



Willoughby City Council

ORDINARY COUNCIL

AGENDA

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

on 9 September 2019

commencing at 7:00pm

The Meeting is open to the Public

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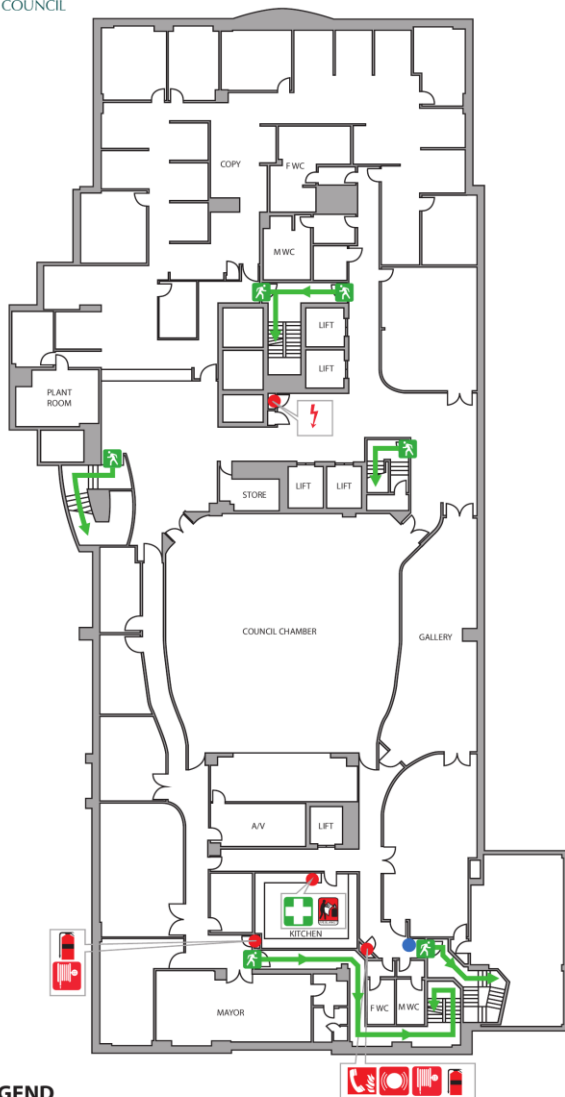
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WILLOUGHBY CITY COUNCIL

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

Remove any person from danger
Alert staff and others
Confine smoke/fire and close doors
Extinguish 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

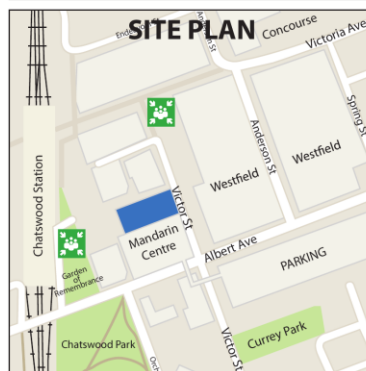
LEGEND

	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



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 Ph 1300 71 81 31 Date of Review: 12-2017
 NOT DRAWN TO SCALE



COUNCIL CHAMBERS

GOVERNANCE MEETING ADMINISTRATION OFFICER	GOVERNANCE OFFICER	GOVERNANCE, RISK & CORPORATE PLANNING MANAGER	MAYOR	CHIEF EXECUTIVE OFFICER
P Sheldrake	V Grepl	S Charlton	Clr G Giles-Gidney	D Just

Clr S Coppock

Clr C Tuon

Clr N Wright

Clr D Fernandez

Clr B Zhu

Clr H Eriksson

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Clr T Mustaca

Clr C Campbell

Clr L Saville

Clr A Rozos

Clr W Norton

Clr J Rutherford
Deputy Mayor

Council
Staff



Council Chamber Protocol

Ordinary Council Meetings are held on the second 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 a person 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 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 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 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.

- 1 OPEN MEETING — ACKNOWLEDGEMENT OF COUNTRY**
- 2 DISCLOSURES OF INTERESTS**
- 3 CONFIRMATION OF MINUTES**
- 4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE
BY COUNCILLORS**

5 PETITIONS**6 OPEN FORUM — MATTERS NOT ON THE AGENDA**

Open Forum allows members of the public to address Council for a maximum of three (3) minutes on any issues (but not on an item on the Agenda).

7 MAYORAL MINUTE(S)**8 CHIEF EXECUTIVE OFFICER'S LATE REPORT****9 MATTERS FOR DEFERRAL AND PROCEDURAL PRIORITY****10 MATTERS REQUIRING ELABORATION OR DEBATE**

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

11 PUBLIC FORUM — MATTERS ON THE AGENDA

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

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12 REPORTS OF COMMITTEES

12.1 ACTIVITIES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE

ATTACHMENTS:	1. IMPLICATIONS 2. ARIC REPORT AS TO OPERATIONS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER AND CORPORATE DIRECTOR
AUTHOR:	SAMANTHA CHARLTON – GOVERNANCE, RISK AND CORPORATE PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

To provide Council with a report on the activities of the Audit Risk and Improvement Committee, including meeting minutes.

2. OFFICER'S RECOMMENDATION

That Council receive and note the report on the activities of the Audit Risk and Improvement Committee.

3. BACKGROUND

On 25 September 2017, Council approved a revised Audit Risk and Improvement Committee Charter, which updated the previous Audit Committee Charter in line with upcoming expanded responsibilities for audit committees. Council appointed three independent members to the Committee, along with two Councillor members.

At the first meeting of the Audit Risk and Improvement Committee (ARIC) on 8 November 2017, the Committee adopted the Audit Risk and Improvement Committee Charter.

The Charter provides that the ARIC report to Council annually on its operations and achievements.

4. DISCUSSION

The ARIC has been meeting quarterly since November 2017, carrying out its functions under the ARIC Charter. A report of the operation of the ARIC, including minutes of meetings is **Attachment 2** to this report.

In summary, the ARIC has conducted its functions in the areas of risk management, Council's control framework, internal audit, legislative compliance, Council's delivery and business improvement program, as well as reviewing Council's financial statements and reports from external auditors.

The ARIC has also reviewed performance of Council's internal audit function in line with its responsibility under the Charter. The ARIC has an annual 'in camera' session with the internal auditor and external auditors, without the presence of management, supporting the independence of Council's internal audit function.

The ARIC has conducted a self-assessment of performance, taking into account feedback from regular attendees, to assist in the process of continuous improvement of Committee functions and processes.

The ARIC Chair has requested a review of the remuneration fees paid to independent members of the Committee. Officers have commenced research to address this request, including a benchmarking exercise and will report back to Council in October with details of the request and recommendations.

5. CONCLUSION

The ARIC has carried out its functions under the ARIC Charter, holding quarterly meetings since November 2017. The attached report on activities and meeting minutes sets out the functions carried out by the ARIC under the Charter.

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes/ Services	Governance, Risk and Corporate Planning business objectives include to increase accountability and transparency.
Policy	Not applicable.
Consultation	Not applicable.
Resource	Covered by existing resources. Committee member fees are included in the current budget.
Risk	The ARIC, as the third line of defence, strengthens Council's control framework and risk management processes, optimising its ability to achieve objectives.
Legal	The ARIC Charter aligns with the <i>International Standard for the Professional Practice of Internal Auditing and Internal Audit Guidelines</i> issued by the NSW Office of Local Government.
Legislation	<i>Local Government Act 1993</i> , section 23A.
Budget/Financial	This is within approved budget.

Willoughby City Council Audit Risk and Improvement Committee

Annual Report to Council

June 2019

Executive Summary

Willoughby City Council's ('WCC') Audit Risk and Improvement Committee ('the Committee') was approved and established by Council in September 2017. The Committee carries out its responsibilities as set out in the Audit Risk and Improvement Committee Charter, which was approved by Council and adopted by the Committee at its first meeting in November 2017. The Committee continues the work of the previous Internal Audit Committee, and has an expanded role in relation to risk management, compliance and business improvement processes in Council.

Committee Members

The members of the Committee are:

Mr Robert Dobbie Chairperson, Independent member

Mr Brian Hrnjak Independent member

Mr Andrew Hanigan Independent member

Councillor Christine Tuon Member

Councillor Wendy Norton Member

Meetings – Attendance of Members

Meeting Date	R. Dobbie	B. Hrnjak	A. Hanigan	C. Tuon	W. Norton
8 Nov 2017	X	X	X	X	X
7 March 2018	X	X	X	A*	X
1 August 2018	X	X	X	X	X
17 Oct 2018	X	X	X	X	X
5 Dec 2018	X	X	X	X	X
6 March 2019	X	X	X	X	X

A* - Apology received

Committee Minutes

The Minutes of the above Committee meetings are **attached** to this Report.

Committee's operations and activities

In its first year of operation, the Committee has fulfilled its advisory, review and oversight responsibilities under the Audit Risk and Improvement Committee Charter as follows:

Risk Management

- reviewed Council's Enterprise risks and risk management framework including adequacy of insurance arrangements and business continuity arrangements.

Control Framework

- reviewed Council's governance processes and general control framework including policies and procedures, and compliance with policies and procedures; and
- reviewed Council's processes and policies for the review, management and exercise of delegations.

External Accountability

- reviewed annual financial statements and Auditor-General's advices and opinions and considered contentious financial reporting matters with management and external auditors;
- reviewed external auditor's plans, reports and Management Letters;
- monitored the progress of external audit recommendations; and
- met with the Audit Office and external audit contractor 'in camera', without the presence of management.

Legislative Compliance

- reviewed Council's Legislative Compliance framework, including Council's systems for monitoring compliance with legislation and policies;
- received quarterly reports as to relevant correspondence received from regulatory bodies.

Council Operations and Business Improvement

- received reports on Council's Community Strategic Plan, Delivery Plan and Operational Plan;
- reviewed Progress Reports on the Operational Plan;
- reviewed progress of Council's Business Improvement program.

