European settlement, the area was inhabited by the Cammeraygal people. Evidence of Aboriginal occupation, in and around FRG, is found in caves, axe grinding grooves, middens, rock carvings and paintings. A layer of shells in a midden was dated to 5,850 years. The last aboriginal encampment was recorded in the 1880s near Flat Rock Bridge.

NATURAL HERITAGE SIGNIFICANCE: FRG is significant due to its diverse range of plant species. The deeper, more sheltered gully, nature of the landscape facilitates a large stand of coachwood trees and some tree ferns. Significant rock outcrops are home to recorded wildlife species including the locally rare Gully Shadskink, Bibrons Toadlet, Short-beaked Echidna and Brown Antechinus. Burton's Legless Lizard is found on the south side of Bicentennial Reserve. FRG is classified as a Wildlife Protection Area because of its significant habitats. It is a major and central part to the east-west ecological linkage between Middle Harbour and Lane Cove River Catchments. It is significant that diverse remnant habitats present in this reserve are interconnected and provide continuity through various complex habitats which are home to many animal species. These natural habitats have been

complemented by rehabilitation of the former tip site to create a unique and functional landscape which supports a wide range of small birds, reptiles and frogs.

HISTORIC CULTURAL SIGNIFICANCE: Quarrying of sandstone commenced along Flat Rock Creek in the 1880s. Sandstone retaining walls, including the L-shaped walls and drain line below Market St East, were built during the early Depression (c.1930). Terraced gardens and dry walling can be found near the Henry Lawson Cave. Ruins of a pioneer's cottage exist today. It belonged to "Fatty" Dawson who had a piggery and ran cattle in what is now West St Reserve. Land clearing along the edge of FRG for orchards and market gardens also occurred. In 1892 a suspension bridge across Flat Rock Creek opened. In 1936 the bridge was closed and reopened in 1939 with a reinforced concrete arch replacing the suspension cables. The Suspension bridge, "Fatty" Dawson's ruins and two stonework sites below Dawson Street are listed as local heritage items in the Willoughby Local Environmental Plan 2012. Tipping of waste material commenced in the area in the 1930s and in 1934 an incinerator was built from designs by Walter Burley Griffin, now listed on the NSW State Heritage Register. More bushland including the Nareburn Waterfall disappeared under rubbish as tipping continued and expanded into FRG during the 1940s. This practice did not cease until 1985 by order from the EPA.

## Reserve Impacts

There are 16 culverts and stormwater outlets draining into FRG. Water quality issues mainly relate to deposition of litter from the upper catchment to the lower creek. Upstream from the Gully is highly urbanised and includes a major industrial area. Stormwater runoff has high litter loads and contaminants. Sewage overflow and leachate from landfill have also contributed to poor water quality. A significant problem downstream is the siltation of the lower channel and of Long Bay. Further information on the impacts of flooding in area can be found in Council's Flat Rock Creek Flood Study from 2018. Dumping of rubbish and garden waste, theft of bush rock and firewood, and encroachment by local residents (Pyalla St and Dawson St) are additional impacts. Graffiti, vandalism and dogs off leashes are ongoing management issues. ENCROACHMENTS: All encroachments at Cliff Ave, Pyalla St and Dawson St to be removed at an appropriate time. New encroachments forwarded to Council Compliance for swift action.

## Wildlife Habitat Issues

FRG contains a number of recreated habitats including areas of shrubland and grassland. These areas are valuable habitat for small birds and mammals. An ephemeral creek channel has been created in the upper section of Flat Rock Creek with three detention ponds. This seepage area is significant for frog and lizard populations. The small area of remnant Hornsby Enriched Sandstone Exposed Woodland should be expanded and enhanced as it is essential habitat for fauna. Exotic predators that pose the most serious threat to native wildlife in FRG are foxes, cats and dogs off leashes. The Regional Fox Baiting Program has seen fox numbers gradually decline and this program is expected to continue. Further, ecological burns could be implemented to improve the woodland and regeneration of grassland and woodland habitats.

## Achievements

A Gross Pollutant Trap was installed at the bottom of Flat Rock Creek in 2018.

Signage regarding dog on leash requirements were upgraded below the Market St East entrance and at the top of Wilksch's Walk in 2020.

Initial track upgrades from West Street entrance to ruins were completed in 2020.

## Bushland Management Goals – Flat Rock Gully Reserve

The following aims from the Urban Bushland Plan of Management 2014 are priority objectives:

5.3b: To create and or maintain conditions in which creek and drainage lines are protected from increased erosion and / or sedimentation due to urban impacts.

6.2f: To preserve and increase ecological links across the LGA and regionally to assist the movement of fauna.

6.2g: Maintain natural habitat formations and supplement with manufactured structures where natural habitat has been depleted.

6.3b: To implement weed control programs which are based on regeneration and restoration principles and which increase the bushland resilience to further weed infestation.

7.1g: To manage fire such that the fire regime and implementation of the burn is beneficial to flora and fauna diversity and habitat.

## Bushland Management – General Principles and Actions

- Bush regeneration is a long term process that requires staged weed removal to ensure establishment of native plant communities. Work should proceed from good bush to degraded areas with techniques that encourage regeneration, including flame weeding, rather than spraying with herbicide.
- If possible, all weed refuse and natural debris to be composted or retained on-site.
- When natural regeneration is deemed inadequate, supplementary plantings to mimic local plant communities and landscapes will be used with local provenance species.
- Standing dead trees and forest litter (including logs and branches) to be kept for wildlife habitat unless deemed a risk to safety.
- Monitor, maintain and enhance vegetation connectivity for wildlife habitat within the reserve and reserve networks.
- Phytophthora cinnamomi* (a root rot pathogen) is listed as a key threatening process in NSW and has been identified as a threat to a number of species. Bushland workers are to use hygiene protocols to minimise risk.
- Report and record all reserve encroachments. Also monitor for tree vandalism and/or removal within the reserve and report to Council Compliance for appropriate action.
- Continue to monitor wildlife habitat requirements and supplement where necessary.
- Monitor feral animal activity and implement appropriate management actions where necessary.
- Encourage the community to report wildlife sightings to Council via the Wildlife Watch program to increase the understanding of native wildlife populations.
- Monitor and protect cultural heritage sites within the reserve with Aboriginal heritage to be protected at all times. Bushland staff to notify Aboriginal Heritage Office prior to each burn to identify sites and implement protection measures and post-fire survey.
- Bushfire management will be achieved through implementation of a strategic hazard reduction program consistent with the Bushfire Risk Management Plan.
- Species diversity will be maintained by an ecological burn program in a mosaic pattern.
- This reserve has a valuable role as an educational resource. Preserve natural features used for educational purposes and continue to inform the community of bushland issues through on-site educational activities and signage. Maintain appropriate signage.
- Formal tracks to be regularly maintained and informal tracks closed to prevent damage to habitat and to impede access of feral animals, unless used for access by bushland workers.
- Establish photo points to monitor the progress of reserve management actions.
- Reserve Action Plan progress to be reviewed annually and updated after five years.

## Animal List for Flat Rock Gully Reserve

Flat Rock Gully Reserve provides habitat for a number native animals. A list of these species can be found at: <https://www.willoughby.nsw.gov.au/Residents/Parks-and-recreation/Parks-reserves-and-playgrounds/Flat-Rock-Gully>

## Native Plant List for Flat Rock Gully and Bicentennial Reserve

<b>FERNS</b>	<i>Dracophyllum secundum</i>	<i>Banksia integrifolia</i> subsp. <i>integrifolia</i>
ASPENIACEAE	<i>Epacris longiflora</i>	<i>Banksia serrata</i>
<i>Asplenium australasicum</i>	<i>Epacris microphylla</i>	<i>Banksia spinulosa</i>
<i>Asplenium flabellifolium</i>	<i>Epacris pulchella</i>	<i>Grevillea buxifolia</i> subsp. <i>buxifolia</i>
BLECHNACEAE	<i>Leucopogon amplexicaulis</i>	<i>Grevillea linearifolia</i>
<i>Blechnum cartilagineum</i>	<i>Leucopogon ericoides</i>	<i>Grevillea speciosa</i>
CYATHEACEAE	<i>Leucopogon juniperinus</i>	<i>Hakea dactyloides</i>
<i>Cyathea australis</i>	<i>Styphelia tubiflora</i>	<i>Hakea propinqua</i>
DAVALLIACEAE	<i>Woolfsia pungens</i>	<i>Hakea sericea</i>
<i>Davallia solida</i> var. <i>pyxidata</i>	EUPHORBIACEAE	<i>Lambertia formosa</i>
DENNISTAEDIACEAE	<i>Homalanthus populifolius</i>	<i>Lomatia myricoides</i>
<i>Histiopteris incisa</i>	FABACEAE-FABOIDEAE	<i>Lomatia silaifolia</i>
<i>Hypolepis muelleri</i>	<i>Bossiaea heterophylla</i>	<i>Persoonia levis</i>
<i>Pteridium esculentum</i>	<i>Grona varians</i>	<i>Persoonia linearis</i>
DICKSONIACEAE	<i>Dillwynia floribunda</i>	<i>Persoonia pinifolia</i>
<i>Calochlaena dubia</i>	<i>Dillwynia glaberrima</i>	RHAMNACEAE
GLEICHENIACEAE	<i>Dillwynia retorta</i>	<i>Pomaderris discolor</i>
<i>Gleichenia dicarpa</i>	<i>Glycine clandestina</i>	RUBIACEAE
<i>Gleichenia rupestris</i>	<i>Gompholobium latifolium</i>	<i>Pomax umbellata</i>
LINDSAEACEAE	<i>Hardenbergia violacea</i>	RUTACEAE
<i>Lindsaea linearis</i>	<i>Hovea longifolia</i>	<i>Crowea saligna</i>
<i>Lindsaea microphylla</i>	<i>Indigofera australis</i> subsp. <i>australis</i>	<i>Phebalium dentatum</i>
OSMANDACEAE	<i>Kennedia rubicunda</i>	<i>Zieria smithii</i>
<i>Todea barbara</i>	<i>Mirbelia rubifolia</i>	SAPINDACEAE
POLYPODIACEAE	<i>Phyllota physaloides</i>	<i>Dodonaea triquetra</i>
<i>Platycterium bifurcatum</i>	<i>Platylobium formosum</i>	STERCULIACEAE
<i>Pyrrhosia rupestris</i>	<i>Pultenaea daphnoides</i>	<i>Lasiopetalum ferrugineum</i> var. <i>ferrugineum</i>
PTERIDACEAE	<i>Pultenaea tuberculata</i>	STYLIDIACEAE
<i>Adiantum aethiopicum</i>	<i>Pultenaea flexilis</i>	<i>Styidium productum</i>
<i>Pteris umbrosa</i>	<i>Pultenaea stipularis</i>	THYMELIACEAE
<i>Chelidanthus austrotenuifolia</i>	<i>Viminaria juncea</i>	<i>Pimelea linifolia</i> subsp. <i>linifolia</i>
<i>Chelidanthus sieberi</i> subsp. <i>sieberi</i>	FABACEAE-MIMOSOIDEAE	VITACEAE
THELYPTERIDACEAE	<i>Acacia decurrens</i>	<i>Cissus hypoglauca</i>
<i>Christella dentata</i>	<i>Acacia elongata</i>	<b>MONOCOTS</b>
<b>DICOTS</b>	<i>Acacia linifolia</i>	ASPHODELACEAE
ACANTHACEAE	<i>Acacia longifolia</i> subsp. <i>longifolia</i>	<i>Dianella caerulea</i> var. <i>caerulea</i>
<i>Pseudoranthemum variabile</i>	<i>Acacia longissima</i>	<i>Dianella longifolia</i> var. <i>longifolia</i>
APIACEAE	<i>Acacia suaveolens</i>	ASPARGACEAE
<i>Actinotus helianthi</i>	<i>Acacia terminalis</i> subsp. <i>longifolia</i>	<i>Lomandra longifolia</i>
<i>Actinotus minor</i>	<i>Acacia ulicifolia</i>	<i>Lomandra multiflora</i>
<i>Centella asiatica</i>	GOODENIACEAE	<i>Lomandra obliqua</i>
<i>Platysace linearifolia</i>	<i>Dampiera stricta</i>	<i>Xanthorrhoea media</i>
<i>Xanthosia pilosa</i>	HALORAGACEAE	<i>Xanthorrhoea resinosa</i>
<i>Xanthosia tridentata</i>	<i>Gonocarpus teucrioides</i>	<i>Xanthorrhoea</i> sp.
APOCYNACEAE	<i>Haloragis heterophylla</i>	COLCHICACEAE
<i>Marsdenia suaveolens</i>	LAURACEAE	<i>Schelhammra undulata</i>
<i>Parsonsia straminea</i>	<i>Wahlenbergia communis</i>	COMMELINACEAE
ARALIACEAE	<i>Wahlenbergia gracilis</i>	<i>Commelina cyanea</i>
<i>Astrotricha latifolia</i>	<i>Cassya paniculata</i>	CYPERACEAE
<i>Polyscias sambucifolia</i> subsp. <i>Long leaflets</i>	LAMIACEAE	<i>Cyathochaeta diandra</i>
ASTERACEAE	<i>Clerodendrum tomentosum</i>	<i>Cyperus polystachyos</i>
<i>Ozothamnus diosmifolius</i>	<i>Prostanthera linearis</i>	<i>Gahnia erythrocarpa</i>
BIGNONIACEAE	<i>Lobelia andrewsii</i>	<i>Gahnia spp</i>
<i>Pandorea pandorana</i>	<i>Lobelia purpurascens</i>	<i>Lepidosperma laterale</i>
CANNABACEAE	MYRSINACEAE	<i>Schoenus melanostachys</i>
<i>Trema tomentosa</i> var. <i>aspera</i>	<i>Myrsine variabilis</i>	DIOSCOREACEAE
CASUARINACEAE	MYRTACEAE	<i>Dioscorea transversa</i>
<i>Allocasuarina distyla</i>	<i>Angophora costata</i> subsp. <i>costata</i>	IRIDACEAE
<i>Allocasuarina littoralis</i>	<i>Austrocyrtus tenuifolia</i>	<i>Patersonia sericea</i> var. <i>sericea</i>
<i>Allocasuarina torulosa</i>	<i>Corymbia gummifera</i>	JUNCACEAE
CASUARINACEAE	<i>Eucalyptus pilularis</i>	<i>Juncus kraussii</i> subsp. <i>australiensis</i>
CONVOLVULACEAE	<i>Eucalyptus piperita</i>	<i>Juncus usitatus</i>
<i>Dichondra repens</i>	<i>Eucalyptus resinifera</i> subsp. <i>resinifera</i>	ORCHIDACEAE
CUNONIACEAE	<i>Eucalyptus sieberi</i>	<i>Cryptostylis erecta</i>
<i>Bauera microphylla</i>	<i>Kunzea ambigua</i>	<i>Dipodium punctatum</i>
<i>Bauera rubioides</i>	<i>Leptospermum trinervium</i>	<i>Pterostylis nutans</i>
<i>Callicoma serratifolia</i>	<i>Tristaniopsis laurina</i>	<i>Pterostylis acuminata</i>
<i>Ceratopetalum apetalum</i>	OLEACEAE	POACEAE
<i>Ceratopetalum gummiferum</i>	<i>Notelaea longifolia</i> f. <i>longifolia</i>	<i>Aristida vagans</i>
DILLENIACEAE	<i>Notelaea ovata</i>	<i>Dichelachne crinita</i>
<i>Hibbertia aspera</i> subsp. <i>aspera</i>	PHYLLANTHACEAE	<i>Entolasia marginata</i>
<i>Hibbertia dentata</i>	<i>Breynia oblongifolia</i>	<i>Entolasia stricta</i>
<i>Hibbertia empetrifolia</i> subsp. <i>empetrifolia</i>	<i>Glochidion ferdinandi</i> var. <i>ferdinandi</i>	<i>Imperata cylindrica</i>
<i>Hibbertia linearis</i>	<i>Phyllanthus hirtellus</i>	<i>Microlaena stipoides</i> var. <i>stipoides</i>
<i>Hibbertia nitida</i>	PICRODENDRACEAE	<i>Rydidosperma longifolium</i>
<i>Hibbertia scandens</i>	<i>Micranthemum ericoides</i>	<i>Opilismenus imbecilis</i>
DROSERACEAE	PITTOSPORACEAE	<i>Opilismenus aemulus</i>
<i>Drosera auriculata</i>	<i>Billardiera scandens</i>	<i>Themeda triandra</i>
<i>Drosera spatulata</i>	<i>Pittosporum undulatum</i>	RESTIACEAE
ELAEOCARPACEAE	POLYGONACEAE	<i>Lepyrodia scariosa</i>
<i>Elaeocarpus reticulatus</i>	<i>Persicaria decipiens</i>	SMILACACEAE
ERICACEAE-EPACRIDOIDEAE	PROTEACEAE	<i>Smilax glycyphylla</i>
<i>Brachyloma daphnoides</i> subsp. <i>daphnoides</i>	<i>Banksia ericifolia</i> subsp. <i>ericifolia</i>	

# Flat Rock Gully Reserve Action Plan

Northbridge

Public Exhibition Summary Report  
September – October 2023



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## Flat Rock Gully Reserve - Background

Flat Rock Gully (FRG) encompasses a total area of 22.3 ha inclusive of a portion of Bicentennial Reserve. Remnant bushland, approximately 14 ha, occurs within the Flat Rock Creek Catchment Area. It is bounded by Flat Rock Drive to the west and extends beyond the historic Cammeray Bridge to the east, adjacent to Tunks Park.

Key Actions for the Draft Reserve Action Plan:

- Bush regeneration
- Bank Stabilisation; and
- Weed Removal

## Community Consultation - Communication Methods

### Flat Rock Gully Reserve Action Plan – Community Consultation

	STAKEHOLDER	COMMUNICATION METHOD	DATE	CLOSING DATE FOR COMMENTS
1.	Local Residents	<ul style="list-style-type: none"> <li>• Survey accessible online at Have Your Say Willoughby</li> <li>• Letters mailed to approximately six hundred and four (604) properties (refer Appendix – Resident letter distribution area)</li> </ul>	21/09/23	19/10/23
2.	Park Visitors	<ul style="list-style-type: none"> <li>• Notification signs displayed in reserve</li> </ul>	21/09/23	

## Community Consultation - Respondents

A total of 52 responses were received during this period, 49 via Have Your Say, three via email. One comment was removed from Have Your Say as the respondent provide a more detailed response via email. 26 respondents through Have Your Say did not provide any feedback to provide comment upon, and did not specify why they supported the draft Reserve Action Plan.

Comments received were generally supportive of the plan, and work to date, and sought a focus on biodiversity conservation. Following the consultation period, several amendments were made:

- Street names were added to the map
- The contractor work areas, between actions 14 and 16, were extended.
- A new action, number 32, was added that states “Stormwater infrastructure works to commence in 2024-25 financial year followed by revegetation of impacted area.”
- A new action, number 33, was added that states “Liaise with Fire and Rescue NSW to implement proposed prescribed burn”.
- New action numbers 32 and 33 were added to the map
- Symbology was added the map legend for Bushcare and prescribed burning.

## Public Exhibition - Comments Received

<b>How frequently do you visit Flat Rock Gully Reserve?</b>	
• Daily	Survey (14)
• Weekly	Survey (17)
• Monthly	Survey (5)
• A few times each year	Survey (11)
• Never	Survey (0)
<b>What's the main reason you visit the Reserve?</b>	
• Walking	Survey (23)
• Nature appreciation	Survey (6)
• Bushcare	Survey (0)
• Walking Dog	Survey (16)
• Other	Survey (1)
<b>Have you viewed the Draft Reserve Action Plan?</b>	
• Yes	Survey (46)
• No	Survey (3)
<b>Do you support the Draft Flat Rock Gully Reserve Action Plan?</b>	
• Yes	Survey (36)
• Yes, with changes. Please explain in the comment box below	Survey (11)
• No, with changes. Please explain in the comment box below	Survey (2)
<b>Summary of Comments</b>	
• Local Business	One (1)
• Vegetation Removal	Two (2)
• Path Maintenance	One (1)
• Rubbish	Two (2)
• Asset Maintenance	One (1)
• Weeds	Six (6)
• Track Upgrades	One (1)
• Signage	Two (2)
• Accessibility	One (1)
• Heritage Protection	One (1)
• Development	Three (3)
• Biodiversity Conservation	Eight (8)
• Wildlife	One (1)
• Prescribed Burning	Two (2)
• Water Quality	Three (3)
• Rates	One (1)
• Map amendments	One (1)
• Dogs	One (1)
• Feral Animal Control	One (1)
• Timeframes	Three (3)

• Indigenous Heritage	Two (2)
• Have Your Say	One (1)
• Work Areas	One (1)
• Plan of Management	One (1)
• Climate Change	One (1)
• Contaminated Land	One (1)
• Runoff	One (1)
• Land Contamination	One (1)
• Encroachment	One (1)
• Synthetic Turf	One (1)
• Light Pollution	One (1)
• Crown Land	One (1)
<b>Suburb</b>	
• Artarmon	Survey (7)
• Cammaray	Survey (2)
• Castle Cove	Survey (2)
• Castlecrag	Survey (1)
• Chatswood West	Survey (1)
• Naremburn	Survey (6)
• North Willoughby	Survey (4)
• Northbridge	Survey (10)
• St Leonards	Survey (1)
• Willoughby	Survey (11)
• Willoughby East	Survey (4)
• Postcode not provided	Survey (2)


	SUBMISSION	RESPONSE
1.	<p>It is a shame that after many years and despite a successful business being run out of the premises that little to no work has been done to stabilise and make use of the lower sections of the Walter Burley Griffin incinerator.</p> <p>A lot of residents, including myself were shocked with the amount of tree clearing undertaken by lot owners at the northern top end of the track leading down to Tunks park during Covid. For several weeks all we heard was chainsaws from dawn to dusk. How &amp; why was this allowed?</p> <p>I have been a resident for a long time and in that period I don't believe the footpaths on either side of Flat Rock drive have been cleaned once. There is a huge build up of leaf matter and a concerning amount of rubbish. Some of the fencing is rusting and dangerous.</p> <p>The lower sections of both sides of the gully suffer from continued problems with invasive weeds, vines and <i>Lantana</i>, which would seem to require more aggressive management than could reasonably be expected of bush care volunteers. The vine problem is a recurring one also area near the cave.</p> <p>The Gross Pollutant Trap at the bottom of the river is constantly full of rubbish and would benefit from more active management. Garbage and litter is also a recurring problem in the area near the stepping stones.</p> <p>All of the walking tracks would benefit from significant upgrades, better signage and incorporation of some heritage information. Many of the tracks lack entrance signage and few even appear on Google. Without events such as the recent orienteering one I don't think many people would even be aware of the extent of what is there.</p> <p>A lot more could be done to make the park below Dawson &amp; Quarry streets more usable and accessible. At the moment it presents as a somewhat random bit of grassland, the bottom of which has been adopted by kids with mountain bikes; at least they have a use for the area.</p> <p>The ruins below Dawson street would benefit from some major works to stabilise what remains and highlight their heritage value to visitors. A significant amount of re-vegetation work is also required in that area.</p>	<p>Work is now scheduled in this area for improvements.</p> <p>Tree removal approvals are issued in response to resident applications of development consents. Unauthorized tree removals should be reported to Council's Help Desk (9777 1000).</p> <p>Thankyou for your feedback. This has been referred to appropriate staff in Council. Rusted fencing will be assessed and made safe.</p> <p>This is an area where Council staff and contractors, rather than volunteers, will be working.</p> <p>This Gross Pollutant Trap (GPT) has been highly effective in avoiding downstream pollution and is scheduled for regular maintenance. In addition to this contractors continue to undertake manual creek cleaning.</p> <p>Additional track work has been planned for in the 2024-25 budget. We will look at the opportunity for more heritage signage. Please see Council's Willoughby Walks app for detailed historical information about the reserve.</p> <p>The informal use of the grass area by bike riders was supported by Council due to its remote location. We will investigate improvements to the walking track access.</p> <p>Tie rod stabilisation was inserted into the stone work last year and monitoring of the structure will continue. Visitors can access historical information about the area on the Willoughby Walks App. Contractors will continue to do maintenance works, as</p>

	<p>Why is there not a walking track from the Naremburn community garden directly down to Tunks park? It is a beautiful area with great vistas.</p> <p>In summary; it is a park loved by locals and visitors alike but seems to be managed in a very piecemeal/occasional manner, would benefit from a lot more contract work now the tunnel has been cancelled, upgraded tracks, regular rubbish clearance and better signage.</p>	<p>identified in action 17. Upgrading of the walking track access will be considered.</p> <p>More frequent contractor visits will be carried out to help with track upgrades, rubbish clean up and install improved signage.</p>
2.	<p>I believe enough vegetation. Weed removal and Bank stabilisation 1 st. Can then see the beauty without additional vegetation. Most parts clogged with vegetation and needs thinning allowing a little less competition.</p>	<p>In conjunction with weed removal contractors will carry out appropriate vegetation management.</p>
3.	<p>Why waste money doing this. Spend the money elsewhere where its needed. Leave the Bush alone and let it grow naturally. Why bring big construction in there and scare everything away. Far out whose bright idea was this. The bush area is beautiful as it is leave it alone.</p>	<p>There is no major construction work scheduled in the gully. The abandonment of the tunnel project will avoid major disturbance.</p>
4.	<p>I support the draft Reserve Action Plan as maintaining and developing our natural green areas is vital to Willoughby going forward as we build more and more built up areas.</p>	<p>Thank you for your feedback. Council will continue to carry it its current works.</p>
5.	<p>The current state of the gully is a disgrace and prompt action on weed control and rubbish removal plus public education on control of waste and weeds from adjoining properties is urgently needed.</p>	<p>Additional contractor works will be scheduled in the coming year in the reserve to remove weeds and rubbish.</p>
6.	<p>Would like to see reference to range of wildlife e.g. birds, also marsupials e.g. have photographed marsupials, bandicoots specifically on Dawson Street for NPWS, believe there are also wallabies about.</p> <p>Would like to see timeline for the ongoing work and also view as to what future will look like for the park given there has been reference to the proposed Northern beaches tunnel and this area being used to house gravel and dirt for this work. Believe this is now postponed and hopefully not going ahead - would like to see reference as to why this corridor of nature reserve so close to the city is so important.</p>	<p>A link to a fauna species list can be found on the back page of the draft Reserve Action Plan (RAP).</p> <p>The RAP outlines works over a five-year period, which Council reviews annually. Activities are carried out concurrently. The achievements section of the RAP identifies previously completed works. Importance of Flat Rock Gully being an ecological corridor can be found in the Natural Heritage Significance section of the RAP.</p>
7.	<p>Please stop the Northern Beaches tunnel so we don't lose our valuable space, I would've been lost and my mental health would've suffered during Covid if it hadn't of been there!</p>	<p>The Northern Beaches Tunnel project has been cancelled.</p>
8.	<p>I would like to see bushfire control in the plan, as a regular exercise. I stand to be corrected, but in my many years of living here, I don't believe there has ever been any control measures in the form of burnoff. I imagine any flammable removal by hand would be almost impossible.</p>	<p>Information on prescribed burning will be added into the Reserve Action Plan. These are subject to Fire and Rescue NSW schedules.</p>

9.	The plan lacks detail on council advocacy and monitoring of water quality at the boundaries of the reserve. Regular monitoring of water quality should be done for early detection of adverse events and for data to support advocacy of the storm water entering the reserve. This needs to be done by council as Sydney Water results are not regularly done and not published.	Council contracts Sydney Water to conduct regular water quality studies. This information can be found on Council's Waterway Health webpage at: <a href="https://www.willoughby.nsw.gov.au/Environment/Environmental-Health/Water/Waterway-Health">https://www.willoughby.nsw.gov.au/Environment/Environmental-Health/Water/Waterway-Health</a> Council will expand its water quality monitoring to better manage the area subject to advice from the Environmental Protection Authority.
10.	<p>1. Action 31. Connectivity with other corridors for wildlife fauna should be strengthened. The corridors should be identified (e.g. Clive Park, Warners Park, Tunks Pk, Golf Course, Primrose Pk).</p> <p>2. The artificial council boundaries should be removed to create an approach focused on habitat to give a more holistic plan for the area.</p> <p>3. There should be bans on invasive plants in gardens of adjoining properties. The seed spread is problematic. Owners should be given a notice to remove certain plants quickly. <i>Privet</i> is one example.</p>	<p>Council's Canopy Program strengthens these links through streetscape plantings. This action is ongoing. Ecological connectivity is mentioned in the Natural Heritage Significance section of the Reserve Action Plan (RAP) Wildlife Corridors at Warners Park, Clive Park, Northbridge Park are identified in their respective RAPs.</p> <p>Council staff liaise with neighboring Councils to create habitat linkages. The boundaries are not physical; they are used to identify jurisdictions belonging to different Councils. Council focuses on a holistic approach to ecological connectivity.</p> <p>Council continues to promote the importance of weed control on private properties, however current legislation does not enable Council to enforce residents to remove weeds on their property. Works are carried out by Council staff and contractors to remove weeds from bushland areas. Under Biosecurity Act 2015, a number of weeds must not be sold or propagated.</p>
11.	Just keep the costs as low as possible. We are averse to rate increases to fund extravagant spending by the Council.	The bushland budget will be maintained at the level approved by Council through public processes.
12.	<p>Understanding the plan would be made easier if the map (page 2) included street names.</p> <p>Council's ongoing reserve and bushland management plans have very significantly improved the ecological conditions compared to 30 years previously.</p>	<p>Street names will be added to the Reserve Action Plan.</p> <p>Thank you for your feedback. Council will continue with its current works.</p>
13.	I support the draft Reserve Action Plan as it is a very valuable piece of 'urban bushland' and ensuring it is maintained is important for ratepayers.	Thank you for your feedback. Council will continue with its current works.
14.	A contained/fenced dog park should be built out between Hallstrom Park and the Carpark - i.e. in front of the Incinerator.	This matter has been followed up with the appropriate staff and there are currently no plans to create an enclosed dog park.



	Dog waste bags should be made available along walking tracks.	Dog waste bags are only provided in off-leash areas.
15.	Signage needs to be improved and I'd like to see tracks and routes graded so elderly people can enjoy a gentle walk in the bush. All of this could potentially be done through an app but we shouldn't exclude something for those who are not tech savvy.	Walking tracks grades can be found on the Willoughby Walks app. The app also provides information on Flat Rock Gully, including maps of walking tracks. Walking track information can be found on the Flat Rock Gully webpage at: <a href="https://www.willoughby.nsw.gov.au/Residents/Parks-and-recreation/Parks-reserves-and-playgrounds/Flat-Rock-Gully">https://www.willoughby.nsw.gov.au/Residents/Parks-and-recreation/Parks-reserves-and-playgrounds/Flat-Rock-Gully</a>  Bushwalk flyers are provided at Council events.
16.	There is no mention of monitoring and removing non-native animals from the area? This should be included in the plan.	Feral animal control is mentioned on the backpage of the Reserve Action Plan under Bushland Management – General Principles and Actions i. and o.
17.	I think all reserve action plans should include a general statement to the effect that Council will plant native species in adjacent street landscapes. They should also include a statement that Council will not approve the planting of known weeds in Public landscaping. It is important that the experience of the Hampden Rd landscape is not repeated in any future works in Willoughby LGA where known weeds in a nearby reserve are being used for streetscape plantings.	Reserve Action Plans relate to bushland only. Council's Bushland Team will continue to provide feedback to other areas of Council.
18.	I would like further information about conservation and bush regeneration.	The Reserve Action Plan provides this information on the back page. The Urban Bushland Plan of Management provides more detailed information. A weblink to the site can be found here: <a href="https://www.willoughby.nsw.gov.au/Environment/Bushland-and-Wildlife/Bushland-Management/Bushland-Management-Plans/Urban-Bushland-Plan-of-Management">https://www.willoughby.nsw.gov.au/Environment/Bushland-and-Wildlife/Bushland-Management/Bushland-Management-Plans/Urban-Bushland-Plan-of-Management</a>
19.	I want to ensure no loss of vegetation. I want to have less polluted runoff. Cleaner waterways.	The works identified in the Reserve Action Plan address these issues.
20.	There has clearly been a lot of thought put into the Plan for this lovely and unique area. Well done.  However, there appears to be no timeframe for the work to be completed, nor a budget. Therefore, it is impossible to comment regarding the balance between cost and benefit. I suspect it is more of a wish list than an action plan.  There are many references to "FRG contractors" who I'm sure come at considerable cost. I note that around 20 of the 31 actions are to be dealt with by "contractors". This sounds expensive to me.  I would like to see Action 31 prioritised and a budget placed against them.	Thank you for your feedback.  Actions have a five-year timeframe and are annually reviewed and re-prioritised if required. The works are carried out in accordance with the Reserve Action Plan (RAP).  Contractors play an integral role in carrying out environmental works as Council field staff cannot cover all bushland areas at comparable cost.  As the action is already in the RAP, works will be carried out as a priority, funded by the recurrent salary budget.

	<p>Before implementing the plan I believe rate payers are owed the courtesy of understanding the timeline and budget for this work. Especially during these financially troubling times.</p>	<p>Reserve Action Plans identify the works to be carried out in our bushland areas. Actions are reviewed annually and, if required, updated every five years. Some actions are ongoing or requiring continuous maintenance. Council's Operational Plan identifies annual budgets which may change over the five years of the plan.</p>
21.	<p>The Draft Reserve Action Plan sounds very comprehensive and very good. I hope there are sufficient funds available for it to be fully implemented. The Plan provides what sounds like an excellent summary of the natural, Aboriginal, cultural and historic significance of the area. It is so sad that much (including waterfall) was lost to the rubbish tip. It is great that it appears that Flat Rock Gully is no longer threatened by a dive site for the Beaches Link Tunnel.</p>	<p>Thank you for your feedback. Council has ongoing funding to carry out these works.</p>
22.	<p>The action plan has no actions in relation to improving water quality. There is currently a litter trap and a wetland to control silt but I think a lot more interventions and management are needed to improve water quality and biodiversity on a key catchment of water flowing into middle harbour. As an example floating wetlands made from organic materials such as mycelium could be installed in locations to help with water filtration, biodiversity and evaporation. Thanks</p>	<p>Water quality testing is carried out by Sydney Water. Actions 3, 8, 16, 24, 32 relate to stormwater works which will improve the overall water quality. Rain gardens have been integrated into park and streetscape projects in the Flat Rock catchment. Three Gross Pollutant Traps have also been installed to improve water quality.</p>
23.	<p>Hard to endorse a plan when you can't find the Draft Reserve Action Plan on the WCC website.</p>	<p>The draft Reserve Action Plan was on the Have Your Say Page under the Draft Flat Rock Gully Reid Reserve Action Plan 2023 tab.</p>
24.	<p>Please find attached my comments on the Council's Action Plan - my letter and three photos.</p> 	



Re: Draft Flat Rock Gully Reserve Action Plan  
I have been a resident of Willoughby LGA for a considerable time.

#### My Concerns

I have reviewed the Council's draft Action Plan 2023 downloaded from the council website. I am extremely concerned that the Draft Action Plan has omitted the area of Flat Rock Gully which abuts my property's southern boundary. With reference to the Action Plan map: this lies between those areas addressed by Actions 14 and 16.

Through ongoing neglect this area has become infested by weeds and vines that are out of control and impacting native plants and bushes. This is a significant part of the Reserve and there are some spectacular examples of native plants including *Cyathea Australis*, ferns in the family *Dicsoniaceae* and *Ceratopetalum Aperialum* which are being strangled by weeds and vines. I have attached photos to illustrate this.

#### Council Goals

Documented in your Bushland Management Goals, one of your key objectives is stated as:

"6.3b: To implement weed control programs which are based on regeneration and restoration principles and which increase the bushland resilience to further weed infestation."

Ignoring this highly significant area of the Reserve between actions 14 and 16 undermines this

	<p>objective.</p> <p>Background I have lived in the area for a very long time. Over the years I have been informed by a series of council gardeners, that although they are not currently working on the area in question, “that they will do so soon”. Regrettably, this rhetoric has changed in the last few years to “the weed infestation has now gone too far and we are not going to address it”. I consider that for decades I have been misled and choosing to do nothing now is extremely regrettable not just for the abutting properties but obviously for the undermining of the ecological objectives of the Reserve in its entirety.</p> <p>Recommended Future Action I request that the Council take responsibility for its decades of neglect and extend the area covered by Action 16 westward to include the area abutting my property and to carry out activities such as: “woody weeds and vines to be controlled” and “targeting of invasive species”.</p> <p>I thank you for the opportunity to raise my concerns and trust that my request will be implemented.</p>	<p>Council’s will discuss with consultants on how to extend existing works between actions 14 and 16.</p>
25.	<p>Regarding the draft am pleased to hear and read this plan, however I do have one major concern at the moment. My unit at the back of Sailors Bay Road along with a few others that overlook the Gully. Near the fence there are quite a few dead trees. With a long hot summer predicted these trees or large shrubs are easy kindling along with undergrowth. I also notice a lot of Morning Glory vine climbing it's way round etc. I hope this concern will be addressed.</p>	<p>The vines will be targeted and the fuel loads assessed by Council staff in conjunction with Fire and Rescue NSW.</p>
26.	<p>Given the demonstrated importance of Flat Rock Reserve to the community, it’s historic significance and biodiversity value to the North Shore (“The park and the Flat Rock Creek gully was identified by Smith and Smith (2008) as the most important reserve for birds in North Sydney” Tunks Park Plan of Management). The current plan appears brief and lacking in detail in the areas detailed below:</p> <p>Under the Local Government Act (36C) special management considerations can be awarded to an area with “special natural features” in the form of geological/ natural elements or where a wildlife corridor exists. Flat Rock Reserve falls into both of these categories - it’s cultural significance and role in supporting endangered species should also be considered. This classification requires a separate Plan of Management (PoM) - this approach should be considered by council to ensure that this corridor is adequately protected into the future.</p>	<p>Thank you for your considered response. Council shares your concerns for the conservation and management of Flat Rock Gully (FRG). The Reserve Action Plan (RAP) identifies actions and responsibilities for this bushland reserve in the Urban Bushland Plan of Management (UBPoM). FRG comprises approximately 3% of the bushland reserve network and Council developed the UBPoM to enable consistency between all reserves. State Government advice precludes the establishment of two separate Plans of Management for any site.</p>

<p>It is impossible to cover the level of detail required to successfully manage all aspects of this complex and significant nature reserve in a two paged Reserve Action Plan. It was evident that the State Government did not have sufficient information about this critical area when assessing the Beaches Link Project - a comprehensive review and plan of Flat Rock Gully would ensure that any future contractors, users, hirers, neighbouring residents, staff, councillors or volunteers are able to access important information in one document which will better assure the Reserve's survival into the future. Given the complexity of impacts and the array of users the plan should not only be limited to bushland management - all aspects should be reviewed and adequately documented.</p> <p>Some of the areas are included below:  Assessment of flora and fauna communities: To protect this important area of biodiversity a more extensive, up to date and formal review of it's Flora and Fauna is needed - the location of specific communities should be identified, wildlife corridors mapped and specific goals set in place to enhance these (Tunks Park, North Sydney, to Lane Cove via Bicentennial and through Willoughby to the North of the Reserve). Protection, maintenance, risk management and testing plans can then be adapted to the specific Flora and Fauna and risks present at different locations within the Gully identified. North Sydney Council conducted a Natural Area Survey in 2010 (<a href="https://www.northsydney.nsw.gov.au/downloads/download/392/natural-area-survey">https://www.northsydney.nsw.gov.au/downloads/download/392/natural-area-survey</a>) which included some parts of Flat Rock and identified endangered bat species and powerful owls. Whilst WCC mentions that some surveys have been done since 2021 there are no reports on file for public view specific to Flat Rock and the Fauna list published has remained unchanged.</p>	<p>Flat Rock Gully is covered by Council's more detailed Urban Bushland Plan of Management. The RAP is for identifying site-specific actions for field staff and contractors, through consultation with the community.</p> <p>Biodiversity studies have been undertaken in Willoughby's bushland reserves since 2001, most notably:</p> <p>The 2015-2016 Avian Survey  <a href="https://www.willoughby.nsw.gov.au/files/assets/public/v1/documents/promotional-documents-brochures-flyers/ecm_6921901_v1_the-avifauna-of-the-city-of-willoughby-local-government-area-2015-2016.pdf">https://www.willoughby.nsw.gov.au/files/assets/public/v1/documents/promotional-documents-brochures-flyers/ecm_6921901_v1_the-avifauna-of-the-city-of-willoughby-local-government-area-2015-2016.pdf</a></p> <p>Willoughby Fauna Study  <a href="https://www.willoughby.nsw.gov.au/files/assets/public/v1/documents/promotional-documents-brochures-flyers/ecm_6477943_v1_willoughby-fauna-study-2001-biosphere-environmental-consultants-pty-ltd-pdf.pdf">https://www.willoughby.nsw.gov.au/files/assets/public/v1/documents/promotional-documents-brochures-flyers/ecm_6477943_v1_willoughby-fauna-study-2001-biosphere-environmental-consultants-pty-ltd-pdf.pdf</a></p> <p>Reserves have been surveyed for mammals, birds, reptiles and frogs as well as some invertebrates. Historical data of fauna sightings from Council staff, Willoughby Wildlife Watchers and residents are also taken into account. More recently, Council has relied on Citizen Science projects in collecting and analysing species data. This data is then uploaded onto online public databases such as Bionet, INaturalist and Australia Living Atlas. Surveys has shown little change in species diversity and abundance over the years. Vegetation communities have been mapped by Council and can be viewed on the NSW SEED portal at: <a href="https://www.seed.nsw.gov.au/">https://www.seed.nsw.gov.au/</a>.</p>
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<p>Once an up to date list of Fauna and Flora is established Council should consider enhancing wildlife corridors such as planting vegetation to join up corridors via North Sydney and Willoughby or providing wildlife overpasses to ensure safe passage in urban areas. The role natural grass fields play in joining wildlife corridors and supporting biodiversity should be recognised. Powerful Owl hunting paths and Bat roosting areas should be noted in order to avoid bird/bat strike and interference due to lights.</p> <p>Threats to the reserve such as flooding/ leachate release/ run off etc should be more specifically addressed on the map and in the body of the document. The timeframe and scope of repeat surveys should be stated to adequately assess the condition of the reserve and provide objectivity as to the achievement of goals. Any extinctions or threats could be more easily identified if comparative studies were done on a periodic basis.</p> <p>Climate Change: The potential impacts of climate change (i.e. heavy rain events which this reserve is very much impacted by) should be identified, monitored and plans put in place to mitigate and recover the bush due to erosion or die back. Given council's flood study recognises the flood risk through Flat Rock ie Flood Study Report States "For PMF events, the width of the high hazard zone increases significantly particularly along Flat Rock Creek and it's tributaries", the Flat Rock Flood Study 2018 should be referenced and areas of flooding noted in the Reserve Plan. A native tree/ plant replacement policy to accommodate for losses should be considered and mitigations employed specifically related to reducing flood impacts on Flat Rock Reserve . The Current WCC Flood Plan primarily focuses on built/ residential impacts rather than impacts to the reserve and is therefore is insufficient to manage this risk. Given that Flat Rock Reserve is highly impacted, flooding should be mentioned and mitigated via the Reserve Action Plan or a PoM.</p> <p>Contaminated Land Classification: The recent classification of the old landfill site by the EPA as contaminated land under NSW legislation should be noted and regular inspection and monitoring of the capping and waterways detailed. The boundaries of the landfill area should be noted on the Reserve Map. An emergency action plan</p>	<p>An updated species list from 2022 can be found at:  <a href="https://www.willoughby.nsw.gov.au/Environment/Bushland-and-Wildlife/Wildlife/Animals">https://www.willoughby.nsw.gov.au/Environment/Bushland-and-Wildlife/Wildlife/Animals</a>  Council has participated in the South Sydney Connected Corridors for Biodiversity, which can be found at:  <a href="https://www.arcgis.com/apps/webappviewer/index.html?id=3afa804b96ac4d69a74e9b1ed9780328">https://www.arcgis.com/apps/webappviewer/index.html?id=3afa804b96ac4d69a74e9b1ed9780328</a>  Ecological restoration works and community events, such as National Tree Day, help enhance our wildlife corridors. The importance of grass fields is dependent on habitat requirements. Areas of species migration are known and noted by Council.</p> <p>An Environmental Management Plan, a Voluntary Management Proposal and a Sampling and Analysis Quality Plan has been prepared by specialist consultants for Council and provided to the Environmental Protection Agency (EPA) for comment and approval. EPA will have oversight of Council actions ongoing.</p> <p>Chapter 6.5 of the UBPoM identifies climate change issues and their relationship to future work.</p> <p>Reference can be made to the flood study in the RAP.</p> <p>A site management report has been produced by the Environmental Protection Agency relating to contaminated land and Council will be implementing these recommendations.</p>
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should be detailed in the event of leachate release. Bio-filtration and other methods should be put in place downstream of the landfill site, in Flat Rock Gully Creek, to mitigate a potential contamination release from the tip or run off from nearby developments. Increased Iron Oxide has been noted in the waterways over the past 5 years (reported to Council and the EPA) which is a known indicator of leachate release particularly from quarries and landfill sites - Flat Rock Gully contains both an historic landfill site and a quarry. This risk should be noted in the Reserve Action Plan. Iron Oxide should be monitored and tested/ reported to the Council and EPA to rule out non-naturally occurring origins. Whilst oxidation is a natural process the reason it is occurring may not be.

Endangered/ Threatened Species: and any protections should be noted ie sensitive fish breeding habitat/ nature conservation zone/ relevant rehabilitation/ recovery plans. The Urban Bushland Plan of Management (UBPoM) notes that recovery plans will be developed for endangered species - any relevant species plans should be cross referenced to the Reserve Action Plan/ Flora and Fauna Lists. Those managing the reserve need to be aware of species specific plans such as the ones published here:

<https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-management/assets-of-intergenerational-significance/adopted-conservation-action-plans>

Sewage Contamination: Given the recent fines for sewage overflows the location of the Northside Storage tunnel and it's overflow points should be identified on the map and signage erected warning people not to enter the creek after heavy rains with an emergency contact number clearly visible. Whilst the sewer system is the responsibility of Sydney Water the council should identify any risks that the system presents to the gully and it's users- including overflow points and tunnels/ lines which run under the gully. These may be impacted by tree roots and/ or cause subsidence or need work presenting a future risk to bushland. Issues that may occur will be more easily identified if the community and workers are aware of the sewage lines and the location of Northside Storage tunnel infrastructure. The UBPoM (5.2d) requires that council:

"Identify in Reserve Action Plans practicable measures which can be applied to each reserve to reduce impacts of pollutants, such as: construction of drains and detention ponds designed to minimise impacts on bushland, run-off piped directly to

The EPA report will be referenced in the RAP

Council is aware of threatened species in the Willoughby LGA and their corresponding conservation plans.

Council has sewage infrastructure mapping, however this information cannot be shown on the public version of the RAP due to privacy concerns.

<p>suitable water courses.”</p> <p>Run off, Urban Encroachment and Stormwater: The yellow numbers noted on the map should be related to a key which details the lot numbers and zoning of surrounding properties to better identify and manage runoff issues and provide for accountability.</p> <p>Further controls should be put in place to prevent contaminants entering the gully i.e. ban on synthetic grass in surrounding areas, heavy fines for run off, pollutant traps as part of developments etc. Having this information in separate documents does not lend itself to accountability. The water course of Flat Rock Creek and it’s feeder waterways should be more clearly marked on a map within the plan. Suggest incorporating the catchment diagram into the Plan.</p> <p>The UBPoM sets a goal to expand waterway monitoring programs and:</p> <p>“Develop strategies based on monitoring program which can be implemented by Council departments, other authorities, Catchment Management Committees and through Reserve Action Plans.</p> <p>The monitoring programs to include:</p> <ul style="list-style-type: none"> <li>• Gross pollutant levels;</li> <li>• Sediment levels;</li> <li>• Water borne nutrient levels in creeks and estuaries;</li> <li>• The populations and of native vertebrate and invertebrate aquatic fauna species;</li> <li>• Weed populations - attributable stormwater influences.</li> <li>• The health of native plant communities impacted by stormwater discharges.”</li> </ul> <p>Given the negative impacts to the Reserve over the past 5 years these methods should be implemented at Flat Rock as a priority. Both the Fish Kill and the Sewerage Event and penalty should be mentioned in the Action Plan as these have degraded the environment over the past 5 years.</p> <p>Gameraygal: Given the rich Gameraygal History of the Gully more should be done to honour the Gameraygal and educate visitors. It should be recognised that one of the last known “places of refuge” for Aboriginal People on the North Shore was located at Flat Rock with a similar settlement</p>	<p>The yellow numbers refer to different properties as denoted in the legend. All adjacent properties are zoned as residential.</p> <p>Council has catchment strategies in place, including gross pollutant traps, rain gardens and water quality monitoring. The reason such information is put into separate documents is that they are highly detailed and will be cross-referenced with the RAPs. The scale of the catchment is enormous compared to the scale of the reserve. Catchment maps can be found on Council’s webpage.</p> <p>The objectives of the UBPoM are being implemented and site remediation funded by Sydney Water will be initiated when this is received.</p> <p>Information about Indigenous settlement in the area is mentioned in the Reserve Action Plan under Aboriginal Cultural Significance and also mentioned in Bushland Management General Principle k. Council runs bushwalks throughout the year that</p>
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<p>Areas of Crown Land are included in the Flat Rock Gully Reserve. These should be noted in the Reserve Action Plan. Crown Lands Plan of Management Guidelines state that “Natural areas may not be so appropriate for generic plans given that there may be issues unique to each piece of land based on the character of the land, surrounding development, community expectations and so on”</p> <p><a href="https://reservemanager.crownland.nsw.gov.au/_data/assets/pdf_file/0007/1156777/Revised-Plan-of-Management-Guideline-September-2021.pdf">https://reservemanager.crownland.nsw.gov.au/_data/assets/pdf_file/0007/1156777/Revised-Plan-of-Management-Guideline-September-2021.pdf</a>.</p> <p>A far more substantive plan should be put in place to manage Flat Rock Gully due to it’s unique natural attributes, complexity and importance as a wildlife corridor - we would recommend that the Council classify the site as “containing natural features” under section 36C(2) LG Act and seek out grants/ State Government Support to undertake important surveying and testing work to establish a more detailed and effective plan where all users are identified and risks managed.</p> <p>Overall clearer SMART goals should be set to improve the condition of the reserve and protect it's important biodiversity - each goal should be clearly stated, the method by which that goal is to be measured, by whom and when should be documented to ensure that plans to manage this rich and unique reserve are proactive and consistently implemented. The Flat Rock Gully Reserve Action Plan should complement and be of the same standard as that Bicentennial Reserve and Tunks Park Plans of Management given Flat Rock Gully borders both and is part of the same wildlife corridor. Flat Rock Gully has been subject to major contamination events and threats over the past few years and Council has committed to do more to protect it. This gully is unique in terms of landform, history and the risks that are presented from the surrounding area and the past. The Gully needs a more rigorous method of protection in the form of a site specific Plan of Management in order for it to thrive into the future.</p>	<p>section of the Reserve Action Plan.</p> <p>The areas of Crown Land are identified in the UBPoM, consistent with all Crown Lands in Local Government Area. Their classification as natural areas “Bushland” is consistent with adjacent reserve areas.</p> <p>The UBPoM identifies detailed objectives, targets, actions and measures for addressing various bushland issues. A separate Plan of Management is not possible for Flat Rock Gully, as advised by State Government.</p>
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# Appendix

## Website Survey – Have Your Say Willoughby

### Flat Rock Gully, Northbridge – Draft Reserve Action Plan

Willoughby City Council is seeking community feedback for Flat Rock Gully.

Please review the Flat Rock Gully Draft Action Plan in the Document Library and leave your comments below in the survey prior to closure of the community consultation period at 5 pm, Thursday 19 October 2023.

Flat Rock Gully (FRG) encompasses a total area of 22.3 ha inclusive of a portion of Bicentennial Reserve. Remnant bushland, approximately 14 ha, occurs within the Flat Rock Creek Catchment Area. It is bounded by Flat Rock Drive to the west and extends beyond the historic Cammeray Bridge to the east, adjacent to Tunks Park.

Key Actions for the Draft Reserve Action Plan:

- Revegetation;
- Bank Stabilisation; and
- Weed Removal

All community members who leave a comment will receive a response after the community consultation period.

#### How frequently do you visit Flat Rock Gully?

- Daily     Weekly     Monthly     A few times each year     Never

#### What's the main reason you visit the Gully?

- Nature Appreciation     Walking     Walk with dog     Bushcare volunteer     Other

#### Have you viewed the Draft Reserve Action Plan?

- Yes     No

#### Do you support the Flat Rock Gully Reserve Action Plan?

- Yes     Yes, with changes. Please explain in the comment box below
- No. Please explain in comment box below

# Notification

## Letter to Residents

### PLANNING & INFRASTRUCTURE Environmental Unit

21 September 2023

Willoughby City Council  
PO Box 57  
CHATSWOOD NSW 2057

Dear Sir/Madam

**RE: DRAFT FLAT ROCK GULLY RESERVE ACTION PLAN**

Council has updated the Bushland Reserve Action Plan for Flat Rock Gully. The Draft Plan outlines bushland management actions to preserve and enhance local ecological values.

Key actions include revegetation, bank stabilization and weed removal

We welcome your feedback on the Draft Plan and invite you to view and comment through Have Your Say Willoughby at [www.haveyoursaywilloughby.com.au](http://www.haveyoursaywilloughby.com.au) by **5 pm, Thursday 19 October 2023**.

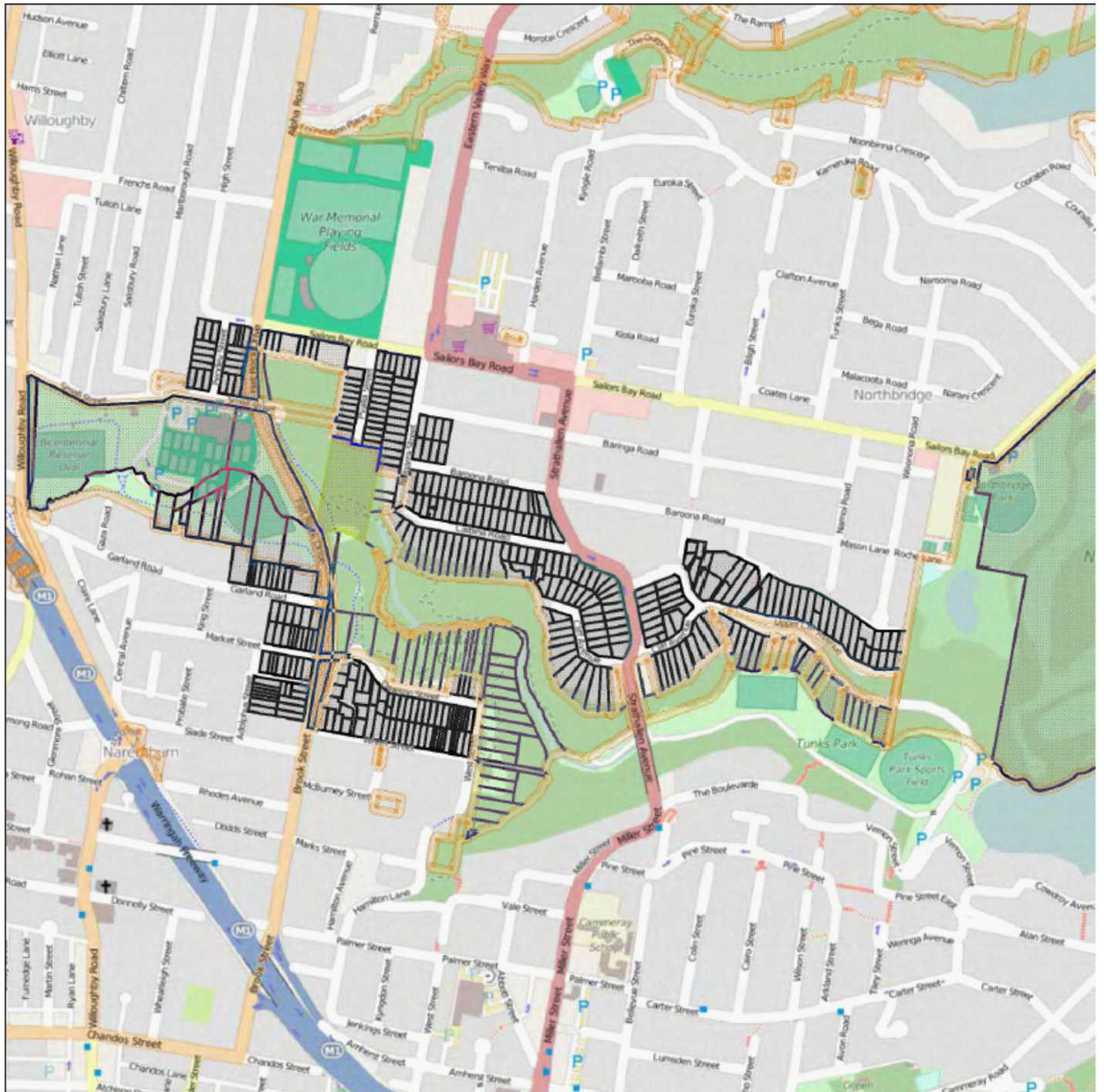
Alternatively, comments should be marked to the attention of Council's Natural Assets Officer, Nicholas Yu to the address below or via email to [email@willoughby.nsw.gov.au](mailto:email@willoughby.nsw.gov.au)

Yours sincerely,

Alfred Bernhard  
BUSHLAND TEAM LEADER

(Computer printed copy - No signature required)

## Resident Letter Distribution Area



Approximately 604 residences

## Notification Signage



# FLAT ROCK GULLY DRAFT RESERVE ACTION PLAN

Council has created an updated Reserve Action Plan for Flat Rock Gully and is seeking comments from the community regarding this Draft.