Internal Audit

- endorsed Council's Internal Audit Plan for 2018/19;
- considered the adequacy of Council's internal audit resources to carry out its responsibilities;
- reviewed the following audit reports and considered action taken on issues raised in the reports:
 - Plant and Equipment, November 2017
 - Records Capture, March 2018
 - Complaints Management, August 2018
 - Payroll Data Analysis, August 2018
 - Accounts Payable Data Audit, August 2018
 - Facilities Management, October 2018
 - Asset Management, October 2018
 - Accounts Payable CAAT Audit, March 2019
 - Recruitment and Termination, March 2019
 - Parking Management, March 2019;
- monitored the progress of implementation of internal audit recommendations;
- reviewed the performance of Council's internal audit function; and

- met 'in camera' with the internal auditor, without the presence of management.

The Committee postponed the review of the Audit Risk and Improvement Committee Charter until the release of the revised Audit Risk and Improvement Committee Guidelines by the Office of Local Government (expected in August 2019).

Committee's assessment of performance

In accordance with the Audit Risk and Improvement Committee Charter, the Committee has conducted a self-assessment of its performance, taking into account stakeholder comments. A report of the self-assessment will be presented to Council for review, in accordance with the Charter.

Overall, the Committee has had a successful first year, continuing to develop systems for the effective review and oversight of Council's governance, internal audit, risk management and business improvement functions.



Willoughby City Council

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

MINUTES

on 8 November 2017
commencing at 8:30am

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

8 NOVEMBER 2017

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1 OPENING AND INTRODUCTIONS

Mayor Gail Giles-Gidney welcomed all present and especially members of the Audit Risk and Improvement Committee. Mayor Giles-Gidney affirmed Council's support for the work of the Committee as an important part of Council's commitment to accountability and transparency to the people of the Willoughby local government area.

2 ELECTION OF CHAIRPERSON

The Committee had been advised that the previous Audit Committee had been dissolved as a result of the local government elections in September 2017, and of the processes that led to the formation of the current Committee.

Mr M Quirk called for nominations for an independent community Committee to undertake the role of Chairperson in accordance with the adopted Committee Charter. Cllr W Norton nominated Mr R Dobbie which was seconded by Mr B Hrnjak. Mr R Dobbie accepted the nomination which was supported by all Committee members.

Mr R Dobbie agreed to undertake the role of Chairperson for a period of two years so as to allow for continuity in accordance with the proposed Audit, Risk and Improvement Committee Charter.

3 PRESENT

Independent Members:

Mr R Dobbie; Mr A Hanigan; Mr B Hrnjak

Councillors:

Clr C Tuon; Cr W Norton

The Mayor, Cr G Giles-Gidney was in attendance for the opening of the meeting

Officers:

Ms D Just (General Manager); Mr D Frost (Customer and Corporate Director); Mr M Duffy, (Chief Finance Officer); Mr M Quirk (Head of Internal Audit).

Visitors:

Mr M Upcroft (PriceWaterhouseCoopers)

APOLOGIES

Nil

4 DECLARATIONS OF INTEREST

Nil.

Mr A Hanigan noted that he was a member of the audit committees for Wollondilly and Mosman councils. Mr B Hrnjak noted that he was a member of the audit committees for Northern Beaches and Strathfield councils.

5 AUDIT, RISK & IMPROVEMENT COMMITTEE CHARTER**5.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER**

ATTACHMENTS:	1. AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER
RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	MICHAEL QUIRK – HEAD OF INTERNAL AUDIT
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	8 NOVEMBER 2017

Purpose of Report

To provide the Committee with the approved Audit, Risk and Improvement Committee Charter for consideration and adoption.

Mr M Quirk provided background to the development of an updated Committee Charter, and of Council's consideration and approval of the Charter. Changing legislation and probable updated guidelines for internal audit and Audit, Risk and Improvement Committees provided the opportunity to update the Charter to reflect better practice.

The Committee discussed a number of components in the proposed Charter including the defined areas of Committee accountability, and the requirement for staggered tenure for independent members to enable continuity of knowledge and capability.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

- 1. Consider the requirements in the Audit, Risk and Improvement Committee Charter for staggered tenure of independent members.**
- 2. Consider and adopt the Audit, Risk and Improvement Committee Charter.**

COMMITTEE RESOLUTION

The Audit, Risk and Improvement Committee:

1. Considered the requirements in the Audit, Risk and Improvement Committee Charter for staggered tenure of independent members.
2. Adopted the Audit, Risk and Improvement Committee Charter.

MOVED COUNCILLOR W NORTON

SECONDED COUNCILLOR C TUON

CARRIED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING**8 NOVEMBER 2017****6 MINUTES OF AUDIT, RISK & IMPROVEMENT COMMITTEE****6.1 MINUTES - AUDIT COMMITTEE MEETING 19 JULY 2017**

ATTACHMENTS: 1. MINUTES OF AUDIT COMMITTEE MEETING
19 JULY 2017

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

AUTHOR: MICHAEL QUIRK – HEAD OF INTERNAL AUDIT

CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE
AND REPRESENTS ITS CONSTITUENTS

MEETING DATE: 8 NOVEMBER 2017

Purpose of Report

To present the Minutes of the Audit Committee Meeting held on 19 July 2017.

OFFICER'S RECOMMENDATION

That the Audit Committee:

Receive and note the minutes of the Audit Committee Meeting of 19 July 2017.

COMMITTEE RESOLUTION

That the minutes of the previous meeting were accepted as a true and accurate record of proceedings.

MOVED COUNCILLOR W NORTON

SECONDED MR R DOBBIE

CARRIED

7 REPORTS**7.1 2016-2017 ANNUAL FINANCIAL STATEMENTS TO THE YEAR ENDING 30 JUNE 2017**

- ATTACHMENTS:**
- 1. GENERAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017**
 - 2. SPECIAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2017**
 - 3. SPECIAL SCHEDULES FOR THE YEAR ENDED 30 JUNE 2017**
 - 4. REPORT ON CONDUCT OF THE AUDIT**
 - 5. INDEPENDENT REPORT ON GENERAL PURPOSE FINANCIAL STATEMENTS 2016/17**
 - 6. INDEPENDENT REPORT ON SPECIAL PURPOSE FINANCIAL STATEMENTS 2016/17**
 - 7. INDEPENDENT REPORT ON SPECIAL SCHEDULE NUMBER EIGHT, TOTAL PERMISSIBLE GENERAL INCOME FOR THE YEAR ENDED 30 JUNE 2018**
 - 8. CLIENT SERVICE REPORT FOR THE YEAR ENDED 30 JUNE 2017**

RESPONSIBLE OFFICER: DEAN FROST – CUSTOMER & CORPORATE DIRECTOR

AUTHOR: MICHAEL DUFFY – CHIEF FINANCIAL OFFICER
BILL LOFTHOUSE – FINANCIAL ACCOUNTANT

CITY STRATEGY LINK: 6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS

MEETING DATE: 8 NOVEMBER 2017

1. PURPOSE OF REPORT

To present the 2016-2017 Annual Financial Statements and Audit Reports to the Audit Committee.

Mr M Duffy spoke to the Financial Statements for 2016-2017 and of the work in having the Statements audited by the Audit Office or New South Wales for the first time in 2017. Ms D Just advised the Committee that the final Management Letter from the Audit Office had been received on the day before the Committee meeting which will be considered by Council management, and reported to the next Committee meeting.

Mr M Duffy summarised the main results within the Financial Statements were:

1. Council's Operating Surplus before capital items is \$17.9M (\$21.5M including capital revenue items).
2. Council's cash position has increased to \$115.8M from \$104.3M in 2016.
3. Council's External Restrictions increased by \$1.9M to \$45.6M whilst Internal restrictions increased by \$7.4M to \$56.6M. Unrestricted cash increased by \$2.2M to \$13.6M. It should be noted that held within liabilities is \$10.3M in security bonds/retentions being a significant component of the unrestricted cash figure.
4. An adjustment to Retained Earnings was required to restate the value of Community Land using Valuer General's Values which saw a total of \$1.4B written back to retained earnings and a further \$722M written back against the Asset Revaluation Reserve. During the year Council officers conducted a review of Park and Infrastructure Assets. The review highlighted that \$17.2M of historic Park and Infrastructure Assets had not been included in Council's Asset Register. These were subsequently capitalised and in accordance with Accounting Standards have been booked as a Correction of Prior Period Errors as set out in Note 20C.

Mr M Duffy advised that Council compares well against the industry benchmarks as detailed in notes accompanying the Financial Statements, and concluded that the Financial Statements for the Year Ended 30 June 2017 reinforce Council's strong financial position and in the opinion of the Auditors present fairly, in all material respects. The Council has reported a surplus operating position prior to capital, has significant cash and cash reserves and all financial indicators exceed benchmark.

The Committee discussed a number of aspects of the Financial Statements, with extended consideration on the interpretation of accounting standards relating to valuations of community land. Mr M Upcroft provided background to the treatment of valuations of community land, and of the consistent approach being suggested by the Audit Office.

COMMITTEE RESOLUTION

That the Committee endorse the Financial Statements for the year ending 30 June 2017.

MOVED MR A HANIGAN

SECONDED MR B HRNJAK

CARRIED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

7.2 INTERNAL AUDIT STATUS REPORT

ATTACHMENTS:	1. NORTH SHORE COUNCILS AUDIT PROGRAM 2017-2018 WILLOUGHBY
RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	MICHAEL QUIRK – HEAD OF INTERNAL AUDIT
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	8 NOVEMBER 2017

Purpose of Report

To provide the Committee with updated information on the implementation of the 2017-2018 Internal Audit Program.

Mr M Quirk provided an update on progress in completing the approved 2016-2017 and 2017-2018 Internal Audit Programs, and of the three current audits in various stages of completion at Willoughby.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Internal Audit Status Report.

COMMITTEE RESOLUTION

That the Committee receive and note the Internal Audit Status Report.