### Have Your Say about the Draft Plan by:

- **Commenting on the Have Your Say Willoughby website**
- **Writing to Council**

To view the plan and to make comments, please go to:

**[www.haveyoursaywilloughby.com.au](http://www.haveyoursaywilloughby.com.au)**

Alternatively, send your comments marked to the attention of Council's Natural Assets Officer, Nicholas Yu to the address below or via email to [email@willoughby.nsw.gov.au](mailto:email@willoughby.nsw.gov.au)

The submission period will close at **5pm, Thursday 19 October**.

**12.13 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF MOWBRAY PARK RESERVE ACTION PLAN 2023**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - MOWBRAY PARK RESERVE ACTION PLAN 2023</b>
	<b>2. ATTACHMENT 2 - MOWBRAY PARK RESERVE ACTION PLAN 2023 - EXHIBITION_SUMMARY_REPORT_V2</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To report on the submissions received in response to the public exhibition and to seek Council's adoption of the *Mowbray Park Reserve Action Plan 2023*.

**2. OFFICERS RECOMMENDATION**

That council:

- 1. Adopt the *Mowbray Park Reserve Action Plan 2023* as amended and attached to this report at Attachment 1.**
- 2. Rescind the *Mowbray Park Reserve Action Plan 2018*.**
- 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 *Mowbray Park Reserve Action Plan 2023* which do not alter the intent.**

**3. BACKGROUND**

The *Mowbray Park Reserve Action Plan (the Plan)* was adopted by Council in June 2018. The Plan is reviewed annually and updated every five years. Accordingly, the plan has been publicly exhibited, submissions considered and an updated draft has been prepared for Council's adoption through this report.

**4. DISCUSSION**

Reserve Action Plans contain the practical actions for individual bushland reserves and provide detailed site specific information including proposed management actions, maps, reserve profile, statement of significance, reserve impacts, wildlife habitat issues, achievements and a native plant species list.

The key actions in the draft *Mowbray Park Reserve Action Plan 2023* are outlined in **Attachment 1** and include bush regeneration, accessibility and habitat creation.

The exhibition period for the draft *Mowbray Park Reserve Action Plan 2023* occurred for a one-month period from 16 October 2023 to 13 November 2023. The Action Plan was exhibited on Council's Have Your Say webpage, letters were distributed to approximately 860 surrounding properties, and signage was placed at Mowbray Reserve advising of the consultation process.

The public consultation resulted in 21 responses, 20 through Have Your Say and one via email. One Have Your Say submissions did not provide specific comment or feedback. A public exhibition summary report, including methods of consultation, a summary of submissions received and responses from Council Officers are outlined in **Attachment 2**.

Comments received were generally supportive of the plan and the work to date, and sought a focus on biodiversity conservation.

## 5. RISKS AND OPPORTUNITIES

Potential risks include:

- A decline Bushcare volunteer numbers
- Potential for bushfire

Opportunities include:

- Regular consultation with the community and subject matter experts will ensure continual improvement of bushland management
- Improved regeneration of the bushland and reduced bushfire risk through a planned burn in winter 2024
- A Bushcare program focused on attracting younger participants

## 6. CONCLUSION

The draft *Mowbray Park Reserve Action Plan 2023* has been publicly exhibited, with consideration given to all submissions received. The *Mowbray Reserve Action Plan 2023* is recommended for Council's adoption.



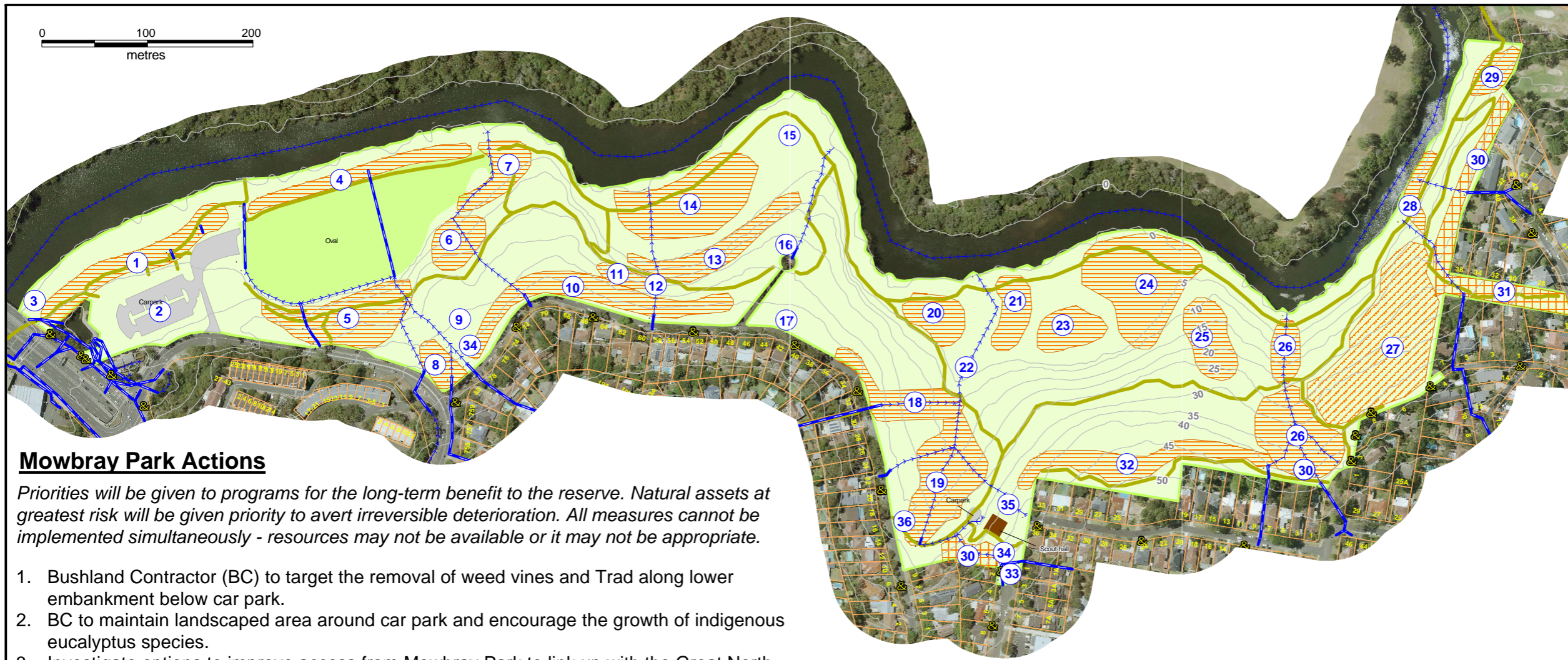
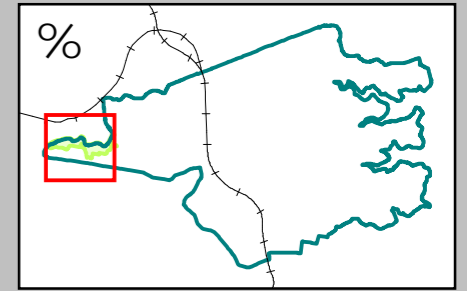
7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	1.3 – Enhance, protect and respect waterways, bushland, nature, wildlife
<b>Business Plan Objectives, Outcomes / Services</b>	Assist in the implementation of the Reserve Action Plans as required by the <i>Urban Bushland Plan of Management 2023</i> .
<b>Policy</b>	<i>The Urban Bushland Plan of Management 2023</i> guides the future management of bushland across the Willoughby Local Government Area.
<b>Consultation</b>	Consultation has occurred with the community using Council's Have Your Say webpage and by email. All comments have been responded to and letters were sent to 860 properties. Signage was erected on site advising of the consultation process.
<b>Risk</b>	Risks include: <ul style="list-style-type: none"> <li>• A decline in Bushcare volunteer numbers</li> <li>• Potential for bushfire</li> </ul>
<b>Resource</b>	Works can be undertaken within Council's present staff and contract resourcing.
<b>Legal</b>	There are no legal implications arising from the <i>Mowbray Reserve Action Plan 2023</i> .
<b>Legislation</b>	Adoption of the <i>Mowbray Reserve Action Plan 2023</i> is in accordance with all relevant legislation.
<b>Budget/Financial</b>	There are no additional costs to the recurrent budget or e.restore levy for this work plan.

# Reserve Action Plan Mowbray Park

2023



WILLOUGHBY  
CITY COUNCIL  
*City of Diversity*



**Mowbray Park Actions**

*Priorities will be given to programs for the long-term benefit to the reserve. Natural assets at greatest risk will be given priority to avert irreversible deterioration. All measures cannot be implemented simultaneously - resources may not be available or it may not be appropriate.*

1. Bushland Contractor (BC) to target the removal of weed vines and Trad along lower embankment below car park.
2. BC to maintain landscaped area around car park and encourage the growth of indigenous eucalyptus species.
3. Investigate options to improve access from Mowbray Park to link up with the Great North Walk around the starch factory including installing sign posts and interpretive signage. Maintain interpretive mural under Epping Road Bridge.
4. BC to target the removal of Trad and Asthma weed along lower embankment below athletics field. Install traps at stormwater lines below the athletics field to analyse rubbish collected.
5. BC to target the removal of woody weeds and annuals. Also maintain existing plantings.
6. BC to complete maintenance sweeps targeting the removal of Asparagus Fern.
7. BC to maintain area around the Aboriginal interpretive site. Also investigate upgrading seating and interpretive signage.
8. BC to remove weeds with a target goal of reducing weed cover to <30%. Bushland Team to complete fine hand weeding.
9. Non-indigenous eucalyptus species to be removed. Logs to be retained onsite as habitat for wildlife.
10. BC to remove woody weeds and target the removal of Turkey Rhubarb in the embankment.
11. BC to complete maintenance sweeps targeting the removal of Asparagus Fern, Fishbone Fern and Spider Plant above boardwalk.
12. Investigate options to include interpretive signage near boardwalk.
13. BC to target the removal of woody weeds and Fishbone Fern in lower saltmarsh area.
14. Bushland Team to target the removal of woody weeds, Fishbone Fern and Buffalo Grass in lower saltmarsh area.
15. Wildlife Officer to monitor for Bell Miner activity and complete surveys for increases in distribution or impacts to vegetation.
16. BC to maintain previously disturbed area. Monitor for illegal dumping at the end of Avro Road and report to Council's Safe City Unit for action.
17. Contractor to target the removal of African Lovegrass.
18. BC to remove weeds in and around stormwater line.
19. BC to target the removal of woody weeds incrementally and over represented Alocasia.
20. BC to complete secondary maintenance weeding targeting Lantana and Privet.
21. BC to incrementally remove Lantana over time to reduce impact to wildlife. Investigate extending boardwalk here to avoid inundation of track along the river
22. BC to incrementally remove Lantana and Privet over time to reduce impact to wildlife and revegetate with mesic plant species.

23. BC Maintain diverse vegetation communities in this zone.
24. BC to complete assisted regeneration and target the removal of Lantana and Privet.
25. BC to complete secondary maintenance weeding.
26. BC to complete woody weed removal in stormwater line.
27. Bushland Team completed post fire weeding in burnt area.
28. BC to Main grass swale.
29. BC to complete incremental removal of Privet.
30. Bushcare group to continue to work according to Bushcare Action Plan.
31. Bushland Team to maintain road reserve by spraying and brush cutting. Some additional native plantings may be required to revegetate degraded areas.
32. BC to complete woody weed removal behind playground and properties. Parks Contractor to continue mowing grass firebreak behind properties at Ulm Street.
33. Bushland Team to work degraded edge targeting the removal of couch and woody weeds.
34. BC to monitor stormwater lines and remove excess sediment that accumulates over time.
35. Property Team to reduce fuel around Scout Hall. Bushland Team to reduce fuel on roof of hall.
36. Investigate options to improve the access road to the Park and Hall. Also, monitor for any illegal dumping and report to Council's Safe City Unit for action.
37. Bushland Team to maintain all tracks and monitor boardwalks throughout the Park.
38. Wildlife Officer to investigate installing nest boxes to increase nesting habitat for hollow dependent species.
39. Wildlife Officer to investigate laying larger logs on the ground and add other terrestrial habitats.
40. Council to inform residents and Park users of the requirement to leash dogs and keep cats out of the Park.
41. Encroachments at Avian Crescent, Ulm Street, Melrose Street and Mooney Street to be removed at an appropriate time.

**Plan details**

Status: **Draft**  
 Prepared by: N. Yu  
 Drawn by: N. Prasad  
 Date printed: 27/09/2023  
 Approximate Scale: 1:4500 on A3

**Legend**

- Property number
- Action plan activity
- Stormwater node
- Approximate fire hydrant location
- 5m contours
- Stormwater network - Underground \*
- Stormwater network - Overground / Unknown \*
- Bush track / Path \*
- Property boundary
- Reserve / bushland
- Bushland Contractors
- Bushland Team Regeneration Site
- Bushcare group

\* The accuracy of this data is not guaranteed and must be verified prior to use.

The information contained herein has been provided in good faith. Effort has been made to ensure its accuracy and completeness.

Willoughby City Council does not take any responsibility for errors or omissions nor any loss or damage that may result from the use of this information.

References  
 V:\PROJECTS\MANAGEMENT PLANS\RESERVE ACTION PLANS\ MOWBRAY PARK RAP\_2023\MAP\INFO\Workspaces\ Mowbray Park RAP\_2023.wor

# Draft Mowbray Park Reserve Action Plan

## Reserve Profile

Mowbray Park is a long continuous area of remnant bushland located along the Lane Cove River in Lane Cove North. It is bounded by Chatswood Golf Course to the north east, almost reaching Swaines Creek and to the west by the Epping Rd Bridge. This Reserve Action Plan includes the areas of Mowbray Park, Burns Park and bushland around the Chatswood Rotary Memorial Athletic Field, totalling 21.2ha.

**PLANT COMMUNITY:** Mowbray Park is home to large areas of remnant vegetation with varied plant communities. These include: Estuarine Mangrove Forest (S\_SW01), Coastal Enriched Sandstone Dry Forest (S\_DSFO4), Coastal Sandstone Foreshores Forest (S\_DSFO6), Coastal Sandstone Gully Forest (S\_DSFO9), Coastal Enriched Sandstone Moist Forest (S\_WSF02), Estuarine Swamp Oak Forest (S\_FoW08), Riverflat Paperbark Swamp Forest (S\_FoW05), Estuarine Mangrove Forest (S\_SW01), and Estuarine Reedland (S\_FrW06).

In elevated areas vegetation is mostly open forest with a heath shrub layer. The canopy is dominated by Smooth-barked apple (*Angophora costata*) and Blackbutt (*Eucalyptus pilularis*) with a mix of heath shrub species. Descending closer to the river in low lying areas there are communities of saltmarsh and mangroves with dense stands of Swamp oak (*Casuarina glauca*), Common reed (*Phragmites australis*) and salt-tolerant species including Sea rush (*Juncus kraussii*) and Bare twig-rush (*Baumea juncea*). The river is lined by Mangroves.

**HABITAT:** Mowbray Park is dominated by intact dry sclerophyll forest and woodland type habitat above the Estuarine Complex (Mangrove Wetlands and Saltmarsh). There are drainage areas, one of which contains a freshwater pool. There is Eucalypt Gully Woodland & Gully Forest with some hollow bearing trees. Large rock ledges, outcrops and tall rock faces extend along most of the Park's profile from its ridge to sections of foreshore.

## Statement of Significance

Mowbray Park is classified as bushland as defined in State Environmental Planning Policy No 19 (\*Vol 1, 1.4), and is protected under State and Commonwealth Legislation (\*Vol 1, 1.5.2). The majority of the Park is zoned E2 Environmental Conservation, the athletics field and adjacent car park is zoned RE1 Public Recreation and a small section next to Epping Rd is zoned SP2 Infrastructure in the Willoughby Local Environment Plan (WLEP) 2012.

**ABORIGINAL CULTURAL SIGNIFICANCE:** The Gamaraygal people originally occupied the area. Mowbray Park contains a number of Aboriginal sites, including middens, shelters, artwork, axe grinding grooves and a campsite. These are protected by State and Federal legislation and the locations of these will be kept confidential to ensure they are not disturbed.

**NATURAL HERITAGE SIGNIFICANCE:** Mowbray Park contains significant continuous remnant vegetation with large rock outcrops and overhangs located along a major waterway, the Lane Cove River. The Park is home to diverse and varied wildlife and has varied plant communities. Mowbray Park is a significant part of the Lane Cove National Park network of ecological linkages connecting remnant habitat between the lower and upper Lane Cove River. Foreshore areas provide feeding and breeding habitat potential to a range of marine and estuarine species including wetland birds and the aquatic mammal, Rakali. Mammals such as possums including sugar gliders and possibly microbats utilise hollows in mangroves. The Short-beaked Echidna and various reptiles like the Lace Monitor, Red-bellied Black snake breed here. The extensive northerly aspect of rock outcrops support a diverse range of smaller reptiles including nocturnal species like the Eastern Small-eyed snake. The Park is a major flyways for a number of microbat species including the threatened Eastern Bentwing-bat and the Large-footed Myotis, which may roost here. Mowbray Park is home to a diverse range of birds with 88 native species recorded including the vulnerably listed, Powerful Owl and

Barking Owl. The Powerful and Boobook Owls breed in the Park. Estuarine Swamp Oak Forest provides food sources for the Yellow-tailed Black Cockatoo.

**HISTORIC CULTURAL SIGNIFICANCE:** After European arrival the Lane Cove Valley was a source of timber for the new colony in Port Jackson. Timber getting first commenced in the area in 1805. There is evidence in the Park of an old shelter carved into a rock ledge that may have been used during this time.

Later, the Lane Cove River was a popular picnic destination for people from Sydney who travelled up the river. Judy's Arm, located below Avro Rd was a cleared and grassy picnic area popular in the 1880s. Another popular picnic spot, located across the river was the Fairyland Pleasure Grounds which commenced in 1913. It had a wharf, dance hall, kiosk and playground.

Burns Park, located adjacent to the Golf Course, was dedicated as parkland in 1929. It was later incorporated into Mowbray Park. Close by the Flat Rock Picnic Area was serviced by the Franstone Wharf, and was demolished due to vandalism in 1952.

The athletics field was constructed and opened in 1966. Another oval and play area was planned for the Park by filling in a wetland in 1972. However this was met with strong opposition by local residents including children who stood in front of a bulldozer to prevent the project from commencing. The plan never eventuated and was later cancelled by Council.

## Reserve Impacts

Several major stormwater drainage lines and one sewer line run through Mowbray Park. During peak flow the increased amounts of moisture, nutrients, pollution, erosion and weed invasion are detrimental to the reserve's biological integrity. Increased sedimentation and freshwater content also threaten the vulnerable Estuary Saltmarsh community.

Past activities and subsequent weed infestation are still evident: e.g. turf grass is still persistent in some areas, although canopy species have regenerated. Although Mowbray Park has good connectivity to the Lane Cove National Park across the river, connection to the north is fragmented by the Golf Course.

**FIRE HISTORY:** A large area of Mowbray Park was burnt by wildfire in 1994. Council has since implemented hazard reduction actions, including prescribed burns, pile burns and manual fuel removal. There have also been some arson burns.

**ENCROACHMENTS:** Avian Crescent, Ulm Street, Melrose Street, and Mooney Street.

## Wildlife Habitat Issues

Tree hollows (especially larger ones) are not abundant and while there are significant rock shelters, little of the diverse layering of rocks important for reptile diversity exists. Firewood collection and too frequent burning of vegetation are potential issues for terrestrial species. Walking tracks and boardwalks throughout the Park run along the foreshore through ecologically sensitive areas and require monitoring to retain their integrity, particularly as track embankments are used for nesting by Pardalotes.

There are a large number of residential properties along the Park edge, which may contain potential predators of native wildlife such as cats, dogs and rats. These properties also impact on the integrity of bushland by weed escape and firewood collection. Wildlife habitat is very narrow adjacent to the golf course due to cleared vegetation behind properties and a pedestrian track running beside the river. This greatly limits the integrity of this habitat corridor for both terrestrial and avian species. Leashed dogs are allowed in the Park however there continue to be issues with unleashed dogs and cats straying into the Park. Mowbray Park is designated as a Wildlife Protection Area and fines apply to dogs unrestrained and cats found in the Park. Fox activity has been recorded and baiting has been conducted.

## Achievements

Continued weed control work by regeneration contractors and Council staff has improved bushland quality.

Council received grant funding from the Sydney Coastal Councils Group in 2015-16 to rehabilitate saltmarsh areas in the Park and Swaines Creek. Large areas were weeded followed by native plantings to improve connectivity of saltmarsh. Council matched funds received by the grant.

Track and boardwalk maintenance has improved public access throughout the Park.

Council has completed controlled burns and post fire maintenance for ecological values and asset protection.

Fox control activities have continued for a number of years.

The transfer of the Crown Reserve lease, adjacent to the former Starch Factory, to Council has been requested to align with the objectives of the Lane Cove River Coastal Zone Management Plan.

## Bushland Management Goals – Mowbray Park

The following aims from the Urban Bushland Plan of Management 2014 are priority objectives:

5.3b: To maintain conditions in which creek and drainage lines are protected from increased erosion and/or sedimentation due to urban impacts.

6.2f Aim: To preserve and increase ecological links across the LGA and regionally to assist the movement of fauna.

6.3b Aim: To implement weed control programs which are based on regeneration and restoration principles and which increase the bushland resilience to further weed infestation.

## Bushland Management – General Principles and Actions

- Bush regeneration is a long term process that requires staged weed removal to ensure establishment of native plant communities. Work should proceed from good bush to degraded areas with techniques that encourage regeneration, including flame weeding.
- If possible, all weed refuse and natural debris to be composted or retained on-site.
- When natural regeneration is deemed inadequate, supplementary plantings to mimic local plant communities and landscapes will be used with local provenance species.
- Standing dead trees and forest litter (including logs and branches) to be kept for wildlife habitat unless deemed a risk to safety.
- Monitor, maintain and enhance vegetation connectivity for wildlife habitat within the reserve and reserve networks.
- Phytophthora cinnamomi* (a root rot pathogen) is listed as a key threatening process in NSW and has been identified as a threat to a number of species. Bushland workers are to use hygiene protocols to minimise risk.
- Report and record all reserve encroachments. Also monitor for tree vandalism and/or removal within the reserve and report to Council Compliance for appropriate action.
- Continue to monitor wildlife habitat requirements and supplement where necessary.
- Monitor feral animal activity and implement Lomaria management actions where necessary.
- Encourage the community to report wildlife sightings to Council via the Wildlife Watch program to increase the understanding of native wildlife populations.
- Monitor and protect cultural heritage sites within the reserve with Aboriginal heritage to be protected at all times. Bushland staff to notify Aboriginal Heritage Office prior to each burn to identify sites and implement protection measures and post-fire survey.
- Establish photo points to monitor the progress of reserve management actions.
- Reserve Action Plan progress to be reviewed annually and updated after five years.

- This reserve has a valuable role as an educational resource. Preserve natural features used for educational purposes and continue to inform the community of bushland issues through on-site educational activities and signage. Maintain appropriate signage.
- Species diversity will be maintained by an ecological burn program in a mosaic pattern. Bushfire management will be achieved through implementation of a strategic hazard reduction program consistent with the Bushfire Risk Management Plan.
- Formal tracks to be regularly maintained and informal tracks closed to prevent damage to habitat and to impede access of feral animals, unless used for access by bushland workers.

## Animal List for Blue Gum Reserve

Blue Gum Reserve provides habitat for a number native animals. A list of these species can be found at: [https://www.willoughby.nsw.gov.au/files/sharedassets/public/ecm/willoughby-council-website/publications-reports-master-plans-strategies-action-plans/publications-reports-master-plans-strategies-action-plans/1-native\\_fauna\\_of\\_lane\\_cove\\_river.pdf](https://www.willoughby.nsw.gov.au/files/sharedassets/public/ecm/willoughby-council-website/publications-reports-master-plans-strategies-action-plans/publications-reports-master-plans-strategies-action-plans/1-native_fauna_of_lane_cove_river.pdf)

## Native Plant List for Mowbray Park

SELAGINACEAE	Casuarina glauca	Ficus rubiginosa	SAPINDACEAE
Salaginella uliginosa	CONVOLVULACEAE	MYRTACEAE	Dodonaea triquetra
<b>CONIFERS</b>	Dichondra repens	Acrotenia smithii	STYLIACEAE
CURRUPACEAE	ANGONIACEAE	Angophora bakeri	Styidium graminifolium
Callitris rhomboides	Bauera rubioides	Angophora costata	Styidium laricifolium
PODOCARPACEAE	Callicoma serratifolia	Angophora hispida	Styidium lineare
Afrocarpus falcatus	Ceratopetalum gumiferum	Baccharis myrtifolia	Styidium productum
Podocarpus spinulosus	DILLENIACEAE	Corymbia gumifera	THYMELAEACEAE
<b>FORK FERNS</b>	Hibbertia empetrifolia	Eucalyptus haemastoma	Pimelea linifolia
PSILOTALEAE	Hibbertia linearis	Eucalyptus piperita	VIOLACEAE
Psilotum nudum	ELAEOCARPACEAE	Eucalyptus punctata	Hybanthus veronii
<b>FERNS</b>	Elaeocarpus reticulatus	Eucalyptus resinifera	Viola hederacea
ASPLENIACEAE	Tetraneura ericifolia	Eucalyptus sieberi	VITACEAE
Asplenium australasicum	ERICACEAE	Gaudium trimerium	Cayratia clematidea
Asplenium fibellifolium	Epacris longiflora	Kunzea ambigua	Cissus hypoglauca
BLECHNACEAE	Epacris microphylla	Leptospermum arachnoides	<b>MONOCOTS</b>
Blechnum ambiguum	Epacris pulchella	Leptospermum polygalifolium	ASPARGACEAE
Blechnum cartilagineum	Leucopogon amplexicaulis	Tristramia laurina	Lomandra glauca
CYATHEACEAE	Leucopogon ericoides	OLACEAE	Lomandra gracilis
Cyathea australis	Leucopogon scopulifolius	Notelaea longifolia	Lomandra longifolia
Cyathea cooperi	Monotoca scoparia	Notelaea venosa	Lomandra obliqua
DIVALIACEAE	Syphelia longifolia	OXALIDACEAE	Thysanotus tuberosus
Davallia solidia var. pyxidata	Syphelia tubiflora	Oxalis corniculata	ASPHODELACEAE
DENNISTAEADACEAE	Woolfsia pungens	PIRODENDRACEAE	Dianella caerulea
Histiopteris incisa	EUPHORBIACEAE	Micranthemum ericoides	Tricoryne elatior
Hypolepis muelleri	Homalanthus populifolius	PITTIPOURACEAE	Xanthorrhoea arborea
Pteridium esculentum	Ricinocarpus pinifolius	Billardiera scandens	Xanthorrhoea media
DICKSONACEAE	FABACEAE-FABOIDEAE	Pittosporum undulatum	BLANDFORDIACEAE
Calochlaena dubia	Bossiaea ensata	PLANTAGINACEAE	Blandfordia nobilis
GLEICHENIACEAE	Bossiaea heterophylla	Veronica plebeia	COLCHICACEAE
Gleichenia dicarpa	Bossiaea scolopendria	Dillwynia rotata	Burchardia umbellata
Gleichenia microphylla	Glycine clandestina	Gompholobium glabratum	COMMELINACEAE
Gleichenia rupestris	Gompholobium latifolium	PROTEACEAE	Causis flexuosa
Sticherus lobatus	Lindsaea linearis	Grona varians	Causis pentandra
LINDSAEACEAE	Lindsaea microphylla	Hardenbergia violacea	Chaetospora turbinata
Lindsaea linearis	Hovea linearis	Hovea purpurea	Lepidosperma elatius
POLYPODIACEAE	Platycentrum bifurcatum	Banksia serrata	Lepidosperma laterale
Pyrosia rupestris	Mirbelia rubrifolia	Phyllota phyllicoides	Lepidosperma limicola
PTERIDIACEAE	Phyllota phyllicoides	Pteris tremula	Schoenus melanostachys
Adiantum aethiopicum	Puttenaea daphnoides	Puttenaea flexilis	IRIDACEAE
Pteris tremula	Puttenaea polifolia	Puttenaea stipularis	Patersonia glabrata
SCHIZAEACEAE	Puttenaea tuberculata	Hakea gibbosa	Patersonia sericea
Schizaea bifida	Puttenaea tuberculata	Hakea serrata	JUNCACEAE
Schizaea dichotoma	Puttenaea tuberculata	Hakea teretifolia	Juncus kraussii
<b>DICOTS</b>	Puttenaea tuberculata	Hakea teretifolia	ORCHIDACEAE
ACANTHACEAE	Puttenaea tuberculata	Hakea teretifolia	Acianthus fornicatus
Avicennia marina	Puttenaea tuberculata	Hakea teretifolia	Cryptostylis erecta
Pseudanthemum variabile	Puttenaea tuberculata	Hakea teretifolia	Dipodium punctatum
AMARANTHACEAE	Puttenaea tuberculata	Hakea teretifolia	Pterostylis nutans
Alternanthera denticulata	Puttenaea tuberculata	Hakea teretifolia	POACEAE
APACEAE	Puttenaea tuberculata	Hakea teretifolia	Aristida vagans
Actinotus helianthi	Puttenaea tuberculata	Hakea teretifolia	Echinopogon caespitosus
Actinotus minor	Puttenaea tuberculata	Hakea teretifolia	Entolasia marginata
Apium graveolens	Puttenaea tuberculata	Hakea teretifolia	Entolasia stricta
Centella asiatica	Puttenaea tuberculata	Hakea teretifolia	Eragrostis trachycarpa
Platyace linearifolia	Puttenaea tuberculata	Hakea teretifolia	Imperata cylindrica
Xanthosia pilosa	Puttenaea tuberculata	Hakea teretifolia	Microlaena stipoides
Xanthosia tridentata	Puttenaea tuberculata	Hakea teretifolia	Opilismenus imbecillis
APOCYNACEAE	Puttenaea tuberculata	Hakea teretifolia	Opilismenus aemulus
Marsdenia suaveolens	Puttenaea tuberculata	Hakea teretifolia	Panicum effusum
ARALIACEAE	Puttenaea tuberculata	Hakea teretifolia	Panicum simile
Polyscias sambucifolia	Puttenaea tuberculata	Hakea teretifolia	Paspalum urvillei
ASTERACEAE	Puttenaea tuberculata	Hakea teretifolia	Rydidosperma longifolium
Aster subulatus	Puttenaea tuberculata	Hakea teretifolia	Sporobolus virginicus
Cassinia denticulata	Puttenaea tuberculata	Hakea teretifolia	Sipa brassensis
Colula coronopifolia	Puttenaea tuberculata	Hakea teretifolia	Tetraria juncea
Ozothamnus diosmifolium	Puttenaea tuberculata	Hakea teretifolia	Themeda triandra
BIGNONIACEAE	Puttenaea tuberculata	Hakea teretifolia	RESTIONACEAE
Pandorea pandorana	Puttenaea tuberculata	Hakea teretifolia	Empodisma minus
CAMPANULACEAE	Puttenaea tuberculata	Hakea teretifolia	Lepyrodia scariosa
Lobelia anceps	Puttenaea tuberculata	Hakea teretifolia	SMILACACEAE
Lobelia purpurascens	Puttenaea tuberculata	Hakea teretifolia	Smilax australis
Wahlenbergia gracilis	Puttenaea tuberculata	Hakea teretifolia	Smilax glycyphylla
CASUARINACEAE	Puttenaea tuberculata	Hakea teretifolia	
Allocasuarina distyla	Puttenaea tuberculata	Hakea teretifolia	
Allocasuarina littoralis	Puttenaea tuberculata	Hakea teretifolia	

# Mowbray Park Reserve Action Plan

Lane Cove North

Public Exhibition Summary Report  
October – November 2023

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# Mowbray Park Reserve - Background

Mowbray Park is a long continuous area of remnant bushland located along the Lane Cove River in Lane Cove North.

Key Actions for the Draft Reserve Action Plan:

- Bush regeneration
- Accessibility; and
- Habitat creation

## Community Consultation - Communication Methods

### Mowbray Park Reserve Action Plan – Community Consultation

	STAKEHOLDER	COMMUNICATION METHOD	DATE	CLOSING DATE FOR COMMENTS
1.	Local Residents	<ul style="list-style-type: none"> <li>• Survey accessible online at Have Your Say Willoughby</li> <li>• Letters mailed to approximately eight hundred and sixty (860) properties (refer Appendix – Resident letter distribution area)</li> </ul>	16/10/23	13/11/23
2.	Park Visitors	<ul style="list-style-type: none"> <li>• Notification signs displayed in reserve</li> </ul>	16/10/23	

## **Community Consultation - Respondents**

A total of 21 responses were received during this period, 20 via Have Your Say, one via email. One respondent through Have Your Say did not provide any feedback to provide comment upon, and did not specify why they supported the draft Reserve Action Plan.

Comments received were generally supportive of the plan, and work to date, and sought a focus on biodiversity conservation.



## Public Exhibition - Comments Received

How frequently do you visit Mowbray Park?	
• Daily	Survey (9)
• Weekly	Survey (4)
• Monthly	Survey (1)
• A few times each year	Survey (6)
• Never	Survey (0)
What's the main reason you visit the Park?	
• Walking	Survey (13)
• Nature appreciation	Survey (2)
• Bushcare	Survey (0)
• Walking Dog	Survey (5)
• Other	Survey (0)
Have you viewed the Draft Reserve Action Plan?	
• Yes	Survey (19)
• No	Survey (1)
Do you support the Draft Mowbray Park Reserve Action Plan?	
• Yes	Survey (16)
• Yes, with changes. Please explain in the comment box below	Survey (3)
• No, with changes. Please explain in the comment box below	Survey (1)
Summary of Comments	
• Biodiversity Conservation	Eleven (11)
• Weeds	Three (3)
• Feral Animal Control	Two (2)
• Accessibility	Five (5)
• Have Your Say	One (1)
• Domestic Pets	Two (2)
• Signage	One (1)
• Revegetation	One (1)
• Prescribed Burns	Two (2)
• Works Timeline	One (1)
• Bushcare	One (1)
Suburb	
• Artarmon	Survey (2)
• Killara	Survey (1)
• Lane Cove North	Survey (16)
• Willoughby	Survey (1)

	<b>SUBMISSION</b>	<b>RESPONSE</b>
1.	<p>I support the draft Reserve Action Plan as the works improve the native flora environment and reduce invasive weeds. Continue to monitor and eradicate foxes. Great to improve links between Mowbray park and Lane Cove National Park.</p> <p>What are the plans for access from Mowbray Park to Lane Cove National Park once the Chatswood golf course is redeveloped?</p>	<p>Thank you for your feedback. Council will continue with its current works.</p> <p>Continuity of access along the bush track is being negotiated with the golf course. The public will be informed as soon as a decision has been agreed.</p>
2.	I support the draft Reserve Action Plan it is very good to maintain a beautiful, accessible area.	Thank you for your feedback. Council will continue with its current works.
3.	I support the draft Reserve Action Plan as this amazing park should be kept pristine so it can continue to serve as a haven which encourages physical and mental health.	Thank you for your feedback. Council will continue with its current works.
4.	I can't find a link - website just says visit Document Library which is not linked. Needs to be more accessible!	The draft Reserve Action Plan is located pm Councils website. Search for 'Mowbray Park' on the home page or go to <a href="https://www.willoughby.nsw.gov.au/Residents/Parks-and-recreation/Parks-reserves-and-playgrounds/Mowbray-Park">https://www.willoughby.nsw.gov.au/Residents/Parks-and-recreation/Parks-reserves-and-playgrounds/Mowbray-Park</a>
5.	I support the draft Reserve Action Plan as it is a wonderful park and the weeding and access plans are very environmentally sensible.	Thank you for your feedback. Council will continue with its current works.
6.	I don't think we need to spend extra money on action 40. A simple email to constituents should work. Thanks!	This is an ongoing action to be consistent with the Urban Bushland Plan of Management. There is no additional cost.
7.	I support the draft Reserve Action Plan as the works are sustainable.	Thank you for your feedback. Council will continue with its current works
8.	I support the draft Reserve Action Plan as it is better for our community and environment.	Thank you for your feedback. Council will continue with its current works
9.	It's a good plan for stewardship.	Thank you for your feedback. Council will continue with its current works
10.	I like that we are supporting native wildlife as best we can, considering proximity to people and houses.	Thank you for your feedback. Council will continue with its current works.
11.	<p>Around actions 18 and 22 a path coming from the Scout Hall is a waterfall and wooden bridge, which in the past has been a place looking a bit confusing. A pity as the natural features are very engaging, not that you would want to over expose the area but somehow to enhance it.</p> <p>Also the station viewing Chatswood and the river from action 16 is a prime spot</p>	Marker posts are installed along the tracks. Regular track maintenance is carried out, helping to define existing tracks. Walking track brochures are available on Council's webpage. The Willoughby Walks app provides directions through the reserve.
12.	I support the draft Reserve Action Plan as Mowbray Park is a precious gem which I walk through almost every day. I have seen echidnas, red belly black snakes and the majestic osprey. The bellbird and powerful owl sightings have sadly declined. Keep managing foxes and it would be great if cats could be captured/ poisoned too. I worry about the damage cats cause. More nesting boxes please. Elevating the walkway up slightly	Thank you for your feedback. The disappearance of the bellbirds is beneficial as they were causing Dieback on the Ironbark Eucalypts. Luckily we are still recording the presence of Powerful Owls in the reserve. continue to run its regional fox baiting program. Cat-trapping is conducted in bushland areas where there is evidence that native wildlife is being threatened by

	above king tide would be advisable, more people are fishing along the river - which is great but unless managed properly this will erode the bank. Consider dog poo bay dispensers at main entrance and / or a bin somewhere along the track. At the moment there is no rubbish bin at all which leads to some littering, especially of dog poo bags. Maybe on track at bottom of Avro is easiest for road access for bin collection.	cats. Nestboxes are installed in bushland reserves. Elevating the boardwalk will be considered. Dog poo bag dispensers are only installed in off-leash areas. There are rubbish bins at the Rotary Athletics Field.
13.	I support the draft Reserve Action Plan as the works aim at remove inappropriate vegetation, increase vegetation and provide other options for wildlife support.	Thank you for your feedback. Council will continue with its current works
14.	I support the draft Reserve Action Plan as removing weeds a big plus for the park.	Thank you for your feedback. Council will continue with its current works
15.	I support the draft Reserve Action Plan as it enables people to access and use the area for health and such issues, and to ensure development of the space for fauna. Frogs wallabies etc is crucial.	Thank you for your feedback. Council will continue with its current works
16.	The park needs improvement, maintenance and a link to Great North Walk would be excellent.	Links to the Great North Walk are available by crossing the Delhi Road or Epping Road bridges. Council has proposed foreshore access adjacent to the former industrial site west of Epping Road to provide a further link.
17.	I support the draft Reserve Action Plan as the conservation of the area is desperately needed. The rangers are doing a great job but more needs to be done to stop further weed seeding throughout the bush and the Action Plan should make a big difference. I have recently found a large fox scat which I reported to rangers working on Asparagus fern removal. I think more needs to be done to convince dog owners that dogs MUST be on a lead and some people living in Avian Crescent allow their cats to roam in the park. Education required probably.	Thank you for your feedback which is supported. Signage on leashing dogs are installed at all reserve entrances. Rangers patrol the reserve. Cat-trapping is conducted in bushland areas where there is evidence that native wildlife is being threatened by cats.
18.	Under Bushland Management Goals – Mowbray Park, it has become evident that there needs to be an education program within Council, particularly for the Infrastructure and Design Team. This program should include the importance of preserving and increasing ecological links to assist the movement of fauna. It should also include the importance of planting species that are not invasive to bushland and that could assist in regenerating and restoring our bushland.  Please refer to the current work in the Artarmon Local Centre to understand how the landscaping decisions made there do not provide ecological links and include several species that are invasive to the Artarmon Reserve. It is vitally important that	The Infrastructure and Design team will consult the bushland team in regard to ecological issues, including native plant species selection and ecological links.  This feedback has been provided to the Infrastructure Team.

	this type of streetscape is NEVER repeated in the Willoughby LGA.	
19.	I would strongly recommend burns be done to protect the bush and residences.	A burn is scheduled for Autumn/Winter next year, next to the scout hall. Exact dates will be confirmed by Fire and Rescue NSW who is the lead authority
20.	<p>Dear Council</p> <p>I am writing in response to the Draft Reserve Action Plan for Mowbray Park. I note that much of the plan seems to be a duplicate of the 2018 plan, with little updating to reflect the current environment in the Park. I would seek that the Plan be reviewed and updated consistent with the current conditions in the Park. Some areas have been significantly improved since 2018 while others have significantly degraded.</p> <p>My property is at Mooney St. Until about 2 years ago there was a very active Bushcare group and significant investment by the Council in replanting sections of the area identified on the map between actions 27 and 31.</p> <ol style="list-style-type: none"> <li>1. Since the Bushcare group has stopped meeting, the area has become infested with weeds. There are now camphor laurel seedlings springing up all through the bush.</li> <li>2. The paths are now inaccessible – with fallen tree debris and weeds overgrowing them.</li> <li>3. The Bushland Contractors (BC) are NOT maintaining the area. The area has become overgrown with weeds and fishbone ferns and they seldom mow or whipper snip. I understand access is difficult since the golf course redevelopment commenced. However I have met with the Bushland Supervisor and agreed that the contractors can use my yard for access into the area marked between actions 27 and 31, provided they drove their mower down the lower, southern end of the western retaining wall.</li> <li>4. Re 27. There has been no recent post fire weeding of that area – it was done immediately following the controlled burn BUT not since then and is now full of debris and weeds. It is a significant fire risk.</li> <li>5. Re 28. The BC have NOT maintained the grass swale. It is full of weeds, small camphor laurel trees etc and cobblers pegs and the access to the river is nigh impossible.</li> </ol>	<p>Actions are reviewed annually with the community and subject matter experts to assess progress over time. Most works are ongoing and therefore stay in the Reserve Action Plan. Where significant actions are completed, they are identified in the achievement section of the Reserve Action Plan.</p> <p>The group has been inconsistent during and after COVID, but plan to meet in the future. The area the group works is marked on the Reserve Action Plan map as areas 30 and 31. The area marked as 27, is managed by Councils contractors.</p> <p>Bushland field staff will identify these plants, some of which may be Cheese Trees, and remove them incrementally.</p> <p>Council staff will remove debris on walking tracks.</p> <p>As identified in action 31, the Bushland Team maintains the road reserve by spraying and brush cutting. Based on your feedback we will look into additional native plantings to revegetate degraded areas. The Bushland Supervisor will manage this.</p> <p>Post-fire weeding is generally done as required. As the bush becomes resilient we will remove the weeds.</p> <p>Thankyou for your feedback. The Creeks Project Coordinator has been notified and will have contractors carry out this work.</p>

6. Re 29. BC have not been working much in the area recently and while some great work was done a couple of years ago to remove privet, it is now beginning to come back.

7. Re 30. I note that the Bushcare group has not met for more than 2 years. There has been very little or no maintenance done in the area at all.

8. Re 31. Again, there has been very little work in this area over recent years and all the hard work that had been done has been left to degrade.

The last time the area was significantly burnt by fire was 1994. There was a small controlled burn in action 27 in 2018, BUT it did not extend further north towards the golf course. The council has NOT done any manual fuel removal and whatever native planting that was done has now been crowded out by weeds and escaped exotic plants including jasmine.

I attached some recent photos of the reserve and the path to show the path is blocked by debris from fallen branches, camphor laurel plants sprouting as well as the lack of mowing allowing all weeds to seed throughout the reserve.

I am happy to discuss this further.



The Creeks Project Coordinator has been notified and will have contractors carry out this work

The group has not met consistently during and after Covid, but plan to meet in the future.

The Bushland Supervisor has been notified will have field staff to carry out these works.

Prescribed burn schedules are determined by Fire and Rescue NSW. The Creeks Project Coordinator will inspect this area to facilitate future maintenance.



# Appendix

## Website Survey – Have Your Say Willoughby

### Mowbray Park Reserve, Lane Cove North – Draft Reserve Action Plan

Willoughby City Council is seeking community feedback for Mowbray Park Reserve.

Please review the Mowbray Park Reserve Draft Action Plan in the Document Library and leave your comments below in the survey prior to closure of the community consultation period at 5 pm, Monday 13th November 2023.

Mowbray Park is a long continuous area of remnant bushland located along the Lane Cove River in Lane Cove North.

Key Actions for the Draft Reserve Action Plan:

- Bush regeneration
- Accessibility; and
- Habitat creation

All community members who leave a comment will receive a response after the community consultation period.

#### How frequently do you visit Mowbray Park ?

- Daily     Weekly     Monthly     A few times each year     Never

#### What's the main reason you visit the Park?

- Nature Appreciation     Walking     Walk with dog     Bushcare volunteer     Other

#### Have you viewed the Draft Reserve Action Plan?

- Yes     No

#### Do you support the Mowbray Park Reserve Action Plan?

- Yes     Yes, with changes. Please explain in the comment box below
- No. Please explain in comment box below

# Notification

## Letter to Residents

**PLANNING & INFRASTRUCTURE**  
Environmental Unit

16 October 2023

Willoughby City Council  
PO Box 57  
CHATSWOOD NSW 2057

Dear Sir/Madam

**RE: DRAFT MOWBRAY PARK RESERVE ACTION PLAN**

Council has updated the Bushland Reserve Action Plan for Mowbray Park Reserve. The Draft Plan outlines bushland management actions to preserve and enhance local ecological values.

Key actions include bush regeneration, Accessibility and Habitat creation.

We welcome your feedback on the Draft Plan and invite you to view and comment through Have Your Say Willoughby at [www.haveyoursaywilloughby.com.au](http://www.haveyoursaywilloughby.com.au) by **5 pm, Monday 13th November 2023**.

Alternatively, comments should be marked to the attention of Council's Natural Assets Officer, Nicholas Yu to the address below or via email to [email@willoughby.nsw.gov.au](mailto:email@willoughby.nsw.gov.au)

Yours sincerely,

Alfred Bernhard  
BUSHLAND TEAM LEADER

(Computer printed copy - No signature required)



**Resident Letter Distribution Area**



Approximately 860 residences



# MOWBRAY PARK DRAFT RESERVE ACTION PLAN

Council has created an updated Reserve Action Plan for Mowbray Park Reserve and is seeking comments from the community regarding this Draft.

**Have Your Say about the Draft Plan by:**

- **Commenting on the Have Your Say Willoughby website**
- **Writing to Council**

To view the plan and to make comments, please go to:

**[www.haveyoursaywilloughby.com.au](http://www.haveyoursaywilloughby.com.au)**

Alternatively, send your comments marked to the attention of Council's Natural Assets Officer, Nicholas Yu to the address below or via email to [email@willoughby.nsw.gov.au](mailto:email@willoughby.nsw.gov.au)

The submission period will close at **5pm, Monday 13th November.**

**12.14 OUTCOME OF PUBLIC EXHIBITION OF COMMUNITY PARTICIPATION PLAN**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - SUMMARY OF SUBMISSIONS</b> <b>2. ATTACHMENT 2 - COMMUNITY PARTICIPATION PLAN_PROOF 3</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>JANE GIBSON, STRATEGIC PLANNER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.5 MAKE IT EASY FOR CITIZENS TO ENGAGE AND PARTICIPATE IN DECISION MAKING.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To seek Council's adoption of the revised Community Participation Plan (CPP) following public exhibition.

**2. OFFICERS RECOMMENDATION**

**That Council:**

- 1. Adopt the revised Community Participation Plan.**
- 2. Authorise the Chief Executive Officer to make any necessary amendments to the final published documents which do not alter the intent or result in material changes, including the graphic design of the final Community Participation Plan.**

**3. BACKGROUND**

Community Participation Plans (CPPs) set out how planning authorities will engage with their communities about decision making concerning planning matters such as development applications and planning proposals.

At the Council Meeting of 23 October 2023, Council endorsed the public exhibition of the Draft CPP. That exhibition has now been completed and the comments received incorporated into a final draft document for Council's consideration.

**4. DISCUSSION****Public Exhibition**

The Draft CPP was placed on exhibition from Monday 29 November until Monday 11 December 2023. Engagement activities used to promote the exhibition included:

- Information included on Have Your Say Willoughby
- The placement of the Draft CPP on the NSW Planning Portal
- Notification to Progress Associations, Chambers of Commerce and other group stakeholders

- Promotion to the entire Have Your Say database and Council News newsletter
- Media release
- Social media promotion
- Placement on the monthly full page corporate advertisement that appears in The Post and North Shore Living
- A 'Talk to a Planner' drop in session on the evening of 29 November 2023.

Respondents to the Community Engagement Strategy exhibition earlier this year who had made specific commentary on Draft CPP were also notified.

### **Feedback received from the exhibition**

10 submissions were received. A summary of the submissions can be viewed at **Attachment 1**.

The submissions included a variety of comments. A few recurring themes emerged being:

1. previous submissions to development proposals not being heard;
2. specific issues regarding the development assessment process;
3. concerns regarding post determination traffic matters.

#### **1. Previous submissions to development proposals not being heard**

Submissions to both Development Applications and Strategic Planning matters always include a variety of views. It is often difficult to land on a conclusion where everyone's opinions are incorporated in the final decision. For strategic planning exhibitions, Council reports summarise and provide a response to all submissions and responses may be reported by subject. For Development Applications (DA) considered by the Willoughby Local Planning Panel (WLPP) or the Sydney North Planning Panel (SNPP), the panels are sent copies of all submissions for consideration.

Considering the issue of not being heard, it was noted that the Draft CPP did not include any commentary on considering submissions. An extra paragraph was added to the CPP to clarify how submissions are dealt with, noting responses to submissions will be published as part of exhibition outcomes reports.

#### **2. Specific issues regarding the development assessment process**

Two submissions recommended a change to the existing notification practice. Both recommended a larger 200m notification radius in certain circumstances. One submission related to a proposed restaurant and one referred to any applications incorporating a variation of controls (Clause 4.6 variation of *Willoughby Local Environmental Plan 2012*).

In the case of the proposed restaurant, the existing 100m notification is considered suitable for the scale of the development and the nature of the impacts. Generally, a 200m notification radius applies to high rise development applications and regionally significant development. There are also other means for the wider community to be aware of development applications in the local area. Council's web page includes a list of recently received applications and Planning Alerts. Progress associations and Willoughby Living also publish information about new applications.

Another submission suggested that all DAs which include a variation of planning controls (4.6 Variation) should be notified to a 200m notification radius. This would be a significant change in the notification process and would require additional costs.

Since commencement of the new *Willoughby Local Environmental Plan* (LEP) and *Development Control Plan* (DCP), Council has adopted a new approach to reduce the number of Clause 4.6 variations and preserve the integrity of the controls. Applicants are advised at the start of the assessment process that the tests applying to variations are strictly applied. The extent of proposed variations are often reduced or removed altogether. It

is intended that this approach will continue.

Further submissions spoke of specific issues regarding the development assessment process itself rather than the method of notification. These have been responded to in the summary at **Attachment 1**.

### **3. Concerns regarding post determination traffic matters**

The wording of this section of the Draft CPP was raised as a concern in two submissions. It could be interpreted that assessment and key details of traffic upgrades would be deferred until post approval. That is not the intent. Traffic impacts of a proposal are considered as part of the DA assessment. That assessment will take account of an area broader than the development site itself. This will in turn lead to conditions that must be carried out at a later stage, e.g. traffic upgrades.

The purpose of the consultation required by this section of the CPP is not to determine whether or not traffic upgrades are required. Rather, it keeps the local community informed on how the conditions of consent are being implemented. The plans submitted at this point are also subject to approval by Council's engineers to ensure they meet the requirements stipulated by Council.

When developers are required to undertake traffic infrastructure upgrades as part of an approval, they are also required to advise the community of the upcoming works. It may be some time between an approval being issued and works being undertaken and it is important that the community is given clear and detailed information in relation to traffic infrastructure upgrades being delivered by a developer.

Including conditions that require action at a later date, is in accordance with Council's obligations under the Environmental Planning and Assessment Act 1979. This approach does not differ from other councils. The paragraph in the CPP has been redrafted to clarify the intent regarding traffic issues post determination.

### **Changes arising following exhibition**

The following changes were made after comments either from submissions or from staff:

- Consideration of layout and format changes to comply with Council's style guide for publications.
- The preamble section of the plan has been re written with a more user friendly plain English language. Nothing has been removed and the intent remains the same.
- Specific examples of previous Planning Proposals have been removed. These were useful for exhibition purposes but are not considered to be helpful in the final version of the plan as readers will not be aware of the specifics of those examples over the life of the document.
- Certain strategic planning items were listed in error to be exhibited on the NSW Planning Portal including draft DCP amendments, and draft Local Strategic Planning Statements. Straight forward DCP amendments are always exhibited on Council's HYS exhibition platform. Only current DCPs are published on the NSW Planning Portal.
- A further sentence was added to clarify privacy in planning proposal submissions.
- Clarification in the document title that it applies to statutory planning and development processes.
- Environmental Impact Statement (EIS) – this was incorrectly included as an item in its own right and Council would have no reason to exhibit an EIS in isolation from a DA.

### Table 3 changes

The following section discusses changes to the layout of Table 3 too make it clearer and more succinct. In the consultation draft, this table included information about the way strategic planning projects are exhibited. In addition, specific exhibition methods were given a rating of A, U O or R being:

A	Always undertaken
U	Usually undertaken
O	Occasionally undertaken
R	Rarely Undertaken

The Table has been redrafted, and it now itemises the “always” requirements for each type of exhibition. It then combines the previous “usually”, “occasionally” and “rarely” into the one category. Council staff can determine any extra engagement methods that can be included on a case by case basis. These will always be highlighted for each exhibition in a pre-exhibition report for Council to determine. The end result is the same as was displayed previously.

There have also been minor changes incorporated. These tasks (listed below) were not clear in the exhibited draft and have been updated to reflect current practices being:

- Creation of a summary fact sheet for every exhibition (upgraded from “usually” to “always”)
- A comprehensive LEP always being placed on the planning portal
- Notifying all progress associations on a LGA wide LEP
- Always notifying submitters of the Council meeting when the item is being considered, with the ability to address Council.
- Creation of an engagement plan for all strategic planning exhibitions

The resultant Table has not changed current practices. It merely clarifies when these types of engagement activities occur, in a simpler format.

### Visual Changes

The Draft CPP was exhibited as a word document. The document has now been visually improved by a graphic designer and the final version can be viewed at **Attachment 2**.

It is considered that the above changes along with the graphic design improvements will make the final CPP more user friendly.

## 5. RISKS AND OPPORTUNITIES

The CPP, as proposed, exceeds Council's statutory consultation and exhibition requirements. This will reduce the risk to Council projects and determinations by ensuring community sentiment and feedback is considered before these projects are implemented or a determination is finalised.

## 6. CONCLUSION

The revised CPP will replace Council's existing Community Participation Plan, endorsed in 2019.

It is recommended that the revised Community Participation Plan be adopted following consideration and amendment aligned to community feedback.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.5 Make it easy for citizens to engage and participate in decision making.
<b>Business Plan Objectives, Outcomes / Services</b>	The community contributes to Council decision making through effective
<b>Policy</b>	To oversee the Council's approach to community engagement in alignment with the Community Engagement Strategy.
<b>Consultation</b>	The draft CPP was on exhibition from Monday 29 November until Monday 11 December 2023. Refer to <b>Attachment 1</b> for a summary and responses to submissions.
<b>Risk</b>	Should Council not adopt the draft CPP, the current CPP as at 2019 will continue to operate.
<b>Resource</b>	The review and update of the CPP was undertaken as a Base Budget activity using existing operational resources.
<b>Legal</b>	The draft Plan was prepared with consideration of Section 2.23 of the Environmental Planning and Assessment (EP&A) Act
<b>Legislation</b>	The draft Plan was prepared with consideration of Section 2.23 of the Environmental Planning and Assessment (EP&A) Act
<b>Budget/Financial</b>	The exact cost of undertaking consultation under draft Plan has not been quantified, but is expected to be able to be managed through the normal budget process. The relevant Council Teams have been resourced to comply with the consultation requirements proposed. This is reviewed annually in the preparation of Council's annual budgets for each financial year.

	<b>Name and suburb</b>	<b>Summary of submission</b>	<b>Council response</b>
1	Resident Lindfield	I would like to know how futile the community's opinions are considering people just seem to take no notice of objections or concerns??? At what point will the community be taken seriously?	Reports to Council such as this one highlight concerns and provide responses in good faith.
2	Resident Chatswood	<p>My house was outside the notification area of a DA lodged for a McDonald's restaurant, despite my house being close enough and on a main road, so would be directly impacted by the development. As such, we were unable to provide a submission in the allowable time frame because we didn't know there was a DA lodged. The fact that only 8 submissions were received on this DA is an alarming statistic, considering the significance of this DA for the surrounding community.</p> <p>I believe an extended notification area (beyond the existing 100m) should exist for developments which could have significant negative impacts for residents. And a 24/7 McDonald's should absolutely qualify as high interest, so fall into this category. At present, residents who will be affected by this DA may not even know it exists. The local community should be able to have their say on developments in their community.</p>	<p>100m consultation radius such as the one applying to the proposed McDonald's development application is considered to be extensive. In this case the notification zone included 70 properties.</p> <p>Since the CPP submission was received, more submissions have been submitted regarding the DA including properties outside the 100m consultation radius.</p> <p>Residents often become aware of applications in the LGA from means other than within a notification zone, eg from the local progress associations or Willoughby Living. Council's web page also lists submitted applications with descriptions.</p> <p>200m radius for notification applies to much larger scale DAs such as over 35m or regional significant development. A change of this nature would result in an increase in mailing / staff costs. No change is proposed.</p>
3	Resident Artarmon	I made a submission on a development application	No specific comments were received from this submitter.



	<b>Name and suburb</b>	<b>Summary of submission</b>	<b>Council response</b>
4	Resident Artarmon	I suspect that the participation process is largely a sham. Whatever ratepayers say, Council bureaucrats usually get their way and smugly say 'we have consulted the community'. But do they take any notice? Usually not. We dutifully respond to these surveys but rarely win. An excellent example is the 'consultation' about the recent rate rise. The community consultation was clearly in favour of a moderate rise but this was ignored in the final decision.	<p>A report on the propose rate increase was considered at the Council Meeting of 27 November 2023.</p> <p>The report provides comprehensive information on the engagement outcomes.</p>
5	Resident Artarmon	I would like to see a process where you're notified when your application passes through the departments in council. Having a time-sensitive application sitting somewhere in the process and not knowing the hold up is very frustrating. Officers approving/denying your application should be held accountable for unacceptable delays.	<p>Council staff do attempt to keep applicants up to date on DA status. Responsible officers can be contacted for updates. Council's DA online tracker also provides an indication of the DA's status. The Planning Portal also advises applicants of the DA process.</p> <p>DA consideration times are strictly guided. Councils have 40 days to determine most development applications. If an application is not determined by the deadline, it is deemed to have been refused and applicants can appeal to the Land and Environment Court. However, depending on the complexity, assessments can take longer than 40 days.</p>
6	Resident Castlecrag	The notification process needs to clarified to explain how, when and why non resident groups are notified about a proposal and to what degree any comments received impact the outcomes. similarly, the notification process should have a clear means of outlining what comments were received, including what non written comments	<p>Summaries of submissions such as this one always are included at the end of an exhibition process.</p> <p>Information on drop in sessions are also included when they occur.</p> <p>It is this Council (and most councils) policy to not include verbal comments. Staff are happy to discuss / listen to</p>

	<b>Name and suburb</b>	<b>Summary of submission</b>	<b>Council response</b>
		were received, such as personal visits or calls taken by council staff about a proposal and clear file notes taken and released as part of thorough transparency.	comments but advice is given then formal submissions must be in writing. Written submissions avoids any dubiety or interpretation of commentary made.
		<p>WCC must ensure there is clear consistency about the proposals it puts out to public comment and those which it does not, and why there is a difference in the various circumstances. there have been cases where things have gone out for public consultation and cases where things have not gone out for public consultation.</p> <p>WCC must also have a clear community charter that outlines how it deals with DA submissions, especially in cases where it pushes the home owner to withdraw their DA. This charter must outline such things as the time taken to review a DA/respond to the applicant, why there is no consultation with a submitting applicant, especially when the DA is pushed for withdrawal, what remedies are available in such a circumstance, why council did not conduct a site visit and what happens to the applicant's DA fees in different circumstances. All of these issues and more were unanswered questions in my submission that I feel were unethical and should be addressed to help future residents in their dealings with council and their submissions.</p>	<p>Council staff would request an applicant withdraw and application in particular circumstances. For example, requested information has not been submitted or if a requested variation is substantially different from the original approval.</p> <p>It is recommended that applicants undertake a pre DA meeting. This can highlight any problems prior to submission. It also clarifies what documentation is required to be included in the DA.</p> <p>This can speed up assessment times and avoid the need to withdraw.</p>
7	Naremburn Progress Association	Thank you for the opportunity to have our say regarding Willoughby Councils Draft Participation Plan. We welcome the plan and have the following comments:	<p>Notifying all DAs which are seeking a variation to a 200m radius would be a significant change.</p> <p>The sentiment of compliance to the new recently approved planning rules has been considered by Council.</p>

	Name and suburb	Summary of submission	Council response
		<p>1) We welcome the extended notification area of 200m for high interest development applications, including State Significant Development and development over 35m in height, double the existing maximum notification area. However, we request that the notification range also be extended for any DA's which seek a variation of LEP/DCP controls. The community went to a great deal of trouble to provide feedback with regard to the new LEP/DCP controls and variations should not be standard practice.</p>	<p>Since the recently approved changes to the LEP and DCP, Council staff has adopted a new approach to reduce the amount of variations to development standards. Part of this approach is the strict application of Clause 4.6 Exceptions to Development standards to ensure any variations have been tested robustly. Also the increased focus of recommending pre lodgement meetings to identify any such issues.</p> <p>Some variations will be minor in nature and 200m notification would be labour intensive and would incur a significant increase in mailing costs. In terms of process, notifications occur at the lodgement of a DA. In some cases a variation can be reduced or even removed as part of the assessment process.</p> <p>A variation in itself should not be the criteria for a notification radius.</p>
	Naremburn Progress Association	<p>2) We welcome the plan's intent to "Inform, Consult, Involve, Collaborate (with) and Empower" communities however we note that to date very few of our submission suggestions are taken on board particularly around the various strategic plans that council requested feedback on. Often our comments are noted and referred to another plan which does not adequately address the issue at hand. If council wish to empower communities, then their suggestions should be taken seriously.</p>	<p>Council staff do attempt to consider submissions and provide a response. However, in some strategic broader planning issues, eg locations where population growth should be focussed, it can be difficult to land on a recommendation where all views are incorporated in the final decision.</p>

	<b>Name and suburb</b>	<b>Summary of submission</b>	<b>Council response</b>
	Naremburn Progress Association	3) We note that certain feedback will not be requested during the Christmas holidays however we would request that consultations on major projects and strategic plans do not commence in school holidays wherever possible. It is also unfair for a home owner who may well be away for 2 weeks to return to a DA that has closed.	For strategic, broader planning matters, Council does avoid school holidays for exhibitions. For DAs, it is not possible to halt an application due to school holidays throughout the year (apart from the Christmas holidays). Development does not stop throughout the year. A request for an extension can be provided if someone misses a notification period due to school holidays.
	Naremburn Progress Association	4) We note that “for development applications in notification areas for categories A, B, C, E and F relevant Progress Associations “will be notified by email. We note that we are not currently being notified via email. We would also request that for Categories E and F neighbouring Progress Associations are notified.	The relevant progress association is notified in accordance with the location of the proposal site. As this suggestion was only recommended by one of the progress associations it is not recommended that this proceed. Council staff are mindful of not overloading progress associations with notifications. Generally, residents and progress associations can view all received DAs on Council’s webpage if they wish to view and comment on DAs outside their local area.
	Naremburn Progress Association	5) Given the density of the area and implications of major road projects – all traffic changes whether related to a change in road signalling, traffic flow or development should include a pollution analysis as part of council’s “expectations” – a set minimum standard for air quality in line with National Standards should be in place for Willoughby and medium – high density developments should demonstrate compliance.	Council has implemented controls to reduce private car use in centres. Future growth in population has been focussed on centre locations with good public transport options. This has also been supplemented with a reduction in car parking requirements and a greater reliance on car share in high rise residential buildings. These planning controls are attempting a modal shift away from car dependency.

	<b>Name and suburb</b>	<b>Summary of submission</b>	<b>Council response</b>
	Naremburn Progress Association	<p>6) If it is the intention of council to empower communities then it can do more to assist residents impacted by CDC's. Council receive the plans and should set minimum timeframes for placing these for public view on their website along with clear instructions as to who to contact if there are any issues. Other councils provide a far greater level of assistance to property owners impacted by CDC's. The statement "CDCs are not subject to a merit assessment by the Council's development assessment staff. In addition, the Council has no statutory authority to require certifiers or their clients to consider the views of adjoining or nearby neighbours. For further information on the complying development system, please go to <a href="http://www.planning.nsw.gov.au/assess-and-regulate/development-assessment/planning-approval-pathways/complying-development">www.planning.nsw.gov.au/assess-and-regulate/development-assessment/planning-approval-pathways/complying-development</a> " is not sufficient to empower communities.</p>	<p>For the purposes of the CPP, it is intended to clarify that Council has no jurisdiction over the notification process of a private certifier.</p> <p>Concerns about the work of a principle certifying authority need to be directed to Fair Trading.</p>
	Naremburn Progress Association	<p>7) "Demolition, construction of a new dwelling house or secondary dwelling, change to frontage (including building façade, fencing, car parking) additions above ground floor within a heritage conservation area" should be placed under Category C with 21 days notice given the need to consult heritage experts and the fact that the new LEP/DCP sought to prevent demolition in this category.</p>	<p>Elevating all these types of proposal to Category C is not supported, given not all will occur in conservation areas. 14 days is adequate time for notification. For proposals in conservation areas, heritage expert advice is not limited to the 14 day notification period. This is incorporated as part of the development assessment process.</p> <p>Council's DCP is clear in non-support for a demolition in a conservation area. To give such type of proposals their own category in the CPP might convey the message that they are acceptable.</p>

	Name and suburb	Summary of submission	Council response
		8) It is not clear at what point Master Planning for an area would be triggered for example 2 or more major developments supplying x number of dwellings in an area could/ should trigger Master Planning in conjunction with the State Government to ensure that services can be sufficiently upgraded to match population growth. Services should not be limited to transport factors but should include parks, stormwater, sewage, schools, active transport etc	Requirement for services to supply major development is noted.
		9) The policy should state how a submitters details will be kept private	For strategic planning submissions, submitter details are redacted. An extra section has been added to the final version of the CPP to clarify this. For development application, submitter details are included unless the submitter has requested confidentiality.
		10) Real time dwelling number approvals and completions should be available via the Willoughby Council website so that the community can see how we are tracking against State Government mandated dwelling numbers.	Completions and approval statistics are monitored by NSW Planning and Council staff refer to this platform for statistical information. A link can be provided to this via council's webpage. The dashboard can be accessed at: <a href="#">Sydney housing supply forecast   Planning (nsw.gov.au)</a>
		11) For non-contentious DA's should be determined within required timeframes	Council staff attempt to determine all applications within required timeframes
8	Federation of Willoughby	We understand that the Community Participation Plan replaces CPP (2019) and that it addresses specifically how community participation is allowed in Council-administered statutory	'Participating in Statutory Planning & Development Processes' has been added to the front page.

	<b>Name and suburb</b>	<b>Summary of submission</b>	<b>Council response</b>
	Progress Associations	<p>planning and development processes. To avoid confusion with Council's other 'engagement' documents, we suggest that a utilitarian subtitle such as 'CPP: Statutory Planning &amp; Development Processes' or simply 'Participating in Statutory Planning &amp; Development Processes' be used. We note that people have previously called for Council to present its document changes in a marked-up copy, e.g., Willoughby Community Participation Plan – Public Exhibition Engagement Report November 2019. Toggling between several documents made the task of responding more difficult than if those previous requests for mark-up had been heard.</p>	<p>Note the comments made on track changes. However, on occasions where a number of changes including reorder of pages, the tracked document can become too cluttered and difficult to read.</p>
		<p>We do not support a new provision aiming to institute 'post determination traffic matters'. Allowing potentially adverse traffic impacts to go unaddressed or unresolved is of concern. The Federation believes that it will prevent the community from having legitimate concerns dealt with by the responsible authority (Council) within the legislated timeframe. Thank you for the opportunity to participate in this consultation.</p>	<p>Unresolved traffic impacts was not the intention of this section of the draft. The paragraph has been reworded to clarify this. See Council report for a full response</p>
9	Resident Chatswood	<p>An approved DA seems to absolve businesses from health and environmental impacts due to the DA process lacking.</p> <p>The intended planning consultation does not address current issues. A forward looking</p>	<p>Businesses are required to install and operate equipment and machinery in accordance with Australian Standards.</p> <p>Council can issue notices should there any non compliance occur.</p>

	<b>Name and suburb</b>	<b>Summary of submission</b>	<b>Council response</b>
		<p>approach will mean this part of the community will continue to be impacted by existing development.</p> <p>The council need to address current issues which are clearly over and above DA compliance. These include, air and noise pollution, safety and traffic volumes.</p> <p>Can you please confirm if the issues raised over several years have been passed onto the ward counsellors? To my knowledge they have not engaged this part of the community in recent years and I would like to hear directly from them on how they plan to address the issues.</p>	<p>The CPP does not incorporate these type of processes.</p> <p>The other issues raised may be addressed by Council in other strategic planning projects and through assessment of rezoning and development applications.</p>
10	Resident Chatswood West	<p>1) I am writing to object to the proposed introduction of the captioned new section to the Draft Community Participation Plan</p> <p>The section appears to seek to move the onus for evaluation of Developers' Traffic Impact Assessments (and objections or questions relating to these) from Council to residents, by obliging developers to consult with community on traffic concerns. Further these discussions would take place post determination.</p> <p>This move appears to have arisen as a result of residents and Progress Associations questioning</p>	<p>Unresolved traffic impacts was not the intention of this section of the draft. The paragraph has been reworded to clarify this.</p> <p>See Council report for a full response on this issue.</p>



	<b>Name and suburb</b>	<b>Summary of submission</b>	<b>Council response</b>
		<p>the capacity of some suburban streets to handle the combined volumes of residential and service traffic from clumped developments which may all be obliged to use the same entry/exit street.</p> <p>It is my understanding, from written correspondence from Councillor Campbell, that a developer is only responsible for evaluating traffic from his own development, independent of however many nearby developments' traffic may impact on the same street(s).</p> <p>I suggest that consultation with residents under this restriction will not lead very far in discussion of possible traffic congestion.</p>	
		<p>2) Further, after reading many Traffic Impact Statements, it appears that developers are only required to evaluate traffic over a very short distance from their development (nearest intersection or intersections) which again seems to significantly limit the scope of consultation that could be had.</p> <p>In order not to delay development determinations, it is proposed that developer/community consultation take place post-determination, and the outcome, if any, be a condition of consent.</p> <p>That is just the icing on the cake. There cannot be an outcome if the cards are stacked in the developer's favour, as outlined above.</p>	<p>Unresolved traffic impacts was not the intention of this section of the draft. The paragraph has been reworded to clarify this.</p> <p>See Council report for a full response on this issue.</p>

	<b>Name and suburb</b>	<b>Summary of submission</b>	<b>Council response</b>
		<p>3) Finally, it appears that Council is attempting to hive off its responsibilities for development traffic matters. Council clearly is the authority that has to plan for such traffic, and despite considerable development planning and the start of building in the CBD, we are yet to hear of an encompassing traffic plan or evaluation.</p> <p>I trust that Council will take into consideration the above comments and observations, and not include the Post-determination traffic matters section in the new Community Participation Plan</p>	<p>Unresolved traffic impacts was not the intention of this section of the draft. The paragraph has been reworded to clarify this.</p> <p>See Council report for a full response on this issue.</p>



# Community Participation Plan

Participating in Statutory Planning & Development Processes

FEBRUARY 2024



## ENGLISH

If you do not understand this document, please visit Council's Administration Building to discuss it with Council staff who will arrange an interpreter service. The Administration Building is located at 31 Victor Street, Chatswood and open from 8.30am to 5pm, Monday to Friday. Alternatively, you may ring the Translating & Interpreting Service on 131 450 to ask for an interpreter to contact Council for you. Council's phone number is (02) 9777 1000.

## ARABIC

إذا كنت لا تفهم هذه الوثيقة يرجى زيارة مبنى إدارة مجلس البلدية لبحثها مع موظفي المجلس الذين سيتخذون ترتيبات للحصول على خدمة الترجمة الشفهية. يقع مبنى الإدارة على العنوان 31 Victor Street, Chatswood وهو يفتح من الساعة 8.30 صباحاً إلى 5 مساءً أيام الاثنين إلى الجمعة. يمكنك بدلاً من ذلك الاتصال بخدمة الترجمة الخطية والشفهية على الرقم 131 450 واطلب أن يقوم مترجم شفهي بالاتصال بالمجلس بالنيابة عنك. رقم هاتف المجلس هو: (02) 9777 1000.

## ARMENIAN

Եթե չէք հասկնար այս փաստաթուղթը, խնդրեն այցելեցեք Քաղաքային Նորհուրդի Վարչության Շենքը այդ մասին խոսելու Քաղաքային Նորհուրդի աշխատակիցներու հետ որոնք ձեզի համար թարգման մը կը կարգադրեն: Վարչության Շենքը կը գտնուի՝ 31 Victor Street, Chatswood եւ բաց է կ.ա. 8.30 – կ.ե.5.00, Երկուշաբթիէն մինչեւ Ուրբաթ: Կարելի է նաեւ հեռաձայնել Թարգմանութեան Սպասարկութեան 131450 եւ խնդրել որ թարգման մը կապ հաստատէ Քաղաքային Նորհուրդին հետ ձեզի համար: Քաղաքային Նորհուրդի հեռախօսի համարն է (02) 9777 1000:

## CHINESE SIMPLIFIED

如果您不明白本文件，请前往市政府行政大楼，与市政府职员讨论，市政府职员会安排传译员提供服务。行政大楼位于31 Victor Street, Chatswood，上班时间是周一至周五上午8:30至下午5:00。此外，您也可以致电翻译传译服务处，电话131 450，请传译员为您联系市政府，市政府的电话是(02) 9777 1000。

## CHINESE TRADITIONAL

如果您不明白本文件，請前往市政府行政大樓，與市政府職員討論，市政府職員會安排傳譯員提供服務。行政大樓位於31 Victor Street, Chatswood，辦公時間是週一至週五上午8:30至下午5:00。此外，您也可以致電翻譯傳譯服務處，電話131 450，請傳譯員為您聯絡市政府，市政府的電話是(02) 9777 1000。

## CROATIAN

Ako ne razumijete ovaj dokument, molimo vas otidite u administrativnu zgradu općine i razgovarajte s osobljem općine koje će vam organizirati usluge tumača. Zgrada općine se nalazi na adresi 31 Victor Street, Chatswood i otvorena je od 8.30 izjutra do 5 poslije podne, od ponedjeljka do petka. Druga mogućnost je da nazovete Službu prevoditelja i tumača (Translating and Interpreting Service) na 131 450 i da ih zamolite da vam nazovu općinu. Broj telefona općine je (02) 9777 1000.

## GREEK

Αν δεν καταλαβαίνετε αυτό το έγγραφο, παρακαλούμε επισκεφθείτε το Κτίριο Διοίκησης της Δημαρχίας για να το συζητήσετε με το προσωπικό της Δημαρχίας που θα οργανώσει διερμηνεία για την εξυπηρέτησή σας. Το Κτίριο Διοίκησης βρίσκεται στη διεύθυνση 31 Victor Street, Chatswood και είναι ανοιχτό από τις 08:30 π.μ. έως 5 μ.μ., Δευτέρα έως Παρασκευή. Διαφορετικά, μπορείτε να τηλεφωνήσετε στην Υπηρεσία Μεταφράσεων και Διερμηνείας στο 131 450 και να ζητήσετε από ένα διερμηνέα να επικοινωνήσει με τη Δημαρχία για λογαριασμό σας. Ο αριθμός τηλεφώνου της Δημαρχίας είναι (02) 9777 1000.

## ITALIAN

Se avete difficoltà nel capire il presente documento, rivolgetevi all'Amministrazione Building del Comune e gli addetti municipali provvederanno a richiedere l'assistenza di un interprete. L'Amministrazione Building è situato al n. 31 di Victor Street, Chatswood ed è aperto dal lunedì al venerdì, dalle 8.30 alle 17. Oppure potete chiamare il Translating and Interpreting Service al 131 450 e chiedere loro di mettersi, per vostro conto, in contatto con il Comune. Il numero telefonico comunale è (02) 9777 1000.

## JAPANESE

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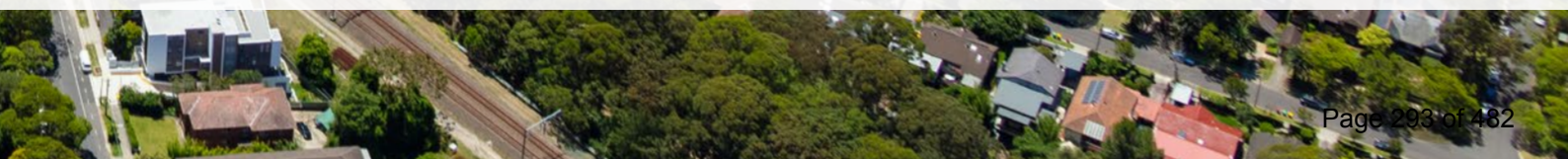
## KOREAN

이 문서를 이해하지 못하실 경우 시의회 청사를 방문하셔서 시의회 직원과 이에 대해 상의하십시오. 시의회 직원이 통역사 서비스를 추천할 것입니다. 시의회 청사는 31 Victor Street, Chatswood에 위치하고 있으며 월요일에서 금요일, 오전 8시 30분에서 오후 5시까지 오픈합니다. 아니면 여러분이 직접 번역통역서비스에 131 450으로 전화하셔서 통역사에게 시의회에 연락하여 여러분과 연결하도록 요청하십시오. 시의회 전화번호는 (02) 9777 1000입니다.



# Acknowledgement of Country

Willoughby City Council acknowledges the Traditional Owners of the lands on which we stand, the Gamaragal people. We pay our respects to their Elders past and present.



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# About the strategy

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## Why has the Council prepared this plan?

### Community Strategic Plan: Our Future Willoughby 2032

Council is committed to maintaining an informed and engaged community that understands and participates in its governance and activities. This is reflected in Council's overarching strategic plan, known as *Our Future Willoughby 2032*. The Community Participation Plan assists in delivering several priorities identified in the Community Strategic Plan, including:

- **Priority 5.1** – Be honest, transparent and accountable in all that we do
- **Priority 5.4** – Anticipate and respond to changing community and customer needs
- **Priority 5.5** – Make it easy for citizens to engage and participate in decision making

### Relevant changes to the planning regulatory environment since 2019

In April 2020, the NSW Government made amendments to the Environmental Planning and Assessment Regulation to no longer require the placement of notices in local newspapers for certain planning functions. Instead, Councils are able to use the NSW Planning Portal or the Council's website. These changes have been incorporated into this revised plan.

In addition, in April 2023, legislative changes commenced to require councils to manage conflicts of interest arising in relation to council-related development applications, including requiring a 28-day notification period for these applications. This plan outlines the notification method that will take place in relation to these applications.

### Environmental Planning and Assessment Act

Under the Environmental Planning and Assessment (EP&A) Act 1979, all councils are required to prepare a Community Participation Plan (CPP). The CPP is required to outline how Council will conduct community engagement in relation to its land use planning functions. These functions include:

- The creation and amendment of planning instruments, which could include changes to height and floor space standards or zoning amendments;
- Other strategic planning tasks, such as the exhibition of Local Strategic Planning Statements (LSPSs), Planning Agreements and Contribution Plans; and
- The assessment of Development Applications (DAs) and Environmental Impact Statements (EISs).

This CPP fulfils the above legislative requirement, and replaces the CPP adopted in November 2019.

# Council's community engagement framework

## How does this plan form part of the Council's Community Engagement Framework?

This plan is one of the three components of the Council's Community Engagement Framework. These components are:

### Community Engagement Policy

- Defines Council's engagement principles, elements of the Council's Community Engagement Framework and internal roles and responsibilities.

### Community Engagement Strategy

- Defines how the Council undertakes engagement on a wide range of matters, excluding statutory planning and development matters.

### Community Participation Plan

- Defines how the Council undertakes engagement on statutory land use planning and development matters, certification, and land reclassification.






## IAP2 Public Participation Spectrum

In line with global best practice, Willoughby City Council utilises the IAP2 Public Participation Spectrum. The Spectrum is a toolkit which can be used by project managers when designing engagement activity, to ensure that the level of engagement and the mediums utilised are in line with the level of community interest, and ability to inform the decision making process.

Figure 1: IAP2 Public Participation Spectrum



Participation status	Inform	Consult	Involve	Collaborate	Empower
<b>Public participation goal</b>	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place the final decision making in the hands of the public.
<b>Promise to the public</b>	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations and provide feedback on how public input influenced decisions.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

Table 1 provides a summary of how Council has applied the IAP2 spectrum to planning tasks.

**Table 1: Examples of how we have applied the IAP2 Public Participation Spectrum in this Plan**

Planning tool	Spectrum column we will aspire to	Why we took this approach
<b>Local Strategic Planning Statement</b>	Collaborate	The community has a significant opportunity to shape this important document, which outlines the planning priorities for the LGA and therefore influences the creation of new statutory land-use zoning and development standards.
<b>New LGA-wide new planning controls</b>	Collaborate	We will collaborate with the community, given the potential for significant and widespread change as a result of this instrument.
<b>Development applications</b>	Consult	The consult column is appropriate, given the community is being consulted on a lodged development application.



# Statutory compliance

Section 2.23 of the EP&A Act states that, when preparing a CPP, a planning authority must have regard to a number of matters. Table 2 below lists these matters, and summarises how this Plan responds to each.

**Table 2: Council responses to matters required to be considered in the preparation of this Plan**

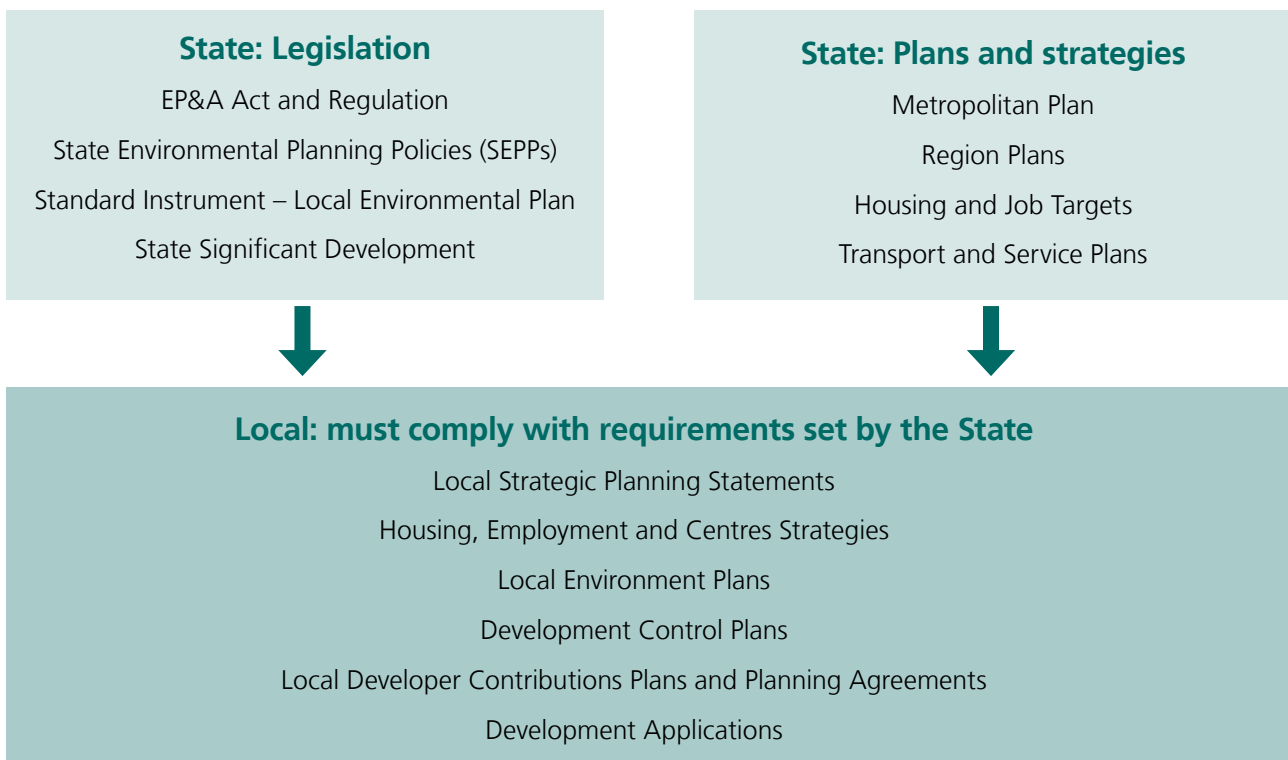
Matter required to be considered	Council response
The community has a right to be informed about planning matters that affect it.	This plan articulates how the community can access information about planning matters.
Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.	This plan encourages and enables such partnerships, particularly for engagement on strategic planning tools, where the community has a greater opportunity to influence the outcome.
Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.	Where the Council is in a position to explain the matter at hand, this plan seeks to ensure that fact sheets and other plain language material is available to support community understanding.
The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.	This plan supports collaborating with the community on major strategic planning projects, which may involve undertaking early community engagement to inform the development of these projects. The related Council Community Engagement Strategy also supports early engagement on studies and reports that inform the statutory strategic planning process.
Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.	This plan outlines the various methods that will be undertaken to seek out and collect a wide range of community views.
Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.	The Council has not been provided with any statutory powers to require major development proponents to consult with the community. The Council, however, does encourage major development proponents to undertake this consultation.
Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been taken into account).	The Council is committed to transparency in the decision-making process, including publishing reasons for decisions.
Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.	This plan seeks to align community participation methods to the significance and likely impact of the proposed development.

# Strategic land use planning

Strategic land use planning involves the setting of high level strategies and planning controls to guide the future location and form of land uses to accommodate growth and to maximise amenity.

Council’s strategic land use planning activities respond to the framework set by State legislation, policy, and plans. Figure 2 outlines the hierarchy of State and Local strategic planning activities.

**Figure 2: State and local planning activities**



The CPP is concerned with the local level strategic activities, including the delivery of:

- Amended planning controls (such as through LGA-wide or site-specific planning proposals).
- New or updated strategic land-use frameworks for the entire LGA (such as through the Local Strategic Planning Statement (LSPS), Local Environmental Plan (LEP), and Development Control Plan (DCP)).
- Land-use planning policy frameworks (such as Contribution Plans).
- Agreements with proponents to dedicate funds or land alongside their planning proposals (PPs) through Voluntary Planning Agreements (VPAs).

Please note, that the following non-statutory strategic planning matters are subject to the Council’s Community Engagement Strategy:

- Sector studies (such as new housing or economic development studies).
- Precinct or centre studies (such as the Public Domain Manual).

The table on the following page highlights the proposed notification, engagement and reporting methods which will accompany different strategic planning tasks. This table is divided into methods of standard and extra communications methods.

**Table 3: Notification, communication and engagement methods for statutory strategic planning tasks**

Strategic Planning Task	Minimum exhibition period and notification zone	Standard Communication methods that occur for this type of project each time	Extra Communication methods for this type of project
<p><b>Local Strategic Planning Statement</b></p> <p>Councils are required to prepare and make a Local Strategic Planning Statement and review the statement at least every seven years.</p> <p>These statements outline the planning priorities for the LGA.</p>	<p><i>Notification and Engagement Methods</i></p> <ul style="list-style-type: none"> <li>- 42 days</li> <li>- Notification zone not required</li> </ul> <p><i>Reporting Methods</i></p>	<ul style="list-style-type: none"> <li>• Have your say Willoughby (online exhibition including information and ability to submit comments, inclusion in monthly subscriber email.</li> <li>• Social media promotion</li> <li>• Newspaper advertisement</li> <li>• Summary fact sheet</li> <li>• Local stakeholder notification</li> <li>• Engagement can be staged</li> </ul> <ul style="list-style-type: none"> <li>• <i>Engagement plan prepared</i></li> <li>• <i>Engagement outcomes report</i></li> <li>• <i>Respondents invited to speak to Council Meeting and decision</i></li> </ul>	<ul style="list-style-type: none"> <li>• Nearby landowners and occupiers notified</li> <li>• Standalone email to HYS Subscribers</li> <li>• Community noticeboard promotion</li> <li>• Webinar</li> <li>• Drop in session</li> <li>• Stakeholder round table</li> <li>• Public hearing</li> </ul>
<p><b>LGA wide planning control changes</b></p> <p>New comprehensive Local Environmental Plan (LEP)</p> <p>New comprehensive development Control Plan (DCP)</p> <p>LGA wide amendments to LEP and/or DCP</p>	<p><i>Notification and Engagement Methods</i></p> <ul style="list-style-type: none"> <li>- 42 days</li> <li>- Entire LGA, unless administrative in nature or minor policy impact</li> </ul> <p><i>Reporting Methods</i></p>	<ul style="list-style-type: none"> <li>• Have your say Willoughby (online exhibition including information and ability to submit comments inclusion in monthly subscriber email.</li> <li>• Community noticeboard promotion</li> <li>• Summary fact sheet</li> <li>• Local stakeholder notification</li> </ul> <ul style="list-style-type: none"> <li>• <i>Engagement plan prepared</i></li> <li>• <i>Engagement outcomes report</i></li> <li>• <i>Respondents invited to speak to Council Meeting and decision</i></li> </ul>	<ul style="list-style-type: none"> <li>• Standalone email to HYS Subscribers</li> <li>• Social media promotion</li> <li>• Newspaper advertisement</li> <li>• Community noticeboard promotion</li> <li>• Webinar</li> <li>• Drop in session</li> <li>• Stakeholder round table</li> <li>• Public hearing</li> <li>• Engagement can be staged.</li> </ul>

Strategic Planning Task	Minimum exhibition period and notification zone	Standard Communication methods that occur for this type of project each time	Extra Communication methods for this type of project
<p><b>Local or precinct planning control changes - minor</b></p>	<p><i>Notification and Engagement Methods</i></p> <ul style="list-style-type: none"> <li>- Equivalent to Category B Development applications <a href="#">(see map on page 22)</a></li> <li>- In line with Gateway Determination, otherwise 28 days</li> </ul> <p><i>Reporting Methods</i></p>	<ul style="list-style-type: none"> <li>• Have your say Willoughby (online exhibition including information and ability to submit comments inclusion in monthly subscriber email.</li> <li>• Nearby landowners and occupiers notified (as per Development Application Category B)</li> <li>• Summary fact sheet</li> </ul> <p><i>• Engagement plan prepared</i></p> <p><i>• Engagements outcomes report</i></p> <p><i>• Respondents invited to speak to Council Meeting and decision</i></p>	<ul style="list-style-type: none"> <li>• Standalone email to HYS Subscribers</li> <li>• Community noticeboard promotion</li> <li>• Social media promotion</li> <li>• Newspaper advertisement</li> <li>• Local stakeholder notification</li> <li>• Stakeholder round table</li> <li>• Webinar</li> <li>• Drop in session</li> <li>• Public hearing</li> <li>• Staged engagement</li> </ul>
<p><b>Local or precinct planning control changes – significant</b></p>	<p><i>Notification and Engagement Methods</i></p> <ul style="list-style-type: none"> <li>- Equivalent to Category E Development applications – 200 metres from application site <a href="#">(see map on page 25)</a></li> <li>- In line with Gateway Determination, otherwise 28 days</li> </ul> <p><i>Reporting Methods</i></p>	<ul style="list-style-type: none"> <li>• Have your say Willoughby (online exhibition including information and ability to submit comments inclusion in monthly subscriber email.</li> <li>• Nearby landowners and occupiers notified (as per Development Application Category E being within 200m radius of application site</li> <li>• Summary fact sheet</li> </ul> <p><i>• Engagement plan prepared</i></p> <p><i>• Engagement outcomes report</i></p> <p><i>• Respondents invited to speak to Council Meeting and decision</i></p>	<ul style="list-style-type: none"> <li>• Standalone email to HYS Subscribers</li> <li>• Social media promotion</li> <li>• Newspaper advertisement</li> <li>• Local stakeholder notification</li> <li>• Community noticeboard promotion</li> <li>• Community noticeboard promotion</li> <li>• Engagement plan prepared</li> <li>• Engagement outcomes report</li> <li>• Webinar</li> <li>• Drop in session</li> <li>• Stakeholder round table</li> <li>• Public hearing</li> <li>• Staged engagement</li> </ul>



Strategic Planning Task	Minimum exhibition period and notification zone	Standard Communication methods that occur for this type of project each time	Extra Communication methods for this type of project
<p><b>Planning Agreements</b></p>	<p><i>Notification and Engagement Methods</i></p> <ul style="list-style-type: none"> <li>- 28 days</li> <li>- Either use Planning proposal notification zone or if not accompanying a Planning proposal use Category B Development Application</li> </ul> <p><i>Reporting Methods</i></p>	<ul style="list-style-type: none"> <li>• Have your say Willoughby (online exhibition including information and ability to submit comments inclusion in monthly subscriber email.</li> <li>• Summary Fact Sheet</li> <li>• Nearby landowners and occupiers notified</li> </ul> <p><i>• Engagement outcomes report</i></p> <p><i>• Respondents invited to speak to Council</i></p>	<ul style="list-style-type: none"> <li>• Standalone email to HYS Subscribers</li> <li>• Social media promotion</li> <li>• Newspaper advertisement</li> <li>• Local stakeholder notification</li> <li>• Community noticeboard promotion</li> <li>• Webinar</li> <li>• Drop in session</li> <li>• Stakeholder round table</li> <li>• Public Hearing</li> <li>• Staged engagement</li> </ul>
<p><b>Statutory Plans (other than DCPs)</b></p> <p><b>Community Participation Plan Contributions Plan</b></p>	<p><i>Notification and Engagement Methods</i></p> <ul style="list-style-type: none"> <li>- 28 days</li> <li>- Notification zone not required</li> </ul> <p><i>Reporting Methods</i></p>	<ul style="list-style-type: none"> <li>• Have your say Willoughby (online exhibition including information and ability to submit comments inclusion in monthly subscriber email.</li> <li>• Summary Fact Sheet</li> </ul> <p><i>• Engagement plan prepared</i></p> <p><i>• Engagement outcomes report</i></p> <p><i>• Respondents invited to speak to Council</i></p>	<ul style="list-style-type: none"> <li>• Nearby landowners and occupiers notified</li> <li>• Standalone email to HYS Subscribers</li> <li>• Social media promotion</li> <li>• Newspaper advertisement</li> <li>• Local stakeholder notification</li> <li>• Community noticeboard promotion</li> <li>• Webinar</li> <li>• Drop in session</li> <li>• Stakeholder round table</li> <li>• Public Hearing</li> <li>• Staged engagement</li> </ul>



## Engagement and notification methodology

In undertaking engagement on strategic planning matters, the Council staff will determine whether Extra Communication Methods activities are required. The following considerations will form part of this determination:

- Matters with low impact and/or highly localised interest will generally be considered “minor”, while matters of higher impact and/or wider community interest will generally be considered “significant”
- Staged engagement will be considered for highly complex matters or new plans and strategies. New plans and strategies (as opposed to exiting plans and strategies under review) may require additional early community engagement to help establish key concepts and principles before undertaking further exhibition of draft documents
- A wider notification area than specified in Table 3 may be required for letters to affected landowners where proposals have particular/unique impacts on land outside the minimum notification area specified in the table
- Social Media promotion may be used to facilitate awareness of matter and to encourage responses to other consultation and notification activities
- In addition to the matters specified in Table 3, Community Notice Boards may be utilised for matters particularly/uniquely affecting communities served by the notice boards
- In line with Section 16 of the Schedule 1 of the EP&A Act, exclude the period between 20 December and 10 January (inclusive) from the calculation of a period of public exhibition for a strategic planning matter
- A separate consultation report is not required if less than 12 comments or submissions are received, in which case feedback can be summarised in a covering report to Council
- Planning Agreements are generally exhibited with an associated Planning Proposal or development Application, and are exhibited in line with the Community Engagement Plan specified with the associate application. When exhibited individually, it will be in accordance with Table 3

- Draft and completed LEPs are placed on the NSW Planning Portal in accordance with State Government requirements
- Once completed, final versions of the DCP, Contributions Plan and the CPP will be uploaded onto the NSW Planning Portal in accordance with State Government requirements
- When a Planning Agreement accompanies a Planning Proposal, it is Council’s intention that it is notified at the same time as, and in the same way as, the Planning Proposal wherever possible
- Where matters are reported to Council prior to commencement of an exhibition/notification, the Council report will propose consultation methods for Council’s resolution
- The NSW Government Plan-Making Guideline states that Planning Proposal proponents should have an opportunity to respond to submission. To fulfil this request, the Council advises proponents of Planning Proposals and Planning Agreements that copies of submissions (with personal details redacted) are available In addition to any Engagement Outcomes Report, community members may request access to submissions via a GIPA application.

## Submissions

### Considering submissions

- All written submissions received within the exhibition period will be considered in the assessment of the proposal
- Petitions are recorded as one submission containing the number of signatures
- When we receive a petition, we will send updates to the lead petitioner only. It is the lead petitioner’s responsibility to inform co-petitioners about any updates
- We do our best to consider submissions we receive outside of the exhibition period where practicable
- The engagement outcomes report will articulate how the matters raised in the submissions have been considered.

# Development Assessment

This section of the Strategy explains how we undertake engagement on certain development assessment matters, particularly Development Applications (DAs).

A Development Application (DA) is an application made to Council seeking consent to:

- construct
- subdivide
- change the use of a property or premises
- demolish a building
- display advertising
- undertake earthworks
- make alterations or additions to a building.

Where the above development is exempt or is subject to a Complying Development Certificate (CDC), no DA is required. A DA is required so Council can assess how much impact the proposed changes will have on the environment, neighbourhood and other properties. Issues such as pollution, overshadowing, traffic and privacy are taken into account. DAs are lodged by the property owner or architect, town planner, engineer, builder or other person acting on the owner's behalf.

When considering a DA, Council assesses whether the requested development fits with the regulations and guidelines for the area. Council can refuse, grant consent, grant consent with conditions or grant a 'Deferred Commencement' consent (meaning more information needs to be supplied before a final consent will be given).

If your DA is approved, Council is agreeing that the plans you have made are satisfactory. A Construction Certificate (CC) is still needed to begin building.

The requirements for lodging and processing a Development Application are set out in the Environmental Planning and Assessment Act 1979 (EP&A Act), and the Environmental Planning and Assessment Regulation 2000.



# Development application notification and exhibition period overview

The table below explains the notification and exhibition periods for a range of development applications received and assessed by the Council, while noting that under this plan some minor application types are not required to be exhibited (see [Category D page 24](#)).

**Table 4: Development Application exhibition periods**

Development Application type	Relevant legislative reference in Schedule 1 of EP&A Act	Minimum statutory exhibition period as defined by EP&A Act	Exhibition period outlined in this plan
<b>New development application, excluding:</b> Designated development, nominated integrated or threatened species development, Category 1 remediation work or Council-related development applications	7(1)	14 days, unless specified in the Community Participation Plan	See exhibition period for different development types in Section headed- Notification and exhibition procedure
Designated development	8	28 days	28 days
Nominated integrated or threatened species development	8A	28 days	28 days
Development application for Category 1 remediation work	9A	28 days	28 days
Council-related development applications (including modifications)	9B	28 days	28 days
Modification of development consent that is required to be publicly exhibited by the regulations <sup>1</sup>	10	14 days, unless specified in Community Participation Plan	14 days
Other modifications	N/A	N/A	14 days
Re-exhibition of any amended application	13	The period (if any) determined by the person or body responsible for publicly exhibiting the application or matter	14 days
Review of determination	20A	14 days, unless specified in Community Participation Plan	14 days

<sup>1</sup> These are modifications outlined in Part 5 Division 2 of the Environmental Planning and Assessment Regulation, including modifications for designated, State significant, integrated and threatened species development, modifications related to Court appeals and modifications related to NSW Government concurrences

# Modification, re-exhibition and review notification and exhibition

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## Development consent modification, notification zone and exhibition period

An applicant may lodge an application to modify a development consent or a deferred commencement consent (Section 4.5 modifications, Environmental Planning and Assessment Act 1979). In the event that this modification is not covered by Part 5 Division 2 of the Environmental Planning and Assessment Regulation, we will notify, for a period of 14 days:

- Persons who made a written submission on the original application
- Owners and occupants of land who were notified but did not make a submission on the original application but who, in the opinion of the authorised officer, may be detrimentally affected by the development as proposed to be modified if carried out.

We do not send notification if the authorised officer is satisfied that:

- The proposal as modified will have a lesser or similar effect and no effect of a different type on the use or enjoyment of neighbouring or adjoining land than the original application
- The application to modify the consent is only to correct a minor error, misdescription, or miscalculation as allowed by Section 4.5(1) of the Act.

## Reviews of determination

Determination review applications made under Section 8.2 of the Environmental Planning and Assessment Act 1979 are notified to people who made submissions on the original application.

If no submissions were received, and in the opinion of the authorised officer, owners of adjoining or neighbouring land may be detrimentally affected by approval, then those owners are notified.

## Re-exhibition of amended application before determination

An applicant may amend an application at any time before the determination of the application.

For amendments before the determination of an application, the authorised officer may renotify:

- persons who made submissions on the original application. If the authorised officer is satisfied that the amendments will have a lesser or similar effect as the original application, then re-notification may not be required and submissions on the original application will be considered in the assessment.
- persons who own adjoining or neighbouring land (including those who were previously notified of the application) who may, in the opinion of the authorised officer, be further affected by the proposed amendments.

# Other matters relating to all development assessment participation

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## Consideration of late submissions

We encourage community feedback on the development assessment process. However, we also have to balance this with a requirement to process applications in a timely manner. This means we cannot consider any submissions received after the notification period unless an authorised officer grants an extension of time in writing to lodge a submission. An extension can only be granted for exceptional circumstances and only for people the authorised officer considers are likely to be affected by the proposed development.

## Submission publication

As per the Government Information Public Access (GIPA) Act 2009, the Council publishes all submissions received on its ePlanning Portal Tracker:

<https://eplanning.willoughby.nsw.gov.au>

## Post-determination traffic matters

From time to time, Development Applications require traffic upgrades to support the new development. These are required as part of conditions of the approval. To ensure that the community remains informed about the delivery of the required upgrades specified in the approval, it may be necessary for ongoing community engagement and/or notification to be undertaken post-determination. When required, this will also be a condition of the approval. Where appropriate, proponents will undertake this engagement at their cost, under careful supervision from the Council. Engagement will be specified in a Community Engagement Plan to be submitted to Council staff for approval, and will need to confirm that the consultation approach will ensure the community has clear and detailed information relating to the delivery of the required upgrades. Where appropriate, this is to include clear and legible maps and/or plans, and a minimum exhibition period of 21 days. Council staff will also review proposed community notification letters, and the notification zone. Associated materials are to be uploaded to [Council's Have Your Say page](#).

## Planning panels

The Council assesses development applications which, by virtue of their capital investment value or another aspect, must be referred to either the Willoughby Local Planning Panel (WLPP) or Sydney North Regional Planning Panel for a final decision.

Willoughby City Council has adopted Operational Guidelines for the WLPP, which outline engagement activity undertaken by the panel. These guidelines are available [here](#). More information about the Sydney North Regional Planning Panel can be found [here](#).

# Certification

## Building Information Certificates

Building work carried out without prior approval or discontinued by a private certifier can be allowed to remain by applying for a Building Information Certificate (BIC) for the work (sections 6.25 and 6.26 of the Environmental Planning and Assessment Act 1979).

Council determines the application by either issuing or refusing to issue the certificate. Appeal rights apply if refused.

This process does not affect Council’s ability to issue fines, start prosecution proceedings against the person responsible for carrying out unauthorised work, or require that rectification work be undertaken.

In the event that Council receives a BIC application for works which are not consistent with a development approval, then the Council may notify the BIC application, seeking feedback on the application from neighbours. This notification and engagement process will be in line with the process which would have applied if a development application or a complying development application had been lodged for the same works.

Where a BIC application is seeking approval for works which are consistent with a development approval or of a minor nature, no notification will occur.

## Complying Development Certificates

For certain development, including new homes, additions, demolition, and new small-scale medium-density housing, applicants may have the option to seek approval to begin construction via preparation and approval of a Complying Development Certificate (CDC). Certifiers, who may be registered by NSW Fair Trading as private or Council certifiers, must ensure the plans outlined in the CDC is in line with the relevant State Environmental Planning Policy, before approving the CDC.

The complying development system has been established by the NSW Government, not this Council.

CDCs are not subject to a merit assessment by the Council’s development assessment staff. In addition, the Council has no statutory authority to require certifiers or their clients to consider the views of adjoining or nearby neighbours. For further information on the complying development system, please go to:

[www.planning.nsw.gov.au/assess-and-regulate/development-assessment/planning-approval-pathways/complying-development](http://www.planning.nsw.gov.au/assess-and-regulate/development-assessment/planning-approval-pathways/complying-development)



# Notification and exhibition procedure

The following Figures illustrate how different Categories of development will be notified.

## Category A

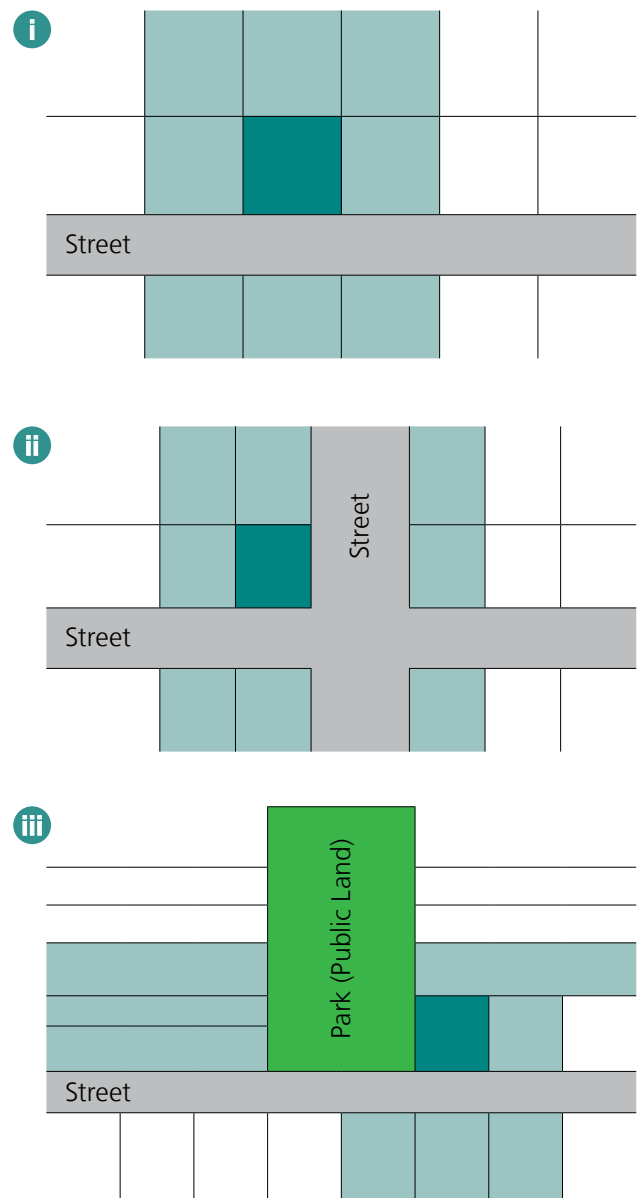
### Routine applications requiring 14 days' notice

- New dwelling, dual occupancy, secondary dwellings
- Alterations and additions to a dwelling, dual occupancy, secondary dwelling
- Demolition of a dwelling in the C4 Environmental Living zone
- New building or significant alterations and additions to a building on land in Business or Industrial zones.
- Alterations and additions are 'significant' if they result in more than 50% of the existing gross floor area
- New tennis court (including change to lighting) ancillary to residential land use
- New swimming pool ancillary to residential land use
- Minor ancillary structures that require a development application (such as awnings, decks, fences, carports, outbuildings) and, in the opinion of the authorised officer, will have an adverse impact on the adjoining property
- Change of use applications for industrial or business zoned land abutting land zoned R2 Low Density Residential or C4 Environmental Living
- Development below the foreshore building line
- Change of hours of operation which in the opinion of the authorised officer is likely to have an impact on residential properties
- Permits under State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 to clear vegetation, prune or remove a tree in the C4
- Environmental Living zone, and removal of gum trees in the R2 Low Density Residential zone in the West Chatswood locality
- Advertising signs 20m<sup>2</sup> or less in area or less than 8 metres high
- All other development requiring consent that is not elsewhere identified in the development application notification categories and in the opinion of the authorised officer is required to be notified.

**Figure 3: Notification areas for Category A**

- The property at each side of a site
- 3 nearest properties at the rear
- 3 nearest properties at the front (A)

For a corner block (ii) or where a lane or other public land adjoins a property (iii) the next nearest property or properties will be notified by disregarding the road, lane or public land.