MOVED MR A HANIGAN

SECONDED COUNCILLOR C TUON

CARRIED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

7.3 IMPLEMENTATION OF AUDIT RECOMMENDATIONS - CORPORATE SCORECARD

ATTACHMENTS:	1. 30 JUNE 2016 SCORECARD 2. 30 JUNE 2017 SORECARD
RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	MICHAEL QUIRK – HEAD OF INTERNAL AUDIT
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	8 NOVEMBER 2017

Purpose of Report

To provide the Committee with information on the use of the Corporate Scorecard to monitor a number of corporate indicators including the implementation of internal audit recommendations.

Ms D Just provided background to the development and use of the Corporate Scorecard as an internal management reporting tool for monitoring performance across a number of Corporate targets.

OFFICER'S RECOMMENDATION

That the Audit Committee:

Receive and note the Implementation of Audit Recommendations –Corporate Scorecard Report.

COMMITTEE RESOLUTION

That the Committee receive and note the Implementation of Audit Recommendations –Corporate Scorecard Report.

MOVED MR A HANIGAN

SECONDED COUNCILLOR C TUOR

CARRIED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

7.4 AUDIT REPORT - PLANT & EQUIPMENT

ATTACHMENTS:	1. AUDIT REPORT – PLANT & EQUIPMENT
RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	MICHAEL QUIRK – HEAD OF INTERNAL AUDIT
CITY STRATEGY LINK:	6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS
MEETING DATE:	8 NOVEMBER 2017

Purpose of Report

To provide the Committee with the results of an Audit of Plant & Equipment at Willoughby.

Mr M Quirk provided a summary of the audit processes and the satisfactory results arising from an audit of plant and equipment controls. Mr M Quirk also detailed a number of recommendations for improvement in the audit report which Council management were in the process of implementing.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Internal Audit Report of Plant & equipment.

COMMITTEE RESOLUTION

That the Committee receive and note the Internal Audit Report of Plant and Equipment.

MOVED COUNCILLOR WENDY NORTON

SECONDED MR A HANIGAN

CARRIED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

8 GENERAL BUSINESS

8.1 Mr R Dobbie requested that a schedule of standard agenda items be prepared so that the Committee is able to evidence consideration of each of their responsibilities in the Charter. A number of approaches were discussed including structuring the meeting agenda around the accountabilities defined in the Audit, Risk and Improvement Committee Charter.

COMMITTEE RESOLUTION

That the agenda for future meetings be structured around the accountabilities of the Audit, Risk and Improvement Committee, and that reports be provided under this structure.

MOVED COUNCILLOR WENDY NORTON

SECONDED COUNCILLOR C TUON

CARRIED

8.2 Mr B Hrnjak requested details of an induction for organisation information to assist the Committee. Ms D Just suggested that an initial induction meeting be arranged as soon as possible, followed by short presentations at before future Committee meetings as required. Ms D Just advised that the first induction meeting would be arranged at a time convenient to all Committee members in the near future.

9 NEXT MEETING

9.1 The date for the next Committee meeting was discussed and was agreed to be in February or March 2018 at a date to be circulated in early 2018. The Committee agreed for meetings to be scheduled to commence at 8:30am on Wednesdays. A full schedule of meetings for 2018 will be put forward to the next Committee meeting.

9.2 There being no further business, the meeting closed at 10:30 am.



Willoughby City Council

**AUDIT, RISK AND IMPROVEMENT
COMMITTEE MEETING**

MINUTES

held on

7 March 2018

**Audit Risk and Improvement Committee
Meeting Minutes
7 March 2018**

1. Opening and Introductions

The Chair opened the meeting at 8.30am and welcomed members and attendees.

2. Attendance and Apologies**Present:**

Mr R Dobbie (Chair)	Mr M Quirk (Consultant)
Mr A Hanigan (independent member)	Mr K Pechimuthoo (Acting Head of Internal Audit)
Mr B Hrnjak (independent member)	Mr G Fitzgerald (Revenue Accountant)
Councillor W Norton (member)	Mr S Naven (Acting Chief Financial Officer)
Ms D Just (General Manager)	Mr M Ghulam (Business Improvement and Customer Experience Manager)
Mr D Frost (Customer and Corporate Director)	Ms E Hurford (Risk and Audit Coordinator, Minutes)
Mr A Patterson (Acting Governance, Risk and Audit Manager)	

Apologies:

Councillor C Tuon (member)

3. Declarations of Interest

Mr Dobbie noted he was a member of the Audit Committee of Northern Beaches Council.

4. Adoption of Minutes – ARIC Meeting November 2017

The Minutes of the Audit Risk and Improvement Committee held on 8 November 2017, previously reviewed by the Chair, were presented to the Committee as a true and accurate record of the meeting.

Committee Resolution

The Committee accept the minutes of the previous meeting as a true and accurate record of proceedings.

5. Action Log

The Committee considered the action log and the status of actions from previous Minutes of the Committee.

Committee Resolution

The Committee accept, receive and note the status of actions in the Action Log.

6. ARIC Calendar – ARIC going forward

The Committee considered the proposed calendar and agenda which changed the format of the agenda to schedule ARIC accountabilities across the year.

The agenda was based on the proposed calendar and included reports for agenda items 4, 5, 6, 14, 19, 20, 21 and 23.

The meeting discussed the proposed calendar and agenda. It was suggested that timing of items in the Calendar be amended to align with Council reporting requirements.

A suggestion was raised that an induction be provided at the next Committee meeting to provide more information and background around the responsibilities of the Committee, Council's risk management framework and business improvement processes. The Committee also enquired about the project management process and the Corporate Scorecard.

The Committee also requested that the presentation and all reports (with pages numbered) be circulated in hard copy to Committee members prior to the meeting.

The Chair confirmed that a presentation to the whole Committee would be the appropriate avenue for the provision of this information, rather than members seeking this information individually.

The meeting also discussed proposed dates for Committee meetings in 2018, and the need to ensure that meetings were not scheduled in Council recess periods.

Officer's Recommendation:

That the Audit Risk and Improvement Committee:

1. Adopt the calendar as a working draft with a view to aligning the reporting timeframes with the Council reporting timetable
2. Present Calendar at each meeting with any changes highlighted
3. Confirm Committee meeting dates out of session, with regard to Council recess periods

Committee Resolution

That the Audit Risk and Improvement Committee:

1. Take the Calendar as read and adopt it as a working draft to be presented to each meeting with changes highlighted
2. Committee July meeting date and other dates in 2018 to be confirmed out of session with reference to Council recess times
3. Receive an induction at the next meeting about Committee responsibilities, including in relation to oversight of the risk management framework and responsibilities regarding business improvement and the Corporate Scorecard process.
4. Meeting papers and agenda (pages numbered) to be circulated in hard copy to members prior to each meeting

14. External Accountability – Management Letter

The Committee considered the Management Letter received from the Audit Office, noting the four recommendations, each with a moderate risk rating. The meeting discussed the recommendations and the timeframe for implementation.

Committee Resolution:

That the Audit Risk and Improvement Committee:

1. Receive and note the Management Letter
2. Receive a report at the next meeting as to the status of implementation of the recommendations in the Management Letter

19. Internal Audit Status Report

The Committee received the Internal Audit Status Report and discussed the timeframes for commencement of audits. The Committee recommended that planned start dates be included in the report.

The Committee enquired as to the process for current audit planning and was informed that a general audit plan for each Council was prepared from an overarching audit plan for the seven Councils in the shared service arrangement.

The Committee suggested a payroll review to be considered as part of the audit plan.

Committee Resolution:**That the Audit Risk and Improvement Committee:**

1. Receive and note the Internal Audit Status Report with the inclusion of planned start dates and finish dates of audits

20. Implementation of Audit Recommendations

Mr Pechimuthoo presented the report on the implementation of Audit Recommendations. The meeting discussed the report showing the status of implementation of audit recommendations, noting that there was only one outstanding recommendation that was rated as high risk.

Committee Resolution:**That the Audit Risk and Improvement Committee:**

1. Receive and note the Implementation of Audit Recommendations report.

21. Audit on Records Capture

Mr Pechimuthoo presented the Audit Report on Records Capture to the Committee and noted the recommendations contained in the report.

Committee Resolution:**That the Audit Risk and Improvement Committee:**

1. Take the report as read

23 Induction for Committee members

Ms Just presented an induction for Committee members providing information relating to the Council area, finances and risks. The meeting discussed the Council's key risks and mitigation strategies and the role of the Committee in overseeing the Council's risk management framework. The Committee enquired as to the % cost of debt on the Concourse and this question was taken on notice. The Committee also requested a diagrammatic representation of the IT review.

Committee Resolution:**That the Council provide:**

1. The % cost of debt on the Concourse, and
2. A diagrammatic representation of the IT system

C General Business

The Committee and attendees noted with sadness the recent passing of Mr M Duffy and extended condolences to his family and friends.

D Next Meeting

Date of next meeting to be decided out of session with reference to Council recess dates.

The meeting closed at 10.00am.



Willoughby City Council

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING

MINUTES

on 1 August 2018
commencing at 8:30am

AUDIT COMMITTEE MEETING

1 AUGUST 2018

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1 OPENING AND INTRODUCTIONS

The Chair opened the meeting and welcomed attendees.

2 ATTENDANCE

Committee Members:

Mr R Dobbie (Chair); Mr A Hanigan; Mr B Hrnjak, Clr C Tuon, Clr Norton

Officers:

Ms D Just (General Manager); Mr D Frost (Customer and Corporate Director); Mr S Naven, (Chief Finance Officer); Mr T Hopwood (Governance, Risk and Corporate Planning Manager); Mr M Ghulam, (Business Improvement and Customer Experience Manager); Mr K Pechimuthoo, (Internal Auditor); Ms E Hurford (Risk & Audit Coordinator).

Visitors:

Mr M Upcroft, (PriceWaterhouseCoopers)
Ms S Ahmed, (Audit Office NSW)

APOLOGIES

NIL

3 DECLARATIONS OF INTEREST

NIL

AUDIT COMMITTEE MEETING**1 AUGUST 2018****4 MINUTES OF AUDIT, RISK & IMPROVEMENT COMMITTEE****4.1 ADOPTION OF MINUTES - MARCH 2018**

ATTACHMENTS:	1. AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES – 7 MARCH 2018
RESPONSIBLE OFFICER:	DEBRA JUST – GENERAL MANAGER
AUTHOR:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	4
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To present the Committee with the Minutes of the Audit, Risk and Improvement Committee meeting held on 7 March 2018.