**KEY:**

- Application site
- Property notified
- Street
- Park (Public Land)

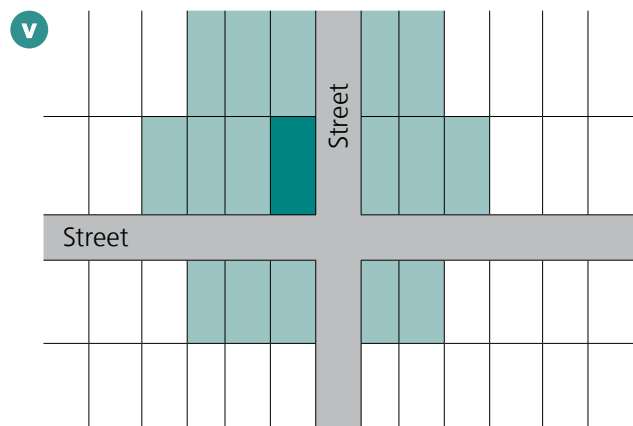
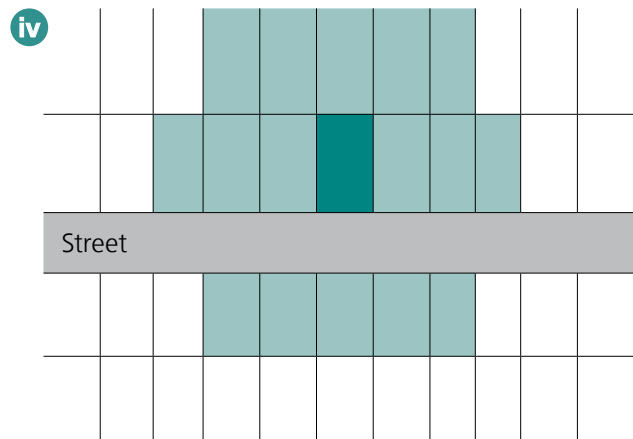
## Category B

### Routine applications requiring more extensive 14 days' notice

- External alterations and additions involving a heritage item
- Boarding houses not exceeding 300m<sup>2</sup> and 12 persons
- Demolition, construction of a new dwelling house or secondary dwelling, change to frontage (including building façade, fencing, car parking) additions above ground floor within a heritage conservation area
- New residential flat building, attached dwellings, multi-dwelling housing, or shop-top housing comprising 10 units or less
- Land subdivision in the R2 Low Density Residential or C4 Environmental Living zones (other than subdivision of an existing dual occupancy or property boundary adjustment)
- External alterations and additions to a building on land in a Special Purpose zone
- New recreation area and new recreation facilities (indoor)
- New bed and breakfast accommodation in the R2 Low Density Residential or C4 Environmental Living zones
- Any development relying on 'existing use rights'
- Alterations and additions to a childcare centre in the R2 Low Density Residential zone
- New community facility in a Business or Industrial zone (other than a community facility development detailed in Category C)
- Development applications under State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 to clear vegetation, prune or remove a tree
- Any other developments requiring consent that are not identified elsewhere in the development notification categories, where the authorised officer determines the proposal or potential impact warrants more extensive notification.

**Figure 4: Notification areas for Category B**

- The 3 properties adjoining each side of the site
- 5 nearest properties at the rear
- 5 nearest properties at the front



**KEY:**

- Application site
- Property notified
- Street



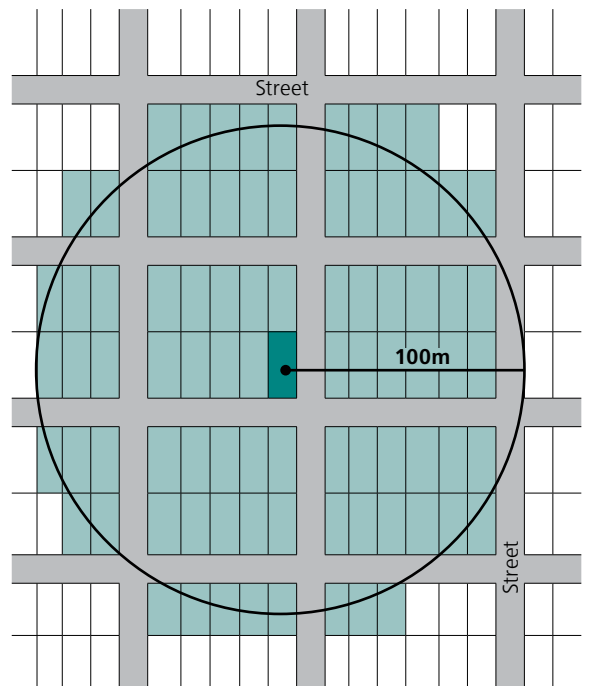
## Category C

### Significant applications requiring 21 days' notice

We notify all properties within a 100 metre radius of the application site for applications in this category.

- New or major alterations and additions to seniors housing
- New or major alterations and additions to an educational establishment in or adjoining land in a residential zone or C4 Environmental Living zone
- Sex services premises
- New recreation facility (major) and recreation facility (outdoor) in or adjoining land zoned residential or C4 Environmental Living zone
- New place of public worship in or adjoining land zoned residential or C4 Environmental Living zone
- New buildings and major alterations and additions in a Special Purpose zone (other than category B)
- New residential flat building, attached dwellings, multi-dwelling housing or shop-top housing comprising more than 10 residential units
- New or major alterations and additions to a pub
- Developments under 35m (including concept DAs)
- New or major alterations and additions to a community facility in or adjoining land zoned residential or C4 Environmental Living zone
- New or major alterations and additions to a health services facility in or adjoining land zoned residential or C4 Environmental Living zone
- New or major alterations and additions to tourist and visitor accommodation buildings (other than a bed and breakfast accommodation)
- New or alterations and additions to telecommunications facilities and/or network communications facilities
- All other boarding houses
- Advertising signs greater than 20m<sup>2</sup> in area or higher than 8 metres.

Figure 5: Notification areas for Category C



**KEY:**

- Application site
- Property notified
- Street

## Category D

### No notice required

We **do not** notify you about the types of development in this category.

- Proposed works that meet all of the development standards (identified in the State Policy for exempt and complying development)
- Exempt development - very low impact for certain residential, commercial and industrial properties such as decks, garden sheds, carports, fences, repairing a window or painting a house
- Complying development - combined planning and construction approval for straightforward development that can be determined through a fast-track assessment by Council or an accredited certifier. Complying development applies to homes, businesses and industry and allows for a range of things like the construction of a new dwelling house, alterations and additions to a house, new industrial buildings, demolition of a building, and changes to a business use
- Change of use in a business or industrial zone
- Fitout of a building in a business, industrial zone or special purpose zone
- Land subdivision of an existing dual occupancy
- Property boundary adjustment
- Strata and/or stratum subdivision
- Building works that involve alterations to an existing building which in the opinion of the authorised officer will have a lesser or similar effect as the approved development (excluding works involving a heritage item)
- Applications for development of a minor nature in a heritage conservation area or involving a heritage item that in the opinion of the authorised officer would not adversely affect the heritage significance of the heritage conservation area or heritage item (including repair and maintenance with materials and finishes that match or are compatible with the existing building)
- Applications which in the opinion of the authorised officer, contain insufficient information for a proper assessment under the Act and the application is determined as a refusal for that reason
- Applications that in the opinion of the authorised officer, will have a lesser or same effect as the existing development on site including building certificates for unauthorised works
- Permits under State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 other than in the C4 Environmental Living zone, and removal of gum trees in the R2 Low Density Residential zone in the West Chatswood locality
- Applications where letters of support have been received from adjoining property owners, who in the opinion of the authorised officer, may be affected.

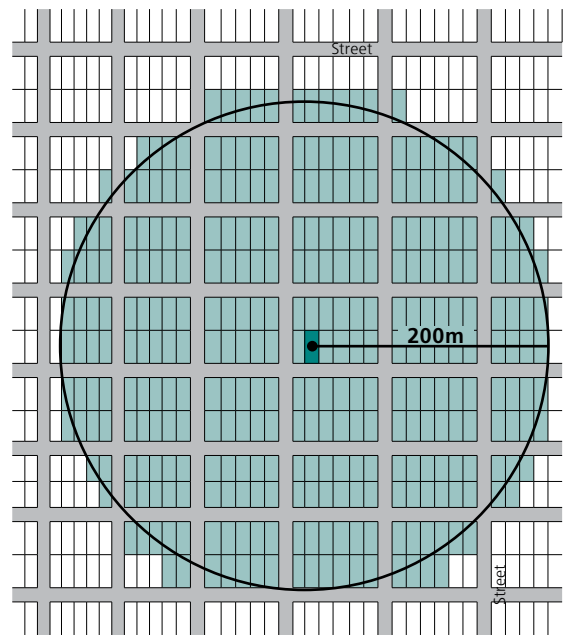
## Category E

### Development types of high community interest requiring 28-day exhibition period

We notify all properties within a 200 metre radius of the application site for applications in this category.

- New or major alterations and additions to a childcare centre (other than Category B)
- All DAs over 35m (including concept DAs)
- Designated development
- Integrated development
- Development consent for category 1 remediation work under State Environmental Planning Policy No 55 — Remediation of Land
- Regionally significant development as defined under the State Environmental Planning Policy (Planning Systems) 2021.

Figure 6: Notification areas for Category E



**KEY:**

- Application site
- Property notified
- Street

## Category F

### Council-related development applications

Council-related development applications will be required to be notified for 28 days, with the notification method in line with the table below.

Table 5. Application type and notification method

Application type	Notification method
Equivalent application types listed in Categories A-C, and E-F above	Letter to notification zone as outlined in Categories A-C and E-F and other standard notification practices
Equivalent application types listed in Category D, excluding Exempt or Complying development	No direct letter notification to adjoining owners and occupants, or other standard notification practices, except for placement on the Council’s Public Notices section of the Council’s website and ePlanning Portal (DA tracker on Willoughby Council’s website).

# Notification procedures

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## General letter and email notification procedures

**For development applications in notification areas for categories A, B, C, E and F, we notify these individuals and groups via letter:**

- Property owners and occupiers within the applicable notification category and area, with the exception of notifications targeted at industrial and commercial land-use zones in which case notifications are sent to owners only
- Owners or occupants of properties in a neighbouring local government area that fall within the applicable notification area if the application site is on our local government area boundary.

**For development applications in notification areas for categories A, B, C, E and F, we notify these individuals and groups via email:**

- Relevant Progress Associations, societies or other community organisations whose comments, in the authorised officer's opinion, would assist the assessment of an application
- Ward Councillors of the ward in which the application site is located.

**Exhibition letters and emails contain:**

- A brief description of the proposal, including change of use
- The address of the site and name of the applicant
- Where and when the application, including plans and documentation, can be inspected
- The period during which an application may be inspected
- An invitation to make a written submission and the period during which submissions may be made
- Willoughby City Council address, website, telephone and email contacts
- Clarification of how the Privacy and Personal Information Protection Act 1998 applies to the notification and submissions.

## Website notification

**When a development application (DA) from either Categories A, B, C, D E or F is received, it is also published in:**

- The Public Notices section of the Council's website: <https://www.willoughby.nsw.gov.au/Council/News-and-media/Public-Notices>
- Council's ePlanning Portal: <https://eplanning.willoughby.nsw.gov.au>

## Site sign notification

We supply an application site sign which applicants are required to install on or in front of the land that relates to a development application. This includes:

- A brief description of the proposal
- The application number and address
- The applicant name
- The notification period
- The Council website address where details about the application can be easily found, including via a unique QR code
- Contact details of the relevant Council officer.

A photograph and a statutory declaration must be submitted to Council within two days of the notification period ending to advise that the sign is in place.

**A site sign is required for all development applications in Categories A-C and E-F, and for Council-related development applications (Category F) which require neighbour notification.**

## PlanningAlerts

The PlanningAlerts website ([www.planningalerts.org.au](http://www.planningalerts.org.au)) is maintained by an organisation which is independent to the Council and allows subscribers to receive notifications of DAs which are located at and around a designated address.

If the Council is aware that the PlanningAlerts website is able to collect and notify new applications from our ePlanning Portal, then the Council will publicise the PlanningAlerts website, by providing a link on the Council website. This will allow our community members to be notified, by email, of new development applications in their local area.

It should be noted, however, that the Council does not endorse or support the lodgement of submissions through this website. This is because the website's submission process does not follow the Council's protocols for collecting a minimum amount of information from submitters (including street addresses), which means the Council cannot provide letter notifications to these submitters.

## Christmas period

For all development applications, exhibition periods are extended during December to January school holiday times for both public and private schools. These extension times are listed each November at [www.willoughby.nsw.gov.au](http://www.willoughby.nsw.gov.au).

## Determination notification

### Letter and email notification

All submitters are notified, by letter, of the decision on the application, with the exception of the following (if they submit) who are notified by email:

- Relevant Progress Associations, societies or other community organisations
- Ward Councillors of the ward in which the application site is located

### Website notification

On the Public Notices section of our website, we provide information on:

- the determination of an application for development consent
- the determination of an application for the modification of a development consent (being an application that was publicly exhibited)
- the granting of an approval, or the decision to carry out development, where an environmental impact statement was publicly exhibited.

In relation to approvals, this notice includes:

- the decision
- the date of the decision
- A 'Determination Summary' which provides the reasons for the decision (with regard to any statutory requirements).



WILLOUGHBY  
CITY COUNCIL

Published February 2024

**ADDRESS**

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**12.15 APPOINTMENT OF PANEL MEMBERS TO THE SYDNEY NORTH PLANNING PANEL AND THE WILLOUGHBY LOCAL PLANNING PANEL**

<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li><b>1. ATTACHMENT 1 - JANUARY 2024 LOCAL PLANNING PANELS - DIRECTION – INTERIM APPOINTMENT OF MEMBERS</b></li><li><b>2. ATTACHMENT 2 - EXPERT PANEL SELECTION</b></li></ol>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>MITCHELL NOBLE, HEAD OF 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To seek Council endorsement to extend the current eligible Council appointments of members to the Sydney North Planning Panel and the Willoughby Local Planning Panel to 30 June 2024.

**2. OFFICERS RECOMMENDATION**

That Council:

- 1. Approve extending the appointments for existing expert and community representatives for the Willoughby Local Planning Panel which are approaching expiry to 30 June 2024 to align with the Minister's direction.**
- 2. Note that a further report will be provided by 30 June 2024 to appoint expert and community representatives to the Willoughby Local Planning Panel to replace departing members and increase the pool of representatives.**
- 3. Thank the outgoing Chair of the Willoughby Local Planning Panel, Abigail Goldberg, for her six years of service.**
- 4. Approve extending the appointments of the existing representatives on the Sydney North Planning Panel through to 30 June 2024.**
- 5. Note that a further report will be provided by 30 June 2024 regarding the appointment of Council representatives on the Sydney North Planning Panel to replace departing members.**

**3. BACKGROUND**

The Department of Planning, Industry and Environment (DPIE) has issued advice regarding future arrangements for membership of local and regional planning panels including the intention to retain panel Chairs until June 2024 and seek expressions of interest for a revised pool of experts during early 2024.

**Willoughby Local Planning Panel (WLPP)**

At its meeting of 15 June 2021, Council endorsed the following appointments:

Chair and alternate Chairs for the period 1 July 2021 to 29 February 2024 (1 required per meeting):

1. Abigail Goldberg as Head Chair
2. Jacqueline Townsend as Alternate Chair
3. Graham Brown as Alternate Chair

A panel of experts for the period 1 July 2021 to 29 February 2024 (2 required per meeting):

1. Trevor Bly
2. James Harrison
3. Kara Krason
4. Deborah Laidlaw
5. John McInerney
6. Julie Savet Ward
7. Gary Shiels

Community Representatives for the period 1 July 2021 to 29 February 2024 (1 required per meeting):

1. Philippa Hayes
2. Robert Freestone
3. Linda Tully

On 7 December 2022, the Minister for Planning introduced a range of changes to the operation of Local Planning Panels including:

- Mandating a minimum of 15 people in the pool of experts (Council had 7 at that time).
- Mandating a minimum of 4 people in the pool of community representatives (Council had 3 at the time).

Ten additional expert members were endorsed by Council at its meeting 26 April 2023 for the trial period to 26 March 2024 as follows:

1. Helen Lochhead
2. Stephen Kerr
3. Graham Brown
4. Heather Warton
5. David Ryan
6. Jason Perica
7. Robert Montgomery
8. Helen Deegan
9. Darren Troy
10. Elizabeth Kinkade

An additional Community Representative, Emma Rogerson, was also endorsed by Council for the trial period to 26 March 2024.

This report seeks endorsement to extend eligible current Council appointments on the WLPP to 30 June 2024.



**Sydney North Planning Panel (SNPP)**

Traditionally Council has been represented by the Mayor, and as an alternate the Deputy Mayor. This convention is ratified in reports to Council on Councillors' representations on Committees, Boards and External Organisations, the most recent being at the meeting of 2 March 2022.

At its meeting of 15 June 2021 Council resolved to:

1. Endorse the appointment of the following Council representatives to the Sydney North Planning Panel for the period 1 July 2021 to 29 February 2024:
  - a. The elected Mayor.
  - b. James Harrison (at a mutually agreeable rate) as a person with expertise in planning or a related field.
2. Endorse the appointment of the following Council representatives to the Sydney North Planning Panel as alternatives to the elected Mayor and James Harrison:
  - a. The current Councillor who most recently held the role of Deputy Mayor (and is not the current Deputy Mayor) to act as the alternate representative to the Mayor. Should the alternate to the Mayor be unavailable, conflicted or is no longer a current Councillor, Philippa Hayes and Kara Krason to act as further alternates at mutually agreeable rates.
  - b. Philippa Hayes and Kara Krason to act as alternate representatives to James Harrison at mutually agreeable rates as persons with expertise in planning or a related field.

This report seeks endorsement to extend current eligible Council appointments on the SNPP to 30 June 2024.

**4. DISCUSSION****Willoughby Local Planning Panel (WLPP)**

Local Planning Panels came into effect on February 2018 under legislative changes which removed elected representatives as determining authorities for development applications. Local Planning Panels are the determining authority for:

- Development for which there is an existing or perceived conflict of interest being where the applicant or owner is (or is a relative of) the council, a councillor, a member of Parliament or a council employee
- Contentious development being where an application has received ten or more unique submissions by way of objection
- Where a proposal contravenes a development standard by more than 10%, and
- Sensitive development which includes demolition of a heritage item, certain residential flat development, licenced premises, designated development, brothels and development where the developer has offered to enter into a planning agreement.

Local Planning Panels also provide advice to Council on Planning Proposals.

The Willoughby Local Planning Panel consists of:

- A Chair (and two alternate Chairs) appointed by the Department of Planning, Industry and Environment (DPIE)
- Two experts appointed by Council from a pool of experts provided by DPIE, and
- One local representative.

Experts and community representatives can be rotated for each meeting from a pool appointed by Council.

The Minister for Planning and Public Spaces issued a directive on 22 January 2024 advising Council of its intention to conduct an expression of interest during early 2024 to refresh the chair and expert pools from which councils make appointments to their local planning panels (Attachment 1). The correspondence states:

*"The objective of this direction is to extend the approval of chair and member pools and appoint existing chairs and members of local planning panels for an interim period from 28 February 2024 to 30 June 2024."*

Willoughby Local Planning Panel (WLPP) first met on 18 February 2018. In the six years during which the WLPP has been in operation, it has determined 251 development applications and provided advice on 37 planning proposals. Despite what the extract from DPIE correspondence states, it is evident that Council does not have the authority to appoint the Chair and Alternate Chairs to the panel, as this role rests with DPIE. The Minister's email states that only those members with less than six years' service can be extended for this extended period and Council is permitted to have a reduced number of panel members in their approved pool. The Chair, Abigail Goldberg (Head Chair) has six years service and is therefore ineligible for re-appointment. Alternate Chairs, Jacqueline Townsend and Graham Brown, have performed their roles in a considered and professional manner and no objection is raised to their reappointment. It is recommended that Council note the reappointment of the Alternate Chairs up to June 2024.

Similarly, the experts and community representatives have worked well with the Chairs and Council officers and have contributed to the decision making with professionalism and insight. As DPIE are conducting a fresh expression of interest process for the pool of experts from which councils can appoint during early 2024, it is appropriate to maintain the existing eligible expert pool (Attachment 2) on the WLPP through to June 2024. This is consistent with the approach DPIE are taking with the appointment of Chairs and will enable selection from a revised pool.

It is also appropriate to seek fresh expressions of interest for the appointment of community representatives to the panel during early 2024 to coincide with the commencement of a fresh panel following appointment in June 2024.

The process of selecting expert and community representatives for the WLPP will also occur in early 2024 with a report to Council for determination of appointments being provided prior to 30 June 2024.

### **Sydney North Planning Panel (SNPP)**

The Sydney North Planning Panel:

- make decisions on regionally significant development applications (DAs)
- can be appointed as the relevant planning authority by the Minister for the purposes of rezoning, and
- can provide advice to the Minister or the Secretary of the Department of Planning, Industry and Environment if requested.

Two of the five panel members represent Council at meetings of the SNPP one of which is required to have expertise in one or more of 'planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism'. For each of the two Council representatives, an alternate can be nominated when the nominated representative is unable to attend. Council is currently represented by the Mayor, with the alternate being the Deputy Mayor (if not the current Deputy Mayor), and Mr James Harrison, with the alternates being Ms Phillipa Hayes and Ms Kara Krason. It is recommended that, consistent with the approach taken with the WLPP appointments, the current SNPP appointments be retained through to 30 June 2024, and ongoing

appointments considered in the same report to Council prior to 30 June 2024.

## 5. RISKS AND OPPORTUNITIES

The Chair and panel members are selected from a pre-qualified list of professionals recruited by the State government, and decisions about the panel membership are made in public at Council meetings.

## 6. CONCLUSION

The Willoughby Local Planning Panel (WLPP) has been in operation for six years. The Department of Planning, Industry and Environment (DPIE) has advised that it is retaining Chairs until 30 June 2024 and seeking expressions of interest for a revised pool of experts during early 2024. Consistent with the DPIE approach, it is recommended that Council retain existing eligible experts and community representatives for the WLPP through to 30 June 2024 and undertake expressions of interest with a report to Council to determine appointments prior to June 2024. Consistent with this approach it is recommended that existing Council representatives on the Sydney North Planning Panel (SNPP) be retained through to 30 June 2024 and a report be provided to Council prior to 30 June 2024 regarding ongoing representation on SNPP.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	This matter relates to the timely and efficient processing of development applications.
<b>Policy</b>	This report has no Policy implications.
<b>Consultation</b>	Internal discussion and assessment of procedure relating to advice received. Community consultation is not required, noting there is an expressions of interest process for community representatives and a vetting process for experts, run by the State Government.
<b>Risk</b>	Risks associated with running the Willoughby Local Planning Panel have been identified and are actively managed.
<b>Resource</b>	The running of the Willoughby Local Planning Panel is a mandatory requirement placed on all Sydney councils by the State Government since March 2018 and costs in excess of \$100,000 to run, together with the application of a number of staff in terms of administration.
<b>Legal</b>	This is a legal requirement for all councils.
<b>Legislation</b>	Requirement established by the Environmental Planning and Assessment Act 1979.
<b>Budget/Financial</b>	This is within the approved budget.

**LOCAL PLANNING PANELS DIRECTION – INTERIM APPOINTMENT OF MEMBERS**

I, the Minister for Planning, give the following direction under section 9.1 of the *Environmental Planning and Assessment Act 1979*



The Hon. Paul Scully MP  
Minister for Planning & Public Spaces

Dated: 22/1/24

**Objective**

The objective of this direction is to extend the approval of chair and member pools and appoint existing chairs and members of local planning panels for an interim period from 28 February 2024 to 30 June 2024.

**Application**

This direction applies to a council that has constituted a local planning panel under the *Environmental Planning and Assessment Act 1979* (the Act).

**1. Direction 1 Continuation of the pools dated 28 February 2021 until 30 June 2024**

- 1.1 A council to whom this direction applies must note that the chair/alternate chair pool dated 28 February 2021 is approved until 30 June 2024.
- 1.2 A council to whom this direction applies must note that the expert member pool dated 28 February 2021 is approved until 30 June 2024.

**2. Direction 2 Interim appointment from the pool dated 28 February 2021**

- 2.1 A council to whom this direction applies is to appoint a new or reappoint the current chair/alternate chair to a local planning panel for the period covering 28 February 2024 to 30 June 2024.
- 2.2 A council to whom this direction applies is to appoint a new or current panel member to a local planning panel for the period covering 28 February 2024 to 30 June 2024.
- 2.3 Any panel member who has served two terms on a specific local planning panel cannot be reappointed, this includes community representatives. In this case, a council to whom this direction applies must appoint a new panel member from the approved pool.
- 2.4 During this interim appointment period a council is permitted to have a reduced number of panel members in their approved pool, that is less than the 15 independent expert members and alternate members (see Local Planning Panels Direction – Appointment of New Members dated 7 December 2022).

### 3. Direction 3 Appointment of members

3.1 A council to whom this direction applies is to require in their letter of appointment or reappointment of any new or current panel member, that the proposed member agree to abide by the *Code of Conduct for Local Planning Panel Members*, in their acceptance of appointment to the local planning panel. The **Code of Conduct for Local Planning Panel Members** is the code approved by the Minister for Planning under section 28 of Schedule 2 to the Act.

3.2 Before appointing community representatives to a panel, a council must require proposed representatives to complete a statutory declaration stating that they are not:

- a) a councillor of that or any other council, or
- b) a property developer within the meaning of section 53 of the *Electoral Funding Act 2018*, or
- c) a real estate agent within the meaning of the *Property, Stock and Business Agents Act 2002*.

**Note:** these are grounds for ineligibility for membership of a local planning panel under section 2.18 of the Act.

3.3 Before appointing community representatives to a panel, a council must also arrange probity checks for the proposed representatives which must include (but are not limited to):

- a. Search of the Public Register of real estate agents
- b. Bankruptcy Register Search
- c. A Nationally Coordinated Criminal History Check

This direction takes effect on 28 February 2024

**Expert Panel Selection****Mr Stephen Kerr**

Bachelor of Urban and Regional Planning, Master of Commerce (Business)  
Executive Director at City Plan, a leading town planning consultancy with 35 professional staff in Sydney and Newcastle.  
Stephen holds degrees in Urban Planning and Commerce and has extensive experience in the public and private sectors having previously held senior executive positions in major Sydney councils before joining City Plan.

**Ms Heather Warton**

Bachelor of Town Planning, Hons 1. ; Masters of Business Administration and Horticulture Certificate, NSW TAFE  
Contracting part time to the NSW Department of Environment and Planning in the State Significant Acceleration Team, having completed working with Georges River Council as a Planning Expert in the Land and Environment Court. She is a member of six Local Planning Panels, plus the Sydney South Regional Panel. Working with Wollondilly, Fairfield and Inner West LPPs where she is an Alternate Chair, and on Randwick, Strathfield and Wingecarribee Council's LPPs as an Expert Member

**Mr David Ryan**

Bachelor of Town Planning (Hons) UNSW, Diploma of Law (SAB), Grad Diploma in Legal Practice UTS, Registered Planner, Fellow, PIA  
David is accredited under the NSW Department of Planning and Environment's Registered Environmental Assessment Practitioner (REAP) Scheme to prepare EIS's for State significant development.  
David offers extensive experience and expertise in strategic and statutory planning, due diligence and strategic development advice, the management and assessment of major developments and expert evidence in Court matters for a wide range of major private and public sector clients.

**Mr Jason Perica**

BSci (ARCH), UNSW, M.U.R.P. (Sydney Uni)  
Director of Perica and Associates Urban Planning Pty Ltd. Jason has extensive experience in local government and State planning authorities, including in senior management positions including the Director of City Planning at the City of Sydney and an Executive Director at the NSW Department of Planning responsible for major development.  
He has extensive experience across all types of development and strategic planning work, from a range of perspectives including rezonings, assessment, proposal formulation, court work, project management, determination of applications and review.

**Graham Brown**

B App Sc (Env Plan), Dip Env Stud, M Bus  
Current alternate chair for WLPP

## Attachment 2

### **Mr Robert Montgomery**

Bachelor of Applied Science (Environmental Planning), Charles Sturt University;  
Principal at Montgomery Planning Solutions.

Robert Montgomery is a qualified town planner and a Corporate Member of the Planning Institute of Australia. He has 29 years' experience in Local Government, including Management, Finance, Town Planning and Strategic Planning. He has more than 17 years' experience as a consultant town planner in commercial, industrial, tourism, residential and rural development.

### **Ms Helen Deegan**

Bachelor of Town Planning, UNSW, Urban Estate Mgt UTS Grad Dip., Graduate AICD, Fellow PIA

Helen is an expert in translating complex and multifaceted development and land use issues into workable solutions. She has 30 years' experience in statutory and strategic planning and in managing large planning scheme reviews and masterplan development projects. A background in development a stakeholders' needs and expectations. Helen is a Fellow of PIA, sits on several local planning panels and is a member of Landcom's Design Review Panel.

### **Darren Troy**

B Construction Management, Grad Dip URP, Grad Dip Human Resource Management  
Director Urban Planning and Program Development- lead a team that identification of sites for the delivery of 65,000 new dwellings under the NSW Governments Future Directions in Social Housing

### **Ms Elizabeth Kinkade**

Bachelor of Town Planning. Currently undertaking LLM at UNSW  
Director at EK Strategy and has held senior positions in the NSW DPE.

### **Professor Helen Lochhead**

"M. Sc (Architecture & Urban Design) Columbia University, B. Arch (Hons 1) B. Sc. Arch (Hons 1) University of Sydney, Australian Institute of Landscape Architects (AILA), Fellow, Australian Institute of Company Directors (FAICD)" LFRAIA AILA MPIA FAICD AIA(Hon) RIBA(Hon)

An architect and urbanist, combining professional practice, board and academic roles for over 25 years. Her career has focused on the inception, planning, design and delivery of complex large-scale urban projects and expert advisory roles to government and industry. Recent leadership roles include Pro Vice-Chancellor, Precincts and Dean, Faculty of the Built Environment, UNSW Sydney, Australia and President of the Australian Institute of Architects 2019-20.



**12.16 REJECTION OF TENDER T06-2022 - RECYCLABLE MATERIAL ACCEPTANCE AND PROCESSING SERVICES**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - CONFIDENTIAL - REJECTION OF TENDERS FOR RECYCLABLE MATERIALS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>DAVID ROBERTS, ENVIRONMENT 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To seek Council's approval to reject all tenders for the recyclable material acceptance and processing services contract and delegate to the Chief Executive Officer authority to negotiate with suitable suppliers, with a view to entering into a contract for the provision of the required services.

The recommendation to reject all tenders and negotiate with suitable suppliers is made because Council did not receive conforming tenders. As required by the *Local Government Act*, a detailed understanding of the reasons for non-conformance by each tenderer is provided in confidential **Attachment 1**.

**REASON FOR CONFIDENTIALITY**

The information in **Attachment 1** is confidential as disclosure of it would disadvantage Council and potentially the company who submitted the tender.

**Pursuant to** Section 10A(2)(c), (d)(i) and (g) of the *Local Government Act 1993*, **Attachment 1** is confidential because it contains:

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

**2. OFFICERS RECOMMENDATION**

**That Council:**

- 1. Receives and notes the report and confidential Attachment 1 for the rejection of Tender RFT06-2022 Recyclable Material Acceptance and Processing Services.**

2. Approves the rejection of all tenders in accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2021
3. Approves the delegation of authority to the Chief Executive Officer to negotiate a suitable procurement outcome with one or more service providers, in accordance with clause 178(3)(e) of the Local Government (General) Regulation 2021
4. Notes that the outcome of negotiations will be reported to Council.

### 3. BACKGROUND

On 10 December 2012, Council resolved to accept the tender submission from JJ Richards and Sons Pty Ltd, for provision of waste collection and recycling services for an initial period of seven years commencing 7 July 2013 to 6 July 2020.

On 13 May 2019, Council resolved to accept an extension to the contract with JJ Richards and Sons Pty Ltd for an additional three 3 years which expired on 6 July 2023.

On 19 September 2022, Council resolved to endorse an exemption from the tendering requirements under section 55(3)(i) of the *Local Government Act 1993* and approve a variation to the current service provider for JJ Richards and Sons Pty Ltd to extend existing services by nine months, due to extenuating circumstances. Recycling services continue to be provided by Councils waste contractor, JJ Richards & Sons Pty Ltd until March 2024.

A new open tender process for ongoing recycling services was undertaken in late 2023.

### 4. DISCUSSION

Tender documents seeking providers for the acceptance and processing of recyclable material services from yellow lidded bins was released via Tenderlink on 8 November 2023. The Request for Tender was also advertised in the *Sydney Morning Herald* and the *North Shore Times*. Tenders closed on 6 December 2023.

One tender submission was received.

The tender submission was reviewed by the panel and found to be non-conforming as the submission requested a number of departures from the contract agreement. The panel discussed these issues with the Procurement Team and agreed that this posed an unacceptable level of risk to Council.

A letter of interest was also received from another service provider, without a conforming tender submission.

As there were no conforming tenders, Council has two options:  
Option 1 – Reject all tenders and re-tender for the service provision  
Option 2 – Reject all tenders and negotiate

The tender evaluation panel has recommended the rejection of both submissions on the basis of non-conformance and delegate authority to the Chief Executive Officer to negotiate a suitable procurement outcome with one or more selected service providers. Such negotiation may consider value management and alternative ways to achieve the same outcomes, whilst minimising risk.

## 5. RISKS AND OPPORTUNITIES

Only one tender submission was reviewed which the panel found to be non-conforming as the submission requested a number of departures from the agreement. This presented an unacceptable level of risk to Council. An opportunity exists to negotiate with prospective service providers on a service outcome which provides best value and minimises risk.

## 6. CONCLUSION

During the tender process in late 2023, Council received one tender submission and one letter expressing an interest to provide recycling services. As the submissions were non-conforming, the rejection of tenders is recommended, with a view to entering negotiations with one or both of the applicants. An appropriate negotiation process would help to find the best financial and environmental outcome for recycling.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 – Be honest, transparent and accountable in all that we do
<b>Business Plan Objectives, Outcomes / Services</b>	Serving the best interest of the public when purchasing assets, goods, materials and services.
<b>Policy</b>	This matter relates to Council's <i>Procurement and Contract Management Policy</i> .
<b>Consultation</b>	The tender was advertised in accordance with the provisions in the <i>Local Government Act 1993</i> .
<b>Risk</b>	Only one tender submission was reviewed which the panel found to be non-conforming as the submission requested a number of departures from the agreement. This presented an unacceptable level of risk to Council. Failure to reject and enter into negotiation will result in Council being unable to collect or process recyclable material in the yellow bin.
<b>Resource</b>	The tender process and administration of this contract will be undertaken using existing resources within each of Council's Directorates being Customer & Corporate, Community Culture & Leisure and Planning & Infrastructure.
<b>Legal</b>	When necessary, officers sought legal advice throughout the tender process.
<b>Legislation</b>	The tender process has been undertaken in accordance with all <i>Local Government Act</i> requirements.
<b>Budget/Financial</b>	This report does not commit Council to additional costs and is prepared within approved budgets.

**12.17 WARNERS PARK COMMUNITY CENTRE STATUS REPORT**

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>RUPERT GILROY, PROPERTY 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>26 FEBRUARY 2024</b>

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

To provide an update on the Warners Park Community Centre project.

### **2. OFFICERS RECOMMENDATION**

**That Council notes the update provided on the Warner's Park Community Centre Project as requested in Council's resolution of 11 December 2023.**

### **3. BACKGROUND**

At its meeting on 11 December 2023, Council resolved to request a status report for the February 2024 council meeting on Warners Park Community Centre. This report responds to that resolution.

### **4. DISCUSSION**

Warners Park is a 4.9ha open space consisting of bushland, recreational grass areas, a children's playground, the Warners Park Community Centre (formerly Northbridge Bowling Club), the Willoughby Community Garden a carpark and the Willoughby Community Men's Shed.

The Northbridge Bowling Club had operated on the site since 1951 in premises that were purpose-built for the Club. The bowling club closed in 2015 due to dwindling membership numbers and the club could no longer fund ongoing operations of the Bowling Club.

In 2017, Council prepared plans for refurbishment of the former Bowling club and in 2019, Council engaged a builder to undertake a renovation of the former club house so that it could be repurposed and used for a broader range of uses. At the same time, the bowling greens were converted to a Community Farm / Garden. Works were completed in 2021.

In 2023, it was identified that the upper level floor was structurally deficient and a dance school that was using the building had to cease operations. They have temporarily relocated to the Willoughby Park Centre.

The Council resolution on 11 December 2023 requested that the following items be addressed:

**History of the refurbishment of the former Northbridge Bowling Club now known as the Warners Park Community Centre (WPCC).**

At its meeting on 24 April 2018, Council approved Development Application 2017/361 for the repurposing of the former Northbridge Bowling Club to operate on the lower ground floor as a commercial cafe, and for a multipurpose community facility on the ground floor (ie the upper level).

Matrix Construction Group was appointed to carry out the works and commenced the project in late 2019. The date of practical completion was 13 May 2021. The program was impacted by the Covid pandemic.

Following completion of the works, Matrix Construction Group became insolvent. A liquidator was appointed in late 2021 and the company was subsequently wound-up.

**Final Cost of the refurbishment and the funding sources**

The final cost of the redevelopment works was \$2.3 million. The works were funded from money held in the CyPres Reserve.

**Warners Park Community Centre Project Outcomes**

The Warners Park project is part of a broader precinct upgrade to the surrounding parklands and community facilities. The project has delivered significant benefits to the community including:

- The Community Garden has relocated to the former bowling greens and has been successfully activated with high levels of community engagement enabled by support from Council officers.
- Public toilets to service the precinct are operational at the Old Caretakers Cottage.
- The Ground floor of WPCC has been used for dance studios, exercise groups, community meetings and environmental educational programs. During 2022/23 the ground floor generated \$30,000 in revenue. There is an opportunity to generate further income from the lower ground floor level.
- The Willoughby Community Men's Shed successfully moved to the Outpost at Warners Park in 2021. This move significantly improved facilities for the Men's Shed activities. The membership has grown to over 90 members.
- Access pathways to the Men's Shed will be substantially upgraded during March 2024. Council officers are in regular contact with the Men's Shed representatives to provide ongoing support and to ensure the area is maintained for the benefit of all user groups.
- A popular summer weekend program was held with music and outdoor games with the aim of activating the space and providing the opportunity for the community to connect. Activating the space has enabled good connections for the community wishing to access Castlecrag walking tracks which start from the surrounding bushland area.

**Reasons for the critical maintenance works which closed the WPCC on 16 December 2023, and a summary of works undertaken to reopen WPCC.**

The reasons for the maintenance works are as follows:

- **Inappropriate structural design** - the upper floor has been designed for 3 kpa live load, however the current and likely continued usage requires a live floor load capacity of 5 kpa.
- **Poorly installed floor joists** - Poor workmanship, related to the works undertaken by Matrix Construction Group, has resulted in noticeable deflection and shearing that has caused undulations in the upper floor. The deflections are beyond the tolerances permitted under the Building Code of Australia (BCA).

- **Hardwood floor at the upper level is damaged and unsuitable for current use.**  
The upper level timber floor is quite old and would have been due for replacement within the next five years. The date for replacement has now been bought forward.

The scope of Work to remedy the issues outlined above is as follows:

- Three layers of Fyrecheck plasterboard needs to be removed from the underside of the steel beams and columns to do required works to strengthen the beams.
- 205 square metres of hardwood floor needs to be removed.
- A number of floor joists need to be demolished and replaced.
- New floor joists and existing steel beams need to be levelled for a new floor.
- Particle board flooring will be laid over the floor joists followed by 18mm hardwood flooring.
- Ceiling areas that are removed will be replaced with a suspended ceiling with 3 layers of Fyrecheck.
- New columns are to be installed and strengthening to beams undertaken to achieve 5 kpa live load.
- All ceiling and plasterwork to the lower level is to be repainted and the new floor above is to be sanded and sealed.

**Costs incurred and estimated future maintenance cost for WPCC. Include date of estimated reopening of the WPCC.**

- At the date this report was prepared, Tenders have been received from 3 contractors to carry out remediation works. After allowing for a 10% contingency, the total cost of the repairs is forecast to be \$220,000.
- Rectification works are expected to take 8 - 10 weeks to complete and are expected to commence in late February / early March. The anticipated re-opening date is mid-June 2024.

**Management of Warners Park Community Centre**

Warners Park is managed by Council's Facilities team. Prior to its closure, the ground floor was a successful hire venue for Council and it is anticipated that this will continue once re-opened.

The lower ground level has not been successful in finding a long term commercial tenant to lease the facility. It was originally envisioned that this space would be leased as a café to generate an income. An Expression of Interest was undertaken in early 2021. No proposals were forthcoming. Feedback suggests that there are significant impediments to attracting commercial operators for the site, including lack of passing trade, limited access options for customers, staff and suppliers. The site is very dependent on good weather and does not offer consistent weekday trade that could be supplemented by busy weekend trade.

The limited hours of operation and inability to hold events, as stipulated in the DA conditions, also contribute to the viability of this site for a café, as does the high cost of the fit out required during challenging economic times. The current Development Application (DA 2017 361) was approved by Council in May 2018 for the former Northbridge Bowling Club building to operate a café on the lower ground floor, and a multi-purpose community facility on the ground floor.

Given the challenges outlined, it is unlikely Council will be able to find a commercial lessee for the lower ground level. Council officers are currently investigating the options to submit a DA for a change of use to the lower ground space. The space is well suited for multi-use community purposes such as children's parties and dance, exercise studio, community meeting space – similar to the ground floor level activities which have operated with no community complaints or concerns being raised.

## **5. RISKS AND OPPORTUNITIES**

The construction works to be undertaken carry the risk of costs for additional work that has not been allowed in the tender documents, time delay, defects and quality issues. These risks are mitigated by undertaking extensive investigation of the underlying fault, in order to provide a well defined scope of work for tendering purposes.

## **6. CONCLUSION**

It is recommended that the contents of this report be noted. Works will proceed in a timely manner so the building can be repaired, and made available for use by the local community.



**7. IMPLICATIONS COMMENT**

<b>City Strategy Outcome</b>	5.1 – Be honest, transparent and accountable in all that we do
<b>Business Plan Objectives, Outcomes / Services</b>	The provision of the report is to inform Council of the current status of the Warner Centre in Northbridge which is currently closed due to a works being required to rectify a structural deficiency. The asset will be reinstated and used as a community hall once the works are complete.
<b>Policy</b>	This report was produced pursuant to a resolution of Council.
<b>Consultation</b>	Council officers' preparation of this report was informed by ongoing communication with other Council departments, engineering consultants, building contractors and community groups that use the facility.
<b>Risk</b>	The cost of rectification works has been determined by sourcing 3 quotes from builders based on a scope of work prepared by Acor Engineering Consultants. An extensive study has been undertaken of the condition of the floor by removing sections of the ceiling, and this has been taken into consideration when the scope of work was prepared.
<b>Resource</b>	There are no resourcing implications associated with this report's recommendation.
<b>Legal</b>	A builder will be appointed to undertake the works. An appropriate form of contract will be used, to clearly define roles and responsibilities of each party, contract price and time for completion.
<b>Legislation</b>	Warners Park Community Centre is located on land that is classified as community land under the Local Government Act. Use of the Warners Park Community Centre and surrounding land must fall into the appropriate category of use and be in accordance with the Warners Park Plan of Management.
<b>Budget/Financial</b>	The works will be funded from savings in the 2023/24 Project Capital Work program. The cost of works is estimated at \$220,000 including a 10% contingency

**12.18 WCC PROPERTY REPORT - FEBRUARY 2024**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - CONFIDENTIAL - VACANCY ARREARS</b> <b>2. ATTACHMENT 2 - CONFIDENTIAL - SHOP 4 EOI CAMPAIGN 1202</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>RUPERT GILROY, PROPERTY 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

This report provides an update of Council's property lease portfolio.

**2. OFFICERS RECOMMENDATION**

That Council:

- 1. Note the property lease portfolio report, including the information contained in Confidential Attachment 1.**
- 2. Delegate authority to the Chief Executive Officer to negotiate and agree to commercial terms, and execute a lease and any associated documents for a tenant in Shop 4 at The Concourse as contained in Confidential Attachment 2.**

**3. BACKGROUND**

This report is provided as a monthly report on Council's property lease portfolio, with public information outlined below and confidential information relating to this report in **Attachment 1 and Attachment 2**.

**4. DISCUSSION****Tenant Update**

Trading conditions at The Concourse are back to normal, and the majority of tenants are paying their rent and back rent on time. However, the risk remains on all outstanding lease amounts being collected.

The Gibbes Street industrial properties continue to trade well, with all tenants paying their rent on time.

Rent arrears on 31 January 2024 are \$824,390 (30 November 2023, \$880,977), a decrease of \$56,888 compared to the previous report submitted.

**Lease Expiries and New Leases**

For the broader property portfolio:

- Leases Expiring - Nil this month to report on.
- Active steps are being taken to lease vacant shops at The Concourse.

A summary of the expired and new leases is in **Confidential Attachment 1**.

**Confidential Attachment 2** outlines a lease for a Council-owned property.

**Affordable Housing**

Willoughby City Council's portfolio of 37 affordable dwellings is fully occupied and has nil arrears as of 31 October 2023, with all tenants up to date on rental payments. A listing of affordable housing dwellings is provided in the **Confidential Attachment 1**.

**5. RISKS AND OPPORTUNITIES**

The risks associated with arrears payments, tenancy vacancies and not entering into suitable lease arrangements in a timely manner are detailed in the report at confidential attachments. An opportunity for full tenant occupancy at The Concourse is welcomed.

**6. CONCLUSION**

The performance of Council's tenants at The Concourse is improving, and a fairly extensive lease renewal process has occurred resulting in four new tenants being introduced over the past 12 months to replace tenants that were struggling commercially.

The 25 Gibbes Street (a 19 unit industrial complex) is fully leased, and has an increased proportion of tenants with stronger covenants.

Arrears have significantly reduced by 65% over the past 24 months, reducing from \$2.345 mil (Jan 22) to \$824,390 (Jan 24). This was achieved by working with tenants to have arrears repaid, remixing the portfolio, and taking a stricter approach with debt recovery.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 – Be honest, transparent and accountable in all that we do
<b>Business Plan Objectives, Outcomes / Services</b>	The provision of the report is to inform Council of the current status of the financial performance of Council's property lease portfolio.
<b>Policy</b>	This report was produced pursuant to a resolution of Council.
<b>Consultation</b>	Council officers' preparation of this report was informed by ongoing communication with tenants of Council's leased properties.
<b>Risk</b>	This report provides an overview of the leased property portfolio. For confidentiality reasons, it does not identify any commercial information for individual tenancies. Councillors can access further information pertaining to risks associated with individual tenancies in the accompanying confidential attachment.
<b>Resource</b>	There are no resourcing implications associated with this report's recommendation.
<b>Legal</b>	Council's leases provide for formal action to be initiated where parties breach the terms of a lease.
<b>Legislation</b>	Any actions to be taken on individual tenancies will be in accordance with the provisions of the <i>Retail Leases Act 1994</i> and the <i>NSW Retail and Other Commercial Leases (COVID-19) Regulation 2022</i> .
<b>Budget/Financial</b>	Council holds bank guarantees for tenants in arrears and has made provisions for potential bad debts. Consequently, Council's lease portfolio represents an acceptable level of financial risk at this time.

**12.19 REJECTION OF TENDER T05-2022 - RECEIVAL AND PROCESSING OF GARDEN ORGANICS SERVICES**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - CONFIDENTIAL - REJECTION OF TENDERS FOR GARDEN ORGANICS SERVICES</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>DAVID ROBERTS, ENVIRONMENT 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To seek Council's approval to reject all tenders for the Receival and Processing of Garden Organics Services contract and delegate to the Chief Executive Officer authority to negotiate with suitable suppliers, with a view to entering into a contract for the provision of the required services.

The recommendation to reject all tenders and negotiate with suitable suppliers is made because Council did not receive conforming tenders. As required by the Local Government Act, a detailed understanding of the reasons for non-conformance by each tenderer is provided in confidential **Attachment 1**.

**REASON FOR CONFIDENTIALITY**

The information in **Attachment 1** is confidential as disclosure of it would disadvantage Council and potentially the company who submitted the tender.

Pursuant to Section 10A(2)(c), (d)(i) and (g) of the *Local Government Act 1993*, **Attachment 1** is confidential because it contains:

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

**2. OFFICERS RECOMMENDATION**

**That Council:**

- 1. Receives and notes the report and confidential Attachment 1 for the rejection of Tender RFT05-2022 Receival and Processing of Garden Organics Services.**

2. Approves the rejection of all tenders in accordance with Clause 178(1)(b) of the *Local Government (General) Regulation 2021*.
3. Approves the delegation of authority to the Chief Executive Officer to negotiate a suitable procurement outcome with one or more selected service providers, in accordance with clause 178(3)(e) of the *Local Government (General) Regulation 2021*.
4. Notes that the outcome of negotiations be reported to Council.

### 3. BACKGROUND

In May 2021, Council endorsed an exemption for waste disposal services with Suez Recycling & Recovery (NSW) Pty Ltd. On 16 December 2021 Cleanaway Pty Ltd acquired the Suez waste disposal and processing facilities at Artarmon and Ryde. An amended exemption for the acceptance and processing of waste, including garden organics, was provided to reflect the change in ownership and was considered an interim solution until Council retendered for waste acceptance and processing services, including garden organics.

Acceptance and processing of garden organics services continues to be provided by Cleanaway Pty Ltd under a procurement exemption. A tender process for garden organics services was undertaken in late 2023.

### 4. DISCUSSION

Tender documents seeking providers for the acceptance and processing of garden organics from green lidded bins was released via Tenderlink on 8 November 2022. The Request for Tender was also advertised in the Sydney Morning Herald and the North Shore Times. Tenders closed on 12 December 2023.

Five tender submissions were received.

The tender submissions were reviewed by the tender evaluation panel. All tenders were declared non-conforming due to:

- Departures from the draft contract agreement being requested
- Financial information and capacity not being provided
- WHS, environmental and modern slavery processes not being provided

The panel discussed these issues with the Procurement Team and agreed that this posed an unacceptable level of risk to Council.

As there were no conforming tenders, Council has two options:

Option 1 – Reject all tenders and re-tender for the service provision

Option 2 – Reject all tenders and negotiate

Given the time taken to tender and the lack of conformance by the industry the recommended approach is to reject all tenders and delegate authority to the Chief Executive Officer to negotiate a suitable procurement outcome with one or more service providers.

## 5. RISKS AND OPPORTUNITIES

All tender submissions received were deemed non-conforming. This presented an unacceptable level of risk to Council. Failure to undertake this process will result in Council being unable to collect or process organic material in the green bin. An opportunity exists to negotiate with prospective service providers on a service outcome which provides best value and minimises risk.

## 6. CONCLUSION

During the tender process in late 2023, Council received five submissions for the Receiving and Processing of Garden Organics services tender. As all submissions were non-conforming, the rejection of tenders is recommended, with a view to entering negotiations with one or more of the applicants. An appropriate negotiation process would help to find the best financial and environmental outcome for garden organics.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do.
<b>Business Plan Objectives, Outcomes / Services</b>	Serving the best interest of the public when purchasing assets, goods, materials and services.
<b>Policy</b>	This matter relates to Council's <i>Procurement and Contract Management Policy</i> .
<b>Consultation</b>	The tender was advertised in accordance with the provisions in the <i>Local Government Act 1993</i> .
<b>Risk</b>	All tender submissions received were deemed non-conforming. This presented an unacceptable level of risk to Council. Failure to undertake this process will result in Council being unable to collect or process organic material in the green bin. Failure to undertake this process will result in Council being unable to collect or process organic material in the green bin.
<b>Resource</b>	The tender process and administration of this contract will be undertaken using existing resources within each of Council's Directorates being Customer & Corporate, Community Culture & Leisure and Planning & Infrastructure.
<b>Legal</b>	When necessary, officers sought legal advice throughout the tender process.
<b>Legislation</b>	The tender process has been undertaken in accordance with all <i>Local Government Act</i> requirements.
<b>Budget/Financial</b>	This report does not commit Council to additional costs and is prepared within approved budgets.



**12.20 OPTIONS TO ENCOURAGE BETTER ACCESS TO CARSHARE SERVICES**

<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li><b>1. ATTACHMENT 1: WCC - CAR SHARE PARKING SPACE POLICY</b></li><li><b>2. ATTACHMENT 2: TFNSW GUIDELINES FOR ON-STREET FIXED SPACE CAR SHARE PARKING</b></li></ol>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>DANIEL SUI, TRAFFIC AND TRANSPORT TEAM LEAD</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>1.2 PROMOTE SUSTAINABLE LIFESTYLES AND PRACTICES.</b> <b>1.5 REDUCE CARBON AND GREENHOUSE EMISSIONS.</b> <b>2.1 ENHANCE TRANSPORT CHOICES AND CONNECTIONS THROUGHOUT THE CITY.</b> <b>2.4 MANAGE PARKING AND REDUCE TRAFFIC CONGESTION.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To present a report on the provision of temporary trial access to public parking spaces for car share companies.

**2. OFFICERS RECOMMENDATION**

**That Council:**

- 1. Note the current status of both fixed and non-fixed car share parking spaces and their utilisation in the Willoughby Local Government Area.**
- 2. Approve the development of a non-fixed car share parking spaces trial, aligned with the existing Car Share Policy and fee structures.**
- 3. Note that subject to adoption of Recommendation 2, a new fees and charges item will be included for consideration in the draft 2024/25 Operational Plan for non-fixed car share parking spaces at 50% of the fixed space rate, up to a total maximum of 10 spaces, in Council-owned car parks and street parking areas within the Castle Cove, Castlecrag, Northbridge and Naremburn local centres.**

4. Note that officers will conduct an evaluation of the non-fixed car share parking spaces trial after 12 months from the initial approvals and provide an outcomes report to Council.

### 3. BACKGROUND

At Council's meeting of 27 November 2023 it was resolved:

*That Council:*

1. Provide a report to the February meeting of Council as to the feasibility and desirability of reducing barriers to the provision of carshare services by providing carshare companies with free access to a space for a trial period to determine whether they will then seek to apply to Council for a permanent space.
2. That, amongst other things, the report should explore whether, should the company decide to apply for a permanent space all or some of the amount which would have been paid for the space during the trial period had the space been permanent, should be recovered.

This report responds to that resolution of Council.

### 4. DISCUSSION

#### **Current Car Share Operations**

As much as car share companies provide an effective and more sustainable alternative to car ownership, they are primarily profit based businesses and derive significant benefit from the use of public land. In the early years of car share uptake, companies like GoGet were encouraged to expand their operations and were incentivised by councils to do so with free or minimal costs for the exclusive use of public road space.

The management of public roads, local traffic and kerbside parking are of significant value and importance to Willoughby's residential and business communities. That importance has been made clear in recurring Community Perception Surveys. The use or isolation of public kerbside or off street parking spaces for the benefit of private car share operators must therefore be carefully considered.

At present, GoGet is the only car share company operating within the Willoughby Local Government area with fixed location parking spaces. They have 31 parking spaces, predominately in Chatswood, Artarmon, St Leonards and Naremburn. GoGet vehicles have exclusive use of these fixed pods, with car share signs and pavement markings installed.

Beyond their 31 fixed parking spaces, GoGet also use 15 non-fixed spaces in Willoughby Council areas, without any permits or fees. Non-fixed car share parking spaces function as floating un-restricted pods, typically within a stretch of road where parking space is available. GoGet also use other privately owned car share spaces, typically within a building in partnership with property owners. In August 2023, there were a total of 1,166 bookings for GoGet car share vehicles within the Willoughby local area.

There are 5 major car share companies operating in NSW, namely GoGet, Uber Carshare (previously Car Next Door); Flexicar; Popcar; and greensharecar. GoGet and Uber Carshare are the two major companies that operate in Willoughby City Council areas.

A search on the Uber Carshare website showed about 50 non-fixed car share vehicles scattered across the Willoughby City Council LGA. These Uber Carshare vehicles are operating in Council's on-street parking areas or may be parked within private property without any permits, fees or operating consent. A map showing the Uber Carshare locations is viewable in (Figure 1).

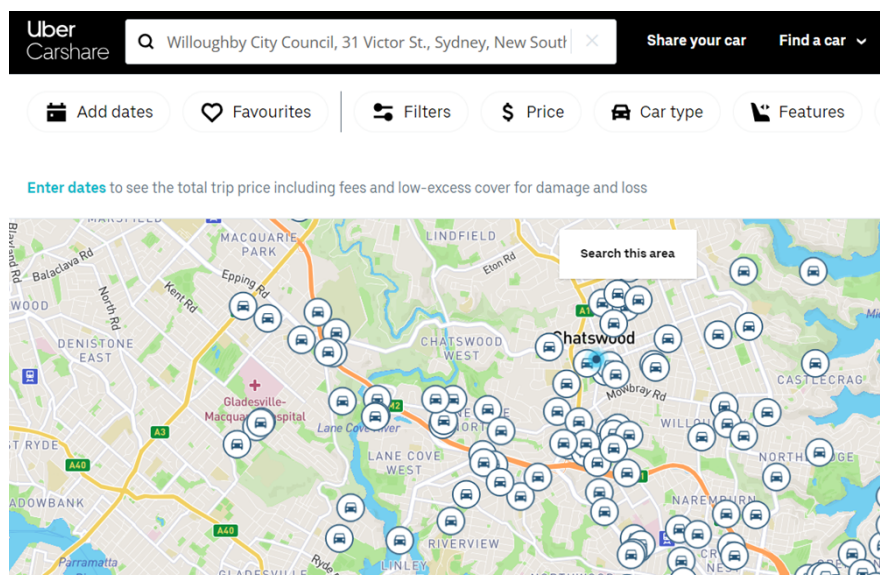


Figure 1 - Website search on Uber Carshare locations (17 January 2024)

### Car Share Policy and Strategy

Willoughby City Council has a *Car Share Policy (Attachment 1)* which was developed with guidance from the *Transport for NSW Permit Parking Guidelines and Technical Direction Guidelines (Attachment 2)* for on-street car share fixed parking.

An increase in car share services aligns with Council strategies aimed at reducing greenhouse emissions, alleviating traffic congestion and mitigating parking space pressures for the benefit of residents and businesses.

### Car Share Operating Models

All car share companies operate on a car-sharing business model, where individuals can rent vehicles for short periods, often by the hour. Members of the service have access to a fleet of vehicles stationed in various locations, and they can reserve and use a vehicle when needed. This model promotes flexibility, cost savings and the efficient use of resources, as opposed to traditional car ownership. Members typically pay for usage based on vehicle type, time and distance. This model presents residents with an opportunity to alleviate cost-of-living burdens by reducing reliance on private vehicle ownership.

As the car share business models and operations have evolved over the years, more non-fixed car share spaces have been used. This creates a more agile and dynamic supply of car share availability and indicates a flexible and adaptive approach to meeting user needs. Non-fixed car share spaces allow for greater versatility in responding to changing demand patterns and user preferences. They can reduce parking pressure and have increased user engagement. For these reasons, non-fixed car share spaces are recommended as a suitable car share solution.

Currently non-fixed car share vehicles are located in Chatswood, Artarmon, and St Leonards, with more limited non-fixed care share vehicles in the peninsular suburbs of

Castle Cove, Castlecrag, Northbridge and in the Naremburn local centre. As there are several Council owned car parks within these suburbs, in close proximity to the local centres, car share companies could use non-fixed spaces to trial new initiatives, whilst assessing the feasibility and demand for different car-sharing models and services, before committing to permanent fixed location car share spaces.

Overall, the provision of non-fixed car share spaces aligns with the principles of flexibility and adaptability in response to the dynamic nature of urban mobility. It enhances the accessibility and convenience of car-sharing services, contributing to a more sustainable and efficient transportation ecosystem.

### **Financial Implications**

Council has approved fees and charges for fixed location car share parking permit applications. Currently, there are 31 fixed location car share parking spaces located in Chatswood, St Leonards, Naremburn and Artarmon, generating an annual revenue of approximately \$27,000 per year. There is no current fee structure for non-fixed car share spaces.

The fees and charges schedule for fixed location spaces does not enable car share operators to trial spaces in order to assess demand before seeking a permanent allocation. Introducing a scheme allowing car share companies to utilise a non-fixed location space on a trial basis for a reduced fee may address this hurdle.

In lieu of a free trial program, a reduction of 50% of the current fixed space fees and charges is recommended in order to recover costs for application assessment, community consultation and management of the trial program. As unmarked non-fixed spaces, no costs for signage or line-marking would apply. If supported by the community and approved by Council, a total of \$1,422.50 will be charged to acquire each non-fixed trial car share space in agreed on-street parking areas or Council owned car parks. Should the non-fixed car share space trial receive approval, with the recommended maximum of 10 spaces, the potential increase in Council's revenue would be up to \$14,225.

If the trial is endorsed by Council, an additional fee structure for non-fixed car share spaces would be included in the Fees and Charges Schedule for the Draft 2024/25 Operational Plan, prior to its public exhibition and consideration of adoption by Council in June 2024.

### **Proposed Trial Program**

It is proposed that a total maximum of 10 non-fixed car share spaces be made available for a trial program (in Castle Cove, Castlecrag, Northbridge and Naremburn). Car share companies will be required to formally apply for permits and Council will consult with the adjacent businesses and residents. The community consultation outcomes will inform decisions to approve the extent of operation and the specific car share services available at these agreed locations.

It is recommended that the trial program be open for applications from 1 July 2024 for a 12 month period. Car share companies will need to apply to participate in the trial before 30 June 2025 and will have access to the trial program for up to a 12 month period. All major car share companies will be invited to participate in the trial program.

## 5. RISKS AND OPPORTUNITIES

The proposed trial program has no new risks as it will be operating under the current *Car Share Policy* and operation guidelines.

This trial program could serve as an opportunity to showcase the benefits of car sharing to the area-specific communities, encourage more residents to participate and gather data on the feasibility and impact of expanding car share services across the Willoughby local area.

## 6. CONCLUSION

Balancing the positive aspects of car share services with the community's access to public parking spaces and the direct financial benefits derived by car share companies from access to public parking spaces is difficult. Non-fixed car share schemes are however preferred to fixed space schemes because they do not have a permanent marked space or exclude casual parking opportunities for residents and businesses when the car share vehicle is away on hire. Therefore, it is recommended that Council provide a trial program for non-fixed car share spaces in Council's car parks and street parking areas in the Castle Cove, Castlecrag, Northbridge and Naremburn local centres. This trial program could serve as an opportunity to showcase the benefits of non-fixed car share schemes to the area-specific communities and encourage more residents to participate.

Careful monitoring and evaluation during the trial period will be essential to ensure that it aligns with the overall goals of the *Car Share Policy* and the interests of local residential and business communities. These measures are implemented to strike a balance between encouraging innovative transportation solutions, like car-sharing, and ensuring that they align with broader urban planning goals and community interests. They also help manage issues such as traffic flow, parking availability, and environmental impact.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	<p>1.2 Promote sustainable lifestyles and practices.</p> <p>1.5 Reduce carbon and greenhouse emissions.</p> <p>2.1 Enhance transport choices and connections throughout the City.</p> <p>2.4 Manage parking and reduce traffic congestion.</p>
<b>Business Plan Objectives, Outcomes / Services</b>	To ensure proper traffic management and a transparent process for decision making regarding traffic matters including the management of car share schemes and operations.
<b>Policy</b>	Council's <i>Car Share Policy</i> guides the allocation and use of public areas for car share schemes. It sits within and is empowered by Council's adopted <i>Street Parking Strategy</i> .
<b>Consultation</b>	Community consultation on traffic matters, including the proposed trial non-fixed car share space program, will be undertaken and considered by the Local Traffic Committee and recommended to Council for approval, prior to final implementation.
<b>Risk</b>	The proposed trial program has no new risks as it will be operating under the current <i>Car Share Policy</i> and operation guidelines.
<b>Resource</b>	Work to manage the trial program will be undertaken within the existing resource allocations.
<b>Legal</b>	All applications will be reviewed by the Willoughby Traffic Committee, which will make recommendations to Council for approval. The Willoughby Traffic Committee is a Technical Committee of the Council mandated by Transport for NSW.
<b>Legislation</b>	All recommendations comply with relevant legislation and Transport for New South Wales Policies and Guidelines.
<b>Budget/Financial</b>	Should the non-fixed car share parking space trial receive approval, there may be an increase in revenue of \$1,422.50 per new parking space, which is 50% of the fixed parking space fee. With a maximum of 10 car share parking spaces included in the trial program, the potential increase Council's revenue would be up to \$14,225.

# Car Share Parking Space Policy

## A. PURPOSE

- i) Car sharing is one component in the development of an integrated sustainable transport system within Willoughby and the wider region of Sydney. The availability of a shared car service provides viable vehicle based options that provide flexibility and complement other sustainable means within the Willoughby Community.
- ii) A car share service allows a member to book a nearby vehicle for a short time and only pay for the time and distance the car is used for.
- iii) Willoughby City Council is committed to a future that is less reliant on private motor vehicles, sees a reduction in carbon based emissions and improves access for its community. This policy is consistent with these actions.
- iv) Whilst the concepts of car share services are relatively new in Australia and the level of residential density within Willoughby will currently only support a relatively small number of such vehicles, membership is steadily growing.
- v) This policy will seek to guide that expected growth. The policy should be subject to periodic review as circumstances change.

## B. STATEMENT OF INTENT

- i) To manage parking for car share schemes operating in the Willoughby LGA in a fair and equitable manner;
- ii) To support the regional transport objectives and strategies that aim to reduce private motor vehicle ownership in order to reduce parking demand, congestion, fuel consumption, greenhouse gas emissions and air pollution.

## C. STRATEGIC ALIGNMENT

Car sharing is supported in section 5.1.1 of the *Willoughby City Strategy* which outlines strategies to increase the use of active and alternative transport. Car sharing contributes to Council's goal of managing "...the transport needs of the community in a sustainable manner by reducing car dependence and increasing public transport use, walking and cycling."

## D. DEFINITIONS

A car share vehicle is a vehicle made available for use by members of a car share scheme for periods commencing for a minimum of 1 hour.

A member of a car share scheme is a person who has paid a joining fee to become a member of car share scheme.

A car share scheme is a scheme that provides access to vehicles for its members. A car share scheme does not have casual non-member users of its vehicles as is the case with car hire or car rental companies.

A pod is a dedicated parking space signposted for the exclusive use of car share vehicles when the vehicles are not in use by car share members.

## E. ELIGIBILITY FOR CAR SHARE PARKING SPACE

Only car share schemes that meet the following criteria will be eligible for car share parking:

- Car share vehicles must be available for a minimum time period of 1 hour.
- Vehicles are available to members of the program 24 hours, seven days a week.
- Vehicle bookings can be made via phone and the internet, 24 hours, seven days a week.
- Members have access to customer support during business hours.
- Members have the ability to extend the booking on the car whilst using the car (subject to availability of the car)
- All vehicles must be registered in New South Wales and achieve at least three stars in the Green Vehicle Guide.
- Membership should not be withheld unreasonably from any Willoughby resident or Willoughby based business.
- The vehicle cannot be a caravan, box trailer or boat trailer and must not exceed 3 tonnes.

All applicants for car share parking spaces must provide the following information:

- Information that demonstrates, to the satisfaction of Council, that the eligibility requirements listed above have been met.
- A report detailing the schemes car sharing experience, capability and past performance, including any applicable referees.
- The proposed location for parking spaces, and reasons for choice of these locations.
- Car registration information, including evidence of third party personal and comprehensive vehicle insurance.
- Public liability insurance, providing a minimum cover of \$10 million.
- Demonstrated maintenance and vehicle replacement management plan (including cleaning) to ensure the vehicles are maintained in a safe condition.
- Information on the type and amount of marketing being undertaken and any promotional arrangements.
- Acknowledgement from the car share scheme that while Council will endeavour to enforce relevant parking restrictions to the best of its ability, no warranty is given as to the availability of allocated car share pods at all times. Parking fines received for illegal parking by car share members will be paid by the car share scheme.

Council may provide pods for multiple car share schemes.

### F. PROVISION OF CAR SHARE PARKING SPACE

#### i) Allocation of Car Share Parking

Car share schemes may nominate desired locations for car share pods. Car share pods may only be allocated to car share schemes after approval by Council and the Traffic Committee. Council staff will assess the proposed location and consult residents and businesses in the immediate vicinity of the proposed car share pod before a proposal is submitted to the Traffic Committee.

Car share pods will be allocated to a specific car share scheme for exclusive use by a nominated vehicle. Council will provide written authorisation

for each vehicle. Preference for car share parking will be given to existing car share schemes with an established membership base. Where practical, car share pods should be located close to railway stations, interchanges, major bus routes and in a high density residential or business area. Street parking spaces allocated to a car share scheme should not take up more than five per cent (5 percent) of the available parking spaces in a single street or length of road.

If an approved car share parking space is not utilised within twelve months of approval, the approval will lapse, and the car share scheme will need to reapply for the parking space. The parking space will not be signposted until the car share scheme notifies Council that they have a vehicle ready to be installed. Once the pod is signposted for a car share vehicle, the car share scheme operator must install a car within 2 weeks.

#### ii) Transferral of Car Share Parking

Approved car share pods cannot be transferred to a different location, nor can a pod be transferred by a car share scheme to another car share operator. An application for new pods may be made to Council for consideration.

#### iii) Cancellation of Car Share Parking

If a pod being used by one car share scheme becomes and remains vacant for a six month period Council may recall this pod allocation and offer it to another car share scheme or return it to the original parking arrangement. A car share scheme may request to have this pod reinstated, subject to approval and with costs covered by the car share scheme.

In addition, the Council may in its absolute discretion, suspend, relocate, amend and/or cancel car share parking on such terms and for such reasons as the Council considers appropriate, including incapacity to comply with this policy. A minimum of two weeks' notice will be given to the car share scheme. Where Council suspends, relocates, amends and/or cancels these items neither the car share scheme or any other person shall be entitled to any payment, compensation or damages of any kind whatsoever from the Council.



### iv) Fees

The Council has made a substantial in-kind contribution to the early viability of car sharing to assist in the establishment of the concept. The growth in popularity of Car Share is now impacting to an increasing extent upon Council both financially and administratively. To offset some of these costs the burden is now being shifted back onto Car Share Scheme providers. Fees and charges will maintain the incentive

for residents to share vehicles, while balancing support for car sharing with reasonable recovery of public costs:

Car share scheme operators will be required to pay a partial cost for the line-marking and signposting of street spaces and will be required to obtain a permit for each car share pod. To recoup costs of lost parking revenue and to manage the number of car share pods within high parking demand areas Council will also charge an annual fee for each car share pod situated within an existing Ticket Parking zone. Costs will be determined through the annual Fees and Charges review.

Car share scheme providers will also be required to cover any costs associated with the removal of signage and line marking and reinstallation of pre-existing parking signs when vehicles are permanently removed from a location or Council reclaims the parking space after a vacancy period of six months.

Council reviews fees associated with Car Share Schemes on an annual basis. Any changes to fees and charges are placed on public exhibition during the third quarter of the financial year. Adopted fees and charges are subsequently published annually in the Infrastructure Services Fees and Charges Operational Plan.

### v) Signposting of car share parking

Car share pods will be signposted in line with the NSW Road and Traffic Authority's (RTA) Technical Direction on car share parking.

### vi) Sustainability requirements

Car share schemes are encouraged to utilise vehicles with fuel efficiency and Green Vehicle Guide ratings in line with Council's sustainability policies, including hybrid and electric vehicles. Preference for car share parking may be given to car share schemes that can demonstrate a commitment to environmental sustainability and the minimisation of carbon emissions.

## G. RESPONSIBILITY / ACCOUNTABILITY

Council's Traffic & Transport Group is responsible for the determination of eligibility and management of car share schemes. Car Share Schemes may be asked to undertake any required community consultation relating to the provision of parking spaces.

Car share schemes are responsible for notifying Council when a vehicle will be removed from an allocated parking space and that space is no longer being utilised. Car share schemes will promote their scheme within the community, including on-going promotional campaigns. The car share scheme operator is also required to provide a progress report every 3 months including the following information:

- Number of residents that are members of the car share scheme at that point in time, with a breakdown between corporate and residential members.
- Number of hours the car was booked (utilised) in that month
- Total number of trips per month
- Number of trips on weekdays
- Number of trips on weekends
- Promotional activities undertaken in the LGA

**H. PROVISION FOR CAR SHARING IN  
MULTI-UNIT DWELLINGS AND/OR  
COMMERCIAL DEVELOPMENT IN  
WILLOUGHBY DEVELOPMENT CONTROL  
PLAN (WDCP)**

Incentives for providing on site car share facilities may be offered to developers of new large commercial and residential developments within higher density areas. These incentives may include a reduction of the specified on-site parking rates outlined in the *Willoughby Development Control Plan*. The implementation of a car sharing scheme is one strategy that may be used to meet the requirements of a Green Travel Plan for a new development. Where a developer is unable to provide a Car Share Pod within their site and elects to site it street the developer rather than the Car Share Scheme provider will be required to meet the installation cost of the Car Share Pod and pay the initial permit and Ticket parking fees (if applicable).



# Technical Direction

## Traffic and Transport

TTD 2018/001 – 26 October 2018

### Guidelines for on-street fixed space car share parking

Summary:	Audience:
This technical direction provides the guiding principles for implementing on-street car share parking facilities for fixed space car share parking.	<ul style="list-style-type: none"> <li>• Parking authorities, ie councils and declared organisations</li> <li>• Car share operators</li> <li>• RMS officers and staff</li> </ul>

## Introduction

Car share schemes are one of a number of transport options recognised in NSW Government transport strategies. Car share may help to reduce the demand for on-street car parking and may also be influential in helping to shift travel mode from private motor vehicle to active and public transport modes. This technical direction provides the guiding principles for implementing on-street car share parking facilities on local roads for fixed space car share parking.

## Fixed space versus non-fixed space parking

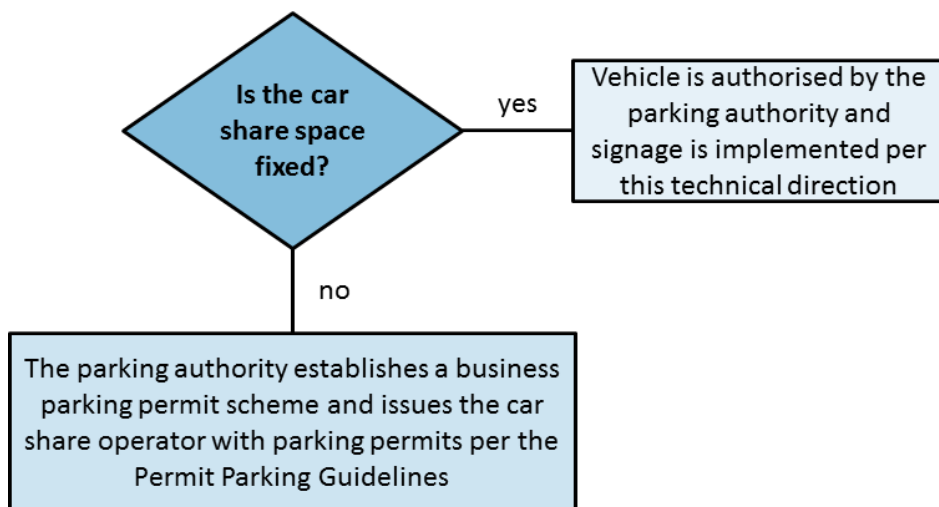
Car share schemes may operate on the basis of fixed parking spaces or non-fixed parking spaces, or a mixture of both. In order to comply with regulations, fixed and non-fixed parking spaces are administered differently:

- Fixed space – vehicle is picked up from and returned to the same designated car space. Parking is administered by signage.
- Non-fixed space – operates without designated parking spaces. Depending on the terms and conditions of the scheme, vehicles may have to be returned to a designated neighbourhood or they may be used for one way journeys. Parking is administered within a permit parking scheme.

## Approvals:

<b>Owner:</b>	Sydney Division	<b>Review Date:</b>	October 2021
<b>Authorised by:</b>	Head of Sydney Planning	<b>Effective Date:</b>	26 October 2018

The choice of parking provided in each area of operations is at the discretion of the relevant parking authority. A parking authority may choose to allow a car share vehicle to park in fixed and non-fixed parking spaces. In these cases, the vehicle must be both authorised and part of a permit parking scheme.



## Regulatory framework

Roads and Maritime Services (RMS) is the government agency responsible for the regulation of traffic on roads in New South Wales. While RMS continues to manage the state’s classified road network, it has delegated to local councils the responsibility for many aspects of traffic regulation on local and regional roads. This delegation includes the management of parking regulation by signage, which supplements local councils existing status as parking authorities.

Under the Road Transport (General) Regulation 2013, declared organisations are also parking authorities for their prescribed area of operations.

Under regulations, there are two ways in which a car share parking scheme may be administered:

- By signage - authorised car share vehicles, by way of NSW Road Rules 168 and 317, park in a space in which no parking is permitted other than for an authorised car share vehicle. This method is suitable for fixed space car share vehicles because it prohibits parking for all vehicles other than those types of vehicles specified on the sign.
- Permit parking – the car share operator is issued with permits by a parking authority under clause 95 of the Road Transport (General) Regulation 2013. The scheme is administered in accordance with mandatory Permit Parking Guidelines. NSW Road Rule 318(2-1) allows for permit holders to be excepted from permissive parking signs in designated areas. This method is suitable for non-fixed space car share parking.

The type of parking regime that applies, whether by a car share parking signage regime or a parking permit regime, should be made clear to the driver. It is the responsibility of the car share operator to make this information available through the terms and conditions of membership and when individual vehicles are booked.

## Definitions

Term	Definition
Authorised car share vehicle	A car share vehicle that is authorised for the purposes of parking by the parking authority. Parking is regulated by authorised car share vehicle signage.

Term	Definition
Car share scheme	A scheme which provides access to vehicles for its members. A car share scheme does not offer its services to non-member customers, as is the case with car hire or rental companies.
Car share vehicle	A vehicle made available for the use of members of a car share scheme for periods commencing with a minimum of one hour.
Member of a car share scheme	A person who has joined a car share scheme.
Fixed space car share parking	Vehicle is picked up from and returned to the same designated car space. Parking is administered by signage
Non-fixed space car share parking	Operates without designated parking spaces. Depending on the terms and conditions of the scheme, vehicles may have to be returned to a designated neighbourhood or they may be used for one way journeys. Parking is administered within a permit parking scheme.
Parking authority	A local council or declared organisation. Declared organisations are listed in Schedule 2 of the Road Transport (General) Regulation 2013.

## Guidelines

### Priority of on-street car parking spaces

Bus, light rail, loading and taxi zones if required, and parking for people with disabilities must be prioritised over on-street car share and private motor vehicle parking spaces. Parking authorities may use their own discretion about how they prioritise on-street car share and private motor vehicle parking spaces in accordance with the aims and objectives of their parking strategy.

### Parking strategies

Proposed car share operations should be included in parking strategies and other local planning strategies, which should in turn, be developed in consultation with all relevant stakeholders. Potentially high value transport locations should be identified in consultation with RMS and/or Transport for NSW and included in parking strategies to ensure parking around these locations is prioritised appropriately.

Parking authorities should develop their parking strategies to align with State Government and other planning and transport strategies, and with reference to Australian Standard 2890: Parking facilities, the Austroads Guide to Traffic Management Part 11: Parking, and RMS supplements to the Australian Standard and Austroads Guide.

Parking authorities and car share operators may be required from time to time to share parking information with Roads and Maritime Services and/or Transport for NSW. This will help the NSW Government develop evidence-based traffic and transport plans and strategies.

### Administration of car share schemes

The administration of car share parking is the responsibility of parking authorities.

Where car share operations may benefit from cross boundary policies, councils and declared organisations are strongly encouraged to work together. However, the decision to implement a car share scheme within an area of operations is at the sole discretion of the parking authority.

Car share vehicles that are allocated a fixed parking space must be authorised by parking authorities in order to be permitted to park in a space which prohibits parking other than for authorised car share vehicles.

Non-fixed space car share parking must be implemented in accordance with RMS' Permit Parking Guidelines.

## Authorised car share vehicles

Car share vehicles must be authorised by the relevant parking authority if they are to be permitted to park in a fixed car share parking space.

Authorised vehicles are linked to the fixed parking space, eg via the vehicle registration number. A No Parking sign prohibits all vehicles other than the authorised vehicles from parking in the space.

The parking authorisation may be printed for display on the vehicle, or may take some other form (eg digital) – parking authorities are free to determine the manner of delivery so as to best facilitate preferred delivery and enforcement methods.

Parking authorities may set up the administration of an authorised vehicle scheme in a similar way to a permit parking scheme. However, to avoid confusion with permit parking schemes, printed authorisations should not use the word 'permit'; instead use 'authority'.

The terms and conditions of use of the parking authorisation must be provided by the parking authority, eg printed on a parking authorisation label or in some other form. The terms and conditions must clearly establish that being an authorised vehicle for the purposes of parking does not provide authorised vehicle status for any other purpose. Otherwise, the terms and conditions may be similar to those that apply to parking permits. See the Permit Parking Guidelines for more information.

## Signs

Refer to AS1742 and the RMS Sign Register for sign details.

No Parking/Authorised Car Share Vehicles Excepted signs are used to regulate car share only parking spaces, eg Figure 1.

Permissive parking signs are used to except car share vehicles from permissive parking restrictions, eg Figure 2.

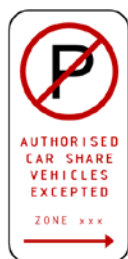


Figure 1. R5-447 No Parking/Authorised Car Share Vehicles Excepted



Figure 2. Example of Permit Holders Excepted sign; refer to signs R5-1 to R5-8

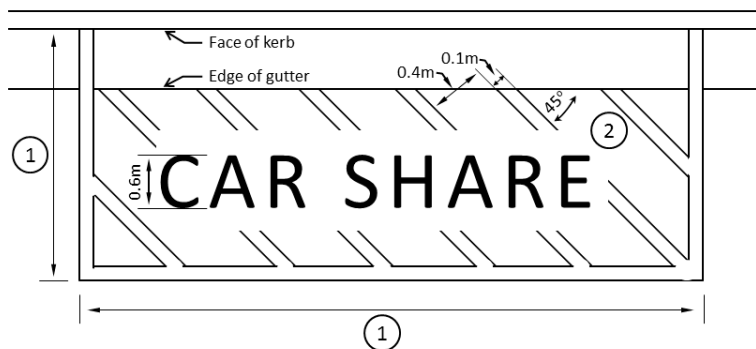
## Pavement markings

The dimensions, layout and basic line marking for on-street parking bays are provided in AS2890.5: Parking facilities – on-street parking.

Anecdotal evidence<sup>1</sup> suggests enhanced pavement markings improve compliance with car share only parking spaces. Enhanced pavement marking may include:

- Car share stencilling within the parking bay
- White or white and green hatching.

Logos are not permitted. Refer to Figure 3 for an example of a parallel car share parking space with enhanced line marking.



**Notes:**

- ① Refer to AS2890.5 for the dimensions and transverse and longitudinal markings of the parking bay.
- ② Diagonal white lines may be used to enhance the visibility and recognition of the car share parking space. Green pavement paint may also be used between the diagonal lines for greater enhancement.

Figure 3. Example of parallel car share parking space with enhanced pavement marking

## Advertising

Advertising or promotion of car share schemes is not permitted on traffic sign posts or other traffic control devices - whether associated with car share schemes or otherwise.

Promotion of, or information about, car share schemes may be provided on council websites per councils' advertising protocols, or through other advertising channels, including outdoor media.

## Enforcement

Enforcement of car share parking is the responsibility of the relevant parking authority. For instance, parking authorities must not rely on the NSW police for after-hours enforcement. Parking authorities should provide an after-hours enforcement call-out capability or after-hours recording service indicating the matter will be dealt with on the next enforcement officer shift. To facilitate this approach, parking authorities are required to provide contact phone numbers as part of the establishment of a car share parking scheme, and must communicate those phone numbers to car share members.

## Funding

Roads and Maritime Services' *Traffic Facility Block Grant* funds may not to be used for the installation of signs and markings or for maintenance of any car share scheme infrastructure.

Councils may choose to fund the implementation and administration car share schemes, or recover costs from the car share operators.

<sup>1</sup> Tristan Sender, CEO GoGet; personal communication 28 May 2018.

## References

Australian Standard 2890: Parking facilities

Australian Standard 1742: Manual of uniform traffic control devices

Austrroads Guide to Traffic Management Part 11: Parking

RMS Supplement to AS 2890

RMS Supplement to AS 1742

RMS Supplement to the Austrroads Guide to Traffic Management Part 11

RMS Permit Parking Guidelines





[www.rms.nsw.gov.au/](http://www.rms.nsw.gov.au/)



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Customer feedback  
Roads and Maritime  
Locked Bag 928,  
North Sydney NSW 2059

**October 2018**  
TTD 2018/001

**12.21 HISTORICAL IMAGES OF WILLOUGHBY**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - TYPICAL METAL BIN ENCLOSURE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>PAUL COLLINGS, WORKS MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>2.2 RESPECT AND CELEBRATE OUR INDIGENOUS AND NON-INDIGENOUS HISTORY AND HERITAGE.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

**1. PURPOSE OF REPORT**

To provide a report on the lifespan, costs and replacement opportunities for Council metal street litter bin enclosures, including potential placement of historical images of Willoughby to promote local history of the area.

**2. OFFICERS RECOMMENDATION**

That Council:

- 1. Note the information provided in the report.**
- 2. Consider a budget bid for the 2024/25 Operational Plan and Projects and Capital Works Budget for prioritisation and consideration as part of the annual budgeting process.**

**3. BACKGROUND**

At its meeting on the 27 November 2023 Council resolved to:

- 1. Ask the CEO to prepare a report back to Council on the average lifespan of all the Council's street bins and the budget on its replacement cycle - no later than February 2024.*
- 2. Ask the CEO to prepare a renewal plan and report back to Council to identify how local photos of the local area can be added on the four sides of the new bins, with the intention of promoting our local history to pedestrians walking past, allowing the public to compare the same location in the photos - no later than February 2024.*

In response, this report provides relevant information on street bin numbers, lifespans, costs and opportunities for replacement, inclusive of historical images.

**4. DISCUSSION**

Council provides a street litter bin collection service to Chatswood Mall, Chatswood CBD, local strip shopping centres, roadside locations, parks and ovals. This service is provided 365 days of the year and the frequency of collections depends on the usage of each

individual bin.

Council currently has 521 shopping centre, street and park litter bins. This total consists of 344 litter bins with a metal surrounding enclosure and 177 standard plastic litter bins on a metal support stand.

Council's Asset Management Plan indicates that a typical metal street litter bin enclosure has an average lifespan of 20 years. In normal circumstances, these bin enclosures are only replaced when they are either no longer serviceable, have been damaged by a motor vehicle or are seriously vandalised and beyond economical repair. Many bins in the Willoughby LGA would be over 40 years old. The total cost to replace all of the existing metal litter bin enclosures, including installation, would be approximately \$1.2m, at a rate of \$3,500 each.

Council's current annual operational budget for the replacement of litter bins is \$18,750. This funding only allows for the replacement of five to six litter bins each financial year. That full budget allocation is required to replace the average number of bins that become unserviceable, vandalised or damaged during the year. Council currently prioritises these bin replacements over the installation of new litter bins with heritage artwork at other locations. Any program to install historical photographs on the side of new litter bins would require significant additional funding to implement.

Initial estimates show that a typical stainless steel bin enclosure with photographic vinyl wrap on all four sides (**Attachment 1**), including installation would cost approximately \$4,500 (excluding GST) to manufacture and install. There would also be additional graphics costs, as Council would need to provide the images or artwork for the sides of each bin. It is anticipated that additional cleaning costs may also be incurred, should the photographs become stained, vandalised or covered in graffiti.

An initial program could be undertaken where some or all of the bins at a specific shopping centre or location are replaced with new bins, inclusive of historical images. A budget of \$50,000 would allow for approximately eight bins to be installed, including an allowance for graphic design and artwork. A further rollout of this program to other shopping centres or locations would require additional funding in future budgets.

## 5. RISKS AND OPPORTUNITIES

The risks associated with undertaking this project are that a budget is not allocated for the project. The photographic images may breach copyrights if not properly sourced and once implemented the photographs could be vandalised or covered in graffiti.

An opportunity in undertaking this project would be an increase in interest in the history of our local area.

## 6. CONCLUSION

Council currently does not have sufficient funding allocated in its litter bin replacement program to undertake the installation of historical photographs to the sides of its street litter bins. If Council resolved to proceed with this program, a funding allocation would be required in the 2024/25 Operational Plan and Budget.

<b>7. IMPLICATIONS</b>	<b>COMMENT</b>
<b>City Strategy Outcome</b>	2.2 Respect and celebrate our indigenous and non-indigenous history and heritage.
<b>Business Plan Objectives, Outcomes / Services</b>	A street bin replacement program inclusive of historical images is not included in the current Works Unit Business Plan.
<b>Policy</b>	This report is provided pursuant to resolution of Council.
<b>Consultation</b>	Internal consultation on asset life cycles, costs and historical images was undertaken to produce this report.
<b>Risk</b>	The risks associated with undertaking this project are that a budget is not allocated for the project. The photographic images may breach copyrights if not properly sourced and once implemented the photographs could be vandalised or covered in graffiti.
<b>Resource</b>	This report was researched and provided using existing Council resources.
<b>Legal</b>	Any photographic images used should not impede on any copyright restrictions.
<b>Legislation</b>	There are no legislative barriers or requirements arising from this report.
<b>Budget/Financial</b>	A Projects and Capital Works budget allocation would be required to implement this program.

ATTACHMENT 1 - TYPICAL BIN ENCLOSURE



**12.22 DEVELOPMENT ASSESSMENT - QUARTER 2 (1 OCTOBER TO 31 DECEMBER 2023)**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - APPLICATIONS DETERMINED 1 OCT TO 31 DEC 2023</b>
	<b>2. ATTACHMENT 2 - CURRENT DEVELOPMENT APPLICATIONS AS AT JAN 2024</b>
	<b>3. ATTACHMENT 3 - CLAUSE 4.6 VARIATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>MITCHELL NOBLE, HEAD OF 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To provide Council with details relating to development assessment for quarter 2 (1 October to 31 December 2023).

**2. OFFICERS RECOMMENDATION**

That Council notes:

- 1. The development applications determined under delegated authority during quarter 2 (1 October to 31 December 2023).**
- 2. The current development applications list as at 8 January 2023.**
- 3. Reporting of variations to development standards under clause 4.6 of the Willoughby Local Environmental Plan 2012 are now published on the NSW Planning Portal, in addition to being published in Council's regular quarterly reporting.**

**3. BACKGROUND**

Quarterly reports are prepared for Council to note applications determined under delegated authority (including those to be determined by the Sydney North Planning Panel) during that quarter.

This report presents Council with the results for Quarter 2 for 2023/24.

## 4. DISCUSSION

301 Development Applications were either lodged, under assessment or determined during Quarter 2, out of which 10 were determined by either Willoughby Local Planning Panel, Sydney North Planning Panel or Land and Environment Court.

Five Development Applications were withdrawn and therefore they have been excluded in the total figures.

### Development Applications determined under delegated authority

96 Development Applications were determined under delegated authority during quarter 2. **Attachment 1** provides details of these applications arranged by suburb.

A summary of Development Applications determined under delegated authority during quarter 2 is shown in Figure 1.

**Figure 1: Development Application determinations under delegated authority – Q2**

Area	Consent	Deferred Commencement	Refused	Rejected	Total
Artarmon	10	0	0	0	10
Castle Cove	9	0	0	0	9
Castlecrag	2	0	1	0	3
Chatswood	26	0	0	0	26
Chatswood West	0	0	0	0	0
Lane Cove North	5	0	0	0	5
Middle Cove	4	0	0	0	4
Naremburn	6	0	1	0	7
North Willoughby	3	0	0	0	3
Northbridge	14	0	0	0	14
Roseville	5	0	0	0	5
St Leonards	1	0	0	0	1
Willoughby	6	1	1	0	8
Willoughby East	1	0	0	0	1
Total	92	1	3	0	96

Three Development Applications were refused under delegated authority during quarter 2:

#### 1. 240 Edinburgh Road, CASTLECrag

Reasons for refusal were noted as follows:

1. The proposed development is consistent with the objectives of the zone under *WLEP 2012 / WLEP 2020*.
2. The proposed development complies with the development standards under *WLEP 2012 / WLEP 2020*.
3. The proposed development complies with the objectives of *WDCP*.
4. The proposed development will have a significant impact on the existing streetscape or compromise the natural and scenic qualities of the locality.
5. The proposed development will have significant or unreasonable impacts on the residential amenity of adjoining or nearby properties.
6. It is considered that any adverse effects to the present and likely future amenity of the locality are of such an extent as to warrant refusal of the application.

**2. 5 Slade Street, NAREMBURN**

Reasons for refusal were noted as follows:

1. The proposed development is not consistent with the objectives of the zone under *WLEP 2012*.
2. Except for Clause 5.10 the proposed development complies with the development standards under *WLEP 2012*.
3. The proposed development does not comply with the objectives of *WDCP*.
4. The proposed development will have a significant impact on the existing streetscape and compromise the natural and scenic qualities of the locality.
5. The proposed development will have significant and unreasonable impacts on the residential amenity of adjoining or nearby properties.
6. It is considered that any adverse effects to the present and likely future amenity of the locality are of such an extent as to warrant refusal of the application.

**3. 14 Wyalong Street, WILLOUGHBY**

Reasons for refusal were noted as follows:

1. The proposed development is not consistent with the aims for heritage conservation under *WLEP 2012*.
2. The proposed development does not comply with the heritage provisions contained in Part H of the *WDCP*.
3. The proposed development does not comply with the objectives of *WDCP*.
4. The proposed development will have a significant impact on the existing streetscape and will compromise the natural and scenic qualities of the locality.
5. The proposed development will have significant or unreasonable impacts on the heritage character of the Artarmon HCA.
6. It is considered that the adverse effects to the present and likely future amenity of the locality are of such an extent as to warrant refusal of the application.

**Current development applications**

205 development applications were under assessment as at 8 January 2024.

A summary of development applications (shown by approving authority) is shown in Figure 2.

**Figure 2: Current development applications as at 08 January 2024**

<b>Development Applications</b>	
Delegation	161
Willoughby Local Planning Panel	25
Land and Environment Court	15
Sydney North Planning Panel	4
<b>Total</b>	<b>205</b>

In addition, four Planning Proposal Applications were either being assessed or progressed by Council, details of which are shown in **Attachment 2**.

**Clause 4.6 Variations**

As of November 2023, all variation requests under assessment or lodged will be published on the NSW Planning Portal in a publicly available variations register. The register provides transparency for the community and streamlines reporting requirements for councils, reducing costs and resources required.



The variations register is supported by a new regulation requiring councils to enter the reasons for approving or refusing a variation in the NSW Planning Portal. It can be viewed on the Department of Planning Website <https://pp.planningportal.nsw.gov.au/development-and-assessment/variations-register>.

However, the variations to development standards and the justifications for variation will still be included in the Quarterly Development Assessment Report. They can be viewed at **Attachment 3**.

## **5. RISKS AND OPPORTUNITIES**

Each assessment considers the risks of the relevant development and conditions the application consent appropriately.

## **6. CONCLUSION**

The information for quarter 2 is now available for Council to note.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 – Be honest, transparent and accountable in all that we do
<b>Business Plan Objectives, Outcomes / Services</b>	To ensure appropriate planning principles are applied to all new development in order to achieve a liveable, sustainable and resilient city.  To keep Councillors and the community informed in order to ensure transparency and confidence in the organisation.
<b>Policy</b>	There are no policy implications resulting from this report.
<b>Consultation</b>	Consultation is undertaken in accordance with Council’s notification policy.
<b>Risk</b>	Each assessment considers risks of the relevant development and conditions the application consent appropriately.
<b>Resource</b>	Assessments are undertaken within Council’s resource allocation.
<b>Legal</b>	There are no legal implications resulting from this report.
<b>Legislation</b>	Applications are assessed in accordance with the Environmental Planning & Assessment Act 1979.
<b>Budget/Financial</b>	Council’s costs of assessing Development Applications are within the budget allocation for 2023/24. The costs are offset in part from the income derived from application fees in accordance with Council’s adopted fees and charges.

## APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY BETWEEN 1 OCTOBER AND 31 DECEMBER 2023

DA No	Address		Proposal	Determination	Lodge Date	Determination Date	
2023/180	1	Marden Street	ARTARMON	New plant room located north-eastern edge of the foundry building wall and associated works.	Consent	12/07/2023	2/10/2023
2023/6	14	Sydney Street	ARTARMON	Alterations and additions to existing dwelling, landscaping, updated hardstand parking space and associated works.	Consent	12/01/2023	17/10/2023
2018/131/A	54	Artarmon Road	ARTARMON	Modify original proposal to include changes to south east window and associated works.	Consent	16/10/2023	31/10/2023
2020/122/A	3	Muttama Road	ARTARMON	Modify existing consent to amend conditions to allow demolition and reconstruction of the verandah, entry steps and front living room.	Consent	4/05/2023	1/11/2023
2021/390/A	9	Selwyn Street	ARTARMON	Modify original proposal to include internal and external alterations, including changes to windows.	Consent	9/08/2023	2/11/2023
2022/386	49	Tindale Road	ARTARMON	Alterations and additions to existing dwelling including lower ground floor, new carport and associated works.	Consent	15/12/2022	14/11/2023
2022/376	47	Hotham Parade	ARTARMON	Demolition existing structures and construction of a four (4) storey industrial building consisting of thirty-five (35) warehouse units, café, car parking and associated works.	Consent	7/12/2022	28/11/2023
2023/186	2	Burra Road	ARTARMON	Construction of a new carport and alterations to the front porch.	Consent	26/07/2023	5/12/2023
2023/290	11	Muttama Road	ARTARMON	Alterations and additions to rear of existing dwelling, including; new fireplace, BBQ structures, replacement of awning over existing decking, replacement of windows, new skylight and associated works.	Consent	2/11/2023	12/12/2023
2022/360/A	4	Broadcast Way	ARTARMON	Provision of an end of journey facility for cyclists, new building cladding and associated works.	Consent	15/09/2023	15/12/2023
2023/82	197	Deepwater Road	CASTLE COVE	Landscaping work, retaining walls, access stairs and associated works.	Consent	20/03/2023	3/10/2023
2022/202	6	Willis Road	CASTLE COVE	Alterations and first floor edition to existing dwelling, demolition and construction of swimming pool, new double garage and associated works.	Consent	6/07/2022	13/10/2023

## APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY BETWEEN 1 OCTOBER AND 31 DECEMBER 2023

DA No	Address		Proposal	Determination	Lodge Date	Determination Date	
2022/231/A	10	Willis Road	CASTLE COVE	Modify original proposal to include changes to internal layout, windows and doors size and locations, addition of skylight to master ensuite, staircase to porch, bench to northern boundary to alfresco area and associated works.	Consent	15/09/2023	8/11/2023
2023/139	8	Morella Place	CASTLE COVE	Construct a new swimming pool and associated works, including construction of retaining walls to raise the level of the lawn in the rear yard area.	Consent	5/06/2023	8/11/2023
2023/285	1	Holly Street	CASTLE COVE	New double carport and parking space, alterations to existing brick fence, new layback and crossover and associated works.	Consent	18/10/2023	20/11/2023
2023/184	113	Deepwater Road	CASTLE COVE	Construction of retaining walls.	Consent	24/07/2023	23/11/2023
2023/287	22	Rosebridge Avenue	CASTLE COVE	Alterations and additions to existing dwelling including garage, front verandah and associated works.	Consent	20/10/2023	27/11/2023
2023/249	34	Willowie Road	CASTLE COVE	Alterations and additions to existing dwelling and associated works.	Consent	14/09/2023	8/12/2023
2023/299	12	Holly Street	CASTLE COVE	Convert and extend a CDC approved pebble roof to a balcony, and replace the roof void with operable louvres.	Consent	10/11/2023	19/12/2023
2017/484/B	240	Edinburgh Road	CASTLECRAG	Modify consent to amend conditions 14(a) and 47 relating to construction of the driveway layback.	Refused	19/07/2023	11/10/2023
2023/14/A	13	Cheyne Walk	CASTLECRAG	Modify original proposal to include changes to internal layout, western external wall, roof ridge height and style, external materials and colours and associated works.	Consent	9/10/2023	4/12/2023
2023/305	120	Edinburgh Road	CASTLECRAG	Fitout and Change of use to the existing retail, including new shopfront and internal demolition and use as a post office and Mailzone relocation.	Consent	21/11/2023	13/12/2023
2023/171	544	Pacific Highway	CHATSWOOD	Extend hours of operation of existing gymnasium to 5.00am to 11.00pm Monday to Sunday.	Consent	6/07/2023	3/10/2023

## APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY BETWEEN 1 OCTOBER AND 31 DECEMBER 2023

DA No	Address		Proposal	Determination	Lodge Date	Determination Date	
2022/317/A	436	Victoria Avenue	CHATSWOOD	Modify DA Condition 5 to continue the extended trading hours of operation permanently.	Consent	28/08/2023	9/10/2023
2023/2	8	Fry Street	CHATSWOOD	Alterations and first floor addition to existing dwelling house, new attached garage and associated works.	Consent	9/01/2023	16/10/2023
2017/368/B	8	Hopetoun Avenue	CHATSWOOD	Modify original proposal to allow internal and external alterations, including; raising the floor level and extending the patio; raising the height of the pergola; and, changes to windows.	Consent	10/08/2023	17/10/2023
2023/169	15	Hercules Street	CHATSWOOD	Internal and external alterations and additions on the ground and first floor levels of the existing dwelling, convert existing garage to a home office, construct a new carport, and associated works.	Consent	5/07/2023	19/10/2023
2020/9/A	58	Beaconsfield Road	CHATSWOOD	Modify original proposal to include changes to window configuration, internal/external alterations, and associated works.	Consent	6/09/2023	23/10/2023
2023/203	11	Robinson Street	CHATSWOOD	Alterations and additions to existing dwelling, replacement of alfresco area, new roof, cladding and windows, internal stairs, new double carport and associated works to Heritage Item.	Consent	9/08/2023	23/10/2023
2023/230	5	Spencer Place	CHATSWOOD	Internal alterations to existing dwelling and external changes, including demolish and reconstruct existing retaining walls, construct a new garden storage shed and associated works.	Consent	28/08/2023	25/10/2023
2023/183	13	Harwood Avenue	CHATSWOOD	Construction of a carport.	Consent	17/07/2023	25/10/2023
2017/376/A	28	Archer Street	CHATSWOOD	Modify original proposal to include changes to internal layouts, basement car parking, landscaping and associated works.	Consent	4/05/2023	25/10/2023
2022/223/A	18	Olga Street	CHATSWOOD	Delete Condition 2 and 3 relating to occupation and permitted use.	Consent	6/10/2023	28/10/2023
2023/274	19	Beresford Avenue	CHATSWOOD	Addition of deck from existing granny flat and associated works.	Consent	3/10/2023	6/11/2023

## APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY BETWEEN 1 OCTOBER AND 31 DECEMBER 2023

DA No	Address			Proposal	Determination	Lodge Date	Determination Date
2023/165	10	Help Street	CHATSWOOD	Change of use and fit-out of existing premises to an educational establishment and associated works.	Consent	28/06/2023	8/11/2023
2023/245	70	Albert Avenue	CHATSWOOD	Installation of electronic LED signage and associated works.	Consent	7/09/2023	16/11/2023
2023/70	13	Dowel Street	CHATSWOOD	Alterations and additions to the existing dwelling house including a rear extension, new double garage, relocation of swimming pool and associated works.	Consent	9/03/2023	16/11/2023
2023/212	475	Victoria Avenue	CHATSWOOD	Alterations and signage to an existing commercial building.	Consent	14/08/2023	30/11/2023
2020/285/A	4	Lawrence Street	CHATSWOOD	Modify original proposal to include changes to design and landscaping, and associated works.	Consent	3/03/2023	1/12/2023
2022/114/B	259	Mowbray Road	CHATSWOOD	Modify original proposal to include changes to driveway and associated works.	Consent	11/10/2023	8/12/2023
2021/14/A	17	Beresford Avenue	CHATSWOOD	Modify original proposal to include addition of new ground floor extended deck and roof, new slab to rear basement floor and associated works.	Consent	2/11/2023	13/12/2023
2022/352/A	38	Church Street	CHATSWOOD	Modify original proposal to include changes to driveway, car parking, window sizes, relocation of internal stairs, front planter walls and amend conditions of consent	Consent	13/10/2023	15/12/2023
2023/224	57	Centennial Avenue	CHATSWOOD	Alterations and extensions on the ground floor level and first floor addition to the existing dwelling, new garage and associated works	Consent	24/08/2023	15/12/2023
2019/77/B	4	Dulwich Road	CHATSWOOD	Modify the original proposal for alterations to the internal layout of the dwelling.	Consent	24/11/2023	18/12/2023
2023/304	465	Victoria Avenue	CHATSWOOD	Shop 4 - Extend existing hours of operation to a 24 hour laundromat.	Consent	17/11/2023	18/12/2023
2022/166/B	753	Pacific Highway	CHATSWOOD	Modify conditions 1, 27(g) and 138 relating to car parking and access.	Consent	16/08/2023	20/12/2023
2022/166/A	753	Pacific Highway	CHATSWOOD	Modify existing consent regarding Conditions 1, 43 & 96(b)	Consent	19/05/2023	20/12/2023

## APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY BETWEEN 1 OCTOBER AND 31 DECEMBER 2023

DA No	Address			Proposal	Determination	Lodge Date	Determination Date
2022/305/A	345	Victoria Avenue	CHATSWOOD	Modify existing consent to include hours of work condition	Consent	1/12/2023	21/12/2023
2022/294/A	2	Hart Street	LANE COVE NORTH	Addition of approved plan that was omitted from original consent.	Consent	29/09/2023	3/10/2023
2023/84	12	Avian Crescent	LANE COVE NORTH	Alterations and additions to existing dwelling house and to including reconstruction and upper first floor additions and associated works.	Consent	21/03/2023	15/11/2023
2023/164	51	Coolaroo Road	LANE COVE NORTH	Alterations and additions to existing dwelling to include new rear decking, landscaping and associated works.	Consent	28/06/2023	22/11/2023
2023/266	60	Coolaroo Road	LANE COVE NORTH	Demolition and construction of retaining walls and paths, new deck, landscaping and associated works.	Consent	26/09/2023	1/12/2023
2023/153	30	Ulm Street	LANE COVE NORTH	Construct a new carport forward of the building line, and convert the existing garage in the rear yard area into a home business (IT Consultancy).	Consent	22/06/2023	6/12/2023
2023/275	32	Greenfield Avenue	MIDDLE COVE	Addition of new above ground outdoor spa and associated works.	Consent	4/10/2023	30/10/2023
2023/112	309	Eastern Valley Way	MIDDLE COVE	Internal and external alterations and additions to existing dwelling, including removal of existing garage and construction of carport, and associated works.	Consent	2/05/2023	3/11/2023
2023/199	2	Glenroy Avenue	MIDDLE COVE	Internal and external alterations and additions to construct a new double garage and extend the existing basement level into habitable living areas, and associated works.	Consent	8/08/2023	14/11/2023
2023/96	205	Eastern Valley Way	MIDDLE COVE	Remove single carport and construct 2 hard stand carparking spaces in the front yard area and associated works.	Consent	4/04/2023	22/12/2023
2018/31/B	69	Northcote Street	NAREMBURN	Addition of steps to north eastern pathway, staircase to verandah and relocation of storage area.	Consent	9/08/2023	4/10/2023
2023/49	5	Slade Street	NAREMBURN	Alterations and additions to existing dwelling and associated work.	Refused	23/02/2023	4/10/2023

## APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY BETWEEN 1 OCTOBER AND 31 DECEMBER 2023

DA No	Address		Proposal	Determination	Lodge Date	Determination Date
2023/206	12	Dawson Street NAREMBURN	Construct a new driveway crossing to provide access to a car parking space, sliding gate, landscaping and associated works.	Consent	10/08/2023	11/10/2023
2021/230/B	2	Northcote Street NAREMBURN	Modify existing consent conditions 80 & 129	Consent	4/05/2023	2/11/2023
2022/151	15	Plunkett Street NAREMBURN	Alterations and first floor addition to existing dwelling, new rear garage, modification of rear yard and associated works.	Consent	20/04/2022	13/11/2023
2023/65	42	Garland Road NAREMBURN	Alterations and additions to existing dwelling, convert existing outbuilding to a studio and associated works.	Consent	2/03/2023	17/11/2023
2023/241	59	Mitchell Street NAREMBURN	Alterations and rear additions to existing dwelling, internal changes, landscaping, new gates to rear lane and associated works.	Consent	6/09/2023	5/12/2023
2023/127	197	Penshurst Street NORTH WILLOUGHBY	Alterations and first floor additions to existing dwelling and associated works.	Consent	15/05/2023	10/10/2023
2023/197	255	Penshurst Street NORTH WILLOUGHBY	Change of use from approved shops to a health services facility (medical centre).	Consent	4/08/2023	18/12/2023
2019/247/E	26	Crabbes Avenue NORTH WILLOUGHBY	Various modifications of the consent including modification of unit mix, ancillary services for Residential Aged Care Facility use, various internal and external changes to approved development	Consent	1/09/2023	22/12/2023
2022/212/A	39	Minimbah Road NORTHBRIDGE	Modify existing consent to amend the wording of Condition 31	Consent	18/08/2023	3/10/2023
2023/120	27	Upper Cliff Avenue NORTHBRIDGE	Construction of new dwelling, garage, swimming pool, landscaping and associated works.	Consent	8/05/2023	11/10/2023
2021/313/A	25	Neeworra Road NORTHBRIDGE	Modify existing consent to allow minor amendments to pergola, outdoor living room alignment and additional works.	Consent	18/09/2023	16/10/2023
2023/71	2	The Outpost NORTHBRIDGE	Demolition of existing dwelling and construction of new dwelling house, garage, landscaping, retain existing swimming pool and fencing and associated works.	Consent	9/03/2023	19/10/2023



## APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY BETWEEN 1 OCTOBER AND 31 DECEMBER 2023

DA No	Address			Proposal	Determination	Lodge Date	Determination Date
2023/218	20	Bligh Street	NORTHBRIDGE	Erect two louvred pergolas. One over the existing first floor terrace and one above the existing ground floor deck.	Consent	18/08/2023	24/10/2023
2023/95/A	268	Sailors Bay Road	NORTHBRIDGE	Delete Condition No. 3.	Consent	13/10/2023	25/10/2023
2023/9	1	Kameruka Road	NORTHBRIDGE	Subdivision of one lot into two lots and associated works.	Consent	19/01/2023	27/10/2023
2023/231	11	Dalkeith Street	NORTHBRIDGE	Alterations and additions to existing dwelling and associated works	Consent	28/08/2023	7/11/2023
2023/149	7	Coolawin Road	NORTHBRIDGE	Demolition of existing retaining wall and construction of boat shed and retaining wall	Consent	20/06/2023	8/11/2023
2023/168	6	Marooba Road	NORTHBRIDGE	New front fence, landscaping and associated works.	Consent	3/07/2023	22/11/2023
2021/120/B	2	Weetawaa Road	NORTHBRIDGE	Modify original proposal to allow internal and external changes, including: increasing the floor to ceiling height of the basement; change the shape and size of the swimming pool, rear deck, and adjoin side and rear yard areas; increase in the living room floor area; extend the pergola; and, delete window shutters.	Consent	2/08/2023	23/11/2023
2023/239	2	Clifton Avenue	NORTHBRIDGE	Addition of lift to existing dwelling, including lift base and equipment to rear of existing garage, new car lift, changes to external finishes and associated works.	Consent	5/09/2023	27/11/2023
2023/104/A	6	Bega Road	NORTHBRIDGE	Modify consent to amend conditions 6 & 32 and add conditions 8A & 41A relating to stormwater.	Consent	13/10/2023	29/11/2023
2022/318/A	14	Coolawin Road	NORTHBRIDGE	Modify development consent to delete schedule 1 (deferred commencement condition)	Consent	6/12/2023	12/12/2023
2023/234	33	Findlay Avenue	ROSEVILLE	Alterations and first floor addition to existing dwelling, carport, pergola and associated works.	Consent	1/09/2023	13/10/2023
2021/308/A	14	Melnotte Avenue	ROSEVILLE	Modify original proposal to allow internal and external changes, including remove and construct a new floor, demolish and reconstruct the western rear wall and part of the northern wall, changes to windows and associated works.	Consent	11/07/2023	17/10/2023

## APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY BETWEEN 1 OCTOBER AND 31 DECEMBER 2023

DA No	Address			Proposal	Determination	Lodge Date	Determination Date
2019/213/B	66	Macquarie Street	ROSEVILLE	Modify existing consent to allow internal and external changes, including: altering the internal layout; changes to windows, doors and front fence; extend roof at the rear, amend and add skylights; and, northern side wall to be demolished and rebuilt.	Consent	2/08/2023	23/10/2023
2022/185/A	456	Penshurst Street	ROSEVILLE	Modify existing consent to allow internal and external amendments, including; changes to the internal layout, windows and the roof.	Consent	31/08/2023	14/11/2023
2022/258	985	Pacific Highway	ROSEVILLE	Addition of mezzanine floor to existing vehicle showroom, lift, parking layout change due to lift, new signage and associated works.	Consent	19/08/2022	13/12/2023
2023/257	211	Pacific Highway	ST LEONARDS	Erection of two flagpoles to south of existing building and associated works.	Consent	21/09/2023	22/11/2023
2023/159	5	Borlaise Street	WILLOUGHBY	Alterations and extension on the ground floor level, first floor addition and new carport to existing semi-detached dwelling.	Consent	26/06/2023	3/10/2023
2023/156	20	Edinburgh Road	WILLOUGHBY	Adaptive reuse of the existing cabana and garage to a secondary dwelling and storage room.	Deferred Commencement Consent	24/07/2023	8/11/2023
2021/27/E	16	Warners Avenue	WILLOUGHBY	Modify Conditions 47 relating to removalist vehicle	Consent	17/08/2023	1/12/2023
2022/276	31	Frenchs Road	WILLOUGHBY	Alterations and first floor addition to existing semi-detached dwelling and associated works	Consent	8/09/2022	4/12/2023
2023/283	12	Stephen Street	WILLOUGHBY	New roof to existing rear deck, rainwater tank and associated works.	Consent	13/10/2023	11/12/2023
2021/196/B	16	Salisbury Road	WILLOUGHBY	Modify the consent to correct an error to amend the contribution amount and the date of the previous modified consent.	Consent	4/12/2023	13/12/2023
2023/262	14	Wyalong Street	WILLOUGHBY	Demolition and construction of front fence, sliding driveway and pedestrian gate, vehicle parking space, tree removal and landscaping and associated works.	Refused	25/09/2023	19/12/2023

## APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY BETWEEN 1 OCTOBER AND 31 DECEMBER 2023

DA No	Address			Proposal	Determination	Lodge Date	Determination Date
2020/271/A	15	Richmond Avenue	WILLOUGHBY	Modification to the staging of Building K Occupation Certificate conditions and installation of glazed operable louvres to the balconies on the southern façade.	Consent	26/06/2023	21/12/2023
2021/356/A	54	Fourth Avenue	WILLOUGHBY EAST	Modify original proposal to include changes to north-side deck material from wood to metal grate, increase of window height and associated works.	Consent	6/09/2023	16/10/2023

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/74</b>	13/03/2023	7-9 Wilkes Avenue ARTARMON NSW 2064.	Being Assessed by Development Officer	Shop fit-out and occupation of existing premises to a tattoo parlour and associated works.	Oneten Art Pty Ltd	Delegated Authority
<b>2023/323</b>	12/12/2023	132 Hampden Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Alterations and additions to existing two storey mixed use building for a ground floor dental practice and first floor extension to existing residence and associate works.	Stephen K Yu & Associates Pty Ltd	Delegated Authority
<b>2023/248</b>	13/09/2023	5 Burra Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Alterations and additions to existing dwelling and associated works	Ms Carolyn Goodwin	Delegated Authority
<b>2023/167</b>	30/06/2023	3-5 Wilkes Avenue ARTARMON NSW 2064.	Stop the Clock - additional information required	Internal alterations to a dwelling house on the first floor level above the ground floor shops, and external addition of a new roof and associated works.	Boss Design	Delegated Authority
<b>2021/99/B</b>	14/12/2023	50 Stafford Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Modify original proposal to amend condition 15 relating to stormwater drainage.	Hoang Duc Truong	Delegated Authority
<b>2020/122/B</b>	7/12/2023	3 Muttama Road ARTARMON NSW 2064.	On Notification for public comment	Modify original proposal to include internal alterations and additions, changes to first floor and ground floor ceiling heights, skylights, delete condition 26 (Heritage Architect) and associated works.	Mr Xiaoshu She	Delegated Authority
<b>2016/344/B</b>	6/12/2023	70 Hampden Road ARTARMON NSW 2064.	On Notification for public comment	Modify existing consent to amend the internal layout of the shop top dwellings and changes to the garage and associated works.	C Lee's Group Pty Ltd	Delegated Authority
<b>2015/418/B</b>	21/12/2023	36A Cleland Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Modify original proposal to include internal alterations and additions, changes to two first floor balcony doors to French doors and associated works.	Ms Wendy Yung	Delegated Authority
<b>2023/251</b>	14/09/2023	8 Weedon Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Alterations and first floor addition to existing dwelling, driveway and associated works.	Anna Harford	Delegated Authority
<b>2023/260</b>	25/09/2023	18 Shepherd Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Alterations and additions to existing dwelling to include enclosure of existing front porch, extend rear decking and associated works.	Ms Rebecca Jane Wall	Delegated Authority

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/193</b>	2/08/2023	22 Shepherd Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Internal and external alterations and additions to existing dwelling and associated works, including the removal of 6 trees.	Ms Marie Fen Fen Ng	Delegated Authority
<b>2023/51</b>	23/02/2023	42 Hampden Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Demolition of existing structures and construction of new residential flat building with basement car parking and driveway, landscaping and associated works.	SWA Group	Willoughby Local Planning Panel
<b>2023/273</b>	3/10/2023	64 Hampden Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Demolition of existing structures and construction of a new 5 storey shop-top housing consisting of commercial premises to ground floor, 18 apartments, communal open space, car parking with car lift, car turntable and associated works.	Sjb Architecture	Willoughby Local Planning Panel
<b>2023/334</b>	22/12/2023	74 Deepwater Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Demolition of existing golf clubhouse and car park, construction of new two storey golf clubhouse, car parking with loading zone, construction of part two and three storey Independent Living units with car parking, bus zone, loading zone, landscaping, subdivision of one lot in to two and associated works	Taylor Developments Group Pty Ltd	Delegated Authority
<b>2023/330</b>	19/12/2023	28 Cammaray Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Alterations and additions to existing dwelling to include internal layout changes, new balcony, demolition of existing carport and update of driveway and new garage, refurbishment of existing swimming pool and surrounding area and associated works.	Sev Building	Delegated Authority
<b>2023/298</b>	10/11/2023	58 Willowie Road CASTLE COVE NSW 2069.	On Notification for public comment	Construct a new underground double garage and entry at street level, new lift, internal and external alterations to the existing dwelling and associated works.	Hillbridge Group Pty Ltd	Delegated Authority
<b>2023/252</b>	15/09/2023	63 Neerim Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Installation of Vergola louvered roof system (awning) to first floor terrace and associated works.	Performance Building Consultants	Delegated Authority
<b>2023/201</b>	9/08/2023	21 Allambie Road CASTLE COVE NSW 2069.	Stop the Clock - additional information required	Excavate part of the site along the Nareem Rd street frontage and construct a new garage and storage area in a basement level, convert the existing garage to a media/TV room with wine cellar on the lower ground floor level with access to roof top garden above the proposed	Mrs Susannah Jane Gallagher	Delegated Authority

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
				new garage/storage area, and associated works.		
<b>2023/11/A</b>	15/12/2023	69 Neerim Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Modify existing consent and associated works	Ursino Architects	Delegated Authority
<b>2021/184/A</b>	19/12/2023	20 Rosebridge Avenue CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Modify original proposal to include first floor extension to house 2 and associated works.	Mr Victor Durant	Delegated Authority
<b>2014/552/C</b>	3/11/2022	56 Willowie Road CASTLE COVE NSW 2069.	Stop the Clock - additional information required	Modify existing consent including internal and external modifications	Plan Urbia	Delegated Authority
<b>2023/141</b>	6/06/2023	57 Deepwater Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Internal and external alterations and additions to the existing dwelling, and construction of a new carport, swimming pool, front fence and associated works.	Ms Erina Joy Windleburn	Delegated Authority
<b>2023/46</b>	22/02/2023	117 Neerim Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Alterations and first floor addition to existing dwelling, demolition of hardstand area, new driveway access with turning bay and associated works.	Diana Prowse	Delegated Authority
<b>2022/267</b>	25/08/2022	8A Deepwater Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Demolition of existing dwelling and outbuildings and construction of new dual occupancy with double garages, alteration to existing swimming pool, landscaping and associated works.	Ms Sohila Fateemeh Vatandoust	Delegated Authority
<b>2023/269</b>	3/10/2023	13 Cammaray Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Alterations and additions to existing dwelling and Garage and landscaping, with associated works.	Literatrotta	Delegated Authority
<b>2023/75</b>	15/03/2023	31 Willis Road CASTLE COVE NSW 2069.	On Notification for public comment	Demolition of existing dwelling and construction of new two storey dwelling house, car parking, swimming pool, tree removal and replanting and associated works.	Mr Simon Ochudzawa	Land & Environment Court
<b>2023/137</b>	1/06/2023	61 Neerim Road CASTLE COVE NSW 2069.	Under Appeal in the Land & Environment Court	Alterations and additions to existing dwelling, landscaping and associated works	Mh Architects Pty Ltd	Land & Environment Court

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/27</b>	2/02/2023	36 Headland Road CASTLE COVE NSW 2069.	Under Appeal in the Land & Environment Court	Demolition of existing dwelling and construction of new dwelling house, basement, swimming pool, landscaping and associated works.	Peak Architects	Land & Environment Court
<b>2022/365</b>	21/11/2022	56 Headland Road CASTLE COVE NSW 2069.	Under Appeal in the Land & Environment Court	Demolition of existing dwelling and construction of new dwelling house, swimming pool and associated works.	Minto Planning Services Pty Ltd	Land & Environment Court
<b>2023/333</b>	22/12/2023	47 Sunnyside Crescent CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Alterations and additions to existing dwelling to include first floor addition, ground floor extension, garage, relocation of stairs to rear yard, landscaping and associated works.	Haviland Architects Pty Ltd	Delegated Authority
<b>2023/302</b>	16/11/2023	19 The Bastion CASTLECRAG NSW 2068.	On Notification for public comment	Demolition of existing dwelling and construction of new three storey dwelling, alfresco area, double garage, retain and refurbishment of existing swimming pool and associated works.	Dieppe Design Pty Ltd	Delegated Authority
<b>2023/270</b>	3/10/2023	1 Knight Place CASTLECRAG NSW 2068.	On Notification for public comment	Alterations and additions to existing dwelling, screening to bin area, landscaping, two skylights and associated works.	Ian Moore Architects	Delegated Authority
<b>2023/233</b>	1/09/2023	31 Raeburn Avenue CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Construction of a new carport, dwelling front facade upgrade and a new paint finish to the existing front fencing.	Ms Yen-Foon Chang	Delegated Authority
<b>2023/143</b>	14/06/2023	164 Edinburgh Road CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Internal and external alterations and additions to existing dwelling and associated works.	Mathew Davis	Delegated Authority
<b>2022/381</b>	9/12/2022	13 The Tor Walk CASTLECRAG NSW 2068.	Stop the Clock - additional information required	Alterations and additions to existing dwelling including extension of existing ground floor entry and roof, extend existing deck, spa and associated works	Group Architects	Delegated Authority
<b>2022/140/A</b>	21/08/2023	33 The Rampart CASTLECRAG NSW 2068.	Stop the Clock - additional information required	Modification to allow internal and external changes, including; enclosing part of the terrace; extending the terrace; construction of retaining walls; changes to windows; enclose excavated areas; and, change the approved data/store room to a bathroom.	Castlepeake Consulting Pty Ltd	Delegated Authority

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2020/243/A</b>	13/10/2023	54 Sunnyside Crescent CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Modify Condition 3(a).	Mr Albert Chao Dao Pui	Delegated Authority
<b>2018/393/A</b>	7/10/2022	7B The Tor Walk CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Modification to approved boatshed, retaining walls and piles locations.	Land and Marine Engineering Consulting	Delegated Authority
<b>2018/100/D</b>	15/12/2023	304 Edinburgh Road CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Modify existing consent to delete conditions.	Mr Peter Douglas Oreb	Delegated Authority
<b>2017/484/C</b>	22/12/2023	240 Edinburgh Road CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Modify original proposal to include internal layout changes and associated works	Mr Aidan Austin Marks	Delegated Authority
<b>2023/14/A</b>	9/10/2023	13 Cheyne Walk CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Modify original proposal to include changes to internal layout, western external wall, roof ridge height and style, external materials and colours and associated works.	Auston Taxation Pty Ltd	Delegated Authority
<b>2023/12</b>	23/01/2023	96 The Bulwark CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Alterations and additions to existing dwelling house, new carport, landscaping and associated works.	Mr Colin Thomas Truman Sargent	Delegated Authority
<b>2023/281</b>	12/10/2023	39 The Scarp CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Construction of a new dwelling house, secondary dwelling, workshop, tree removal, detached carport, car crossing landscaping and associated works.	Mr Lester Clifford	Delegated Authority
<b>2023/198</b>	7/08/2023	65 The Bulwark CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Internal and external alterations and additions to existing dwelling, and associated works.	Mrs Bridie Ann Melham	Delegated Authority
<b>2023/134</b>	25/05/2023	6 The Scarp CASTLECRAG NSW 2068.	Being Assessed by Development Officer	New two storey dwelling house, garage, landscaping to include tree removal, convert existing garage to storage and associated works.	Mr Robert Lepre	Delegated Authority
<b>2023/78</b>	15/03/2023	44 Sunnyside Crescent CASTLECRAG NSW 2068.	Under Appeal in the Land & Environment Court	Demolition of the existing dwelling and construction of a new dwelling house with basement carparking and associated works	Mrs Jasmine Isabelle Stefanovic	Land & Environment Court



# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/229</b>	25/08/2023	19 The Scarp CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Alterations and additions to existing dwelling and associated works.	Benjamin Paul Maurice Tinker	Willoughby Local Planning Panel
<b>2023/83</b>	20/03/2023	39 Dalrymple Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	New carport, patio cover and associated works.	Hi-Craft Home Improvements Pty Ltd	Delegated Authority
<b>2023/47/A</b>	27/11/2023	12A Greville Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modify Condition 2 relating to RFS requirements.	Andrew Spaile and Associates Pty Ltd	Delegated Authority
<b>2023/332</b>	20/12/2023	13 Violet Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of existing dwelling and construction of new two storey dwelling, covered outdoor area, landscaping, double garage, front fence and associated works.	In and Out Pty Ltd Architects	Delegated Authority
<b>2023/331</b>	19/12/2023	1 Hotham Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of existing dwelling and construction of new two storey dwelling, double garage, swimming pool, landscaping and associated works.	Peter Blake	Delegated Authority
<b>2023/328</b>	15/12/2023	57-61 Archer Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of existing non-significant buildings and retention of Heritage Item.	Coronation Property Co. Pty Ltd	Delegated Authority
<b>2023/327</b>	14/12/2023	8 Hercules Street CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and first floor addition to existing dwelling, new carport, swimming pool, and associated works.	Mr Henry Huang	Delegated Authority
<b>2023/326</b>	12/12/2023	6 Dardanelles Road CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and additions to the rear of the existing dwelling, alterations to the front fence to include a sliding gate, and associated works.	Robert Parisi Architecture & Design	Delegated Authority
<b>2023/322</b>	8/12/2023	5 Nea Street CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and additions to existing dwelling including rear ground floor extension, rear deck with operable pergola roof, and associated works.	Minto Planning Services Pty Ltd	Delegated Authority
<b>2023/320</b>	5/12/2023	57-61 Archer Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	The application seeks approval for early works including excavation, shoring and tree removal to facilitate future mixed-use development. The application is identified as Nominated Integrated Development requiring approval	Coronation Property Co. Pty Ltd	Delegated Authority

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
				from Water NSW pursuant to s90 of Water Management Act 2000.		
<b>2023/313</b>	27/11/2023	15 Dowel Street CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and first floor addition to existing dwelling, double garage and associated works.	In and Out Pty Ltd Architects	Delegated Authority
<b>2023/312</b>	24/11/2023	22 Hercules Street CHATSWOOD NSW 2067.	On Notification for public comment	Internal alterations and first floor addition to existing dwelling and associated works.	In and Out Pty Ltd Architects	Delegated Authority
<b>2023/307</b>	23/11/2023	12 Olga Street CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and additions to existing dwelling and associated works	Steve Wu Architects Pty Ltd	Delegated Authority
<b>2023/292</b>	6/11/2023	46 Robinson Street CHATSWOOD NSW 2067.	On Notification for public comment	Construct a new carport.	Segmento Architecture	Delegated Authority
<b>2023/288</b>	24/10/2023	11 Lamette Street CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and additions to existing dwelling and associated works.	Avani Compositions	Delegated Authority
<b>2023/282</b>	13/10/2023	27 Kooba Avenue CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and additions to existing dwelling to include internal layout changes, new swimming pool, landscaping, external works and associated works.	Matt Elkan Architect	Delegated Authority
<b>2023/279</b>	11/10/2023	691 Pacific Highway CHATSWOOD NSW 2067.	Stop the Clock - additional information required	Strata Subdivision.	Dpg 38 Pty Ltd C/- Jv Urban	Delegated Authority
<b>2023/247</b>	7/09/2023	38 Dalrymple Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to existing dwelling, changes to internal layout, rear deck and alfresco area and associated works.	Mr Abhijit Gajanan Ekbote	Delegated Authority
<b>2023/243</b>	6/09/2023	19 Archer Street CHATSWOOD NSW 2067.	Stop the Clock - additional information required	Alterations and additions to existing dwelling including construction of new rear addition, new front fence, relocation of driveway crossover and associated works.	Enhance Group Projects Pty Ltd	Delegated Authority

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
2023/207	10/08/2023	4 Dardanelles Road CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alteration and two storey addition at the rear of the existing dwelling, and associated works.	Mr Adam Phillip Myers	Delegated Authority
2023/182	17/07/2023	272 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Adaptive reuse of existing building, addition of new lift core, modernisation of shopfront, amalgamation of 6 shops into 2 larger spaces, refurbish external design to revitalise street front.	Aplus Design Group	Delegated Authority
2023/179	12/07/2023	23A Greville Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Subdivision of one lot into two (battle axe allotment).	Ms Natalie Richter	Delegated Authority
2023/133	25/05/2023	21 Daisy Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to the rear of an existing Heritage listed dwelling (Item 172), removal of trees, and associated works.	Jimmy Hsu	Delegated Authority
2023/121	11/05/2023	18 Kareela Road CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to existing Heritage Item and associated works.	Nimbus Architecture and Heritage	Delegated Authority
2022/95/C	6/10/2023	282-284 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modification of LEC consent DA2022/95 proposing alterations and additions to the retained part of existing building.	Aplus Design Group	Delegated Authority
2022/95/B	19/09/2023	282-284 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modification of the development consent including modification of condition 1 and existing fabric to be retained.	Aplus Design Group	Delegated Authority
2022/95/A	19/09/2023	282-284 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Various modifications to the consent including Conditions 1 and 9 to reflect changes to approved plans and documentation, an increase in overall gross floor area and floor space ratio, lowering of the finished floor level, implementation of ground level flood protection, revised façade treatment at both the Victoria Avenue and Neridah Street frontages, various changes to internal layout, reduction in number of car spaces.	Aplus Design Group	Delegated Authority

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2022/305/B</b>	7/12/2023	345 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modify existing consent regarding timing of Flood Study Report, Flood Risk Management Strategy & Emergency Response Plan as required by Condition 2 and consolidation of windows on upper level Archer Street façade from 3 to 1 and reduction in size.	Vicinity Centres Pty Ltd	Delegated Authority
<b>2022/305/A</b>	1/12/2023	345 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modify existing consent to include hours of work condition	Vicinity Centres Pty Ltd	Delegated Authority
<b>2022/298</b>	23/09/2022	14 Albert Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of existing structures and construction of a new part two storey premises to conduct the operation of a health consulting room, tree removal, fencing and associated works.	N27 Architects	Delegated Authority
<b>2022/2/A</b>	22/09/2023	282-284 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Various modifications to the consent including modification of Conditions 1, 6 and 10 to reflect changes to approved plans and documentation, changes to the façade of the building including the introduction of additional windows and associated glazing on the southern and western elevations of the building at Level 2 and Level 3, changes to finished floor levels, implementation of ground level flood protection, removal of one retail car space, reconfiguration of floor layout.	Aplus Design Group	Delegated Authority
<b>2022/162/B</b>	13/12/2023	9 Blakesley Street CHATSWOOD NSW 2067.	On Notification for public comment	Modify existing consent to increase the ceiling height and roof height of the proposed rear addition.	DKYK Pty Ltd	Delegated Authority
<b>2022/161/B</b>	13/12/2023	871 Pacific Highway CHATSWOOD NSW 2067.	On Notification for public comment	Amend Condition 8 - affordable housing and delete condition 45 substation relocation.	Goldfields Chatswood No.2 Pty Ltd	Delegated Authority
<b>2022/161/A</b>	5/04/2023	871 Pacific Highway CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modify existing consent including modifying Condition 1 to replace approved landscape plan with an amended tree management plan and modifying the wording of Conditions regarding Construction Certificate.	Goldfields Chatswood No 1 Pty Ltd	Delegated Authority

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

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Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2021/384</b>	6/12/2021	582 Pacific Highway CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modify Conditions 5, 6, 8, 9, 10, 11, 13, 15 and 18 and changes to car parking, loading and Holmes Lane vehicle access, hours of operation, goods stored onsite and associated works.	Musking Pty Limited	Delegated Authority
<b>2014/229/B</b>	12/12/2023	17 Anglo Street CHATSWOOD NSW 2067.	On Notification for public comment	Modify original proposal to allow internal and external amendments, including; changes to the internal layout and windows; and, delete BBQ and chimney.	Yan Wu	Delegated Authority
<b>1999/682/A</b>	6/12/2023	552-554 Pacific Highway CHATSWOOD NSW 2067.	Stop the Clock - additional information required	Modify existing consent (DA 1999/682) regarding landscaping involving general remediation on roof and private balconies, planter box replacement and associated works.	Turnbull Planning International Pty Ltd	Delegated Authority
<b>2023/44</b>	21/02/2023	7 Milton Street CHATSWOOD NSW 2067.	Stop the Clock - additional information required	Demolition of existing structures and construction of new dual occupancy with ancillary structures and associated works.	Ted Quinton Architecture	Delegated Authority
<b>2023/255</b>	20/09/2023	63 Macquarie Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	New carport and associated works.	Matthew Cardona	Delegated Authority
<b>2023/254</b>	15/09/2023	412 Penshurst Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and first floor addition to existing dwelling, internal layout changes and associated works.	Ms Meixiu Chen	Delegated Authority
<b>2023/213</b>	15/08/2023	128A Beaconsfield Road CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Construction of new dual occupancy with detached carport , driveway, retaining walls, tree removal and landscaping and associated works.	Watermark Chatswood Partnership	Delegated Authority
<b>2023/211</b>	14/08/2023	3 Johnson Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and first floor addition to existing dwelling, and associated works	Everising Pty Ltd	Delegated Authority
<b>2023/116</b>	4/05/2023	1 Anderson Street CHATSWOOD NSW 2067.	On Notification for public comment	Installation of vehicular bridge safety barriers and rooftop security screens	Scentre Design and Construction Pty Ltd	Delegated Authority

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Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/173</b>	10/07/2023	11 Fontaine Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and first floor addition to existing dwelling, new carport, swimming pool, tree removal and associated works.	Mr Mark Makhoul	Delegated Authority
<b>2019/57/B</b>	9/08/2023	6 View Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modify condition no. 1 relating to drainage system, correct dwelling location on survey, changes to car spaces, new car ramp, internal alterations and additions and associated works.	ABC Planning	Delegated Authority
<b>2023/256</b>	21/09/2023	629 Pacific Highway CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Integrated Development - Demolition of existing structures and construction of a 27 storey mixed use development consisting of 2 levels of retail/commercial, 25 storeys of 53 residential units, five levels of basement parking and associated works.	Polytec Australia Four Pty Ltd	Delegated Authority
<b>2023/219</b>	18/08/2023	44 Anderson Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of existing structures including tree removal, site cleaning and preparation of site.	Bridgestone Projects Pty Ltd	Delegated Authority
<b>2023/237</b>	5/09/2023	9-11 Nelson Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Integrated Development - Demolition of existing structures, construction of 27 storey mixed-use development, basement carparking, two storey commercial podium, 2 residential towers consisting of 193 apartments, communal open space, landscaping and associated works.	9-11 Nelson St Pty Ltd	Delegated Authority
<b>2023/166</b>	28/06/2023	691 Pacific Highway CHATSWOOD NSW 2067.	Being Assessed by Development Officer	SNPP - Demolition of existing structures, removal of all trees, concept building design including footprint and building envelope for 27 storey residential flat building containing 100 residential units, basement parking and associated works.	Dpg 38 Ptd Ltd	Delegated Authority
<b>2023/150</b>	20/06/2023	58 Anderson Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	SNPP - Demolition of existing structures and construction of 15 storey shoptop housing (mixed use) development, site landscaping, public art, public domain works and associated works.	Reza Vakili	Delegated Authority
<b>2023/217</b>	18/08/2023	3 Ellis Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of the existing residential flat building and all structures, tree removal, existing footings and site clearing.	Mpg Au Pty Ltd	Delegated Authority

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**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
2022/240	8/08/2022	42 Archer Street CHATSWOOD NSW 2067.	Under Appeal in the Land & Environment Court	Demolition of existing residential flat building and construction of a 26-storey building comprising community facilities from ground level to Level 3, residential communal open space at Level 3, 42 residential units above, and 6 levels of basement carparking.	Willow Capital	Land & Environment Court
2023/176	10/07/2023	688 Pacific Highway CHATSWOOD NSW 2067.	Under Appeal in the Land & Environment Court	The application is identified as nominated integrated development requiring approval from WaterNSW pursuant to s90 Water Management Act 2000 - WLPP- Demolition of existing structures and construction of 7 storey shop top housing development comprising 3 basement levels of carparking, ground floor retail and commercial tenancy and 33 residential dwellings.	D.R. Design (Nsw) Pty Limited	Land & Environment Court
2022/308	27/09/2022	1A Bowen Street CHATSWOOD NSW 2067.	Re-notification period for public comment	SNPP - Demolition of existing structures on the site and construction of two 5-storey residential flat buildings comprising a total of 90 units over two levels of basement carparking, public domain improvements including cul-de-sac and associated landscaping works. This matter is the subject of an appeal in the Land and Environment Court.	BM Chatswood Pty Ltd	Land & Environment Court
2023/190	27/07/2023	11 Darling Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Internal and external alterations and additions, including; converting an existing garage into a living room; alterations to windows and front façade; new vergola roof and BBQ area; new carport; demolition and construction of a new swimming pool; and, associated works.	Nsb Design Group	Willoughby Local Planning Panel
2017/467/A	6/07/2023	211 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modification to the approved residential flat building including changes to internal layouts of units, provision of additional floor to floor heights to satisfy ADG and enhance buildability and associated works.	Agilean Group	Willoughby Local Planning Panel
2023/41	10/02/2023	11 View Lane CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Retention of existing dwelling and construction of a new dwelling house to create a dual occupancy	Mr Michael Amed	Willoughby Local Planning Panel

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
2022/322	11/10/2022	1 Kooringa Road CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Construction of new residential flat building including basement carparking, landscaping and associated works.	Mr Maximino Filipe	Willoughby Local Planning Panel
2023/271	3/10/2023	27 Lamette Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to rear of existing dwelling, new patio, carport, garage and workshop and associated works.	Build Design	Willoughby Local Planning Panel
2023/253	15/09/2023	18 Smith Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of existing structures and construction of a two storey premises to operate a 24 hour 7 days a week McDonald's takeaway food and drink premises to include 26 car parking spaces, landscaping, signage and associated works.	SLR Consulting Australia Pty Ltd	Willoughby Local Planning Panel
2023/172	6/07/2023	44 Anderson Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	The application is identified as nominated integrated development requiring approval from Water NSW - pursuant to the s90 Water Management Act 2000- SNPP - Demolition of existing structures and construction of 26 storey shop top housing development comprising commercial /retail, 95 residential units, 4 levels of basement car parking and associated works.	Bridgestone Projects Pty Ltd	Willoughby Local Planning Panel
2022/393	21/12/2022	3 Ellis Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of existing residential unit building, construction of a 14 storey shop top housing development comprising 3 storeys of retail/commercial use, communal facilities and 4 levels of basement car parking, landscaping and associated works - INTEGRATED	Mpg Au Pty Ltd	Willoughby Local Planning Panel
2020/117/E	29/08/2023	No physical address-Chatswood Golf Course Links	Being Assessed by Development Officer	Modify existing consent by relocating storm water/Gross Pollutant traps from Beaconsfield Road and Colwell Crescent to the respective road reserves.	Watermark Chatswood Pty Ltd	Delegated Authority
2023/228	25/08/2023	3 Melrose Street LANE COVE NORTH NSW 2066.	Stop the Clock - additional information required	Alterations and first floor addition to existing dwelling, relocate swimming pool and associated works.	William John Berry	Delegated Authority
2023/205	9/08/2023	7 Bailey Avenue LANE COVE NORTH NSW 2066.	Being Assessed by Development Officer	Alterations and two storey addition at the rear of the existing dwelling, and associated works.	Design Your Space	Delegated Authority



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**KEY:**

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Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/90</b>	29/03/2023	1 Chowne Place MIDDLE COVE NSW 2068.	Re-notification period for public comment	Demolish existing carport and construction of a new dwelling house and carport to create a dual occupancy with driveway, landscaping and associated works	Smith & Tzannes	Delegated Authority
<b>2023/325</b>	12/12/2023	20 Greenfield Avenue MIDDLE COVE NSW 2068.	On Notification for public comment	Alterations and a third floor addition to existing dwelling, and associated works.	Douglas Design	Delegated Authority
<b>2023/223</b>	23/08/2023	1A Greenfield Avenue MIDDLE COVE NSW 2068.	Stop the Clock - additional information required	Alterations and addition of two bedrooms to an existing detached dual occupancy dwelling, and associated works which include, relocation of rainwater tanks; new shade structure over an existing car parking space; and, removal of four trees.	Michael E and C Megan Jones Pty Ltd	Delegated Authority
<b>2023/191</b>	27/07/2023	15 The Quarterdeck MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	Alterations and additions to enclose a terrace and extend a balcony on the ground floor level of the existing dwelling.	Mr Stuart Douglas Archibald	Delegated Authority
<b>2020/207/A</b>	8/12/2023	16 North Arm Road MIDDLE COVE NSW 2068.	On Notification for public comment	Modify original proposal to allow internal and external amendments, including the addition of a staircase, changes to lift orientation, changes to windows, and associated works.	Metropoint Group Architects	Delegated Authority
<b>2006/762/F</b>	7/09/2023	14 Highland Ridge MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	Modify original proposal to include addition and relocation of rainwater tanks, changes to rear balcony posts and associated works.	Mrs Lijun Wu	Delegated Authority
<b>2022/357</b>	15/11/2022	13 Covelee Circuit MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	Demolition of existing dwelling, construction of new dwelling, landscaping and associated works	Ed Lippmann	Delegated Authority
<b>2023/284</b>	16/10/2023	27 Covelee Circuit MIDDLE COVE NSW 2068.	On Notification for public comment	Alterations and additions to existing dwelling, internal layout changes, garage relocated, landscaping, refurbishment of existing swimming pool including pool fencing and retaining walls and associated works.	Mr Christopher Adams	Willoughby Local Planning Panel
<b>2022/385</b>	15/12/2022	23 Victoria Avenue MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	Alterations and additions to existing dwelling, new carport, new spa pool, landscaping works and other associated works.	Bensen & Partners	Willoughby Local Planning Panel

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**KEY:**

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Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/314</b>	27/11/2023	12 Merrenburn Avenue NAREMBURN NSW 2065.	Stop the Clock - additional information required	Reconstruct the front fence, new pedestrian gate, sliding gate across the driveway and new pergola, and associated works.	Landart Landscapes Pty Ltd	Delegated Authority
<b>2023/293</b>	9/11/2023	6 Adolphus Street NAREMBURN NSW 2065.	On Notification for public comment	Alterations and additions to existing semi-detached dwelling to include rear extension, internal changes, new outdoor entertainment area and associated works.	Brock Alexander McDermott	Delegated Authority
<b>2023/280</b>	12/10/2023	7 Rhodes Avenue NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and first floor and rear addition to existing dwelling, carport, swimming pool and deck, fencing, landscaping and associated works.	Darren Campbell Architect	Delegated Authority
<b>2023/195</b>	3/08/2023	25 Grafton Avenue NAREMBURN NSW 2065.	Stop the Clock - additional information required	New secondary dwelling, carport, lift, and associated works.	Mr Peter Charles Nicholas Kasby	Delegated Authority
<b>2023/174</b>	10/07/2023	104 Northcote Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and additions to ground and lower ground floor levels of the existing dwelling, new carport, fences, removal of trees and associated works.	Mr David Rodney Coker	Delegated Authority
<b>2021/230/A</b>	4/05/2023	2 Northcote Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Modify the built form and layout of approved Block A to accommodate reconfigured corner apartment layouts and other building changes.	Northcote Development Co Pty Ltd	Delegated Authority
<b>2013/147/G</b>	4/05/2023	2 Northcote Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Modify existing consent for Staged Concept including alterations to the building envelope and associated works	Northcote Development Co Pty Ltd	Delegated Authority
<b>2023/296</b>	10/11/2023	22 Market Street NAREMBURN NSW 2065.	On Notification for public comment	Construction of secondary dwelling and associated works	Amit Tappoo	Delegated Authority
<b>2023/148</b>	19/06/2023	9 Dawson Street NAREMBURN NSW 2065.	Stop the Clock - additional information required	Demolition of existing dwelling, construction of dwelling and associated works.	Icon Homes	Delegated Authority
<b>2023/246</b>	7/09/2023	21/2A Palmer Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and additions to existing premises to enlarge existing east facing door opening and install bi-fold doors, demolition of internal wall and associated works.	The Trustee For Paul O'Keefe Architects Trust	Delegated Authority

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**KEY:**

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Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
2021/340	9/11/2021	43 Donnelly Road NAREMBURN NSW 2065.	Under Appeal in the Land & Environment Court	Proposed mixed use development comprising the demolition of existing school building, additions to St Leonards Church comprising parish hall and presbytery, construction of multi dwelling housing, conversion of existing presbytery to a dwelling and construction of a dwelling house.	Metro Property Development	Land & Environment Court
2013/147	23/04/2013	2 Northcote Street NAREMBURN NSW 2065.	Under Appeal in the Land & Environment Court	STAGED development approval for the conceptual design for 2-14 Northcote Street including the demolition of existing structures and construction of x1 four (4) storey building, x1 part eight (8) storey building/part nine (9) storey building, three (3) levels of basement carparking to accommodate residential, commercial and childcare centre and associated works. Detailed design approval for STAGE 1 on 8-14 Northcote Street.	Property Development Corporation Pty Limited	Land & Environment Court
2023/235	4/09/2023	30 Oxley Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Subdivision of site to create 2 new lots from existing 3 lots, alterations and additions to existing dwelling house and construction of new dwelling house and associated works.	Ms Catherine Finlay	Willoughby Local Planning Panel
2022/319	7/10/2022	43 Donnelly Road NAREMBURN NSW 2065.	Being Assessed by Development Officer	Erection of a new Electric substation including fencing to support future development.	Metro Property Development	Willoughby Local Planning Panel
2023/329	19/12/2023	46 Hollywood Crescent NORTH WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	emolition of existing roof, garage and shed and construction of storage room, porch, side gate and alterations to existing front fence and associated works.	Profectus Design Pty Ltd	Delegated Authority
2023/316	28/11/2023	65 McClelland Street NORTH WILLOUGHBY NSW 2068.	On Notification for public comment	Convert existing carport into a garage and associated works.	Mr Robert Edward Marshman	Delegated Authority
2023/259	25/09/2023	10 Tyneside Avenue NORTH WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Removal and construction of gardens, tree removal, new front fence, hardstand parking space, vehicle crossing and associated works.	Right Angle Design and Drafting	Delegated Authority

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Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/221</b>	23/08/2023	26 Crabbes Avenue NORTH WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Stratum subdivision into 6 Lots	Hyecorp Construction	Delegated Authority
<b>2023/204</b>	9/08/2023	29 Laurel Street NORTH WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Boundary re-alignment of two lots of heritage item.	Minto Planning Services Pty Ltd	Delegated Authority
<b>2022/364</b>	17/11/2022	184 High Street NORTH WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Proposed alterations and additions to existing ground floor retail building for the purpose of renovating the retail showroom fit-out, new shopfront glazing, building identification signage, skylights, paving and entry awnings.	Keeler Hardware Pty Ltd	Delegated Authority
<b>2022/304/A</b>	22/11/2023	6 Forsyth Street NORTH WILLOUGHBY NSW 2068.	On Notification for public comment	Modify original proposal to include changes to windows, internal alterations and additions, stormwater and driveway crossing and associated works.	Astute Drafting	Delegated Authority
<b>2019/247/E</b>	1/09/2023	26 Crabbes Avenue NORTH WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Various modifications of the consent including modification of unit mix, ancillary services for Residential Aged Care Facility use, various internal and external changes to approved development	Hyecorp Property Group	Delegated Authority
<b>2023/263</b>	25/09/2023	26 Crabbes Avenue NORTH WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Addition of three (3) balconies to the independent living units (B401, B402, B403) on Level 4 at Building B, modification to configuration of units at this level, and to the roofline.	Hyecorp Pty Ltd	Delegated Authority
<b>2023/317</b>	28/11/2023	57 Baringa Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations and additions to existing dwelling, swimming pool and associated works	Andy's Home Design Pty Ptd	Delegated Authority
<b>2023/309</b>	24/11/2023	40 Lower Cliff Avenue NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Demolition of existing dwelling and construction of a new dwelling house, double garage, swimming pool, landscaping and associated works.	Kevin Lee	Delegated Authority
<b>2023/294</b>	9/11/2023	22 Kameruka Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Subdivision of approved detached dual occupancy development.	Minto Planning Services Pty Ltd	Delegated Authority

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Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
2023/261	25/09/2023	3 The Outpost NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	New awning roof over existing rear deck and replace existing balustrade and associated works.	Mr Craig Barton	Delegated Authority
2023/258	22/09/2023	95 Kameruka Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	S 4.55 - Modify original proposal to include changes to front porch, staircases, internal alterations and layout, swimming pool size and shape, new lift, privacy screens, existing windows to be replaced, ground floor balcony to have steel roof structure and associated works.	Mr Ross Alexander McDonald	Delegated Authority
2023/232	1/09/2023	18 Coolawin Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Installation of a louvered shade structure (awning) over the top floor terrace of the existing dwelling.	Performance Building Consultants	Delegated Authority
2023/200	8/08/2023	1 The Outpost NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Internal and external alterations and additions to existing dwelling, including changes to windows and doors, new swimming pool with decking and associated works.	Ms Tatyana Chtanova	Delegated Authority
2023/192	28/07/2023	45 Neeworra Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Demolition of existing dwelling and structures and construction of a new two and three storey dwelling, double carport, driveway, remediation of existing swimming pool, access steps, fencing and associated works.	Castlepeake Consulting Pty Ltd	Delegated Authority
2023/185	24/07/2023	64 Baringa Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations and additions to existing dwelling, carport/garage, swimming pool and associated works.	Co Architecture	Delegated Authority
2022/310	28/09/2022	73 Minimbah Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Demolition of existing dwelling, construction of new dwelling including double car garage, swimming pool, inclinor and associated works.	Mrs Robyn Anne McBride	Delegated Authority
2022/297	21/09/2022	41 Upper Cliff Avenue NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Demolition of existing dwelling and structures and construction of new three storey dwelling with basement, double carport, swimming pool, landscaping and associated works.	Samantha Jane Garner	Delegated Authority
2022/266/A	14/12/2023	27 Weemala Road NORTHBRIDGE NSW 2063.	On Notification for public comment	Modify original proposal to include relocation of swimming pool, changes to landscaping, steps to garden and associated works.	City Planning Works	Delegated Authority

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**KEY:**

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Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/300</b>	14/11/2023	21 Dalmeny Road NORTHBRIDGE NSW 2063.	On Notification for public comment	Installation of a vertical platform lift from the central deck to the roof top terrace, and associated works.	Mrs Aline Kanjian	Delegated Authority
<b>2022/256</b>	18/08/2022	122 Kameruka Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations and additions to existing dwelling, new plant room, internal reconfiguration, landscaping and associated works.	Roth Architecture Workshop Pty Ltd	Delegated Authority
<b>2017/500/D</b>	1/09/2023	21 Minnamurra Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Modify consent to allow internal and external changes to the existing 3 storey dwelling, including: relocate street level entry ramp; relocate pedestrian stairs; relocate access gate along the street frontage; alterations and extension to the garage; replace the entire roof into two sections; and associated works	Michael E and C Megan Jones Pty Ltd	Delegated Authority
<b>2023/286</b>	18/10/2023	43 Kameruka Road NORTHBRIDGE NSW 2063.	On Notification for public comment	Demolition of existing dwelling and construction of a new two storey dwelling, swimming pool, and associated works.	Avenue One Design Pty Ltd	Delegated Authority
<b>2023/155</b>	23/06/2023	1 Noonbinna Crescent NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	New boatshed with decking and associated works.	Mr Luke Harrison Deady	Delegated Authority
<b>2023/295</b>	9/11/2023	8 Weemala Road NORTHBRIDGE NSW 2063.	On Notification for public comment	Demolition of existing structures (except for the pool), construct new three-storey dwelling, and associated works.	Castlepeake Consulting Pty Ltd	Delegated Authority
<b>2023/138</b>	2/06/2023	13 Marana Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Internal and external alterations and additions to the existing three storey dwelling, swimming pool and associated works.	Phil Hayes-St Clair	Delegated Authority
<b>2022/314/A</b>	25/01/2023	26 Narooma Road NORTHBRIDGE NSW 2063.	Under Appeal in the Land & Environment Court	Delete condition 2 of the consent which requires a 500mm garage setback, flat roof, reduction is garage size and additional requirements.	Mr Sebastien Conal McKenna	Land & Environment Court
<b>2022/346</b>	31/10/2022	2 Clifton Avenue NORTHBRIDGE NSW 2063.	Under Appeal in the Land & Environment Court	Alterations and additions to existing dwelling including enclosure of existing deck, new roof over BBQ area and front balcony and associated works.	Bentley Design	Land & Environment Court

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Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2017/488/B</b>	11/01/2022	75 Coolawin Road NORTHBRIDGE NSW 2063.	Under Appeal in the Land & Environment Court	Modify original proposal to including changes to dwelling floor slab, stairs, and reconstruction of walls from lower ground to first floor, pool floor level, roof and associated works.	Mrs Taleen Marcarian	Land & Environment Court
<b>2020/238</b>	1/10/2020	131 Sailors Bay Road NORTHBRIDGE NSW 2063.	Under Appeal in the Land & Environment Court	Adaptive conversion of the existing building into shop top housing, including additional level	Helm Properties	Land & Environment Court
<b>2023/66</b>	3/03/2023	16 Sailors Bay Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Lot consolidation of existing lots, demolition of existing buildings at 16-18 Sailors Bay Road and the construction of residential flat building and basement parking and strata subdivision.	Urbanesque Planning Pty Ltd	Willoughby Local Planning Panel
<b>2023/301</b>	14/11/2023	9 Parker Street NORTHBRIDGE NSW 2063.	On Notification for public comment	Demolition of existing dwelling and construction of a two storey dwelling house, landscaping and associated works.	Nigel Allfrey	Willoughby Local Planning Panel
<b>2021/90/A</b>	6/07/2023	58 Eastern Valley Way NORTHBRIDGE NSW 2063.	Re-notification period for public comment	Modification of existing consent to include internal and external works throughout the approved residential flat building including roof alterations, additions to unit 3.02 to create 3-bedroom unit, changes to basement including deletion of car stacker, modifications to conditions of consent including condition 3(a) relating to removal of 7 basement car parking spaces, and associated works	Blanc Black Projects Pty Limited	Willoughby Local Planning Panel
<b>2023/146</b>	16/06/2023	72 Minnamurra Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Demolition of existing dwelling, construction of dwelling, double garage with turntable, landscaping, reconstruction of viewing platform and associated works.	Michael E and C Megan Jones Pty Ltd	Willoughby Local Planning Panel
<b>2022/379</b>	8/12/2022	62 Minnamurra Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations and additions to existing dwelling and associated works	Brewer Architects Pty Ltd	Willoughby Local Planning Panel
<b>2022/221</b>	26/07/2022	5 Tycannah Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Demolition of existing dwelling and construction of multi-storey detached dwelling, basement car parking, swimming pool, landscaping and associated works.	Giles Tribe Architects	Willoughby Local Planning Panel
<b>2023/268</b>	29/09/2023	135-145 Sailors Bay Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Change of use of existing community facility to a commercial premises.	Willoughby City Council	Willoughby Local Planning Panel

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2022/167</b>	13/05/2022	131 Sailors Bay Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Adaptive reuse of existing commercial premises with an additional storey comprising of 13 apartments, commercial floor space, 16 car spaces with loading dock and associated works.	Helm Pty Limited	Willoughby Local Planning Panel
<b>2023/321</b>	6/12/2023	50 William Street ROSEVILLE NSW 2069.	On Notification for public comment	Demolition of existing dwelling, erection of new dwelling, swimming pool, landscaping and associated works	Ms Tiantian Li	Delegated Authority
<b>2023/319</b>	4/12/2023	6 Strathmore Parade ROSEVILLE NSW 2069.	Being Assessed by Development Officer	Alterations and additions to existing dwelling and associated works.	Mr Rocco Anthony Stipo	Delegated Authority
<b>2023/308</b>	23/11/2023	20 Spearman Street ROSEVILLE NSW 2069.	On Notification for public comment	Alterations and first floor addition to existing dwelling house and associated works.	Beecraft Pty Ltd	Delegated Authority
<b>2023/236</b>	4/09/2023	19 William Street ROSEVILLE NSW 2069.	Being Assessed by Development Officer	New detached secondary dwelling, and associated works.	Granny Flat Solutions Pty Ltd	Delegated Authority
<b>2022/367/A</b>	19/12/2023	97 Ashley Street ROSEVILLE NSW 2069.	Being Assessed by Development Officer	Modify original proposal to include internal alterations and additions, attic level above first floor, changes to roof, cabana and swimming pool area, pruning of tree 2 and 3, delete condition 12 and 30 requirement to transplant existing Phoenix Palm and associated works.	Minto Planning Services Pty Ltd	Delegated Authority
<b>2022/134/B</b>	24/11/2023	26 Waratah Street ROSEVILLE NSW 2069.	On Notification for public comment	Modify original proposal to include extension of pergola roof, changes to outdoor kitchen area, modify fire-pit, delete proposed columns adjacent to family room, revised stormwater and associated works.	Mr Colin Raymond Whatman	Delegated Authority
<b>2023/92</b>	31/03/2023	35 William Street ROSEVILLE NSW 2069.	Re-notification period for public comment	Alterations and additions to existing dwelling, including proposed new basement level carpark & swimming pool - Amended plans.	McCullum Ashby Architects	Delegated Authority
<b>2022/115/A</b>	1/12/2023	7 Westbourne Street ST LEONARDS NSW 2065.	Being Assessed by Development Officer	Modify Condition No. 1 to include changes to staged development to podium floor plan, first floor, elevations, material board and associated works.	Akalan Projects Pty Ltd	Delegated Authority



# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2021/295/A</b>	10/11/2023	12 Frederick Street ST LEONARDS NSW 2065.	Being Assessed by Development Officer	Delete condition 4 regarding the trial period and amend condition 6 to permit up to 60 students at any one time.	Willowtree Planning	Delegated Authority
<b>2023/60/A</b>	8/11/2023	11 Oakville Road WILLOUGHBY NSW 2068.	On Notification for public comment	Amend the approved plans to allow internal and external changes, including a reduction in the floor area of the proposed extension and associated works.	Raw Concept Designs	Delegated Authority
<b>2023/318</b>	4/12/2023	1/108 Penshurst Street WILLOUGHBY NSW 2068.	On Notification for public comment	Removal of rear planter box and front façade pergola and associated works.	Ms Caitlin Brigid McNally	Delegated Authority
<b>2023/310</b>	24/11/2023	18A Kalgoolie Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Subdivision of existing dual occupancy.	Steve Wu	Delegated Authority
<b>2023/291</b>	6/11/2023	69 Artarmon Road WILLOUGHBY NSW 2068.	On Notification for public comment	Internal alterations and new first floor attic style addition to the existing dwelling associated works.	Auseer Group Pty Ltd	Delegated Authority
<b>2023/277</b>	6/10/2023	30 Wallace Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	New carport and associated works.	Wurley Group Pty Ltd	Delegated Authority
<b>2023/242</b>	6/09/2023	3 Gorman Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Construction of eastern boundary privacy screen, modify front patio to enable water tank access, rear timber deck, remove west of dwelling concrete slab and associated works.	Building Approval Solutions	Delegated Authority
<b>2023/303</b>	16/11/2023	9 Artarmon Road WILLOUGHBY NSW 2068.	On Notification for public comment	Alterations and first floor addition to existing dwelling, rear extension, new garage, tree removal, replace existing driveway crossing, retaining walls and associated works.	Thi Hong Minh Doan	Delegated Authority
<b>2023/102</b>	14/04/2023	2 Warners Avenue WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Demolition of existing structures and construction of multi unit dwelling houses consisting of 5 (five) dwellings, basement car parking, terraces, landscaping and associated works.	Architecture Urbaneia	Delegated Authority
<b>2022/334</b>	17/10/2022	20 Wyalong Street WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Alterations and first & ground floor additions to existing dwelling, carport, swimming pool & associated works.	Sn Architects	Delegated Authority

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority  
  Willoughby Local Planning Panel  
  Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
2023/189	27/07/2023	71 Marlborough Road WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Demolition of existing structures, construction of a new dwelling, carport, and associated works.	Gremmo Homes	Delegated Authority
2023/131	24/05/2023	22 Penshurst Street WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Alterations and first floor addition to existing dwelling, carport, and associated works	Nem Consulting Pty Ltd	Delegated Authority
2023/267	27/09/2023	462 Willoughby Road WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Construction of 5 storey residential flat building with basement car parking, landscaping and associated works.	Metropoint Group Pty Ltd	Delegated Authority
2021/300/C	11/04/2023	1 Walter Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Modification of apartment layouts, basement parking, OSD tanks services plant rooms, new managers' office, street, and footpath level changes along with redesign of Common rooftop and renomination of affordable housing unit and height increase to rooftop surrounds and lift overruns to all blocks, podium, and parapets levels.	Walter Projects Pty Ltd	Delegated Authority
2023/265	26/09/2023	539 Willoughby Road WILLOUGHBY NSW 2068.	Under Appeal in the Land & Environment Court	Demolition of existing structures and construction of mixed use shop top housing consisting of commercial space, residential units, car parking, landscaping, strata subdivision and associated works.	Willoughby Road Pty Ltd	Land & Environment Court
2023/187	27/07/2023	6 Penkivil Street WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Demolition of existing structures and tree removal and construction of 11 townhouses with basement car parking and associated works.	Beraldo Design	Willoughby Local Planning Panel
2022/34	24/01/2022	90 Eastern Valley Way WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Demolition of structures at 90-96 Eastern Valley Way and construction of 14 townhouses, basement car parking, landscaping and associated works - AMENDED PLANS	Norvista P4 Pty Ltd	Willoughby Local Planning Panel
2023/53	24/02/2023	107 Fourth Avenue WILLOUGHBY EAST NSW 2068.	Being Assessed by Development Officer	Alterations and additions to existing dwelling house, new swimming pool and associated works.	Greenscape Design	Delegated Authority

# CURRENT DEVELOPMENT APPLICATIONS AS AT 8 JANUARY 2024

**KEY:**

Determining Authority

Delegated Authority    Willoughby Local Planning Panel    Land & Environment Court

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority
<b>2023/225</b>	25/08/2023	21A Robert Street WILLOUGHBY EAST NSW 2068.	Stop the Clock - additional information required	Alterations and additions to existing semi-detached dwelling and associated works.	Mr Duncan William Lee	Delegated Authority

## PLANNING PROPOSAL APPLICATIONS AS AT 8 JANUARY 2024

Application Number	Lodged Date	Address	Status	Description	Applicant
PP-2020/6	10/07/2020	1 Spring Street, CHATSWOOD NSW 2067.	Council resolution following Council Meeting 26 June 2023. Awaiting additional information from the proponent to address Council resolution - to be submitted back to Council to ensure consistency with resolution prior to forwarding to DPE for a Gateway Determination.	To amend WLEP 2012 to facilitate a non-residential development with a residential component.	Springvue Limited
PP-2022/1	7/04/2022	641-653 Pacific Highway, CHATSWOOD NSW 2067.	Council resolution following Council Meeting 11 December 2023. Awaiting additional information from the proponent to address Council resolution - to be submitted back to Council to ensure consistency with resolution prior to forwarding to DPE for a Gateway Determination.	To amend WLEP 2012 zoning, height and FSR to facilitate a mixed use development responding to the Chatswood CBD Strategy.	One Global Capital
PP-2023/2	20/01/2023	3 McIntosh Street, CHATSWOOD NSW 2067.	Not supported at Council Meeting 27 November 2023. Subject to rezoning review.	To amend WLEP 2012 affordable housing requirements from 10% to 4% for the proposed mixed use development responding to the Chatswood CBD Strategy.	Parade Consulting Pty Ltd
PP-2023/3	7/09/2023	43 Donnelly Road, NAREMBURN NSW 2065.	Gateway determination requires minor amendments to reflect court determination upholding the IHO relating to the site. The amended PP will be forwarded to DPE for endorsement prior to exhibition.	The Planning Proposal seeks to amend the WLEP to expanding local heritage item No. 160, currently described in Schedule 5 of the WLEP as 'St Leonards Church (including original interiors)' at 43 Donnelly Road, Naremburn. The expansion would extend to the property boundaries and encompass the entire lot, including all presently unlisted portions of the land, such as the Presbytery, School Buildings and grounds.	Willoughby City Council

## APPLICATIONS TO BE DETERMINED BY SYDNEY NORTH PLANNING PANEL AS AT 8 JANUARY 2024

Application Number	Lodged Date	Address	Status	Description	Applicant
<b>2023/276</b>	5/10/2023	3 McIntosh Street CHATSWOOD NSW 2067.	On Notification for public comment	Stage 1 Concept development application involving consolidation of the site, demolition of existing structures and approval of a Building Envelope containing multistorey mixed use development with, basement car parking, and related landscaping and associated works.	3 McIntosh Pty Ltd
<b>2023/170</b>	6/07/2023	5-9 Gordon Avenue CHATSWOOD NSW 2067.	Stop the Clock - additional information required	Integrated Development - Demolition of existing structures and construction of shop top housing consisting of ground and first floor of 6 commercial premises, 25 storey residential tower comprising of 64 units, communal facilities, car parking and associated works.	Mainway Management Pty Ltd
<b>2023/152</b>	21/06/2023	54 Anderson Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	The application is identified as nominated integrated development requiring approval from Water NSW pursuant to s90 Water Management Act 2000 - SNPP - Consolidation of site, demolition of existing structures, construction of 26 storey shop top housing development comprising commercial/retail, 84 residential units, publicly accessible through-site link, 4 levels of basement carparking.	Anderson Chatswood Development Pty Ltd
<b>2023/160</b>	26/06/2023	3 Help Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	The application is identified as nominated integrated development requiring approval from Water NSW - pursuant to the s90 Water Management Act 2000 - SNPP - Demolition of existing structures, construction of 27 storey shop top housing development comprising commercial, 94 residential units, 4/5 levels of basement carparking, publicly accessible through-site link and associated works.	Loftex Chatswood Pty Limited

DA No.	Address	Category of development	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA Determined
DA-2022/276	31 Frenchs Road WILLOUGHBY	Residential - Alterations & Additions	R2	4.4. Floor space ratio	<ol style="list-style-type: none"> <li>The cl 4.6 adequately demonstrates that compliance with the development standard is unreasonable or unnecessary in the circumstances.</li> <li>The cl 4.6 establishes sufficient environmental planning grounds to justify the contravention of the development standard.</li> <li>The proposal is consistent with the objectives of the development standard and the zone contained in the Willoughby Local Environmental Plan 2012 (WLEP).</li> <li>The proposal FSR is consistent with the adjoining semi-detached dwelling (its pair, which itself was approved in February 2023), achieving a congruence in the resultant built form for the building.</li> <li>The proposed development does not appear excessive, unreasonable or unsympathetic to the streetscape and surrounding development.</li> <li>The proposed development does not have an unreasonable impact on view sharing, solar access, privacy or general amenity for the surrounding residences and the locality.</li> <li>The proposed development does not appear visually excessive when viewed from the adjoining residences or street frontage in comparison to the neighbouring dwellings.</li> </ol>	9.3% (15.51sqm)	Delegated Authority	4/12/2023
DA-2023/50	8 The Bulwark CASTLECRAG	Residential - Alterations & Additions	C4	4.3. Height of buildings	<ol style="list-style-type: none"> <li>Consistent with the objectives of standard and zone.</li> <li>Adequate environmental planning grounds to justify breach of development standard.</li> <li>Bulk and scale compatible with surrounding area.</li> <li>Does not have unreasonable impacts on neighbour amenity and scenic qualities of locality.</li> </ol> <p>The proposal involves two breaches to the height of building development standard, including (1) replacement material to the vertical element windows; and (2) a new balustrade above the height limit and below the height of the existing development. The breaches are a function of the topography and are only a technical variation that do not intensify the existing height exceedence.</p>	100% (8.5m)	Delegated Authority	14/11/2023

DA No.	Address	Category of development	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA Determined
DA-2023/73	49 Coolawin Road NORTHBRIDGE	Residential - Alterations & Additions	C4	4.4. Floor space ratio	<p>1. Consistent with the objectives of standard and zone.                      2. Adequate environmental planning grounds to justify breach of development standard.                      3. Bulk and scale compatible with surrounding area.                      4. No matters of State or regional planning significance raised.</p> <p>The proposal involved the replacement of an old boat shed with a new structure with the same gross floor space area. The existing exceedance of the floor space ratio remained the same as no additional gross floor area was proposed.</p>	36.4% (278.5sqm)	Delegated Authority	10/10/2023

**12.23 APPROVED MINUTES OF THE BUILT AND CULTURAL HERITAGE  
ADVISORY COMMITTEE MEETING HELD ON 14 NOVEMBER 2023**

<b>ATTACHMENTS:</b>	<b>1. APPROVED MINUTES BUILT AND CULTURAL HERITAGE_14 NOVEMBER 2023</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>BUSHRA SALAM, GOVERNANCE ADMINISTRATION OFFICER DYALAN GOVENDER, STRATEGIC PLANNING TEAM LEADER ALICE STAPLETON, HERITAGE PLANNER MITCHELL NOBLE, HEAD OF 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To present to Council for noting, the approved minutes of the Built and Cultural Heritage Advisory Committee meeting held on 14 November 2023.