The Committee confirmed that Committee resolutions would be by general agreement, rather than by vote.

The Committee requested a hard copy of the papers be distributed before the meeting, and were happy to access an electronic version of the papers via the WCC 'dropbox' link.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Minutes of the Audit, Risk and Improvement Committee meeting held on 7 March 2018.

COMMITTEE RESOLUTION

That the minutes of the Audit, Risk and Improvement Committee Meeting on 7 March 2018 are accepted as a true and accurate record of the proceedings.

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AUDIT COMMITTEE MEETING**1 AUGUST 2018**

5 ACTION LOG**5.1 ACTION LOG - AUGUST 2018**

ATTACHMENTS:	1. DIAGRAMMATIC REPRESENTATION OF IT SYSTEM
RESPONSIBLE OFFICER:	DEAN FROST - DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	5
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with the Action Log of items arising in March 2018 meeting.

The Committee noted the diagrammatic representation of the IT system and enquired about the Council's responsibilities in relation to reporting a data breach.

The meeting discussed the question with notice as to the debt on the Concourse.

The meeting also confirmed the plan for independent members to have staggered terms, so that some members have two years, and some have three.

OFFICER'S RECOMMENDATION

That the Audit Risk and Improvement Committee receive and note the Action Log.

COMMITTEE RESOLUTION

The Committee receive and note the Action Log.

ACTION

- 5.1.1 Council to provide the Committee with assurance as to Council's processes to ensure compliance with data breach reporting obligations at the next meeting.

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AUDIT COMMITTEE MEETING

1 AUGUST 2018

6 AUDIT, RISK & IMPROVEMENT COMMITTEE CALENDAR**6.1 AUDIT RISK AND IMPROVEMENT CALENDAR - AUGUST 2018**

ATTACHMENTS:	1. AUDIT RISK AND IMPROVEMENT COMMITTEE CALENDAR 2. INDUCTION
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	6
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with the Audit Risk and Improvement Calendar, with highlighted amendments since the March ARIC meeting, and an Induction for Committee members relating to ARIC responsibilities and Calendar.

The amendments to the Calendar aligned the ARIC reporting with statutory Council reporting cycles.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Audit, Risk and Improvement Committee calendar and induction.

COMMITTEE RESOLUTION

The Committee receive and note the Calendar as amended as to reporting times and minor terminology changes.

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AUDIT COMMITTEE MEETING**1 AUGUST 2018**

7 REPORTS**RISK MANAGEMENT****7.1 RISK MANAGEMENT REPORT - AUGUST 2018**

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	7.1
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with an update of Council's risk management framework.

The Committee considered the update of Council's risk management framework, including the completion of the fraud and corruption risk assessment and treatment plan and review and update of Council's enterprise risks and controls.

The Committee and attendees discussed the importance of risk controls in the risk management process, and the benefit of an independent assessment of the risk management framework.

The Committee enquired as to staff performance review processes to ensure quality control in the risk management process. Ms Just provided information about Council's staff performance and development program, completed annually by all staff.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Risk Management Update.

COMMITTEE RESOLUTION

The Committee receive and note the Risk Management Update Report and take as read.

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AUDIT COMMITTEE MEETING

1 AUGUST 2018

CONTROL FRAMEWORK

No reports

EXTERNAL AUDIT**7.2 EXTERNAL AUDIT UPDATE REPORT - AUGUST 2018**

ATTACHMENTS:	1. CLIENT SERVICES PLAN – JUNE 2018 2. DRAFT INTERIM 2018 MANAGEMENT LETTER
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	9
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with the Audit Office's Client Services Plan (CSP) for the year ending 30 June 2018 and an update on financial management including implementation of Audit Office recommendations.

Mr Naven provided an update of progress in the year end audit. Mr Naven summarised the Client Services Plan and noted the key dates in the audit timeline.

The Committee requested a review of the timeframe to allow the Committee to consider the financial reports before they are reported to Council, allowing Council to rely on assurance from the Committee. The date of the Committee meeting on 17 October 2018 was confirmed.

Mr Naven discussed the interim Management Letter and Ms Ahmed provided a final interim Management Letter that was taken as read. Mr Naven advised that all issues in the interim Management Letter were included in the 2017 Management Letter and significant action had been taken to address the issues. The Audit Office and PWC will further assess the issues before the providing the final Management Letter on 17 October 2018.

Ms Just expressed her appreciation for the work of Finance staff in maintaining strong controls and ensuring legislative compliance in the financial reporting process.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Client Services Plan and the draft 2018 Interim Management Letter.

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AUDIT COMMITTEE MEETING

1 AUGUST 2018

COMMITTEE RESOLUTION

The Committee receive and note the Client Services Plan, Interim Management Letter and the External Audit Update Report

ACTION

- 7.2.1 Council to review the timeline for reporting audited financial statements to the Committee and consider revised date for provision of reports to the Committee, including sending reports out of session.

AUDIT COMMITTEE MEETING

1 AUGUST 2018

LEGISLATIVE COMPLIANCE**7.3 LEGISLATIVE COMPLIANCE REPORT - CORRESPONDENCE FROM REGULATORY BODIES**

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	DEBRA JUST - GENERAL MANAGER
AUTHOR:	DEAN FROST - CUSTOMER AND CORPORATE DIRECTOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	10.3
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with any relevant correspondence from regulatory authorities.

The Committee noted the report and discussed risk implications. Ms Just provided further information relating to the response of the regulatory body, that no further action was required.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Legislative Compliance Report – correspondence from regulatory authorities

COMMITTEE RESOLUTION

The Committee note the Legislative Compliance Report – correspondence from regulatory authorities

ACTION

7.3.1 Council to provide correspondence in relation to the report.

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AUDIT COMMITTEE MEETING

1 AUGUST 2018

COUNCIL OPERATIONS AND BUSINESS IMPROVEMENT**7.4 COUNCIL OPERATIONS REPORT - AUGUST 2018**

ATTACHMENTS:	1. SIX MONTHLY PROGRESS REPORT
RESPONSIBLE OFFICER:	DEBRA JUST - GENERAL MANAGER
AUTHOR:	DEAN FROST - CUSTOMER AND CORPORATE DIRECTOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	11.1 AND 11.3
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with an update as to implementation and development of the community strategic plan, delivery program and strategies.

Ms Just talked to the six monthly Progress Report and provided information about Council's processes to monitor progress of implementing the delivery program, including in relation to the management of items that were 'off track'.

Ms Just discussed the role of monthly monitoring of deliverables by the Executive through the Council's Corporate Scorecard, (to be tabled at the November Committee meeting in accordance with the ARIC Calendar).

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Report on Council's Operations – the implementation and development of strategic plans.

COMMITTEE RESOLUTION

The Committee receive and note the six monthly Progress Report and Council Operations Report.

ACTIONS

- 7.4.1 Council to provide an update in relation to the availability of a reporting system in relation to Corporate Performance Indicators WOR02 – WOR06 on page 165 of Committee papers.
- 7.4.2 Council to provide update in relation to the Building Asset Management Plan referred to in Corporate Performance Indicator PRO04 on page 167 of Committee papers.
- 7.4.3 Council to provide the Corporate Scorecard to the Committee in accordance with ARIC Calendar (November).

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AUDIT COMMITTEE MEETING**1 AUGUST 2018****7.5 BUSINESS IMPROVEMENT PROGRAM REPORT - AUGUST 2018**

ATTACHMENTS:	1. BUSINESS IMPROVEMENT PROGRAM - FY2018/19
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	MUSTAFA GHULAM – BUSINESS IMPROVEMENT AND CUSTOMER EXPERIENCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	11.4
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To review status of progress of Council's Business Improvement program and provide advice for the purpose of improving Council's performance of its functions.

Mr Ghulam talked to the Business Improvement Program Report and provided further detail in relation to the development applications process improvement project, which resulted in greater efficiencies in application processing times.

Mr Ghulam clarified that the 88% rate for completed initiatives did not include cancelled projects. These projects were being undertaken by other business units and were omitted so as to avoid duplication in the business improvement reporting.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Business Improvement report and advise as to the improvement of Council's performance on its functions.

COMMITTEE RESOLUTION

The Committee receive and note the Business Improvement Program Report

ACTION

- 7.5.1 Council to provide data on outstanding development applications at the next Committee meeting.

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AUDIT COMMITTEE MEETING**1 AUGUST 2018**

INTERNAL AUDIT**7.6 INTERNAL AUDIT STATUS REPORT**

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.2
MEETING DATE:	1 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with updated information on the progress of the 2017-2018 Internal Audit Program and the transition to the in-house internal audit arrangement.

The Committee discussed the internal audit status report. Mr Pechimethoo, internal auditor indicated that the Parking Control Management Audit would commence next month. Further the Automated Audit – Rates is being conducted by an external provider to commence in August. Implementation reviews are ongoing.

The Committee and attendees discussed the Internal Audit Quality Assessment and noted its relevance in relation to the Committee's suggestion of an independent assessment of Council's risk and audit programs in the future.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Internal Audit Status Report.

COMMITTEE RESOLUTION

The Committee note the Internal Audit Status Report and take it as read.

ACTION

7.6.1 Council to include dates for completion of audits in the Internal Audit Status Report.

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AUDIT COMMITTEE MEETING**1 AUGUST 2018**

7.7 INTERNAL AUDIT PLAN - 2018 - 2019

ATTACHMENTS:	1. INTERNAL AUDIT PLAN 2018 - 2019
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.1
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with Council's proposed Internal Audit Plan for 2018 / 2019.

Mr Pechimethoo talked to the proposed Internal Audit Plan for 2018 / 2019, comprising six audits.