**2. OFFICERS RECOMMENDATION**

**That Council receive and note the approved minutes of the meeting of the Built and Cultural Heritage Advisory Committee held on 14 November 2023.**

**3. BACKGROUND**

Advisory Committees provide independent, expert and impartial advice on the development and implementation on strategic priorities of Council. They consider reports and plans from Council officers and make recommendations to Council for consideration.

The Terms of Reference require the minutes of each meeting to be reported to Council at the next available Council meeting.

**4. DISCUSSION**

At the meeting of the Committee, governance and procedural matters included:

The new Strategic Planning Team Leader introduced himself and provided some background on his experience and interests.



Points of discussion:

- **Exploring Terms of Reference esp. open Space strategies; Resilience Strategy (Resilient people sections); Heritage; Indigenous Strategy and Reconciliation Action Plan**

The Committee explored the Terms of Reference (ToRs) and reaffirmed their heritage experience and focus (as in March). The Committee noted that the Resilience Strategy an Action Plan has been adopted by Council. Strategic Planning Team leader advised the Committee that the Draft Reconciliation Action Plan was exhibited in October. Results will be reported in the December council report. Council's Draft Public Spaces and Recreation Strategy is on exhibition until 11 December 2023. Noting the Committee's ToRs, the Committee members are encouraged to review the draft and attend an information session. The details are available on Council's Have Your Say page.

- **Promotion of heritage and education/education model/piece for the community, committee can provide advice to council, Target audience**

The Committee noted that often information is held in hard copy in isolated possession of individuals who have done specific research or for specific projects. It would be beneficial if these dispersed and isolated source could be digitised in one place. The committee noted that clarity of purpose and audience is critical. Defining the audience will inform the type of information that is needed and how best to communicate it. The chair noted that at the moment building a centralised resource is essential to ensure local knowledge is accurately recorded and validated. The Committee discussed and agreed that the current repositories of historical information needs work before promotion is undertaken to the community.

The Committee also discussed the future focus areas of the Committee.

## 5. RISKS AND OPPORTUNITIES

The overview of the Committee meeting is recorded in the approved minutes (See **Attachment 1**). These minutes were circulated electronically to the Committee for comments. The minutes have been amended and approved by the Committee before presenting to Council.

## 6. CONCLUSION

These minutes do not bind Council to any additional resource commitment. It is recommended Council receive and note the approved minutes of the meeting of the Built and Cultural Heritage Advisory Committee held on 14 November 2023.

<b>7. IMPLICATIONS</b>	<b>COMMENT</b>
<b>City Strategy Outcome</b>	5.1 – Be honest, transparent and accountable in all that we do
<b>Business Plan Objectives, Outcomes / Services</b>	Advisory Committees are created for the sole purpose of providing independent, expert and impartial advice on the development and implementation of strategic priorities of Council.
<b>Policy</b>	<i>Advisory Committees Policy 2022</i>
<b>Consultation</b>	The draft minutes were circulated by email to the Built and Cultural Heritage Advisory Committee on 22 November 2023 with comments closed on 05 December 2023. The comments received have been included and approved by the Committee.
<b>Risk</b>	There are no risks applicable to this report.
<b>Resource</b>	There are no resourcing implications applicable to this report.
<b>Legal</b>	There are no legal implications applicable to this report.
<b>Legislation</b>	There are no legislation implications applicable to this report.
<b>Budget/Financial</b>	There are no budget implications applicable to this report.



# Minutes

**Built and Cultural Heritage Advisory Committee**

**Tuesday 14 November 2023  
4.00-5.30pm**

<b>Location:</b>	Coachwood Room Level 6, 31 Victor St Chatswood
<b>Chair:</b>	Councillor Anna Greco
<b>Attendees:</b>	Members: Adrian Alexander, Rena Czaplinska-Arche, Audrey Thomas (via zoom), Paul Storm, Wayne Farmilo, Srishti Mahhajan (via zoom), Karen Somers WCC Staff: Mitch Noble (Head of Planning), Govender Dyalan (Strategic Planning Team leader), Alice Stapleton (Heritage Planner), Bushra Salam (Governance)
<b>Apologies/absent:</b>	Denis Fernandes, Nicholas Flood
<b>Guests</b>	Councillor Anna Greco

## Agenda items

Item	Topic / Discussion	Action
1	<b>Welcome:</b> The meeting was declared open at 4:03pm.	<b>Governance</b>
	<b>Apologies</b> Denis Fernandes, Nicholas Flood	
	<b>Declarations of interest</b> A link to the Disclosure of interest by Committee Members form was circulated with the Agenda. Hardcopies were also available at the meeting. <a href="https://www.willoughby.nsw.gov.au/Council/Forms/Disclosure-of-interest-by-Committee-Members">https://www.willoughby.nsw.gov.au/Council/Forms/Disclosure-of-interest-by-Committee-Members</a> No declarations were received.	
	<b>Acknowledgement of Country</b> <i>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.</i>	

### 3 Committee Governance

#### Appointment of Chair

Pursuant to clauses 5.4 of the Committee's Terms of Reference, the Committee unanimously appointed Councillor Anna Greco Chair for the meeting and noted that appointment of an ongoing Chairperson be reconsidered at the next meeting of the Committee.

**The appointment of an ongoing Chairperson will be conducted at the next meeting of the Committee.**

Nominations for Chair of the meeting:

- Wayne Farmilo nominated Paul Storm
- Paul Storm declined the nomination
- Wayne Farmilo nominated Councillor Anna Greco
- Seconded by Paul storm
- No other nominations were received.

The Committee voted the Chair of today's meeting to be Councillor Anna Greco.

The Committee unanimously approved.

### 4 Previous Minutes

#### Acceptance of Previous minutes

The Committee adopted the minutes of the meeting of the Committee held on Tuesday 12 September 2023.

Moved by Wayne Farmilo

Seconded by Paul storm

Carried unanimously.

#### Business arising from previous minutes

- Draft Heritage Review presentation to be circulated prior to 19 March meeting for the Committee review.

**Planning Unit**

### 5 Strategic Activities

- **Exploring Terms of Reference esp. open Space strategies; Resilience Strategy (Resilient people sections); Heritage; Indigenous Strategy and Reconciliation Action Plan.**

The Committee explored the Terms of Reference (ToRs) and reaffirmed their heritage experience and focus (as in March).

The Committee noted that the Resilience Strategy an Action Plan has been adopted by Council. As there is a heritage

component to the plan the committee will potential have a role in future updates.

Dyalan Govender (Strategic Planning Team leader) advised that the Draft Reconciliation Action Plan was exhibited in October. Results will be reported in the December council report.

Council's Draft Public Spaces and Recreation Strategy is on exhibition until 11 December 2023. Noting the Committee's ToRs, the Committee members are encouraged to review the draft and attend an information session. The details are available on Council's Have Your Say page.

Paul Storm shared that the heritage society has a new display. November is free entry (Sunday afternoons).

Rena Czaplinska-Arche added that Open Space is part of Cultural heritage and supports Committee including it within its ToRs.

Paul Storm suggested a potential future project of the Committee could be a register of historically significant exotic gardens. Strategic Planning Team leader added that Council has an existing Natural Heritage Register which includes some exotic plantings. The Committee noted that a review and more expansive document could be a future project for the committee to pursue.

Karen Somers noted the example of Jacaranda plantings and the connection to the Mater Hospital giving saplings to new mothers for planting.

Paul Storm noted Council previously had a garden competition in 50s, when trophies were presented to cultivate domestic planting. There is also an important history to be recorded for Artarmon Reserve and natural history resources from the Aboriginal Heritage Office. These matters could be part of an exploration of local natural history.

Chair- There is a book from WCC on this which she can share with Committee. The book is called Bo-ra-ne Ya-goo-na Par-ry-boo-go and can be downloaded free from the library

<https://libraries.willoughby.nsw.gov.au/History-at-Willoughby/Introduction-to-Willoughby/Online-publications/Bo-ra-ne-Ya-goo-na-Par-ry-boo-go>

**Consideration-1:**

*Committee members are asked to document historical exotic species items for cultural & historic value, and collate*

*relevant sources that could be used for a potential future project of the committee.*

Strategic Planning Team leader suggested that the existing natural History Register would offer a useful starting point should the committee want to develop a wider resource.

Paul Storm noted that the Committee can identify plants over an extended period. He also noted that some trees in the area have a “tree hug” band noting their importance. They appear to have been installed by Council, and example is in the vicinity of Victor and Johnson Streets.

Adrian Alexander noted that Artarmon Parks have incorrect signage boards with erroneous historical information. He has previously reported this to Council, but no action has been undertaken.

The Council Staff noted that Mr. Alexander can forward his correspondence and we can follow up on his initial enquiry. Should the committee wish to investigate updating park signage further it would be important to be specific as to precisely which signs are an issue and what information is demonstrably incorrect.

### **Consideration-2**

*The Committee requests Adrian Alexander to share with the Committee the sign issues he has already identified and the Committee will also bring any other issues they identify with park ark signage to the next meeting for further consideration. A working party may be considered to review the signage and identify corrections required.*

**The chair will coordinate and establish an informal working party/group to discuss this matter which may will be discussed further at the next meeting.**

- **Promotion of heritage and education/education model/piece for the community, committee can provide advice to council, Target audience.**

Wayne Farmilo shared with the Committee that Willoughby south progress association is starting a new website which will contain local history content. He noted currently local history information is dispersed across various sources such as the progress associations, North Sydney has a heritage section but has not got the full knowledge, and Mosman council display room dedicated to heritage items.

The Committee noted that often information is held in hard copy in isolated possession of individuals who have done specific research or for specific projects. It would be beneficial if these dispersed and isolated source could be

digitised in one place.

The committee noted that clarity of purpose and audience is critical. Defining the audience will inform the type of information that is needed and how best to communicate it.

The chair noted that at the moment building a centralised resource is essential to ensure local knowledge is accurately recorded and validated.

### **Consideration-3**

*That the Committee review the existing repositories of historical information and bring back existing repository details and identified information gaps to the next meeting.*

Srishti Mahhajan suggested that Mozaic multicultural centre has a good repository and we can use their support on this.

The Committee discussed and agreed that the current repositories of historical information needs work before promotion is undertaken to the community.

The Chair noted that Ku-ring-gai has a good example of how historical information can be provided online.

**Team Leader Strategic planning confirmed that he would provide details of how the Willoughby Library “History at Willoughby” webpage content is managed. Details to be provided at the next committee meeting.**

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## **5 Other Business**

Possible agenda items and strategic outputs of the committee were discussed.

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### **Next Meeting**

**Date:** Tuesday 19 March 4-5:30pm

#### **Agenda Items:**

- Update on establishment of Informal Working Group
- Exotic species documentation for cultural & historic value
- Audit of display boards for historical accuracy
- History and Willoughby webpage overview and management details
- Draft Heritage Review

**Planning unit will circulate the Draft Heritage Review Two weeks prior to the next meeting for the Committee to review.**

**Meeting Closed:** 5:32 pm

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## Attachment A – Action items

Date added	Matter	Latest update	Person/people responsible
12/09/23	Draft Heritage Review	Ongoing	Planning Unit
14/11/23	Exotic species documentation for cultural & historic value	Ongoing	
14/11/23	Audit of display boards for historical accuracy	Ongoing	
14/11/23	Formation of informal working party/group	Ongoing	



**12.24 APPROVED MINUTES OF THE SUSTAINABILITY ADVISORY COMMITTEE HELD ON 12 DECEMBER 2023**

<b>ATTACHMENTS:</b>	<b>1. ATTACHMENT 1 - APPROVED MINUTES SUSTAINABILITY ADVISORY COMMITTEE MEETING_DECEMBER 2023</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>BUSHRA SALAM, GOVERNANCE ADMINISTRATION 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To present to Council for noting, the approved minutes of the Sustainability Advisory Committee held on 12 December 2023.

**2. OFFICERS RECOMMENDATION**

**That Council receive and note the minutes of the meeting of the Sustainability Advisory Committee held on 12 December 2023.**

**3. BACKGROUND**

Advisory Committees provide independent, expert and impartial advice on the development and implementation on strategic priorities of Council. They consider reports and plans from Council officers and make recommendations to Council for consideration.

The Terms of Reference required the minutes of each meeting to be reported to Council at the next available Council meeting.

**4. DISCUSSION**

At the meeting of the Committee, governance and procedural matters included:

Two new members introduced themselves and provided some background of their experience and interests.

**Points of discussion:****Standing Item – Update on Carbon Targets for Council and Community.**

There were no updates to share with the Committee.

**Use of Artificial Turf on WCC sports fields**

The Committee decided to set up a Working Party to investigate the use of artificial turf at Council sportsgrounds and motioned to review the adequacy of Council's existing policies regarding artificial turf and advise as to any necessary changes to achieve Council's strategic goals (ongoing).

**Urban Tree canopy projects and other tree related strategy/issues**

Council's Resilience Specialist, gave a presentation on Council's urban forest activities. Topics covered included the State Government's Green Grid, the need for urban forest coordination, the importance of tree canopy in combatting the urban heat island effect, Council tree planting programs, biodiversity considerations and tree vandalism. In this presentation some of the major issues which Council is dealing with in its urban forest work were highlighted. The Committee recommended that Council consider setting a higher tree canopy target than 40% by 2032.

**5. RISKS AND OPPORTUNITIES**

The risk is to not ensure transparency by providing Committee minutes (**See Attachment 1**) to Council. The opportunity is for the Committee to provide independent, expert and impartial advice on the development and implementation of strategic priorities for Council.

**6. CONCLUSION**

These minutes do not bind Council to any additional resource commitment. It is recommended Council receive and note the minutes of the meeting of the Sustainability Advisory Committee held on 12 December 2023.

<b>7. IMPLICATIONS</b>	<b>COMMENT</b>
<b>City Strategy Outcome</b>	5.1 – Be honest, transparent and accountable in all that we do
<b>Business Plan Objectives, Outcomes / Services</b>	Advisory Committees are created for the sole purpose of providing independent, expert and impartial advice on the development and implementation of strategic priorities of Council.
<b>Policy</b>	<i>Advisory Committees Policy 2022</i>
<b>Consultation</b>	The draft minutes were circulated by email to the Sustainability Advisory Committee on 19 December 2023 with comments closed on 05 January 2024. The Comments received were included and the minutes were confirmed in the 31 January 2024 Committee meeting.
<b>Risk</b>	The risk is to not ensure transparency by providing Committee minutes ( <b>See Attachment 1</b> ) to Council.
<b>Resource</b>	There are no resourcing implications applicable to this report.
<b>Legal</b>	There are no legal implications applicable to this report.
<b>Legislation</b>	There are no legislation implications applicable to this report.
<b>Budget/Financial</b>	There are no budget implications applicable to this report.



# Minutes

Sustainability Advisory Committee

Tuesday, 12 December 2023  
4:00-5:30pm

<b>Location:</b>	Coachwood Meeting Room, Willoughby City Council, Level 6
<b>Chair:</b>	Councillor John Moratelli
<b>Attendees:</b>	<p>Andrew Assaee (via Teams) – Member            Eva Coulam – Member            Rena Czaplinska-Archer – Member            Gay Spies – Member            Janet France (via Teams) – New Member            Elisha Mangassarian (via Teams) – New Member</p> <p>Peter Lisle – Sustainability Team Leader (WCC)            Bushra Salam – Governance (WCC)</p>
<b>Apologies/absent:</b>	John Le Couteur – Member
<b>Guests</b>	<p>Councillor Anna Greco            Councillor John Moratelli            Nick Chapman – Resilience Specialist (WCC)</p>

## Agenda items

Item	Topic / Discussion	Action
1	<p><b>Welcome</b></p> <p>The meeting was opened at 4:04 pm</p>	
	<p><b>Declarations of interest</b></p> <p>A link to the Disclosure of interest by Committee Members form was circulated with the Agenda.</p> <p><a href="https://www.willoughby.nsw.gov.au/Council/Forms/Disclosure-of-interest-by-Committee-Members">https://www.willoughby.nsw.gov.au/Council/Forms/Disclosure-of-interest-by-Committee-Members</a></p> <p>There were no disclosures of interest submitted.</p>	
	<p><b>Acknowledgement of Country</b></p> <p><i>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</i></p>	

*be in attendance today.*

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## 2 **Committee Governance**

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### **Appointment of Chair**

Pursuant to clauses 5.4 of the Committee's Terms of Reference, the Committee unanimously appointed Councillor John Moratelli, as the Chair for the meeting and noted that appointment of an ongoing Chairperson be reconsidered at the next meeting of the Committee.

### **Nominations for Chair of the meeting:**

- Gay Spies nominated Councillor John Moratelli
- Seconded by Janet France
- No other nominations were received

The Committee voted the Chair of today's meeting to be Councillor Moratelli. The Committee unanimously approved.

### **Committee Member- Resignation**

Governance advised John Le Couteur had communicated to Council prior to the meeting to advise he could no longer participate due to work commitments and was resigning his position.

### **Welcome New Members**

The Chair welcomed new members Janet France & Elisha Mangassarian.

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## 3 **Acceptance of Previous Minutes**

Draft minutes of the meeting of the Committee held on 13 September 2023 were circulated electronically to the Committee for comments and no comments were received. The Committee confirmed and adopted the minutes of the previous meeting.

Moved by Gay Spies and seconded by Rena Czaplinska-Archer. Carried unanimously.

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## 4 **Actions arising from previous minutes**

There was no business arising from the previous minutes.

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## 5 **Strategic Activities**

- **Standing Item – Update on carbon targets for Council and Community.**

There were no updates to share with the Committee.

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- **Use of Artificial Turf on WCC (Willoughby City Council) sports fields**

The Committee decided to set up a Working Party to investigate the use of artificial turf at council sportsgrounds and passed the following motion.

**Motion:** *That the SAC establish an Artificial Turf Working Party to review the adequacy of Council's existing policies regarding artificial turf and advise as to any necessary changes to achieve Council's strategic goals, with the following members - Meredith Foley, Gay Spies, Eva Coulam and Janet France.*

Moved by Gay Spies and Seconded by Eva Coulam. (Carried)

Andrew Assaee noted his interest to join the informal working party/group as an observer. The Chair asked the four members of that working group to work between themselves who will be the chair and to notify other members when & where the meeting will happen.

- **Presentation by Nick Chapman on tree canopy projects and strategy and related issues:**

Nick Chapman– Resilience Specialist, gave a presentation on Council's urban forest activities (see attachment). Topics covered included the State Government's Green Grid, the need for urban forest coordination, the importance of tree canopy in combatting the urban heat island effect, Council tree planting programs, biodiversity considerations and tree vandalism.

**Deck of slides to be shared with the Committee along with these minutes.**

Committee members made a number of observations:-

- The removal of trees on private land is an on-going challenge.
- We need to educate people about the importance of trees.
- Soil management is a very important consideration for tree planting.
- Household pesticide and herbicide use is a problem.
- The tree removal application process is an important mechanism to manage tree loss on private land.

In his presentation Nick Chapman highlighted some of the major issues which Council is dealing with in its urban forest work.

- Currently our urban forest extends across 35% of the LGA. Council has a target of achieving 40% by 2036.
- It is important to protect and where possible extend our urban forest because it helps protect the community from urban heat.
- Extreme heat kills more people than all other natural disasters combined.
- The urban heat island effect is most problematic at night.

- It's challenging trying to educate the community about the dangers of urban heat as people are resistant to the message.
- Victor Street is one of the hottest parts of the LGA.
- The need to intensify residential development in places like Willoughby is in direct conflict with the need to protect and, where possible, extend the urban tree canopy across the LGA.
- We have a big education job on our hands to raise awareness in the community of the great value of urban trees and the importance of protecting them.
- We need to conserve our urban forest and continue to increase tree canopy on land that Council owns e.g. local streets, parks etc.
- We have implemented an annual \$150,000 rolling tree planting program to increase tree canopy on Council-owned land e.g. local streets, 'hard-edged' urban areas and at heavily pedestrianised locations
- Our Bushland Team is doing excellent work protecting and managing our urban bushland areas.
- Seven community gardens have been established and are looked after mostly by volunteers

Elisha Mangassarian, asked whether the council should consider setting a higher canopy target compared to the State government's target of 40%. This is because the council has already achieved a current canopy percentage level of 35%, and given the strategy is to be implemented till 2032, there is sufficient amount of time to achieve a canopy level above the State's target.

Janet France noted that, the canopy target is until 2032 so she would like to see a much more ambitious target than from 35-40% given that the heat island effect is the most serious issue and is one issue the council can control with tree shade. It can be up to 5-10 degrees cooler under the right tree. She asked whether the council tree officers advise what a realistic target would be.

**Motion:** *That the Committee recommends that council consider setting a higher tree canopy target than 40% by 2032.*

Moved by Gay Spies and seconded by Rena Czaplinska-Archer (Carried)

Following are the various comments made by the Committee:

Elisha Mangassarian asked if Council has an urban heat target. Nick Chapman advised this would be difficult because there's so much variation in heat during any given time e.g. over a week, or a month. Having a Tree canopy target is more accurate and doable.

Andrew Assaee enquired which genome of plant will grow best. Nick Chapman replied that matching the right tree with the right soil in the right place is important. Also, everybody in the community has a different view of what type of tree species they would like to see in their street. Council's Street Trees Team provides expert guidance about species selection.

Peter Lisle noted that on the WCC website there is a lot of information on trees, including some comprehensive guidance about species selection for verge and nature strip planting. See <https://www.willoughby.nsw.gov.au/Residents/Trees/Nature-strips-and-verge-plantings>

Rena Czaplinska-Archer noted that tall trees are more effective at providing shade and helping reduce heat compared to shrubs etc.

Elisha Mangassarian asked about which types of land were most vulnerable to tree loss. Maybe in areas where tree canopy is <50% we can offer private landowners incentives to plant more trees? This could potentially include a system whereby residents who plant trees qualify for a rate reduction? Nick agreed that the development of (preferably financial) incentives to protect existing trees on private land and encourage more trees to be planted is an important consideration.

Andrew Assaee suggested that Australian Carbon Credit Units may be available in relation to aspects of council's attempts to increase tree canopy. Peter Lisle said he'd check.

Janet France noted that planting trees should be top of the list in mitigating the effects of climate change. Cr Moratelli agreed and noted that he has moved a motion regarding that in a recent Council meeting which was lost but he will move it again.

Cr Greco asked about the major tree vandalism site on Willowie Rd, Castle Cove. Nick advised that staff in Council's Safe Cities Unit are still actively investigating and are optimistic that Council will have gathered enough evidence to justify taking the issue to the Court in the next few weeks. .

Rena Czaplinska-Archer suggested that the state government's Green Grid could be a mechanism to help increase the urban tree canopy in Willoughby. She referred committee members to an interview about the Green Grid with Barbara Schaffer, the Principal Landscape Architect for the Government Architect's Office NSW <https://swelteringcities.org/2023/07/27/interview-with-barbara-schaffer-gansw-principal-landscape-architect/> and noted that it may also be useful to have a conversation with Barbara Schaffer directly.

Janet France noted that in San Francisco, California there was a scheme whereby new residents could select a tree to plant in



their street. Relevant staff made sure that residents of the same street were given consistent tree species.

Eva Coulam asked if benefit to wildlife is a consideration when staff are identifying tree planting sties. Nick Chapman confirmed that council staff are very conscious of opportunities for tree planting to enhance and/or connect biodiversity and wildlife corridors across the LGA.

Cr Moratelli noted that Mosman Council often installs covert surveillance cameras in proximity to DAs which relate to properties with water/foreshore views, to help counter tree vandalism. Tree permits are another issue, as they are not required if a tree is on the exempt list.

In Willoughby it is easy for residents to secure approval to remove a tree if it is not on Council's list of desirable tree species. This can impact on tree canopy.

**The Committee requested the Council officer to report back about the outcome of the heat study.**

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## 6 Other Business

Possible agenda items will be emailed by the Committee members.

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### Next Meeting

**Date:** Wednesday, 31 January 2024 (4:00-5:30pm)

**Agenda Items:** To be decided

**Meeting Closed:** 6:05 pm

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

<b>ATTACHMENTS:</b>	<b>1. CONFIDENTIAL ATTACHMENT 1- MANAGEMENT OF DEVONSHIRE STREET CHILDCARE</b>
	<b>2. ATTACHMENT 2 - MANAGEMENT OF DEVONSHIRE STREET CHILDCARE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>LINDA PERRINE, COMMUNITY CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>ALISON MURPHY, COMMUNITY LIFE 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To advise Council that Mini Masterminds has declined to proceed with the tender for the management of the long day care service at the Devonshire Street Child Care Centre and recommend that Council cancel the current tender and authorise the Chief Executive Officer to progress negotiations with suitable childcare operators to manage this service.

**2. OFFICERS RECOMMENDATION**

That Council:

**1. Notes that Council's resolution of 26 June 2023 (Item:12.20) to accept the tender for the Management of Devonshire Street Child Care Centre was unable to be implemented as Mini Masterminds withdrew their tender offer.**

**2. Resolves to cancel the tender in accordance with clause 178 (3) (a) of the *Local Government (General) Regulation 2021*, and**

**3. In view of 1 and 2 above, and in accordance with clause 178 (3) (e) of the *Local Government General Regulation 2021*, Council enter into negotiations with any person with a view to entering into a contract for the management of Devonshire Street Child Care Centre.**

**4. In determining to enter into negotiations as referred to in 3 above, in accordance with clause 178 (4) of the *Local Government (General) Regulation 2021*, Council:**

- i. is declining to invite fresh tenders as it is considered that no better procurement result would be achieved by doing so; and**
- ii. is of the view that entering into negotiations with any person, as referred to in 3 above, is more likely to result in the securing of a suitable lessee subject to terms and conditions that benefit the community and Council.**

**5. Authorise the Chief Executive Officer to undertake negotiations with appropriate child care operators for the management of Devonshire Childcare Centre as permitted under s178 (3) (e) of the *Local Government (General) Regulation 2005*.**

6. Notes that recommendations 2 to 5 above align to Council's previous resolutions to outsource Devonshire Street Childcare, and which staff have been working to implement.

7. A report be brought back to Council for noting once a suitable operator has been appointed.

### 3. BACKGROUND

On 23 May 2022, the Council resolved the following actions:

*That Council;*

1. *Endorse the outsourcing the Childrens Long Day Care Service at the Devonshire Street Childcare Centre to reduce the risk profile, improve financial performance and preserve the property as a strategic asset of Council.*
2. *Authorise the CEO to conduct an Expression of Interest to source a qualified operator to lease the Devonshire Street Child Care Centre as a going concern.*
3. *Delegate authority to the CEO to enter into a lease agreement with the successful childcare operator, subject to the lease value being within a range determined by an independent valuation.*
4. *Release recommendations 1, 2 and 3 when all affected employees are informed*

On 26 June 2023; the Council resolved the following actions:

*That Council:*

1. *Accept the tender from Mini Masterminds for the lease of Devonshire Street Child Care Centre, with an annual lease value of \$330,400 plus annual CPI escalations, for the purposes of conducting long day care for a period of 10 years, with an option to extend for a further 10 years.*
2. *Delegate the Chief Executive Officer the authority to finalise and execute the lease agreement and all associated documents.*
3. *Publicly release recommendations 1 and 2 when all affected employees and tenderers are informed of the outcome of the tender.*

### 4. DISCUSSION

The Devonshire outsourcing decision was one of a number of related decisions made to support Council's ongoing financial sustainability, reduce Council's risk profile and maintain a strategic asset.

In summary Council considered the following factors when deciding to outsource Devonshire Street:

- Increases in numbers of local childcare services
- Reduced demand due to changing demographics and working patterns including working from home
- Increasing cost of service provision
- Increased compliance requirements with regulation, and
- The inherent risk of child care service delivery by Council.

These issues remain current and therefore the rationale for Council's prior decision remains valid.

The Devonshire Street centre is the sole long day care centre operated by Council, while noting that the Chatswood area is well serviced by private and not-for-profit centres.

The Council resolution indicated risk and financial factors, together with the retention of a strategic asset, as reasons for resolving to outsource the long day care service operating from Devonshire Street Children's Centre.

Council also considered other criteria such as continuity of a quality service for currently enrolled families, guaranteed employment for staff, adequate alternative long day care service providers to ensure competition, service quality and choice for families, maintenance and upgrade of the Centre and reputational impacts.

On 26 June 2023 Council resolved to accept the tender from Mini Masterminds for the Lease of Devonshire Street Child Care Centre. Implementation of the resolution was delayed as Council was required to gain approval from the Minister of Local Government to lease Devonshire Street. Council was informed of the Minister's approval to lease Devonshire to Mini Masterminds on 20 December 2023. Mini Masterminds were subsequently informed of the approval to proceed.

On 23 January 2024, Mini Masterminds informed Council that they no longer wished to proceed with the tender.

Council has a commitment to ensuring a fair outcome for staff impacted by transferring the service through the leasing of the childcare centre to an alternative provider. Any transfer of management will be managed in accordance with all relevant legislation and industrial instruments.

## 5. RISKS AND OPPORTUNITIES

### Reducing Councils risk profile

A prevailing reason for Council's resolution to outsource childcare relates to the need to reduce the Council's risk profile. This imperative remains the same.

Child care services are heavily regulated due to inherent risks with child management, such as responding to accidents, injuries, illness, infectious diseases, food safety, allergies and emergencies. Failing to maintain direct supervision over children, is another significant risk.

Failure to keep up with changing regulatory requirements, licensing standards and child care regulations can lead to penalties, fines or even closure of the facility. Sanctions and breaches of legislation can be levelled at both Council and individual staff.

Council, and our staff, work hard to maintain their training and knowledge of increasing compliance and licencing requirements. However, as the Devonshire Street centre is the Council's sole long day centre, it is harder for Council staff to maintain the same level of regulatory training and awareness, compared to an operator with multiple centres and whose sole business is child care services. Allied to this is that Council's staff do not have the same level of internal career progression opportunities.

As such, the Council is bearing a higher than necessary risk profile in continuing to directly manage children's services.

### Improving financial performance

The outsourcing decision was designed to strengthen the Council's financial sustainability, both through exiting the current Devonshire Street centre and by creating future revenue

streams. This assists in reducing pressure on all ratepayers, and is consistent with Council's current practice, and its SRV commitment, to find efficiencies and savings and to generate non-rate revenue.

When operating and overhead costs are taken into account, the Devonshire Street centre made a net loss of \$260k in 2022/23. This information is based upon Council's *Special Purpose Financial Statements (year ended June 30, 2023) – Income Statement for Devonshire Child Care Centre*, located on page 100 of the *Annual Financial Statements 2021-2023*, publicly available at: <https://www.willoughby.nsw.gov.au/Council/Public-notice/Annual-Financial-Statements-for-the-year-ended-30-06-2023>

### **Preservation of the property as a strategic asset**

The Devonshire Street centre is sitting on a 1,913 square metre land parcel close to the Chatswood CBD. This valuable strategic asset will be retained in Council ownership.

Continuing with the tender process provides the opportunity to have the asset maintained and upgraded by the successful tenderer thereby avoiding those costs being borne by the ratepayer.

### **Procurement plan**

Attachment 2 outlines the procurement options available to Council. It is recommended that Option 1 - Cancel the tender and negotiate will provide the most favourable outcome for Council.

A procurement plan will be developed to manage the risks associated with the negotiation process. It will also provide the flexibility to broaden negotiations beyond operators who previously tendered and likely result in securing a suitable operator subject to terms and conditions that benefit the community.

## **6. CONCLUSION**

It is recommended that Council cancel the tender and proceed to negotiate with suitable childcare operators. This includes negotiating with the unsuccessful tenders, as well as the opportunity to broaden negotiations to include other suitable providers.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.1 Be honest, transparent and accountable in all that we do
<b>Business Plan Objectives, Outcomes / Services</b>	Finalise lease arrangements for Devonshire St
<b>Policy</b>	This matter relates to Council's <i>Procurement and Contract Management Policy</i>
<b>Consultation</b>	The tender was advertised in accordance with the provisions in the <i>Local Government Act 1993</i> .
<b>Risk</b>	As detailed in the report.
<b>Resource</b>	The tender process and administration of this contract will be undertaken within existing resources within each of Council's Directorates.
<b>Legal</b>	Council's decision will affect staff and therefore has industrial relations matters that will need to be managed appropriately.  Council has sought initial advice from LGNSW's Workplace Relations and legal firm HWL Ebsworth regarding the transfer of employment of staff to a new provider.  To ensure that the transfer is conducted fairly and transparently, Council and the preferred tenderer will require further legal advice and due diligence in relation to the transfer of staff. Consultation with affected employees as per the <i>Local Government Award</i> is required and will continue.  Redundancy provisions under the Local Government Act 1993 (NSW) and any relevant industrial awards or agreements will likely apply. A likely scenario option is for Council to outline entitlements, and each employee can choose whether to take up employment with the new provider. Redundancy provisions under the <i>Local Government Act 1993 (NSW)</i> and any relevant industrial awards or agreements may provide the most effective conduit for both parties.  The awarding of the tender is subject to agreement of the provisions of the transfer of staff to the satisfaction of Council and in accordance with LGNSW and legal advice.
<b>Legislation</b>	The tender process has been undertaken in accordance with all <i>Local Government Act</i> requirements.
<b>Budget/Financial</b>	Details contained in confidential attachment.

## ATTACHMENT 2

### PROCUREMENT OPTIONS

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#### 1. PROCUREMENT OPTIONS

Council has four procurement options available under the *Local Government (General) Regulation 2021*. The table below details the pros and cons of each procurement option.

	<b>Option</b>	<b>Pros</b>	<b>Cons</b>
1	Cancel tender and negotiate	<ul style="list-style-type: none"><li>• Council could negotiate with any suitable provider, including unsuccessful tenders</li><li>• Enables Council to implement previous resolution to outsource in a more timely manner</li><li>• Flexibility to negotiate with multiple providers to achieve better value for money.</li></ul>	<ul style="list-style-type: none"><li>• Limited to knowledge of suitable suppliers in the market.</li></ul>
2	Cancel tender and negotiate with unsuccessful tenders	<ul style="list-style-type: none"><li>• Enable Council to implement previous resolution to outsource in a timely manner.</li></ul>	<ul style="list-style-type: none"><li>• Limits Council ability to negotiate</li><li>• Will lead to lower financial returns</li><li>• Providers may no longer be interested</li><li>• Limits Council options to negotiate with a broader pool of providers</li></ul>
3	Cancel the current tender and re-tender	<ul style="list-style-type: none"><li>• May attract new providers in the market that Council is unaware of.</li></ul>	<ul style="list-style-type: none"><li>• No ability to negotiate</li><li>• Likely to receive a number of non-conforming tenders</li><li>• Could end up in the same situation – an approved tenderer later declines the offer</li><li>• More time needed to implement option with increased uncertainty for staff and families, continuing difficulty in attracting / retaining staff and loss of potential increased revenue.</li></ul>
4	Cancel the tender	<ul style="list-style-type: none"><li>• Council could close the service to avoid risks and continuing revenue losses</li><li>• The facility / site could be re-tender with revised scope for alternate use of the site.</li></ul>	<ul style="list-style-type: none"><li>• No guarantee that a childcare operator would tender for the facility</li><li>• Potential revenue may be limited for the site.</li></ul>

## **2. CONCLUSION**

The report recommends option one as it aligns with Council's previous decisions to outsource Devonshire Childcare Service and provides the opportunity to negotiate the best outcome for Council and staff in a timely manner.



**12.26 CONCESSIONAL HIRE - CATEGORY D REPORT (JULY - DECEMBER 2023)**

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>LINDA PERRINE, COMMUNITY CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>TRACEY WALKER, COMMUNITY PROJECTS OFFICER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>2.7 PROMOTE ACCESSIBLE SERVICES AND FACILITIES FOR THE COMMUNITY.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

## 1. PURPOSE OF REPORT

For Council to note the applicants approved for 25% (Category B), 50% (Category C) and 100% (Category D) out of term concessional hire for July 2023 through to December 2023, in accord with Council's Community Facilities Hire Policy.

## 2. OFFICERS RECOMMENDATION

That Council:

Note the following applicants approved for out of term concessional hire for July 2023 through to December 2023, in accordance with Council's Community Facilities Hire Policy. Total concessions valued at \$11,442.25

### Category D – 100% concession

- Legacy Club Services \$1,792

### Category C – 50% concession

- Constitutional movement of Iran Monarchy \$440
- Lifeline Harbour to Hawkesbury Sydney \$513
- Australian Disability Ltd \$1,113
- Armenian Community Welfare Centre Limited \$1,725
- Japan Club of Sydney Inc. \$3,600

### Category B – 25% concession

- Guitar Tutor Commuter \$122.25
- Australia Hong Kong Link \$175
- Chinese Australian Services Society Limited \$1,962

### 3. BACKGROUND

Council's *Community Facilities Hire Policy 2023* outlines Council conducts a biennial Registration of Interest (ROI) for hirers eligible to apply for a concessional rate of hire on a regular/semi regular basis. The ROI process creates administrative efficiencies for Council by reducing the need for regular hirers to apply for a concessional rate of hire for each occasion of use. Single use and out of term applications are processed by officers as they arise and approved by the CEO under delegation in accordance with the policy. Out of term applications approved under delegation are reported to Council bi-annually.

Three concession rates are available:

- Category B: Community Not for Profit Organisations/Charities (funded) – 25% discount on hire fees
- Category C: Not for Profit Community Organisations/Interest Groups/Charities (limited funding) - 50% discount on hire fees
- Category D: Full Concession – 100% discount on hire fees

Concessions are allocated to applicants based on their focus on local community needs and interests, their capacity to generate income, the purpose for which facilities are hired and their connection to the Local Government Area (LGA).

Concessions are allocated to applicants based on the eligibility criteria specified within the Policy which considers the focus on local community needs and interests, the applicant's financial position, the purpose for which facilities are hired and the connection to the LGA.

Category D (100% discount) applies only to non-funded, unincorporated small self-help community groups with no opportunity to attract financial support from either the public or private sector, and have a limited capacity to pay for venue hire. Council recognises all Progress Associations as Category D applicants.

Organisations can apply for concessional hire of community facilities outside the formal 2-year ROI process. These are called "out of term applications", are assessed using the same criteria and are valid until the close of the existing ROI period.

### 4. DISCUSSION

Council received nine out of term applications during the six-month period between July 2023 and December 2023 for the 2022/23 ROI program. Of these, one was approved for Category D, five for Category C, and three for Category B when assessed against the criteria.

Applications for Category D have been assessed by Council Officers and reviewed and approved by the Chief Executive Officer. A summary of Category D applications is listed at Figure 1.

**Figure 1 - Approved Concessional Applications – July – December 2023**  
**Category D – 100% Concession**

Applicant	Estimated cost of hire over one year Category A - Full fees	Estimated cost of the concession over one year	Council facility for concessional hire	Activity description
Legacy Club Services	\$1,792	\$1,792	Chatswood / Willoughby Activity Booking	Legacy Week Fundraising - Selling of badges and merchandise during Legacy Week (Friday 27th August - Friday 2nd September) to raise funds and awareness for the vital work Legacy does for families of veterans.
<b>Total</b>	<b>\$1,792</b>	<b>\$1,792</b>		

Applications for Categories B & C are assessed by Council Officers and reviewed and approved by the Community Life Manager and the Community, Culture and Leisure Director. A summary of applications by Category is listed at **Figure 2**.

**Figure 2 - Approved Concessional Applications – July – December 2023**  
**Category C – 50% Concession**

Applicant	Estimated cost of hire over one year Category A - Full fees	Estimated cost of the concession over one year	Council facility for concessional hire	Activity description
Lifeline Harbour to Hawkesbury Sydney	\$1,026	\$513	Dougherty Community Centre	Lounge Chat is an adult 6-week support group for relatives or friends who care for a person who is struggling with suicidality. The group aims to provide a safe and confidential space to share and be supported with others who are also caring for a person with suicidality.
Japan Club of Sydney Inc.	\$7,200	\$3,600	Chatswood / Willoughby Activity Booking	Matsuri is a Japanese festival to celebrate Japanese culture and cross cultural friendship between the Japanese and Australian people. Promote multiculturalism, understanding between

Applicant	Estimated cost of hire over one year Category A - Full fees	Estimated cost of the concession over one year	Council facility for concessional hire	Activity description
				other Ethnic community groups as well as Australian main stream society. The stage performances and food stalls will be held in the Chatswood mall.
Constitutional Movement of Iran Monarchy	\$880	\$440	Dougherty Community Centre	Cultural, literature and historical memorial event for Iranian community residents at North Shore especially Chatswood, Lane Cove, Linfield, Killara and Hornsby.
Australian Disability Ltd	\$2,226	\$1,113	Dougherty Community Centre	A social support group for people with disabilities. Meetings would be held between the Northern Beaches and North Shore.
Armenian Community Welfare Centre Limited	\$3,450	\$1,725	Chatswood / Willoughby Activity Booking	ACWC is organising a multicultural community festival for more that 8 community groups that operate in Willoughby area on the steps of the Concourse. The program includes choirs, dance groups as well as individual performances. The Willoughby Mayor and State MPs are attending the event.
<b>Total</b>	<b>\$14,782</b>	<b>\$7,391</b>		

**Category B - 25% Concession**

Applicant	Estimated cost of hire over one year Category A - Full fees	Estimated cost of concession over one year	Council facility for concessional hire	Activity description
Chinese Australian Services Society Limited	\$7,848	\$1,962	Chatswood Youth Centre	Chatswood elderly social activities group. The group is run by a group of volunteers. The activities on a weekly

Applicant	Estimated cost of hire over one year Category A - Full fees	Estimated cost of concession over one year	Council facility for concessional hire	Activity description
				basis include line dancing, singing, handcraft workshop, learning English and doing exercises. Information sessions will be conducted for the seniors with topics related to aged people, like Healthy Ageing, Building resilience, and social welfare etc.
Australia Hong Kong Link	\$702	\$175	Dougherty Community Centre	To unite the Hong Kong community in Sydney and build a business network promoting small and medium business owned by people originating from Hong Kong. It also has a purpose to connect with the wider Sydney community and contribute to economic growth in the city.
Guitar Tutor Commuter	\$489	\$122.25	Dougherty Community Centre	GTC will be hosting it's first end of year student concert to start taking its community initiatives to the next level. Students will be given an exciting opportunity to showcase their musical development in front of a supportive audience of parents, tutors and students.
<b>Total</b>	<b>\$9,039</b>	<b>\$2,259.25</b>		

Figure 3 provides a summary of the total annual value of Out of Term concessional hire by category for the 6-month period from July 2023 – December 2023.

**Figure 3 - Summary of Out of Term concessional hire for the 6 month period from July 2023 – December 2023**

Item	Value (\$)
Total commercial value of Out of Term applications	25,613
<b>Concession Recommended</b>	

Item	Value (\$)
Category B	(2,259.25)
Category C	(7,391)
Category D	(1,792)
<b>Total Concessional Value</b>	<b>(11,442.25)</b>
<b>Adjusted annual income (concession applied)</b>	<b>14,170.75</b>

The concessions detailed in Figure 3 represent a 45% discount on the full rate of hire prescribed by Council's fees and charges. Council's operational budget discounts the value of concessional hire income based on historical data for each facility.

## 5. RISKS AND OPPORTUNITIES

The level of risk associated with the contents of this report is low, with moderate consequences under Council's Risk Management Framework.

## 6. CONCLUSION

The provision of Council venues to the community plays a vital role in fulfilling Willoughby City Council's commitment to meeting the diverse needs of our community, encompassing sports, recreation, health, and wellbeing activities.

The report outlines the nine out of term applications received during the 6-month period between July 2023 – December 2023 and their approved concessional categories.

Through the categorisation of hirers, the Council can effectively cater to a wide range of community needs and interests within our facilities. This approach ensures transparency and accountability in determining the appropriate rates at which hirers are charged.

Through the application of the Community Facilities Hire Policy, Council efficiently facilitates community access for a mix of welfare, social, cultural, recreational, and community user groups.

**7. IMPLICATIONS COMMENT**

<b>City Strategy Outcome</b>	2.7 Promote accessible services and facilities for the community.
<b>Business Plan Objectives, Outcomes / Services</b>	The concessional hire applications listed in this report accord with the objectives of the Community Life Unit Business Plan.
<b>Policy</b>	This matter relates to the <i>Community Facilities Hire Policy</i> .
<b>Consultation</b>	Council conducts a biennial Registration of Interest (ROI) for regular hirers of Council facilities who are eligible for a concessional rate of hire. Organisations can apply for concessional hire of community facilities outside the formal 2-year ROI process, these are called "Out of Term Applications".
<b>Risk</b>	The level of risk associated with the contents of this report is low, with moderate consequences under Council's Risk Management Framework.
<b>Resource</b>	The recommendations of this report are resourced within Council's Operational Plan.
<b>Legal</b>	All facilities identified in the policy have Hire Agreement Terms and Conditions which are consistent with development consent, plan of management for community land (if applicable) and operational requirements of the facility.
<b>Legislation</b>	<i>Local Government Act 1993</i>
<b>Budget/Financial</b>	Council's operational budget reflects the concessional hire based on estimates of historical data for each community facility.

**12.27 WILLOUGHBY LEISURE CENTRE UPGRADE - UPDATE**

<b>ATTACHMENTS:</b>	<b>1. 11 DECEMBER 2023 COUNCIL MEETING - WLC PUBLIC REPORT</b>
<b>RESPONSIBLE OFFICER:</b>	<b>LINDA PERRINE, COMMUNITY CULTURE &amp; LEISURE DIRECTOR HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>DARREN WOOD, DESIGN &amp; INFRASTRUCTURE MANAGER</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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To provide an update on the Willoughby Leisure Centre upgrade project.

**2. OFFICERS RECOMMENDATION**

That Council:

- 1. Note the report on the Willoughby Leisure Centre upgrade project.**
- 2. Note that negotiations are ongoing with the builder with regards to final cost and time impacts.**
- 3. Note the importance on ensuring the community and key stakeholders are informed about the progress of the Willoughby Leisure Centre, and that a review of the Communication Plan will be undertaken.**

**3. BACKGROUND**

On 11 December 2023 Council considered a Public report on the status of the Willoughby Leisure Centre upgrade project including the potential budget and program implications of inground conditions uncovered during construction. Council also considered a Confidential report on options to progress the project and resolved as follows:

Public Report

*That Council:*

- 1. Note the content of the report, including information regarding the site conditions impacting the design, construction methodology and program.*
- 2. Note that a further report will be provided to the February 2024 Council Meeting regarding the program and budget.*



3. *Note that Council will continue to provide monthly community updates on the Willoughby Leisure Centre website.*

A copy of the 11 December 2023 Council Public report is contained at **Attachment 1**.

Councillor briefings on 4 December 2023 and 12 February 2024 provided information relating to this report.

This report completes Recommendation 2 above.

#### **4. DISCUSSION**

Construction at the Willoughby Leisure Centre (the Centre) site continues with the recent completion of all structural piling, a significant structural retaining wall to the north-eastern boundary of the site, capping of a portion of the site, as well as below ground works being formed up (plantroom and services). Following the normal end of year shut down, work on the site recommenced on 8 January 2024.

Council continues to work with the builder on cost and time impacts that have arisen from the discovery of asbestos and unstable ground conditions (latent conditions) on the former landfill site, along with the associated redesign of structural elements of the building. The management of asbestos, and the site, continues under the supervision of qualified experts and a comprehensive Asbestos Management Plan to ensure ongoing community and worker safety. The latent conditions will impact on budget and the opening date for the Centre. The final impact on timing and cost continues to be worked through with the builder to achieve the best community outcomes.

The upgraded pool hall was initially forecast to open in mid-2024. However, given the latent conditions, new structural piling and re-design work, the pool hall opening will be delayed into 2025. A revised opening date is subject to ongoing negotiations with the builder. Council will provide the community with a revised opening date when it has been agreed with the builder.

Council is committed to keeping the community informed about the progress on this important project. To support this, a comprehensive update of the existing Communications Plan will be undertaken. Project updates will continue to be provided on the Willoughby Leisure Centre website. Council will directly inform WLC members and other stakeholders on project progress and key developments.

#### **5. RISKS AND OPPORTUNITIES**

The risks to project program, budget and quality continue to be assessed and mitigated. Any negotiated time and cost variances will not compromise the quality of the upgraded Leisure Centre.

Lessons learned from the project review will inform further improvements to Council's Project Framework and processes.

#### **6. CONCLUSION**

Council continues to work with the builder to manage the impacts of in-ground conditions (asbestos) and the associated structural re-design of the Willoughby Leisure Centre. Through a revised Communications Plan, the WLC members and stakeholders will be provided with timely updates on project progress and key developments.

7. IMPLICATIONS	COMMENT
<b>City Strategy Outcome</b>	5.3 Balance the creation of new public assets with the upgrade of existing public assets.
<b>Business Plan Objectives, Outcomes / Services</b>	<ol style="list-style-type: none"> <li>1. Creating recreation spaces for all</li> <li>2. Promoting an active and healthy lifestyle Creating desirable places to be enjoyed</li> <li>3. Maintaining quality of life by balancing population growth with provision of assets and services</li> </ol>
<b>Policy</b>	This matter relates to Council's Procurement and Contract Management Policy and guidelines. Lessons learned from the review of the project will be cycled back as recommended improvements to the Project Management Framework.
<b>Consultation</b>	Key stakeholders have been involved in the design of the upgrade since 2017. Surrounding neighbours, sporting stakeholders, WLC members and Progress Associations have been notified of key construction activities and the discovery of asbestos contamination during construction. A comprehensive update of the existing Communications Plan will be undertaken to ensure our communities remain informed.
<b>Risk</b>	Program and cost variation risks of the project associated with in ground conditions are being assessed as outlined in the report. A project risk register is maintained and reviewed.
<b>Resource</b>	The project is being completed utilising external expert consultants, external contractors and project management resources.
<b>Legal</b>	The construction contract is in accordance with the terms and conditions of the Ebsworth Lawyers modified AS4000-1997 General Conditions of Contract.
<b>Legislation</b>	<i>Environmental Planning and Assessment Act 1979 (NSW)</i> <i>Building Products (Safety) Act 2017</i> <i>National Building Code 2022</i> <i>Local Government Act 1993 (NSW)</i> <i>Building and Construction Industry Security of Payment Act 1999 (NSW)</i>
<b>Budget/Financial</b>	A final forecast cost for the Willoughby Leisure Centre will exceed the initial budget for the project. A final forecast cost is being worked through with the builder and will be presented to Council as soon as it is available.

<b>12.14 WILLOUGHBY LEISURE CENTRE UPGRADE - UPDATE</b>
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<b>ATTACHMENTS:</b>	<b>1. IMPLICATIONS</b>
<b>RESPONSIBLE OFFICER:</b>	<b>LINDA PERRINE – COMMUNITY, CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>HUGH PHEMISTER – PLANNING AND INFRASTRUCTURE DIRECTOR</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>11 DECEMBER 2023</b>

### 1. PURPOSE OF REPORT

To provide an update on the Willoughby Leisure Centre upgrade project.

### 2. OFFICER'S RECOMMENDATION

That Council:

- Note the content of the report, including information regarding the site conditions impacting the design, construction methodology and program.**
- Note that a further report will be provided to the February 2024 Council Meeting regarding the program and budget.**
- Note that Council will continue to provide monthly community updates on the Willoughby Leisure Centre website.**

### 3. BACKGROUND

At its meeting on 31 October 2022, Council resolved to enter a contract to upgrade the Willoughby Leisure Centre (WLC). The contract was awarded to Belmadar Pty Ltd, and construction commenced in January 2023, with construction currently underway.

Council will also be receiving a Confidential Report outlining further details on this matter at the December 2023 Council Meeting.

## 4. DISCUSSION

The WLC was built in the 1980s and opened to the public in 1989. The building was ageing, requiring significant maintenance costs, and was no longer meeting the needs of the existing and growing community.

The upgrade work will deliver:

- Four new pools
- A new spa and sauna
- Improved water filtration system
- Refurbished foyer
- A new crèche and outdoor area
- New sustainability features and additional trees
- New cladding and roof for whole building
- Improved disability access

Figure 1 shows an artist impression of how the WLC pool hall will look once work is completed.



Figure 1 – Artist Impression of pool hall

### Site Conditions

The WLC is located on at 2 Small Street Willoughby, at the northern end of Bicentennial Reserve. Bicentennial Reserve is former municipal waste facility that was operating and accepting waste from the 1930s through to 1985. The landfill was then covered with a significant amount of sandstone fill excavated from the construction of the Gore Hill Freeway.

Following investigations overseen by the NSW Environment Protection Authority, Bicentennial Reserve and Flat Rock Gully were declared as significantly contaminated land in October 2023.

Prior to this classification, a range of environmental testing was undertaken which included testing for dangerous materials which included, dioxins, chromium and PFAS (Per- and Polyfluorinated Substances), none of which were at levels that would cause concern for humans.

However, the testing discovered slightly elevated levels of ammonia, which is a naturally occurring substance, but not at these concentrations. While Council will continue to monitor ammonia levels, to date there has been no evidence of potential or actual impacts to ecological health (such as marine life in nearby waterways) from ammonia at the site. There are no known potential risks to human health from the ammonia at the detected levels.

Council was aware of the former use as a municipal landfill and undertook a range of extensive testing and investigation in the immediate area of the WLC to determine underground conditions.

Prior to issuing the construction tender, Council undertook extensive due diligence including:

2017: Scale of re-development reduced to mitigate risk

2018: Geotechnical investigations and Quantity Surveyor (QS) costings  
 2020: Hazardous material, soil assessment and chemical audit, QS costings  
 2022: Existing pool pile foundation investigations undertaken (limited by existing structure on site).

Prior to construction tender, test pits were dug in the western and northern car parks to determine in-ground conditions, and no significant issues that would impact the construction process were found.

Further testing to in-ground conditions were undertaken under the pool hall deck, but this was limited to the periphery of main pool shell, with only small sections of the deck accessible for testing purposes. Again, no significant issues that would impact the construction process were found.

Following the demolition process of the pool hall, which enable access to the ground the pool deck, a range of unforeseen in-ground conditions were found and are outlined below.

### Structural piles

The WLC rests upon pile foundations which extend down to the sandstone rock shelf, at depths of up to 14 metres. Whilst the building looks like it is sitting on the ground, from a structural point of view is sitting significantly above the underlying rock structure and is in effect floating on the existing ground level. The project intended to use the existing piles to support the construction of the pool deck.