The Committee enquired as to whether the Internal Audit Plan had taken into account compliance related issues in the local government field. Mr Pechimethoo provided information as to the process of developing the Internal Audit Plan, taking into account Council's enterprise risks, previous audits, Audit Office audits and Council's business improvement program.

The Committee suggested, for future practice, that Council present twelve audits with a recommendation of six for the financial year.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and endorse the Internal Audit Plan for 2018/2019.

COMMITTEE RESOLUTION

The Committee endorse the Internal Audit Plan for 2018 / 2019.

ACTIONS

- 7.7.1 Council to present future Internal Audit Plans in the format of twelve audits, with a recommendation for six.
- 7.7.2 Council to provide Risk Register in next Committee meeting.

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AUDIT COMMITTEE MEETING**1 AUGUST 2018****7.8 INTERNAL AUDIT - IMPLEMENTATION OF RECOMMENDATIONS -
AUGUST 2018**

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.4
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with an update as to the implementation of audit recommendations.

Ms Hurford summarised the outstanding audit recommendations and sought an extension in the timeframes for implementation.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Report as to the implementation of audit recommendations and endorse proposals regarding the extension of timeframes.

COMMITTEE RESOLUTION

The Committee note the report and endorse the extension of timeframes for the outstanding audit recommendations to 31 December 2018.

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AUDIT COMMITTEE MEETING**1 AUGUST 2018****7.9 AUDIT REPORT - PAYROLL DATA ANALYSIS**

ATTACHMENTS:	1. AUDIT REPORT – PAYROLL DATA ANALYSIS
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.5
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with the results of a Payroll Data Analysis (Audit 06/17, 2017/18).

The Committee and attendees discussed potential risks in relation to managing casual employees in terms of clarity around entitlements and conditions. Ms Just advised that staff on short term contracts were treated as employees and contractors were engaged through an agency, thus mitigating human resource risks in relation to casual staff entitlements.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Payroll Data Analysis Audit Report.

COMMITTEE RESOLUTION

The Committee note the Payroll Data Analysis and take it as read.

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AUDIT COMMITTEE MEETING

1 AUGUST 2018

7.10 AUDIT REPORT - ACCOUNTS PAYABLE DATA AUDIT

ATTACHMENTS:	1. AUDIT REPORT – ACCOUNTS PAYABLE DATA AUDIT
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.5
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with the results of an Audit of Accounts Payable Data (Audit 07/17, 2017/18).

The Committee and attendees discussed the issue of data cleansing vendor details. Mr Naven advised that Council planned to undertake this process in the next 6 – 12 months.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Internal Audit Report on Accounts Payable Data

COMMITTEE RESOLUTION

The Committee note the Audit of Accounts Payable Data and take the report as read.

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AUDIT COMMITTEE MEETING

1 AUGUST 2018

7.11 AUDIT REPORT - COMPLAINTS MANAGEMENT

ATTACHMENTS:	1. AUDIT REPORT – COMPLAINTS MANAGEMENT
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.5
MEETING DATE:	01 AUGUST 2018

PURPOSE OF REPORT

To provide the Committee with the results of an Audit of Complaints Management (Audit 03/17, 2017/18).

The Committee and attendees discussed progress in implementing the recommendations in the Complaints Management Audit, including in relation to the Complaints Handling policy and framework and Promapp tool for complaints handling.

OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the Internal Audit Report on Complaints Management.

COMMITTEE RESOLUTION

The Committee note the Complaints Management Audit Report and take it as read.

ACTION

7.11.1 Council provide Promapp tool for Complaints Handling at the next meeting

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AUDIT COMMITTEE MEETING**1 AUGUST 2018****AUDIT, RISK AND IMPROVEMENT COMMITTEE**

No reports

8 GENERAL BUSINESS**8.1 PROVISION OF COMPLAINTS DATA TO AUDIT, RISK AND IMPROVEMENT COMMITTEE**

This item was not discussed, however was included in the Complaints Management Audit Report.

8.2 UNLICENSED RESTRICTED PREMISES

The Committee enquired about Council's processes in relation to unlicensed restricted premises.

COMMITTEE RESOLUTION

The Committee consider this issue as part of its assessment of Council's legislative compliance management system, scheduled for the November meeting in accordance with the ARIC Calendar.

8.3 COMMITTEE MEMBERS – INSURANCE

The Committee enquired as to whether Council's insurance covers independent members of the Committee.

COMMITTEE RESOLUTION

Council to confirm about insurance cover for independent members out of session.

ACTION

8.3.1 Council to confirm out of session whether Council insurance covers independent Committee members.

8.4 ARIC FEES

Committee member fees were discussed and Mr Frost advised that the Charter will be amended to effect changes to member fees.

9 NEXT MEETING

The date for the next Committee meeting was discussed and was agreed to be **17 October 2018**.

The meeting concluded at 10:30 am.

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Willoughby City Council

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING

MINUTES

on 17 October 2018
commencing at 8:30am

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING

17 OCTOBER 2018

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1 OPENING AND INTRODUCTIONS

The Chair opened the meeting and welcomed attendees.

2 ATTENDANCE

Committee Members:

Mr R Dobbie (Chair); Mr A Hanigan; Mr B Hrnjak, Clr C Tuon, Clr Norton

Officers:

Ms D Just (General Manager); Mr D Frost (Customer and Corporate Director); Mr S Naven, (Chief Finance Officer); Mr T Hopwood (Governance, Risk and Corporate Planning Manager); Mr M Ghulam, (Business Improvement and Customer Experience Manager); Mr K Pechimuthoo, (Internal Auditor); Ms E Hurford (Risk & Audit Coordinator / Minutes).

Visitors:

Mr M Upcroft, (PriceWaterhouseCoopers)

Mr K Leung, (Audit Office NSW)

APOLOGIES

NIL

3 DECLARATIONS OF INTEREST

NIL

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**17 OCTOBER 2018****4 MINUTES OF AUDIT, RISK & IMPROVEMENT COMMITTEE****4.1 ADOPTION OF MINUTES OF 1 AUGUST 2018**

ATTACHMENTS:	1. AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES – 1 AUGUST 2018
RESPONSIBLE OFFICER: CORPORATE	DEAN FROST – DIRECTOR CUSTOMER AND
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	4
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To present the Committee with the Minutes of the Audit, Risk and Improvement Committee meeting held on 1 August 2018.

2. DISCUSSION

Minutes were accepted subject to a change being made to clarify wording in relation to Item 7.7 Internal Audit Plan.

3. OFFICER'S RECOMMENDATION

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 on 1 August 2018

COMMITTEE RESOLUTION

That, subject to a change to the wording of Item 7.7, the minutes are accepted as a true and accurate record of the Audit, Risk and Improvement Committee meeting on 1 August 2018.

ACTION

4.1.1 Clarify wording in item 7.7 in Minutes of meeting on 1 August 2018

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AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**17 OCTOBER 2018**

5 ACTION LOG**5.1 ACTION LOG - 17 OCTOBER 2018**

ATTACHMENTS:	1. PROMAPP PROCEDURE – COMPLAINTS MANAGEMENT
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	5
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the Committee with the Action Log of actions from previous meetings of the Audit, Risk and Improvement Committee.

2. DISCUSSION

The Committee suggested that estimated completion dates are included for pending actions.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Action Log Report

COMMITTEE RESOLUTION

That the Committee receive and note the Action Log Report.

ACTION

5.1.1 Estimated completed dates to be included for pending actions in Action Log

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6 AUDIT, RISK & IMPROVEMENT COMMITTEE CALENDAR**6.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE CALENDAR**

ATTACHMENTS:	1. AUDIT RISK AND IMPROVEMENT COMMITTEE CALENDAR
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	6
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the Committee with the Audit, Risk and Improvement Committee Calendar.

2. DISCUSSION

The Committee reviewed the proposed changes to the Calendar and suggested changes to terminology and the timing of the in camera session with external auditors.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Audit, Risk and Improvement Committee Calendar

COMMITTEE RESOLUTION

That the 'in camera' meeting between the Committee and external auditors (Item 13.4) be moved to the meeting of the first financial quarter (September / October), prior to assessment of the financial statements. The 'in camera' meeting with the internal auditor is to remain as scheduled, in the March meeting.

ACTION

6.1.1 Amend Calendar to move 'in camera' session with external auditors to Q1 meeting.

7 REPORTS

RISK MANAGEMENT

7.1 RISK MANAGEMENT REPORT - 17 OCTOBER 2018

ATTACHMENTS:	1. ENTERPRISE RISK REGISTER – OCTOBER 2018
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	TODD HOPWOOD – GOVERNANCE, RISK AND CORPORATE PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	7.1, 7.3 AND 7.4
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the Committee with an update in relation to Council's Risk Management Framework and provide assurance as to the impact of the framework on Council's control environment and insurance arrangements.

2. DISCUSSION

The meeting discussed recent developments in Council's risk management framework and Council's key risks.

The meeting discussed other potential risks that could be relevant in a local government context.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Risk Management Update Report

COMMITTEE RESOLUTION

That the Committee receive and note the Risk Management Update Report

ACTION

7.1.1 Council consider the Committee's input in relation to risks in the next review of strategic / enterprise risks.

CONTROL FRAMEWORK**7.2 EXTERNAL AUDIT UPDATE REPORT AND FINANCIAL REPORTS - 17 OCTOBER 2018**

- ATTACHMENTS:**
1. DRAFT GENERAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2018
 2. DRAFT SPECIAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2018
 3. DRAFT SPECIAL SCHEDULES FOR THE YEAR ENDED 30 JUNE 2018

RESPONSIBLE OFFICER: DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE

AUTHOR: STEPHEN NAVEN – CHIEF FINANCIAL OFFICER

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

CALENDAR REFERENCE: 9

MEETING DATE: 17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the Committee with Council's draft Financial Accounts for the year ended 30 June 2018, which were formally adopted by Council on 24 September 2018 and referred to audit under section 413 of the *Local Government Act 1993*.

2. DISCUSSION

The meeting considered the Engagement Closing Report for the year ended 30 June 2018.

Mr Upcroft reported that the audit was substantially complete and that there were no substantive issues that are still outstanding. Mr Upcroft advised there were no uncorrected misstatements.

The meeting discussed high impact items in the local government field, including property and infrastructure, and general items and issues in the statements.

Mr Upcroft highlighted a significant issue for Councils in the near future is to get ready for the new accounting standard to be commenced next year, affecting revenue accounting. It was suggested that Councils pool resources to prepare for the changes and commence preparation early. The Chief Financial Officer confirmed that preparation and collaboration with other Councils had commenced and outlined Council's actions to prepare for the new accounting standard.

The Chief Financial Officer took on notice some queries from the Committee as to items in the financial statements.

The Chair congratulated the Chief Financial Officer and the Finance team on the preparation of financial statements.

Mr Upcroft and Mr Leung met with the Committee members 'in camera' without the presence of management.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Review the financial statements for the 2017/18 financial year and external auditor's opinion, including whether appropriate action has been taken in response to audit recommendations and recommended adjustments.

COMMITTEE RESOLUTION

That the Committee receive and note the Financial Statements and action taken in response to audit recommendations and recommended adjustments.

ACTIONS

7.2.1 Chief Financial Officer to provide further information in response to Committee queries of items in financial statements.

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**17 OCTOBER 2018**

LEGISLATIVE COMPLIANCE**7.3 LEGISLATIVE COMPLIANCE - CORRESPONDENCE FROM
REGULATORY BODIES - 17 OCTOBER 2018**

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	TODD HOPWOOD – GOVERNANCE, RISK AND CORPORATE PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	10.3
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the Committee with a report outlining any relevant correspondence received from regulatory bodies.

2. DISCUSSION

The meeting discussed relevant correspondence relating to regulatory matters, and noted that no further action was deemed necessary.

The Committee enquired as to the policies and procedures around reporting regulatory matters and the meeting discussed the reporting framework including guidance from external regulatory bodies themselves.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report as to correspondence from regulatory bodies

COMMITTEE RESOLUTION

That the Committee receive and note the report as to correspondence from regulatory bodies.

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AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**17 OCTOBER 2018****COUNCIL OPERATIONS AND BUSINESS IMPROVEMENT****7.4 COUNCIL OPERATIONS - 6 MONTHLY PROGRESS REPORT - JAN - JUNE 18**

ATTACHMENTS:	1. 12 MONTH REPORT
RESPONSIBLE OFFICER:	DEBRA JUST - GENERAL MANAGER
AUTHOR:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	11.1 AND 11.3
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the Committee with the 12 month report as to Council's Delivery Program (July 2017 – June 2018).

2. DISCUSSION

The Committee reviewed the report on Council's Delivery Program and noted the quantity of projects completed. Council clarified Committee queries in relation to process and individual items.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the 12 month Report on Council's Delivery Program

COMMITTEE RESOLUTION

That the Committee receive and note the 12 month report on Council's Delivery Program

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AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**17 OCTOBER 2018****7.5 BUSINESS IMPROVEMENT PROGRAM REPORT - 17 OCTOBER 2018**

ATTACHMENTS:	1. NONE
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	MUSTAFA GHULAM – BUSINESS IMPROVEMENT AND CUSTOMER EXPERIENCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	11.4
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the *Audit, Risk and Improvement Committee* (ARIC) with an overview of the progress of Business Improvement Program 2018/19.

2. DISCUSSION

The meeting discussed the Business Improvement program and the links to risk and audit recommendations.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Business Improvement Program progress report

COMMITTEE RESOLUTION

That the Committee receive and note the Business Improvement Program progress report.

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AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**17 OCTOBER 2018****INTERNAL AUDIT****7.6 INTERNAL AUDIT STATUS REPORT - 17 OCTOBER 2018**

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER AND CORPORATE DIRECTOR
AUTHOR:	KRISHNAN PECHIMUTHOO – INTERNAL AUDITOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.2
MEETING DATE:	17 OCTOBER 2017

1. PURPOSE OF REPORT

To provide the Committee with a report on the status of the internal audit program for 2017/18 and 2018/19

2. DISCUSSION

Mr Pechimuthoo discussed the progress of the internal audit plan for 2017/18 and the expected start dates for the current financial year's internal audit plan.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Internal Audit Status Report.

COMMITTEE RESOLUTION

That the Committee receive and note the Internal Audit Status Report.

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AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**17 OCTOBER 2018****7.7 INTERNAL AUDIT - RESOURCES - 17 OCTOBER 2018**

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER AND CORPORATE DIRECTOR
AUTHOR:	KRISHNAN PECHIMUTHOO – INTERNAL AUDITOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.3
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the Committee with information regarding the resourcing of the internal audit program in a consideration of the adequacy of internal audit resources to carry out its responsibilities including completion of the approved internal audit plan.

2. DISCUSSION

The meeting discussed resourcing of internal audit services and the Committee received assurance that resourcing was sufficient for the Council's present internal audit plan.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Note the Council's internal audit resourcing arrangements are adequate to carry out Council's internal audit program.

COMMITTEE RESOLUTION

That the Committee note the Council's internal audit resourcing arrangements are adequate to carry out Council's internal audit program.

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AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**17 OCTOBER 2018****7.8 IMPLEMENTATION OF AUDIT RECOMMENDATIONS - 17 OCTOBER 2018**

ATTACHMENTS:	1. ATTACHMENT 1 - IMPLEMENTATION OF AUDIT RECOMMENDATIONS – FIGURE 1 2. ATTACHMENT 2 – IMPLEMENTATION OF AUDIT RECOMMENDATIONS – QUARTERLY REPORT
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.4
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the Committee with a report on the status of implementation of audit recommendations across WCC's audits.

2. DISCUSSION

The meeting considered the report on the progress of implementation of internal audit recommendations and discussed the items that were 'off track' and the revised estimated timeframe for completion.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

1. Receive and note the report on Implementation of Audit Recommendations
2. Endorse revised estimated timeframes for the outstanding audit recommendations

COMMITTEE RESOLUTION

That the Committee receive and note the report on Implementation of Audit Recommendations and endorse the revised estimated timeframes for the outstanding audit recommendations.

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AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**17 OCTOBER 2018**

7.9 AUDIT REPORT - 17 OCTOBER 2018

ATTACHMENTS:	1. AUDIT REPORT – FACILITIES MANAGEMENT 2. AUDIT REPORT – ASSET MANAGEMENT
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER AND CORPORATE DIRECTOR
AUTHOR:	KRISHNAN PECHIMUTHOO
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.5
MEETING DATE:	17 OCTOBER 2018

1. PURPOSE OF REPORT

To provide the Committee with the results of an Audit of Asset Management and Facilities Management at Willoughby.

2. DISCUSSION

Mr Pechimuthoo discussed the Facilities Management and Asset Management Audit Reports, noting that management had committed to a timeframe for the stated remediation actions.

The meeting discussed the reports and received further information in relation to queries raised.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Internal Audit Reports of Asset Management and Facilities Management

COMMITTEE RESOLUTION

That the Committee receive and note the internal audit reports of Asset Management and Facilities Management

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8 GENERAL BUSINESS

- 8.1 The Chair requested that two items be added to the Agenda as standing items:
1. Staffing
 2. Status update on Corporate Systems Review Project

ACTION

- 8.1.1 ARIC Calendar to be amended to include the above two items as standing items.

9 NEXT MEETING

The date of the next committee meeting was discussed and was agreed to be 5 December 2018.

The meeting concluded at 11:00am



Willoughby City Council

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING

MINUTES

on 5 December 2018
commencing at 8:30am

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING

5 DECEMBER 2018

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1 OPENING AND INTRODUCTIONS

The Chair opened the meeting and welcomed attendees.

2 ATTENDANCE AND APOLOGIES

Committee Members:

Mr R Dobbie (Chair); Mr A Hanigan; Mr B Hrnjak, Cllr C Tuon, Cllr Norton

Officers:

Ms D Just (General Manager); Mr D Frost (Customer and Corporate Director); Mr S Naven (Chief Finance Officer); Mr M Ghulam (Business Improvement and Customer Experience Manager); Mr K Pechimuthoo (Internal Auditor); Ms E Hurford (Risk & Audit Coordinator / Minutes).

Visitors:

Mr K Leung (Audit Office NSW)

APOLOGIES

Mr M Upcroft (PriceWaterhouseCoopers)

3 DECLARATIONS OF INTEREST

NIL

4 MINUTES OF AUDIT, RISK & IMPROVEMENT COMMITTEE

4.1 ADOPTION OF MINUTES - ARIC OCTOBER 2018

ATTACHMENTS:	1. DRAFT MINUTES – ARIC 17 OCTOBER 2018
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	4
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with the draft Minutes of the Audit Risk and Improvement Committee meeting held on 17 October 2018.

2. DISCUSSION

Draft Minutes of the ARIC meeting on 17 October 2018 were further revised following comments from the Chair in relation to the wording of the resolutions.

The Minutes, as revised were accepted as a true and accurate record of the ARIC meeting on 17 October 2018.

3. OFFICER'S RECOMMENDATION

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 on 17 October 2018.

COMMITTEE RESOLUTION

That the Minutes, as revised, are accepted as a true and accurate record of the Audit Risk and Improvement Committee meeting on 17 October 2018.

5 ACTION LOG

5.1 ACTION LOG - ARIC 5 DECEMBER 2108

ATTACHMENTS:	NIL
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	5
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with the Action Log of actions from previous meetings of the Audit Risk and Improvement Committee.

2. DISCUSSION

The Risk and Audit Coordinator reported that most actions on the Action Log were complete.

Mr Naven provided further information in relation to the Financial Statements requested by the Committee at the ARIC meeting of 17 October 2018.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Action Log report

COMMITTEE RESOLUTION

That, having read, considered and discussed the Action Log, the Committee receive and note the Action Log Report.