The former WLC building showed no signs of movement or structural cracking and piles that were accessible under the pool shell were inspected by engineers. However, when the pool hall was demolished and testing was undertaken on the existing piles, it was determined that the piles were damaged and did not have the structural bearing capacity that was anticipated.

These tests could only be undertaken once the old pool hall was demolished, and the failure of the existing piers has resulted in a structural base re-design and the construction of 263 additional piles.

Figure 2 shows the area immediately under the former pool hall, with the existing piles in green, and the location where new piles have been constructed in red.



Figure 2 – Pile locations below old pool hall.

Alternative construction methods were considered, including screw piles and other slab options, but neither were determined suitable.

### Seismic activity impacts

Once the site was partially exposed during initial excavation, it was possible to undertake a more detailed assessment of soil conditions (known as soil classification). It was discovered

that the soil had less capacity, than originally anticipated, to withstand the impacts of seismic impact (earthquakes) on the new building. This discovery has required the re-design of major structural elements of the building, including a change to reinforced steel specifications.

### **Boundary Retaining Wall**

There is an existing retaining wall which manages the level change from Flat Rock Drive down the north-eastern side of the WLC. Due to unstable nature, and reclassification, of the soil conditions under the retaining wall, there has been a need to install an additional 44 piles under this wall.

### **Asbestos**

Following the demolition of the pool hall non-friable asbestos contamination has been found in the soil. Whilst the concentration of this asbestos is not significant it is spread throughout the lower levels of the soil. This find has led to the implementation of strict hygiene and management protocols in accordance with the NSW EPA (Environment Protection Authority) approved Asbestos Management Plan (AMP).

On-site control measures include a specialist consultant hygienist, air monitoring, dust suppression, use of personal protective equipment for all workers, decanting and soil stockpiling. Surrounding residents along with updates on Council's web page have informed of the presence of asbestos on site and the risk is being professionally managed, but this does slow the construction process due to necessary safety precautions being undertaken.

The discovery of asbestos means that 4,400 tonnes spoil has been reclassified from *General Solid Waste (non-putrescible)* to *Special Waste - Asbestos*. This involves a different disposal method which is regulated by the NSW EPA.

### **In Ground Voids**

During the pile excavation, voids were encountered due to the unstable nature of the fill material in the previous waste facility. These voids effectively consumed additional concrete over and beyond typical concrete pours of this nature.

### **Keeping our Community Informed**

Council currently provides monthly project updates to interested stakeholders through its website and is committed to keeping the community updated about this important project. The contents of this report will be included in the December 2023 update.

## **5. CONCLUSION**

Significant unforeseen conditions have led to design and construction methodology changes at the WLC upgrade project, along with slowing the progress of the overall project.

Council will be working with its consultants to assess the program and budget and provide a comprehensive report in February 2024. There will be delays to the delivery of this important project, along with cost implications arising from the in-ground conditions that have been discovered.

ATTACHMENT 1

<b>IMPLICATIONS</b>	<b>COMMENT</b>
<b>City Strategy Outcome</b>	5.3 – Balance the creation of new public assets with the upgrade of existing public assets
<b>Business Plan Objectives, Outcomes / Services</b>	Creating recreation spaces for all Promoting an active and healthy lifestyle Creating desirable places to be enjoyed Maintaining quality of life by balancing population growth with provision of assets and services
<b>Policy</b>	Not relevant
<b>Consultation</b>	Key stakeholders have been involved in the design of the upgrade since 2017. Surrounding neighbours have been notified of key construction activities since work commenced on site. Updates on the project have been provided monthly on Council’s website.
<b>Resource</b>	The project is being completed utilising external expert consultants, external contractors, and Council project management resources.
<b>Risk</b>	A project risk register is maintained.
<b>Legal</b>	The construction contract is in accordance with the terms and conditions of the Ebsworth Lawyers modified AS4000-1997 General Conditions of Contract.
<b>Legislation</b>	<i>Environmental Planning and Assessment Act 1079</i> <i>Building Products (safety) Act 2017</i> <i>National Construction Code 2022</i> <i>Local Government Act 1993</i> <i>Contaminated Land Management Act 1997</i> <i>Protection of the Environment Operations Act 1997</i>
<b>Budget/Financial</b>	A report will be submitted to the February 2024 Council Meeting.

**12.28 APPROVED MINUTES ACCESS AND INCLUSION ADVISORY  
COMMITTEE MEETING HELD ON 21 NOVEMBER 2023**

<b>ATTACHMENTS:</b>	<b>1. APPROVED MINUTES ACCESS AND INCLUSION ADVISORY COMMITTEE MINUTES_21 NOVEMBER 2023</b>
<b>RESPONSIBLE OFFICER:</b>	<b>LINDA PERRINE, COMMUNITY CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>ELLEN MILLER, COMMUNITY VENUES AND SERVICES TEAM LEADER BUSHRA SALAM, GOVERNANCE ADMINISTRATION 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To present to Council for noting, the approved minutes of the Access and Inclusion Advisory Committee meeting held on 21 November 2023.

**2. OFFICERS RECOMMENDATION**

**That Council receive and note the approved minutes of the meeting of the Access and Inclusion Advisory Committee held on 21 November 2023.**

**3. BACKGROUND**

Advisory Committees provide independent, expert and impartial advice on the development and implementation on strategic priorities of Council. They consider reports and plans from Council officers and make recommendations to Council for consideration.

The Terms of Reference require the minutes of each meeting to be reported to Council at the next available Council meeting.

**4. DISCUSSION**

Points of discussion:

- **Presentation of the draft Annual Report against Willoughby's Disability Inclusion Action Plan (DIAP)**  
Community Venues and Services (CV&S) Team Leader presented Draft Annual Report against Council's DIAP. The committee discussed the inclusion of the Home Library Service, and Accessible Community Gardens and Affordable Housing. CV&S Team leader indicated she would investigate and include in the report.



- **Council's support to Vulnerable People in the Community**  
CV&S Team Leader updated the Committee of Council's involvement and support in areas of homelessness, domestic violence, dementia, aged care and youth and presented information booklet on Domestic Violence is a Crime - Police and Community. The Committee found the booklet very useful and requested to make it available in all Community centres and Libraries.
- **Accessible Playgrounds**  
Wendy Norton noted the challenges of getting to accessible playgrounds and the right equipment. CV&S Team Leader reiterated the importance of providing feedback on Have Your Say in relation to upgrades of parks and playgrounds.
- **Affordable Housing**  
The Committee discussed whether Council had a Universal Design Policy and whether it was used when building affordable housing units. The Committee was informed that that all builders and contractors need to adhere to the AS1428 which ensures the minimum standards for accessibility are adhered to.

## 5. RISKS AND OPPORTUNITIES

The overview of the Committee meeting is recorded in the approved minutes (see **Attachment 1**). These minutes were circulated electronically to the Committee for comments. The minutes have been amended and approved by the Committee before presenting to Council.

## 6. CONCLUSION

These minutes do not bind Council to any additional resource commitment. It is recommended Council receive and note the approved minutes of the meeting of the Access and Inclusion Advisory Committee held on 21 November 2023.

<b>7. IMPLICATIONS</b>	<b>COMMENT</b>
<b>City Strategy Outcome</b>	5.1 – Be honest, transparent and accountable in all that we do
<b>Business Plan Objectives, Outcomes / Services</b>	Advisory Committees are created for the sole purpose of providing independent, expert and impartial advice on the development and implementation of strategic priorities of Council.
<b>Policy</b>	<i>Advisory Committees Policy 2022</i>
<b>Consultation</b>	The draft minutes were circulated by email to the Access and Inclusion Advisory Committee on 05 December 2023 with comments closed on 19 December 2023. The comments received have been included and approved by the Committee.
<b>Risk</b>	There are no risks applicable to this report.
<b>Resource</b>	There are no resourcing implications applicable to this report.
<b>Legal</b>	There are no legal implications applicable to this report.
<b>Legislation</b>	There are no legislation implications applicable to this report.
<b>Budget/Financial</b>	There are no budget implications applicable to this report.



# Minutes

Access and Inclusion Advisory Committee

Tuesday 21 November 2023

<b>Location:</b>	Meeting Room, Dougherty Community Centre, Victor St, Chatswood
<b>Chair:</b>	Glenda Hewitt
<b>Attendees:</b>	Members: Honie Boyd; Ella Gillis; Wendy Norton; Audrey Thomas; Margaret Kay; Elisha Mangassarian (via zoom); Helen Woodman Staff: Ellen Miller – Acting WCC Community Life Manager; Kate Valente – Acting Community Venues and Services Team Leader; Bushra Salam – Governance Administration Officer
<b>Apologies/absent:</b>	Members: Julia Norton; Mark Tonga; Suzanne Hartley; Srishti Mahhajan
<b>Guests</b>	Councillor Anna Greco Jill Nash (member of public)

## Items

Item	Topic / Discussion	Action
1	<b>Welcome</b> The meeting was declared open at 4:00 pm.	
	<b>Acknowledgement of Country</b> <i>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.</i>	
	<b>Apologies</b> Members: Julia Norton; Mark Tonga; Suzanne Hartley; Srishti Mahhajan	
	<b>Declarations of interest</b> A link to the <i>Disclosure of interest by Committee Members</i> form was circulated with the Agenda. <a href="https://www.willoughby.nsw.gov.au/Council/Forms/Disclosure-of-interest-by-Committee-Members">https://www.willoughby.nsw.gov.au/Council/Forms/Disclosure-of-interest-by-Committee-Members</a> Margaret Kay declared a standing non-pecuniary less than significant interest as a Director of Yourside Australia, stating, “there may be (in	

the future) a relationship between Yourside Australia and WCC. None known at present.”

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## 2 Appointment of Committee Chair

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### **Committee Resolution:**

*A chair be elected at each meeting for that meeting in order to give everybody an opportunity to chair if they wish.*

Nominations for Chair of the meeting:

- Glenda Hewitt nominated herself.
- Moved by Ella Gillis. Seconded by Audrey Thomas.
- No other nominations were received.

The Committee voted the Chair of the meeting be Glenda Hewitt.

The Committee unanimously approved.

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## 3 Confirmation of Minutes – 19 September 2023

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The Committee unanimously adopted the minutes of the meeting of the Committee held on Tuesday 19 September 2023, with a minor amendment.

Moved: Margaret Kay

Seconded: Audrey Thomas

Carried

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## 4 Actions from Previous Meetings

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### **Informal Committee Meeting**

Committee held an informal meeting on 17 October 2023. The committee discussed how they could assist in preventing abuse of vulnerable people and whether Council should set up a collective similar to North Sydney Council.

Committee agreed a seminar/workshop during Seniors Festival dealing with abuse may be beneficial.

Community Venues and Services Team Leader was open to this idea. However, as abuse is a very sensitive topic it would need to be handled by professionals to ensure the information provided is accurate and delivered by individuals who are experienced in dealing with people who are victims/or at risk of abuse.

Community Venues and Services Team Leader also indicated that during Seniors Festival, Council running an event focusing on Seniors Rights.

**Recommendation:**

That first the purpose/focus of seminar/event would need to be defined.

**Action:** *Wendy Norton to collate information provided by other committee members via email about the purpose & focus seminar/workshop, and pass on to Community Venue and Services Team Leader*

- **Draft Reconciliation Action Plan**

Community Venue and Services Team Leader advised that the Draft Reflect Reconciliation Action Plan had been conditionally approved by Reconciliation Australia. Draft plan will go to 11 December 2023 Council meeting for approval and then back to Reconciliation for final endorsement.

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## 5 Strategic Activities

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### 5.1 Draft Annual Report against Willoughby's Disability Inclusion Action Plan

Community Venues and Services Team Leader presented Draft Annual Report against Council's Disability Inclusion Action Plan.

The committee discussed the inclusion of the Home Library Service, and Accessible Community Gardens and Affordable Housing to the report. CV&S Team leader indicated she would investigate and include in the report.

### 5.2 Council's Support to Vulnerable People in the Community

Community Venues and Services Team Leader provided information and outcomes of Council's involvement and support in areas of homelessness, domestic violence, dementia, aged care and youth.

Council Officer presented information booklet on *Domestic Violence is a Crime - Police and Community*. Committee found the booklet provided very useful information and asked for it to be available in Community Centres and Libraries.

**Action:** CV&S Team Leader to provide feedback to responsible

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Community Projects Officer.

### 5.3 Branch Libraries

The Committee enquired about the opening times and services being provided at the branch libraries particularly Castle Cove library.

**Action:** Community Life Manager will check and report to the Committee in the next meeting.

### 5.4 Have Your Say – Accessible Playgrounds

Wendy Norton pointed out the challenges of getting accessible playgrounds and the right equipment.

Community Venues and Services Team Leader reiterated the importance of providing feedback on Have Your Say in relation to upgrades of parks and playgrounds.

### 5.5 Affordable Housing

Committee discussed whether Council had Universal Design Policy and was these used when building affordable housing units.

Community Venue and Services Team Leader informed the Committee that all builders and contractors need to adhere to the AS1428 which ensures the minimum standards for accessibility are adhered to.

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## 6 Other Business

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### Report from on Aged and Disability Support

Community Venue and Services Team Leader updated the Committee on Homelessness & Rough Sleeper Services, Domestic Violence services and distributed *Domestic Violence is a Crime – Police and Community* booklets to the Committee. Committee were also provided information on the Aged Care Sector Support and Development work Council is funded to deliver.

#### **Recommendation 2:**

*All Council Libraries and community facilities to display the Domestic Violence is a Crime booklet.*

Moved by Ella Gillis

Seconded by Honie Boyd

Carried

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**List of Upcoming events:**

Community Life manager updated the Committee on the upcoming events at the Dougherty Community Centre.

- Connect Collaborate Celebrate Art Award to celebrate Social Inclusion Week and International Day of People with Disability
- Christmas Social Lunch for Seniors
- Seniors Festival Program – over 40 activities/events – 1- 30 March 2024
- Volunteer Expo scheduled for March 2024 during Seniors Festival

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**7 Next Meeting**

**Date:**

Tuesday 20 February 2024 4:00pm

**Suggested agenda items:**

- Community Engagement Toolkit

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**8 Meeting Conclusion**

The meeting concluded at 5:35 pm.

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**12.29 APPROVED MINUTES OF THE BICENTENNIAL RESERVE AND FLAT ROCK GULLY ADVISORY COMMITTEE MEETING HELD ON 29 NOVEMBER 2023**

<b>ATTACHMENTS:</b>	<b>1. APPROVED MINUTES BICENTENNIAL RESERVE AND FLAT ROCK GULLY_ 29 NOV 2023</b>
<b>RESPONSIBLE OFFICER:</b>	<b>LINDA PERRINE, COMMUNITY CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>BUSHRA SALAM, GOVERNANCE ADMINISTRATION 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>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

To present to Council for noting, the approved minutes of the Bicentennial Reserve and Flat Rock Gully Advisory Committee meeting held on 29 November 2023.

**2. OFFICERS RECOMMENDATION**

To present to Council for noting, the approved minutes of the Bicentennial Reserve and Flat Rock Gully Advisory Committee meeting held on 29 November 2023.

**3. BACKGROUND**

Advisory Committees provide independent, expert and impartial advice on the development and implementation on strategic priorities of Council. They consider reports and plans from Council officers and make recommendations to Council for consideration.

**4. DISCUSSION**

At the meeting of the Committee, governance and procedural matters included:

Appointment of the Chair – the Committee appointed Councillor Greco Chair for the meeting, while the Committee unanimously agreed to elect a chair at each meeting. Two new members were welcomed who were apologies in the previous meeting.

Points of Discussion:

- Update on the current works at the Incinerator including its background, heritage status and curtilage were provided to the Committee prior to the meeting.
- The ongoing condition and environmental health of the adjoining Ash Pits at the rear of the Incinerator was queried by the Committee as to whether any remedial work is planned as the Ash Pits are inside the Incinerator heritage curtilage.



- Have Your Say link to the Reserve Action Plan (RAP) and the survey was circulated to the Committee at the last Committee meeting. The Committee noted that the RAP is a 2 page document and suggested it needs a separate Plan of Management (POM) due to the complexity of the site and that it is now declared as a contaminated site.
- Bicentennial Reserve was declared 'Contaminated' by the NSW Environmental Protection Authority in September 2023. The Committee requested an update on the implications of the declaration. Peter Lisle- Sustainability Team Leader, provided update on EPA declaration for Bicentennial Reserve which was circulated along with the Agenda. Peter Lisle to confirm testing regime and timings and report back to the Committee in the next meeting.
- Benita Dwyer, raised concern about the use of 1080 poison for fox bait as it is banned in every country except 6, which includes Australia and New Zealand. It also routinely kills non-target and threatened native species. The Committee asked whether there are other options for fox control in urban areas, alternatives to using 1080 and enquired about extent of fox population in the City.
- Les Tyrpenou, noted that there was insufficient lighting on one corner of Bicentennial oval, and this would need to be assessed if play was extended to Friday evenings.
- It was discussed that cat containment is an issue in FRG and could more be done by Council to contain cats going into FRG as this area is a wildlife corridor and protection zone.

The Committee also discussed the future focus areas of the Committee.

## 5. RISKS AND OPPORTUNITIES

The overview of the Committee meeting is recorded in the approved minutes (see **Attachment 1**). These minutes were circulated electronically to the Committee for comments. The minutes have been amended and approved by the Committee before presenting to Council.

## 6. CONCLUSION

These minutes do not bind Council to any additional resource commitment. It is recommended Council receive and note the approved minutes of the meeting of the Bicentennial Reserve and Flat Rock Gully Advisory Committee held on 29 November 2023.

<b>7. IMPLICATIONS</b>	<b>COMMENT</b>
<b>City Strategy Outcome</b>	5.1 – Be honest, transparent and accountable in all that we do
<b>Business Plan Objectives, Outcomes / Services</b>	Advisory Committees are created for the sole purpose of providing independent, expert and impartial advice on the development and implementation of strategic priorities of Council.
<b>Policy</b>	<i>Advisory Committees Policy 2022</i>
<b>Consultation</b>	The draft minutes were circulated by email to the Bicentennial Reserve and Flat Rock Gully Advisory Committee on 12 December 2023 with comments closed on 15 January 2024. The comments received have been included and approved by the Committee.
<b>Risk</b>	There are no risks applicable to this report.
<b>Resource</b>	There are no resourcing implications applicable to this report.
<b>Legal</b>	There are no legal implications applicable to this report.
<b>Legislation</b>	There are no legislation implications applicable to this report.
<b>Budget/Financial</b>	There are no budget implications applicable to this report.

# Minutes



**Bicentennial Reserve and Flat Rock Gully Advisory Committee**

**Wednesday 29 November 2023  
4.00-5.30pm**

<b>Location:</b>	Banksia Room, Level 6, 31 Victor St Chatswood
<b>Chair:</b>	Councillor Anna Greco
<b>Attendees:</b>	Nicola Ward – Member Kristina Dodds – Member Benita Dwyer (via zoom) – Member Denis Fernandez – Member Heidi Key – Member Jenny Roxburgh – Member Andrew Stone (via zoom) – Member Brian Norton – Member Bob Taffel – Member Les Tyrpenou (via zoom) – Member Peter Lisle- Sustainability Team Leader Julie Whitfield – Open Space Planner Busola Martins – Governance Lead Bushra Salam – Governance Administration Officer
<b>Apologies/absent:</b>	Members: NIL
<b>Guests</b>	Councillor Anna Greco

## Agenda items

Item	Topic / Discussion	Action
1	<b>Welcome:</b> The meeting was declared open at 4:01pm	
	<b>Acknowledgment of Country</b> Bushra Salam, Governance Administration Officer, acknowledged country on behalf of Council.	

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## 2 Committee Governance

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The Committee unanimously agreed to elect a chair at each meeting.

### Appointment of Chair

Pursuant to clause 5.4 of the Committee's Terms of Reference, the Committee unanimously appointed Councillor Anna Greco, the Chair for the meeting and noted that appointment of an ongoing Chairperson be reconsidered at the third meeting of the Committee.

### Nominations for Chair of the meeting

Kristina Dodds nominated Councillor Greco chair of the Meeting.

All in favour. The Committee unanimously approved.

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### Apologies

None

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### Declarations of interest

A link to the Disclosure of interest by Committee Members form was circulated with the Agenda.

<https://www.willoughby.nsw.gov.au/Council/Forms/Disclosure-of-interest-by-Committee-Members>

No declarations of interest were made.

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### Confirmation of previous minutes

The draft minutes of 20 September 2023 meeting were circulated by email to the Committee on 27 September 2023 with comments closed on 12 October 2023. A request was made after closing of minutes on 16 November 2023 to make a minor adjustment in the previous minutes as the approved document.

Adjustment was: *there will be no further site visit of Bicentennial Reserve and all members will convey their comments in the Public Spaces Evaluation report.*

Moved by Kristina Dodds and Seconded by Heidi Key.

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### Actions arising from previous minutes

#### a. Welcome New Members

The Chair welcomed new members Les Tyrpenou and Denis Fernandez who were apologies in the previous meeting.

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### 3 Strategic Activities

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#### **Bicentennial Reserve – Public Spaces Evaluation Report by the Committee**

The committee decided at the last meeting that a second site visit was not necessary. The Evaluation Report was circulated on a google doc to all members, including the new members.

Brian Norton included comments on the word document. This was discussed at length and the committee decided that they were to be accepted. The 3 other new Committee members were invited to include their feedback into the Evaluation Report, which will be updated and re-circulated by Kristina Dodds. Comments from the Committee are due prior to 30th January 2024, so they may be collated and sent to Governance for inclusion on the agenda for the next Committee meeting.

Les wanted it noted that there was insufficient lighting on one corner of Bicentennial oval, and this would need to be assessed if play was extended to Friday evenings.

The Bicentennial Reserve Public Spaces Evaluation Report to be finalized by 30 January 2024, for inclusion on the Agenda for the next Committee meeting for comment of action/works priority to be considered by Council.

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#### **The Incinerator - update on current works for the Incinerator, including background about the building, its heritage status and curtilage**

Update on the current works at the Incinerator including its background, heritage status and curtilage were provided to the Committee prior to the meeting, as follows:

*Works to be undertaken in 2023/24 involve the remediation of the lower level structure of the Willoughby Incinerator. This building currently is tenanted by a café and gallery at the upper levels and the proposed works are to be undertaken in the unoccupied ground and subfloor levels.*

*Works generally involve:*

- *The installation of new steel beams and support columns to maintain the structural integrity of the building.*
- *The connection of roof water to a new storm water system*
- *Installation of a steel mesh grating and roller door system to secure the basement*
- *Exposure of any remaining rail lines used in the original waste incineration operation*
- *Construction of new sandstone retaining walls to replace original structures and repairs to existing sandstone elements*
- *Site clearing and surface restoration*

**Open Space Team to provide follow up on the condition of the Ash Pits and any future works to be provided to the Committee.**

**Follow up on the likely**

*Works are to be undertaken under the supervision of a Heritage Advisor and a Structural Engineer to ensure works are completed in accordance with Heritage Approvals and manage any unexpected conditions that may emerge during construction.*

*It is anticipated that the works will take around 12 weeks, with a commencement likely in January 2024. 6 car spaces in the lower car park will be used as a site office and works compound.*

*The project is the final stage of a series of works undertaken over a number of years to refurbish and remediate the Willoughby Incinerator. This building is a State Heritage listed structure and works are being undertaken in accordance with the Development Approval for the overall works as well as the conditions of approval issued by the NSW Heritage Office.*

The ongoing condition and environmental health of the adjoining Ash Pits at the rear of the Incinerator was queried as to whether any remedial work is planned as the Ash Pits are inside the Incinerator heritage curtilage.

The committee asked If there is any possibility to remove the temporary fencing and the rubble within it at the rear of the building, which is the adjoining ash pit and was this included in this stage of works for the incinerator.

**removal of the rubble and broken bricks at the rear of the incinerator and then the temporary fencing that surrounds it once the remedial work is completed.**

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#### **Flat Rock Gully Reserve Action Plan 2023 – Committee’s input and site observations**

Have Your Say link to the Reserve Action Plan (RAP) and the survey was circulated to the Committee at the last Committee meeting.

The Committee noted that the RAP is a 2 page document and suggested it needs a separate Plan of Management (POM) due to the complexity of the site and that it is now declared as a contaminated site. FRG is also a major water catchment zone and wildlife corridor. It was stated by Council staff that there is an overarching POM *Urban Bushland Plan of Management 2023* that covers Flat Rock Gully Reserve. RAPS are done for each bushland reserve in the City to address specific conditions particular to the site reserve. The Naremburn RAP submission was acknowledged and will be addressed by Council’s officers in their report to Council in 2024.

**Flat Rock Gully RAP will be reported to Council in 2024. A separate POM for FRG as proposed by Naremburn Progress Association will be addressed by Council officers to be discussed at next meeting**

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#### **Bicentennial Reserve - EPA Contamination declaration update**

Bicentennial Reserve was declared ‘Contaminated’ by the NSW Environmental Protection Authority in September 2023. The Committee requested an update on the implications of the declaration.

Peter Lisle- Sustainability Team Leader provided update on EPA

declaration for Bicentennial Reserve which was circulated along with the Agenda, in which he noted that Flat Rock Gully was used a municipal waste facility from 1930 to 1985, and between 1985 and 1990 the area underwent extensive filling and re-contouring, including the placement of fill material from the construction of the Gore Hill Freeway. Native trees were later planted, and it transformed the area into the valuable bushland reserve and recreational space it is today.

In early 2021, Council submitted a Contaminated Land Notification Form to the NSW EPA about the possible contaminants migrating from the landfill through groundwater. In consultation with the NSW EPA, a comprehensive Environment Site Investigation was undertaken by Consulting Earth Scientists, with their 670 page report available on Council's web site.

As a result of these investigations, the NSW EPA is now proposing to list Bicentennial Reserve and Flat Rock Gully as contaminated land on the register of contained sites in NSW, and regulate it under the Contaminated Land Management Act 1997.

The contamination concerns relate to the impact from leachate from the former landfill discharging downstream into Flat Rock Creek, resulting in slightly elevated ammonia concentrations that may affect stream ecology. The levels of ammonia are not at any level where they would impact humans, and are only slightly above the levels which cause concern to ecology.

Council will submit a Voluntary Management Plan under the Contaminated Land Management Act 1997 to the EPA for their approval in the coming months. This will outline how contamination will be managed and monitored, including key milestones and associated timelines.

Residents and visitors can continue to use the reserve and bushland as before, and our investigations undertaken by experts, and reviewed by the NSW EPA, indicate there are no dangers posed to the community.

Further information can be found at:

<https://www.willoughby.nsw.gov.au/Council/News-and-media/Bicentennial-Reserve-Environmental-Site-Report>

<https://www.willoughby.nsw.gov.au/Council/Public-notices/Former-landfill-site-at-Bicentennial-Reserve-and-Flat-Rock-Gully>

**Peter Lisle to confirm testing regime and timings and report back to the Committee.**

**POST MEETING NOTE: Peter Lisle confirmed that all information currently on the Council website is the current status.**

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#### **4 Other Business**

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##### **Use of 1080 poison for fox baiting in bushland**

Benita Dwyer raised concern raised about the use of 1080 poison for fox bait as it is banned in every country except 6, which includes Australia and New Zealand. It also routinely kills non-target and

**Peter Lisle to provide in the first 2024 meeting, an update on use of 1080**

threatened native species. The Committee asked whether there are other options for fox control in urban areas, alternatives to using 1080 and enquired about extent of fox population in the City.

**poison in the LGA and options for fox control.**

#### **Issue of Flood Lights at Bicentennial Oval**

Les Tyrpenou mentioned that the lighting for the baseball on Bicentennial Oval on one corner was not sufficient for the playing of junior baseball on Friday evenings. This use has increased since the floodlighting was installed Peter Lisle confirmed that any future changes to lighting would take into account the type of activity at that time and intended use and after consultation with all stakeholders and this committee.

**Peter Lisle to report back in the first 2024 meeting, as to current lighting levels at Bicentennial Oval and any plans for future upgrades**

#### **Lighting under the underpass – the mural**

Peter Lisle explained that the electricity had been cut by Roads and that they were looking at how to restore the supply

#### **Stream watch**

Bob Taffel raised the possibility of convening a working party of the committee to look at implementing streamwatch for Flat Rock Creek. Bob, Kristina, Heidi and Jennifer said that they would be interested.

**To be discussed at the next meeting**

#### **Cat containment in FRG**

It was discussed that cat containment is an issue in FRG and could more be done by Council to contain cats going into FRG as this area is a wildlife corridor and protection zone

#### **Fence down**

A tree had fallen on a fence and this could be a hazard.

#### **Committee Governance Matters**

Governance Lead raised the matter of nominating a Chair for the rest of the term in alignment with the Terms of Reference. However, the Committee unanimously agreed to elect a chair at each meeting.

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## **5 Next Meeting**

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**Date:** Wednesday 21 February 2024

#### **Agenda Items:**

- Bicentennial Reserve – Public Spaces Evaluation Report by the Committee with inclusions from new committee members.
- WLC update re: upgrade – Angela Casey
- The Incinerator and the building rubble at the rear in the Ash pits – is this included in the scope of the next phase of restoration
- Flat Rock Gully Reserve Action Plan 2023



- Update regarding further testing for Bicentennial Reserve. PA Contamination and Council voluntary management plan.
- Lighting under the underpass – the mural
- Progress report on council use of 1080 poison in fox baiting and other forms of fox control.
- Progressing streamwatch
- Cat containment

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## 6 Meeting Conclusion

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The meeting concluded at 5:40pm.

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**13.1 NOTICE OF MOTION 39/2023 - MINOR AMENDMENT TO THE ARTARMON LOCAL CENTRE PUBLIC DOMAIN MASTERPLAN**

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>CHRIS BINNS, EXECUTIVE MANAGER, STRATEGY AND REFORM</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>1.1 CREATE AND ENHANCE GREEN SPACES, URBAN TREE CANOPY COVER AND GREENING.</b> <b>3.4 CREATE DESIRABLE PLACES TO BE AND ENJOY.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

At the 11 December 2023 meeting of Council, Councillor Wright moved for his Notice of Motion to be deferred.

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

**2. MOTION**

**That Council make a minor wording change in section 2.1 of the Artarmon Local Centre Public Domain Masterplan from “Planting native species where possible” to “Planting native species where suitable” in order to clarify that both native and introduced plant species may be used in Council’s streetscapes and public areas.**

**3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION**

Over a period of nearly three years, there has been extensive consultation with local communities and businesses on the design and detailing of the Artarmon Local Centre Streetscape project, including proposed planting species. Those works were approved by Council, tendered, and are now under construction. Post consultation, a few local residents have raised concerns that proposed plant species were not exclusively local native plants. This was never the intention of the approved streetscape design. The planting palette was created and endorsed by at least five professional Landscape Architects and Urban Designers employed by Council and/or engaged by Council for detailed design services. Significant staff hours have now been spent investigating and responding to the ongoing concerns of these residents, both directly and through ward Councillors. Representations have sought a purist approach to native species selection in what is a highly modified urban and heritage conservation environment in the Artarmon Local Centre. Council staff have continued to provide responses to community interest and have provided the rationale behind the planting scheme, noting there are varying views around plant selection. To provide clarity and certainty for the local community and assist staff, it may be desirable to amend the wording of the adopted Artarmon Local Centre Public Domain Masterplan.

#### 4. OFFICERS RECOMMENDATION

That Council consider the Notice of Motion and the Officer's comments.

#### 5. OFFICERS COMMENTS

Council's strategic approach to tree and vegetation management recognises the value of using native plant species, particularly for their unique contribution to habitat and biodiversity. Their mandated use in natural areas goes without question and is strongly guided by the *Urban Bushland Plan of Management* and the various *Reserve Action Plans* for individual bushland sites.

The planting of vegetation in urban streetscapes and public areas however, is guided by four Council approved policies, plans and guidelines including the:

- *Urban Tree Management Policy 2014*
- *Street Tree Masterplan 2014*
- *Vegetation Management Policy 2020*
- *Vegetation Management Guidelines 2020*

These guiding documents do not specify the use of native plants only. They promote the use of the 'right species for the right location' and enable a balanced mix of native and introduced species based on a range of selection factors, including:

- The local character of the area and its sense of place
- Cultural elements of the locale and its community
- Relevance to the development history of the area and its local heritage
- Geographic factors of geology, soils, micro-climates, existing vegetation and aspect
- Contribution to enhancing the tree canopy and its urban cooling effect
- Ability to enable solar access and/or shade at the right times of year
- The creation of wildlife corridors and bird-hops
- Self-sustaining growth patterns with minimal intervention, pruning and shaping
- Ease of maintenance including watering, drainage, fertilising and mulching
- Tolerance of hostile road-side environments, pavement heat and soil compaction
- Longevity of growth and the impacts of a decline in vigour and health
- Aesthetics provided by scale, form, colour, texture and contrast
- Safety risks and hazards from falling limbs, twigs, leaves and fruit
- Structural impacts of root intrusion, lifting and soil hydration
- Health benefits from cleaner air and reduced exposure to air-borne pollutants
- Community wellness and mental health gains from a greener urban environment

It is understood that the plant selection palette for the Artarmon Local Centre Streetscape Project continues to cause concerns from some local residents about suitable plant species selection.

As a site specific planning and urban design document, the *Artarmon Local Centre Public Domain Masterplan* was adopted by Council at its meeting of 9 November 2020 after extensive community consultation through mid-2020. The Masterplan did not propose purely native species for planting, but, gave an indication of planting locations and provided representative photographs of the proposed vegetation, which were not primarily native species.

**13.2 NOTICE OF MOTION 02/2024 - PUBLIC AWARENESS OF OUR STREET SWEEPING PROGRAM**

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>PAUL COLLINGS, WORKS MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.4 ANTICIPATE AND RESPOND TO CHANGING COMMUNITY AND CUSTOMER NEEDS. 3.4 CREATE DESIRABLE PLACES TO BE AND ENJOY.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

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

**2. MOTION**

**That Council bring back a report by April 2024 outlining how we can improve resident awareness of street sweeping frequency and how we might incorporate the schedule into the waste collection service dates webpage (that shows the bin collection dates and the scheduled clean up campaigns).**

**3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION**

A number of residents have commented about their inability to predict the frequency of when Council will sweep their local streets. I know from speaking with residents across the city that they would prefer if we could give some notice so that they could move cars into driveways or sweep the nature strips adjacent to their homes. I believe publishing the expected dates on our website will be an excellent way for residents to keep track of this process. It will help keep Council accountable and provide some peace of mind to residents.

**4. OFFICERS RECOMMENDATION**

That Council consider the Notice of Motion and the Officer's Comments.

**5. OFFICERS COMMENTS**

A report will be provided to the April 2024 Council meeting.

Council has approximately 372 kilometres of kerb and gutter that it maintains and cleans to ensure efficient stormwater flow. For the purpose of street sweeping programs, the Willoughby is broken up into ten areas with approximately 30 kilometres of kerb and gutter in each area.

Council 's Works unit is currently in the process of finalising a revised residential street sweeping program that will see street sweeping occur of fixed days so residents know when their street will be swept, and where possible cars can be parked in driveways to enable

gutters to be swept.

Once the residential sweeping program is developed it will be included on Council's website and publicised to residents.

**13.3 NOTICE OF MOTION 03/2024 - LOBBYING OF NSW TO INCREASE EAST-WEST BUS SERVICES TO BETTER INTEGRATE WITH NEW METRO**

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>SCOTT KAVANAGH, DESIGN AND DRAINAGE TEAM LEADER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>2.1 ENHANCE TRANSPORT CHOICES AND CONNECTIONS THROUGHOUT THE CITY.</b>  <b>5.2 DEMONSTRATE LEADERSHIP AND ADVOCACY FOR LOCAL PRIORITIES.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

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### 1. PURPOSE OF REPORT

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

### 2. MOTION

**Seek to increase the frequency and extend the operating times of buses on route 267 from Chatswood to Crows Nest, at least on a pilot basis, in light of the anticipated opening of the Chatswood to Sydenham section of the Sydney Metro City and Southwest in 2024, by:**

- 1. Writing to the Minister for Transport accordingly seeking a meeting to discuss**
- 2. Writing to Tim James MP seeking his support**
- 3. Making a submission to the Bus Industry Taskforce**

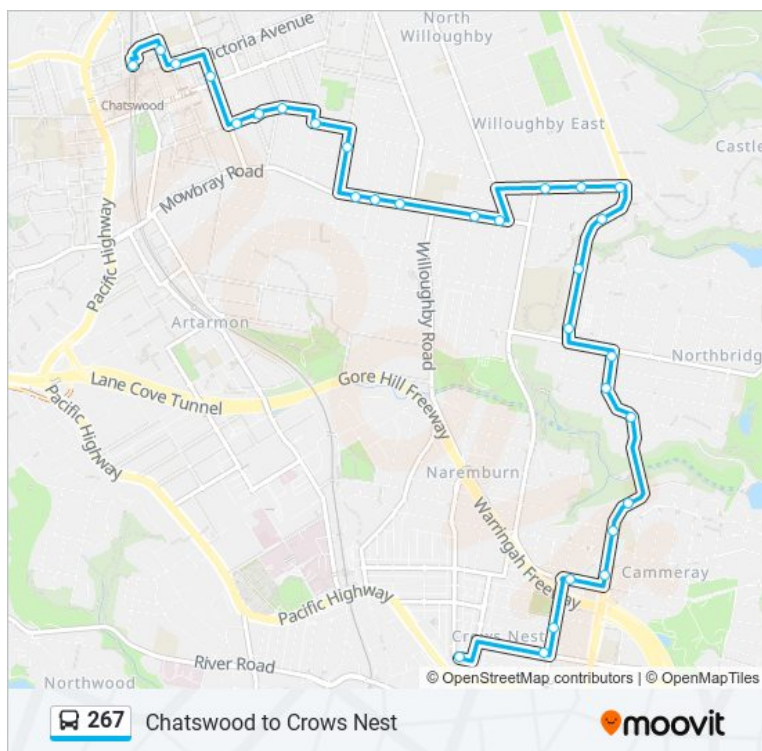
### 3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION

The attachment shows the route of the 267 (Note: the image wasn't able to be attached due to the 10mb limit and will be sent by email) between Crows Nest and the interchange at Chatswood. It provides the only easily accessible east-west connection from Northbridge, Castlecrag and parts of Willoughby to Chatswood.

Currently it runs no more frequently than every 30 minutes and to fairly limited hours - see attached (Note: attachment exceeded 10mb limit and will be sent separately by email).

Given the improved journey times and frequency which will be provided by the new metro - Chatswood to Barangaroo in 9 minutes and to Martin Place in 11 minutes - it is likely that some commuters will wish to change their travel arrangements to travel to Crows Nest or Chatswood and take the train into the city rather than catch the bus into the city.

An improved east-west connection would also give commuters the opportunity to eat, shop or be entertained in Chatswood on their journey home, or use public transport to get to and from Chatswood where they would otherwise use their car.



**267 bus Schedule**

267 bus route operates everyday. Regular schedule hours: 06:39 - 18:40

Day	Operating Hours	Frequency (min)
Mon	06:39 - 18:40	29 - 60
Tue	06:39 - 18:40	29 - 60
Wed	06:39 - 18:40	29 - 60
Thu	06:39 - 18:40	29 - 60
Fri	06:39 - 18:40	29 - 60
Sat	07:47 - 18:47	60
Sun	08:53 - 17:53	60

**4. OFFICERS RECOMMENDATION**

That the motion be considered by Council.

## 5. OFFICERS COMMENTS

Council and the community have identified the need for increased and more efficient public transport as a key element of the Integrated Transport Strategy 2036. The existing analysis noted that the peninsula suburbs on Middle Harbour (Castle Cove, Middle Cove, Castlecrag and Northbridge) have either limited access or direct connections to public transport. Route 267 is one of the few local services that reaches the peninsula suburbs within the Local government area. Council has already made a submission to the NSW Bus Industry Taskforce on 24 August 2023 which highlighted issues with this route and similar networks. Council's submission noted these local services are short, infrequent and unreliable. The White Paper also does not appear to plan for increased growth within these regions, or cater to changing travel patterns so that more frequent services into Chatswood are available during off-peak times. This shortcoming has only perpetuated high car dependence and low bus patronage.

Council previously wrote to the Minister for Transport seeking a meeting to discuss the Chatswood CBD and Interchange, and seeking Transport for NSW and the Bus Industry Taskforce to undertake a feasibility study around traffic performance improvement of the Chatswood Interchange and Chatswood CBD. In response Dr. Marjorie O'Neill MP - Parliamentary Secretary for Transport met with Council Officers and the Mayor to discuss this request. The meeting also addressed broader issues around the design of the Chatswood Interchange as a major transport hub, as well as seeking a wider review of bus services transiting the Local Government Area and advocating for increased services levels.

Council will continue an active and collaborative partnership in improving Chatswood Interchange and the wider review of bus services throughout the Local Government Area. While the Bus Industry Taskforce consultation program is ongoing, Council is currently seeking updates to better understand local user insights gathered at forums held by the taskforce.

Following receipt of the Notice of Motion, officers have contacted Transport for New South Wales requesting information on the bus frequency, occupancy rates and long-term route plans to seek additional information in order to inform letters and submissions advocating on behalf of the community. Officers have requested an opportunity to work with the Bus Industry Taskforce on reviewing and responding to the feedback received to help inform a final report on the White Paper.

Council's strategy and plans align with the notice of motion however Officers believe the request to the Ministers should be broader in nature and seek greater frequency and extended service hours for a number of routes within the Local Government Area that service peninsula catchments. It is also recommended that Council note the existing submission to the NSW Bus Industry Taskforce and that Council officers continue to advocate for improved service during discussions throughout the ongoing consultation period.



**13.4 NOTICE OF MOTION 04/2024 - CONNECTING INNER WEST COUNCIL'S & WILLOUGHBY COUNCIL'S TRANSPORT ADVISORY COMMITTEES**

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>HUGH PHEMISTER - PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>SCOTT KAVANAGH, DESIGN AND DRAINAGE TEAM LEADER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>2.1 ENHANCE TRANSPORT CHOICES AND CONNECTIONS THROUGHOUT THE CITY.</b> <b>2.4 MANAGE PARKING AND REDUCE TRAFFIC CONGESTION.</b> <b>3.5 BALANCE POPULATION GROWTH AND DEVELOPMENT WITH QUALITY OF LIFE.</b> <b>5.2 DEMONSTRATE LEADERSHIP AND ADVOCACY FOR LOCAL PRIORITIES.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

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## 1. PURPOSE OF REPORT

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

## 2. MOTION

**That Council request the CEO of Willoughby City Council (WCC) write to the General Manager of Inner West Council (IWC) to formally request / organise for IWC's Transport Advisory Committee and WCC's Active and Integrated Transport Advisory Committee to connect to discuss transport projects and matters.**

## 3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION

Inner West Council's (IWC) Inner West@40 Study provides an evidence base and action plan to implement 40km/hr speed limits in local streets within the Inner West Local Government Area (LGA). Public consultation on the Study recently closed and IWC are now starting to collate feedback.

Willoughby City Council's Active and Integrated Transport Advisory Committee is investigating speed limits in our LGA and would like to talk to IWC's Transport Advisory Committee about its experiences, along with other transport matters.

## 4. OFFICERS RECOMMENDATION

That Council consider the motion.

## 5. OFFICERS COMMENTS

There are benefits in supporting the Active and Integrated Transport Advisory Committee sharing and learning from the experiences of the IWC Transport and Advisory Committee.

**13.5 NOTICE OF MOTION 05/2024 - MOTION TO CREATE ONLINE REGISTER OF MOTIONS CARRIED AND LOST**

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MAXINE KENYON - CUSTOMER &amp; CORPORATE DIRECTOR</b>
<b>AUTHOR:</b>	<b>SAMANTHA CONNOR, GOVERNANCE, RISK AND COMPLIANCE MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>5.7 DELIVER EXCELLENT CUSTOMER SERVICE</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

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**1. PURPOSE OF REPORT**

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

**2. MOTION**

**That Council establish an online public register detailing motions, other than procedural motions, carried and lost, including those deemed to be lost because ruled out of order, during the current term of council. The register should include the wording of the motion, the mover of the motion, whether the motion was carried or lost, and the date on which it was carried or lost.**

**3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION**

Residents should be able to see, in one readily accessible location, which substantive motions are being passed and not passed by council during its current term. It is also important for councillors and the chair to be able to see this so as to assist with the processing of points of order and determining whether a motion is consistent with an earlier motion. For instance, the Code of Meeting Practice (COMP) provides "17.6 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9." - the settlement of the question as to whether a motion has the same effect as a motion previously lost would be facilitated by access to the proposed register.

**4. OFFICERS RECOMMENDATION**

That Council consider the officer's response.

**5. OFFICERS COMMENTS**

The minutes of Council meetings are the record of decisions made by Council. The minutes include the record of voting on each item and are publicly available on Council's website, as per the Code of Meeting Practice.

Creating an additional register, would be a manual process and duplication of work already undertaken to produce the minutes; resources not currently available in the Governance team which is already experiencing considerable work volumes.

Staff can explore if there is an opportunity to automatically create a register within the processes of the new business paper system, once the system is well established.

**13.6 NOTICE OF MOTION 06/2024 - INVESTIGATE THE INSTALLATION OF PERMANENTLY ACCESSIBLE 24/7 AEDS ON COUNCIL OWNED FACILITIES**

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>LINDA PERRINE - COMMUNITY CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>ANGELA CASEY, CULTURE &amp; LEISURE MANAGER</b>
<b>CITY STRATEGY OUTCOME:</b>	<b>3.3 PROMOTE AN ACTIVE AND HEALTHY LIFESTYLE.</b>
<b>MEETING DATE:</b>	<b>26 FEBRUARY 2024</b>

**1. PURPOSE OF REPORT**

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

**2. MOTION**

That Council:

- 1. Investigate the costs and benefits of the installation of permanently accessible 24/7 AEDs (Automated External Defibrillators) on Council owned facilities used for sporting and recreational activities.**
- 2. Propose a framework policy for assessable AED installation and use; including publishing a public assessable AED directory on Council's webpage.**
- 3. Provide a report of investigation findings with recommendations for the 25 March Council meeting.**
- 4. Identify suitable funding source.**

**3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION**

Several research studies have linked automated external defibrillator (AED) accessibility as crucial for bystander defibrillation and survival. Notably research published 2019 by the European Resuscitation Council concluded the following:

"The chance of a bystander defibrillation was tripled, and 30-day survival nearly doubled, when the nearest AED was accessible, compared to inaccessible, at the time of OHCA (out-of-hospital cardiac arrest), underscoring the importance of unhindered AED accessibility."

[https://www.resuscitationjournal.com/article/S0300-9572\(18\)30987-0/fulltext](https://www.resuscitationjournal.com/article/S0300-9572(18)30987-0/fulltext)

Further Australian based study (2023) published by the medical journal of Australia emphasised the importance of AED accessibility as the first step in avoiding a chain of fatality and recommend:

"We encourage uniform action on a national level integrating efforts of government, individual organisations, and local communities."

<https://www.mja.com.au/journal/2023/219/4/defibrillator-access-across-australia-first-step-avoiding-chain-fatality>

Referencing Willoughby City Council, under the adopted Community Strategic Plan (1932) 3.1 Foster feelings of inclusion, safety and cleanliness. Measure: Willoughby City Council Community Perception Survey. The most recent 2022 survey 'Safety in public places' generated the highest Importance score.

3.3 Promote an active and healthy lifestyle. Measure: Willoughby City Council Community Wellbeing Survey. The most recent March 2022 reported residents aged 70+ had lower participation in physical activities and are less satisfied with access to public sports and recreation facilities as well as opportunities to participate in sporting and recreation activities. The installation of permanently accessible 24/7 AEDs (Automated External Defibrillators) on Council owned facilities used for sporting and recreational activities will increase safety in public spaces particularly, in relatively isolated and highly utilised exercise and recreational spaces such as Northbridge Baths and Artarmon Oval.

It is noted that Willoughby City Council does not have Defibrillator-AED location directory or a public assessable AED policy unlike its neighbouring Councils of Lane Cove, North Sydney, Ryde and Ku-ring-gai.

It is proposed that investigations begin in establishing an AED Installation and use policy and a report to Council with findings and recommendations. Specifically addressing installation of permanently accessible 24/7 AEDs in isolated, high risk public sporting and recreational facilities such as Northbridge Baths and Artarmon Oval.

A1. The "Automated External Defibrillator" (AED) is a life-saving portable electronic device that can automatically diagnose then help treat two types of life-threatening but shockable cardiac arrhythmias where the chaotic heartbeat is not allowing the heart to pump and circulate blood:-

(a) ventricular fibrillation (VF, or V-Fib), where the electrical activity of the heart becomes chaotic, preventing the ventricle from effectively pumping blood. The fibrillation in the heart decreases over time, and will eventually reach asystole ie. "flat-lining"; and

(b) pulseless ventricular tachycardia (VT, or V-Tach), where the heart beats too fast to effectively pump blood. Ultimately, ventricular tachycardia leads to ventricular fibrillation.

Note that AEDs are not designed to shock asystole ('flat line' patterns on an electrocardiogram) where the heart's electrical system has failed entirely, thus causing the heart to stop pumping. Only speedy commencement of CPR and cardiac stimulant drugs will help establish either VF or VT shockable rhythms. This is why it is imperative for CPR to be commenced out as soon as possible, and prior to the arrival of the AED.

A2. Effect of delayed treatment. Uncorrected, these 3 cardiac conditions (ventricular tachycardia, ventricular fibrillation, asystole) rapidly lead to irreversible brain damage and death, once cardiac arrest takes place. After approximately three to five minutes in cardiac arrest, irreversible brain/tissue damage may begin to occur. For every minute that a person in cardiac arrest goes without being successfully treated (by defibrillation), the chance of survival decreases by 7 percent per minute in the first 3 minutes, and decreases by 10 percent per minute as time advances beyond ~3 minutes.

A3. Instructions & Training. Modern AEDs have simple audio and visual commands, designed to be straightforward to use for the layperson under pressure. The modern AED packages usually include a training video and notes. However, in an emergency the key points are quickly read on the AED.

B1. Council's Commitment to Care. Over 160 years Willoughby Council has provided areas for public recreation. Some are specifically designed for sporting and recreational activities including our Ovals and The Baths and WLC.

B2. Council not only provides heartrate-elevating Ovals etc, it also actively encourages residents to get regular active exercise, often vigorous exercise, in a safe area in order to

elevate the heart rate and improve blood circulation and well-being.

B3. It is difficult for Council to have actual and constructive knowledge of the number of residents who will not be aware of a dormant health problem which might emerge during such exercise and heart rate elevation.

C1. There is no known Substantive "Policy" on AED for Willoughby.

C2. The health and welfare of residents is the highest priority for council, and any measure affecting health in public places should be addressed as a matter of priority.

#### **4. OFFICERS RECOMMENDATION**

Officers will provide a report to Council by July 2024 on the issues and considerations regarding the provision of publicly accessible AEDs, around which Council would form a policy, should it decide to do so.

#### **5. OFFICERS COMMENTS**

To date, Council's approach to the provision of AEDs for sporting and recreational activities has been to work in partnership with local sporting groups, supporting them to apply for grants to purchase the equipment. These groups manage and maintain the AEDs, making the unit available for their participants during their use of the Council facility. Officers can explore alternatives to this approach and report back to Council by July 2024, with a focus on the issues and considerations around which Council would form a Policy on the provision of publicly accessible AEDs, should it choose to do so. This would enable Council to begin the identification of the preferred model in the lead up to the 2025/26 budget process.

This investigation would include any risks posed to Council and /or the community from installing an AED unit in an unsecured public space, including locations that are close to water. The report would also address maintenance issues, Council's risk /legal exposure as well as the capital, maintenance and inspections costs. As Council's Open Space staff are fully allocated for the remainder of this financial year, diverting resources to this task before July 2024 may result in the delay of projects, including the rolling program of sporting pavilion upgrades and the implementation of a new sportsgrounds booking system. In the meantime, a link to the NSW Government's database of available AEDs in the Willoughby LGA will be provided from Council's webpage and details on how to access this database promoted via Council's social media channels.

### 13.7 NOTICE OF MOTION 07/2024 - OPPORTUNITIES TO IMPROVE COUNCIL'S RESPONSE TO DIFFICULT CDC RELATED COMPLIANCE ISSUES

<b>ATTACHMENTS:</b>	<b>NONE</b>
<b>RESPONSIBLE OFFICER:</b>	<b>LINDA PERRINE - COMMUNITY CULTURE &amp; LEISURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>SIMON GRIERSON, ACTING MANAGER SAFE CITY UNIT</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>26 FEBRUARY 2024</b>

## 1. PURPOSE OF REPORT

Councillors Samuel, Mouradian and Taylor have indicated their intention to move the following Notice of Motion.

## 2. MOTION

That Council presents a report with actionable recommendations for consideration and/or endorsement of Council prior to the caretaker period that outlines:

- a. How many complaints, requests to act or feedback we get annually for CDCs and the impact to Council staff
- b. common CDC issues and breaches that Council are asked to deal with that are within and outside Council's jurisdiction
- c. opportunities within Council's jurisdiction to enforce breaches expediently particularly with developers and certifiers who appear to be acting in bad faith, including any budget or resource implications needed to make this effective
- d. lists those certifiers known to be active in Willoughby in the last 12 months that have had their license suspended in the past or presently by the NSW Government as per the publically available register and, if in the public domain, the clients they work with in Willoughby.
- e. suggested changes to Council's FAQ CDCs web pages to more clearly explain the CDC process and the roles and recourse to Council, State Government Agencies and the Private Certifier and any recourse available for citizens about damage to their health or their property and the member of parliament or agency best placed to address their concerns.
- f. Draft letters to relevant Ministers and Shadow Ministers requesting changes to address issues outside Council's jurisdiction

## 3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION

The NSW Planning system is one of the more complex in the OECD, Councillors, Councils and Citizens struggle to understand who to go to when they have issues that need addressing. It is apparent that this is particularly so with complying developments, known by the acronym CDCs. It is likely as development in Willoughby expands more CDCs are likely to be in place. Assisting residents and enabling officers to focus on the areas they can make



a difference will become increasingly important.

Councillors and Council Officers regularly get complaints relating to, but, not limited to; notification of development, work hours, noise, vibration, excessive dust and silica, asbestos handling, tree protection and dilapidation. Identifying the responsible agency and enforcement provisions is difficult for Council and almost impossible for citizens.

This report seeks to provide greater clarity for citizens and to share with responsible Ministers and Shadow Ministers opportunity for regulatory reform and provide clearer links to State Government published data on certifiers who have had the licenses suspended.

#### **4. OFFICERS RECOMMENDATION**

That Council consider the Notice of Motion and the officer response.

#### **5. OFFICERS COMMENTS**

A report will be brought to Council prior to July 2024, providing responses to the questions raised and actionable recommendations. It should be noted that the statistical information requested may not be available from Council's systems to answer the questions raised in this Notice of Motion. Staff resources will be required to review and analyse any data that is available.

**15.1 CONFIDENTIAL - WILLOUGHBY LEISURE CENTRE UPGRADE - UPDATE**

<b>RESPONSIBLE OFFICER:</b>	<b>LINDA PERRINE, COMMUNITY CULTURE &amp; LEISURE DIRECTOR HUGH PHEMISTER, PLANNING &amp; INFRASTRUCTURE DIRECTOR</b>
<b>AUTHOR:</b>	<b>DARREN WOOD, DESIGN &amp; INFRASTRUCTURE MANAGER</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>26 FEBRUARY 2024</b>

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**REASON FOR CONFIDENTIALITY**

## REASON FOR CONFIDENTIALITY

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

- (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) commercial information of a confidential nature that would, if disclosed--
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
- (g) 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 would place Council at a commercial disadvantage if the entities related to the subject of the report were to become aware of Council's budget allowances and financial position.

The matter also contains background information that could be subject to legal proceedings in the future.

This matter is also confidential because it contains details of entities and their commercial operations which, if revealed, would result in commercial disadvantage to them. This information was provided to Council in the expectation that it will be treated as commercial in confidence.

On balance, it is not in the public interest to reveal Council's financial and related information to make its decision) to potential suppliers, nor to disclose the commercial information of potential suppliers.