6 AUDIT, RISK & IMPROVEMENT COMMITTEE CALENDAR

6.1 AUDIT RISK AND IMPROVEMENT COMMITTEE CALENDAR

ATTACHMENTS:	1. AUDIT RISK AND IMPROVEMENT COMMITTEE CALENDAR
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	6
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with the Audit Risk and Improvement Committee Calendar, as updated.

2. DISCUSSION

The meeting noted the changes in the Calendar, which reflected the Committee's resolutions from the ARIC meeting on 17 October 2018.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Audit Risk and Improvement Committee Calendar

COMMITTEE RESOLUTION

That, having read, considered and discussed the revised Calendar, the Committee receive and note the Calendar.

STATUS UPDATE ON CORPORATE SYSTEMS REVIEW PROJECT**6.2 STATUS UPDATE ON CORPORATE SYSTEMS REVIEW PROJECT - 5 DECEMBER 2018**

RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	6.1
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with an update on the Corporate Systems Review project.

2. DISCUSSION

The Director, Customer and Corporate provided an update on the Corporate Systems Review Project being undertaken by Council.

The meeting discussed progress in the procurement process and noted the commencement of the Chief Information Officer in late November.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the status update report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the Status Update on the Corporate Systems Review Project, the Committee receive and note the report.

7 REPORTS

CONTROL FRAMEWORK

7.1 CONTROL FRAMEWORK - DELEGATIONS - 5 DECEMBER 2018

RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	8.4
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with a report on Council's policies and procedures for the review, management and exercise of delegations.

2. DISCUSSION

The meeting discussed the procedures for the management, review and exercise of delegations and the perceived effectiveness of the processes.

It was reported that the processes in place, including the electronic acknowledgement of delegations by staff, were effective to ensure sound management and exercise of delegations in Council.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the Delegations Report, the Committee receive and note the report.

EXTERNAL AUDIT**7.2 EXTERNAL AUDIT UPDATE REPORT - 5 DECEMBER 2018**

ATTACHMENTS:	1. MANAGEMENT LETTER
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	9
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

- To provide the Committee with an update on the status of, and outcomes arising from, the external audit of the financial statements for the year ended 30 June 2018.
- To present the final Management Letter issued by the Audit Office of NSW for the year ended 30 June 2018.
- To present the unmodified Independent Auditors Reports issued by the Audit Office of NSW for the General Purpose and Special Purpose Financial Statements for the year ended 30 June 2018.

2. DISCUSSION

Mr Naven, Chief Financial Officer reported that the year-end process for year ending 30 June 2018 has been completed. Mr Naven reported that the Audit Office issued an unmodified audit opinion with no unadjusted material differences between Council's and the Audit Office's opinion. Council also achieved the deadline set by the Office of Local Government, (31 October 2018).

The meeting discussed the audit process, including lessons learnt and the upcoming changes to the Accounting Standards.

The Chair thanked Mr Naven for his efforts and asked that his thanks also be passed on to the Finance Team.

Mr Leung presented the Management Letter for year ending 30 June 2018, and provided detail in relation to the issues noted in the letter. The meeting further discussed the changes to the Accounting Standards and the likely impact of those changes on Council's financial operations. It was noted that the issues were largely process improvements, and that two issues had been closed / completed at the time of the meeting.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee receive and note the External Audit Update Report and the attached Final Management Letter for the year ended 30 June 2018.

COMMITTEE RESOLUTION

That, having read, considered and discussed the External Audit Update Report, the Committee receive and note the report and note the planned actions in relation to the report.

ACTIONS

7.2.1 Council to include progress report on preparation and planning for new accounting standards in the regular External Audit Update Report.

7.2.2 Council to report to the Committee on the implementation of Management Letter recommendations

LEGISLATIVE COMPLIANCE**7.3 LEGISLATIVE COMPLIANCE - 5 DECEMBER 2018**

ATTACHMENTS:	1. SAMPLE - BUSINESS UNITS – COMPLIANCE MONITORING AND REPORTING TOOL
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	10.1, 10.2
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with a report as to Council's processes to ensure compliance risks are considered by management in risk assessments and management arrangements.

To provide the Committee with assurance as to the effectiveness of systems for monitoring compliance with laws, regulations and government policies.

2. DISCUSSION

The meeting discussed the legislative compliance framework established by Council, in line with recommendations from the Audit Office NSW.

The Committee considered the framework, consisting of a policy, compliance register and monitoring process, with particular attention to the completeness of the coverage of legislative requirements.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the Legislative Compliance Report, the Committee receive and note the report and note the planned action in relation to the report.

ACTION

7.3.1 Council to document the completeness of the legislative compliance framework in terms of legislative requirements.

7.4 LEGISLATIVE COMPLIANCE - CORRESPONDENCE FROM REGULATORY BODIES

ATTACHMENTS:	1. 2017/18 CIP WORKBOOK - BENCHMARKING
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	10.3
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with a report of any relevant correspondence received from regulatory bodies such as NSW Auditor General, ICAC, Ombudsman's Office and OLG.

2. DISCUSSION

The meeting noted the 2017/18 Continuous Improvement Pathway – Benchmarking Report from Council's insurer, noting Council's performance in the nominated areas of the report. The meeting provided feedback in relation to difficulties interpreting the summarised results in the report.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

COUNCIL OPERATIONS AND BUSINESS IMPROVEMENT**7.5 COUNCIL OPERATIONS - CORPORATE SCORECARD - 5 DECEMBER 2018**

ATTACHMENTS:	1. CORPORATE SCORECARD
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	11.3
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with the Corporate Scorecard report for 2017/18.

2. DISCUSSION

The meeting discussed the Corporate Scorecard report for 2017/18.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

7.6 BUSINESS IMPROVEMENT PROGRAM REPORT - 15 NOVEMBER 2018

RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	MUSTAFA GHULAM – BUSINESS IMPROVEMENT AND CUSTOMER EXPERIENCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	11.4
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the *Audit, Risk and Improvement Committee (ARIC)* with an overview of the progress of Business Improvement Program 2018/19.

2. DISCUSSION

Mr Ghulam presented the Business Improvement Program Report, updating the Committee on the progress of Council's Business Improvement projects.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Business Improvement Program progress report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the Business Improvement Program Report, the Committee receive and note the report.

INTERNAL AUDIT**7.7 INTERNAL AUDIT STATUS REPORT - 5 DECEMBER 2018**

RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER AND CORPORATE DIRECTOR
AUTHOR:	KRISHNAN PECHIMUTHOO – INTERNAL AUDITOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.2
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with a report on the status of the internal audit program for 2017/18 and 2018/19.

2. DISCUSSION

Mr Pechimuthoo provided an update as to the status of the internal audit program for 2018/19. Mr Pechimuthoo reported that data issues in relation to the Rates audit had been resolved and that the audit was planned to commence in January 2019, with an estimated completion date of March 2019.

Mr Pechimuthoo noted that the Parking Management audit was with management for finalisation and would be presented to the Committee at the March 2019 meeting.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Internal Audit Status Report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the Internal Audit Status Report, the Committee receive and note the report

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**5 DECEMBER 2018****7.8 IMPLEMENTATION OF INTERNAL AUDIT RECOMMENDATIONS - 5 DECEMBER 2018**

ATTACHMENTS:	1. INTERNAL AUDIT RECOMMENDATIONS FIGURE 1 2. INTERNAL AUDIT RECOMMENDATIONS – QUARTERLY REPORT
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.4
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with a report on the implementation of audit recommendations.

2. DISCUSSION

The meeting discussed the report in relation to the implementation of audit recommendations.

The meeting discussed the outstanding recommendations, including those from the Health Inspections audit report. These recommendations were delayed due to issues with the implementation of a new IT system, which have now been resolved.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the Implementation of Internal Audit Recommendations Report, the Committee receive and note the report.

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7.9 REVIEW PERFORMANCE OF INTERNAL AUDIT - 5 DECEMBER 2018

ATTACHMENTS:	1. WCC – QUALITY ASSURANCE AND IMPROVEMENT PROGRAM 2. ANNUAL DECLARATIONS 3. INTERNAL AUDIT CLIENT SURVEY 4. INTERNAL AUDIT CLIENT SURVEY REPORT
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.7
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To provide the Committee with a report on the performance of internal audit at Willoughby.

2. DISCUSSION

The meeting considered Council's internal audit function and performance, based on details of Council's Quality Assurance and Improvement Program ('QAIP').

The Committee suggested minor changes to the QAIP to update terminology relating to the Audit Risk and Improvement Committee.

The Committee enquired about the resourcing of the internal audit function and Council reported that it was adequate.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report and review the performance of WCC's internal audit function

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING**5 DECEMBER 2018****AUDIT, RISK AND IMPROVEMENT COMMITTEE****7.10 AUDIT RISK AND IMPROVEMENT COMMITTEE - FORWARD MEETING
PLAN - 5 DECEMBER 2018**

RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	13.3
MEETING DATE:	5 DECEMBER 2018

1. PURPOSE OF REPORT

To propose a forward meeting plan for Audit Risk and Improvement Committee meetings in 2019, in accordance with the Audit Risk and Improvement Committee Charter.

2. DISCUSSION

The meeting agreed on the dates for the Audit Risk and Improvement Committee meetings for 2019:

6 March 2019
31 July 2019
16 October 2019 (2.5 hours)
4 December 2019

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Resolve the dates of the Audit Risk and Improvement Committee meetings for 2019.

COMMITTEE RESOLUTION

That the Audit Risk and Improvement Committee meetings for 2019 are to be held on:

6 March 2019
31 July 2019
16 October 2019 (2.5 hours)
4 December 2019

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9 NEXT MEETING

The date of the next committee meeting was discussed and was agreed to be 6 March 2019.

The meeting concluded at 10.20 am



Willoughby City Council

AUDIT, RISK & IMPROVEMENT COMMITTEE MEETING

MINUTES

on 6 March 2019
commencing at 8:30am

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING**6 MARCH 2019**

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1 OPENING AND INTRODUCTIONS

The Chair opened the meeting and welcomed attendees.

2 ATTENDANCE AND APOLOGIES

Committee Members:

Mr R Dobbie (Chair); Mr A Hanigan; Mr B Hrnjak, Clr C Tuon, Clr Norton

Officers:

Ms D Just (General Manager); Mr D Frost (Customer and Corporate Director); Mr S Naven (Chief Finance Officer); Mr K Pechimuthoo (Internal Auditor); Ms E Hurford (Risk & Audit Coordinator / Minutes).

Visitors:

S Ahmed, Audit Office
J Winter, Partner, Grant Thornton
S Huang, Senior Manager, Grant Thornton

APOLOGIES

Mr M Ghulam (Business Improvement and Customer Experience Manager)

3 DECLARATIONS OF INTEREST

NIL

4 MINUTES OF AUDIT, RISK & IMPROVEMENT COMMITTEE

4.1 ADOPTION OF MINUTES - ARIC 5 DECEMBER 2018

ATTACHMENTS:	1. DRAFT MINUTES - ARIC 5 DECEMBER 2018
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	4
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with the draft Minutes of the Audit Risk and Improvement Committee meeting held on 5 December 2018.

2. DISCUSSION

The Committee requested the minutes reflect the 'in camera' session between the Committee and the External Auditor.

Subject to this clarification, the Committee accepted the Minutes as a true and accurate record of the meeting on 5 December 2019.

3. OFFICER'S RECOMMENDATION

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 on 5 December 2018.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee accept the minutes as a true and accurate record of the Meeting on 5 December 2018.

ACTION

- 4.1.1 Council to check whether Minutes record the 'in camera' meeting between the Committee and the External Auditors.

5 ACTION LOG

5.1 ACTION LOG - ARIC 6 MARCH 2019

ATTACHMENTS:	1. COUNCIL RESOLUTION – REMUNERATION OF ARIC MEMBERS 2. GOVERNANCE MANUAL EXTRACT – COMPLIANCE MANAGEMENT
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	5
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with the Action Log of actions from previous meetings of the Audit Risk and Improvement Committee.

2. DISCUSSION

The Committee acknowledged an interest in the subject of ARIC member remuneration.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Action Log report

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the Action Log report.

6 AUDIT, RISK & IMPROVEMENT COMMITTEE CALENDAR

6.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE CALENDAR

ATTACHMENTS:	1. AUDIT RISK AND IMPROVEMENT COMMITTEE CALENDAR
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	6
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with the Audit Risk and Improvement Committee Calendar, as updated.

2. DISCUSSION

The Audit Risk and Improvement Committee Calendar sets out the schedule for Committee agenda items over the year.

The Committee queried whether there was adequate opportunity for the Committee to consider projects of significant value and that a threshold value can be a useful tool to bring an objective consistency to projects reported.

The meeting discussed paragraph 7.2 of the Calendar which relates to the reporting of projects or significant undertakings.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Audit Risk and Improvement Committee Calendar.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, and subject to the Council's action (below), receive and note the Calendar.

ACTION

- 6.1.1 That Council consider amending the Calendar to include a monetary threshold amount to guide reporting under paragraph 7.2 of the Calendar.

6.2 STATUS UPDATE ON CORPORATE SYSTEMS REVIEW PROJECT - 6 MARCH 2019

RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	BRAD HERRING - CHIEF INFORMATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	6.2
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with an update on the Corporate Systems Review project.

2. DISCUSSION

Council updated the Committee on the status of the tender process in relation to the core components of the solution required by Council and defined in the Request for Tender (RFT) which included:

- Common Features
- Asset Management
- Finance Management
- Human Resources and Payroll

Council advised that Links Modular Solutions Pty Ltd was awarded the tender for the Willoughby Leisure Centre System, following Council approval on 24 October 2018.

Further information was provided as to governance controls in place (probity advisor, technical advisor), significant stakeholder consultation and functionality assessments.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the status update report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the status update report.

7 REPORTS

RISK MANAGEMENT

7.1 RISK MANAGEMENT - REVIEW BUSINESS CONTINUITY PLANNING ARRANGEMENTS

ATTACHMENTS:	1. GOVERNANCE MANUAL EXTRACT – BUSINESS CONTINUITY
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	7.5
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with a report on business continuity arrangements.

2. DISCUSSION

Council reported on its business continuity arrangements, including the processes around testing the plan (including through debriefs regarding real life disruption events) and training of staff.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report on business continuity arrangements in Council.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

CONTROL FRAMEWORK**7.2 CONTROL FRAMEWORK - REVIEW COUNCIL'S INTERNAL CONTROLS**

RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	8
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with a report as to Council's control framework, including policies and procedures, monitoring compliance with policies and procedures and steps taken to embed a culture which is committed to good governance, lawful and ethical behaviour.

2. DISCUSSION

Council reported its extensive internal controls in place to ensure and promote good governance and ethical conduct.

Code of Conduct

The revised Model Code of Conduct for Local Councils in NSW was prescribed by the Office of Local Government on 14 December 2018. Accordingly, Council has revised its Code of Conduct and will be considered by Council for endorsement for exhibition in March 2019. Council has also endorsed a revised Code of Meeting Practice for public exhibition.

Following community consultation, the Code of Conduct and Code of Meeting Practice will return to Council for adoption by 14 June 2019.

Policy framework

Council also reported on its policy framework providing guidance in relation to governance and ethical behaviour. Policies are reviewed regularly. Key policies include:

- Fraud Control Policy
- Public Interest Disclosures Policy
- Conflict of Interests Policy
- Gifts and Benefits Policy
- Risk Management Policy
- Work Health and Safety Policy
- Complaints Handling Policy
- Purchasing and Tendering Policy

Council reported on its commitment to embedding a culture of ethical conduct, including through clear reporting channels, staff training and regular review of industry (eg. ICAC, Audit Office) publications and reports.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report on Council's control framework.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

EXTERNAL AUDIT**7.3 EXTERNAL AUDIT - REVIEW EXTERNAL AUDIT LETTERS / PLANS /
ADVICE - FINAL MANAGEMENT LETTER**

ATTACHMENTS:	1. DRAFT ANNUAL ENGAGEMENT PLAN FOR THE AUDIT OF WILLOUGHBY CITY COUNCIL FOR THE YEAR ENDING 30 JUNE 2019 2. MONITORING OF EXTERNAL AUDIT RECOMMENDATIONS
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	9.3
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with an update on Council's external audit program including a progress report on preparation and planning for new Accounting Standards.

2. DISCUSSION

The Chief Financial Officer introduced the officers from the Audit Office and the external audit service provider, Grant Thornton Audit Pty Ltd.

The meeting discussed Council's preparation for the introduction of the new accounting standards, which included an LG Professionals Finance conference in November 2018 and an upcoming OLG Financial Reporting workshop in March 2019.

Ms Ahmed discussed the Annual Engagement Plan (formerly Client Services Plan) and noted that the final Plan was the same of the draft except a change to the timetable to have the clearance meeting on 11 October 2019, to allow the Committee to consider the cleared reports at its meeting on 16 October 2019.

Key issues raised in the audit were discussed, including property plant and equipment, which the Committee noted was a common issue throughout many local government audits. The meeting discussed the availability of expert personnel in this area, given this issue was widespread in the industry, and possible alternative approaches to addressing the issue.

The meeting monitored the implementation of recommendations from the 2017 and 2018 Management Letters and it was noted that issues were moderate or low risk.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the External Audit Update Report and the attached draft Annual Engagement Plan for the year ending 30 June 2019

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the External Audit Update Report and Annual Engagement Plan (as amended to change the date of the clearance meeting to 16 October 2019).

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING**6 MARCH 2019**

LEGISLATIVE COMPLIANCE**7.4 LEGISLATIVE COMPLIANCE - CORRESPONDENCE FROM REGULATORY AUTHORITIES - 6 MARCH 2019**

ATTACHMENTS:	1. AUDIT ARRANGEMENTS - WILLOUGHBY CITY COUNCIL
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	10.3
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with a report outlining any relevant correspondence received from regulatory bodies.

2. DISCUSSION

The Committee noted correspondence from the NSW Audit Office, regarding external audit arrangements for 30 June 2019 and beyond.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report as to correspondence from regulatory authorities.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

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COUNCIL OPERATIONS AND BUSINESS IMPROVEMENT**7.5 COUNCIL OPERATIONS - 6 MONTHLY PROGRESS REPORT - JULY 2018 TO DECEMBER 2018**

ATTACHMENTS:	1. SIX MONTHLY PROGRESS REPORT JUL - DEC 2018 (TO BE DISTRIBUTED SEPARATELY)
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	11.1; 11.3
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with a progress report as to the delivery of the activities in the second year of Council's Delivery Program 2017 – 2021 (ie. Operational Plan 2018/19)

2. DISCUSSION

Council reported on the Progress Report which comprises:

- A summary report highlighting overall performance
- A detailed report on the progress of projects and capital works, progress of business improvement initiatives and progress to achieving corporate performance indicators

The meeting discussed progress on the delivery of the Operational Plan including items where variances were reported in the quarterly budget review.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Six Monthly Progress Report July – December 2018.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING**6 MARCH 2019****7.6 BUSINESS IMPROVEMENT PROGRAM REPORT - 6 MARCH 2019**

RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	MUSTAFA GHULAM - BUSINESS IMPROVEMENT AND CUSTOMER EXPERIENCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	11.4
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Audit, Risk and Improvement Committee with an overview of the progress of Business Improvement Program 2018/19.

2. DISCUSSION

The meeting discussed Council's five business improvement initiatives which were reported in the Six Monthly Progress Report, July – December 2018.

Council reported the projects were 'on track' and further information was provided in relation to the projects.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Business Improvement Program progress report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

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INTERNAL AUDIT**7.7 INTERNAL AUDIT - STRATEGIC INTERNAL AUDIT PLAN 2019/2022**

ATTACHMENTS:	1. INTERNAL AUDIT PLAN 2018/19
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	KRISHNAN PECHIMUTHOO - INTERNAL AUDITOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.1
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with an update on progress of the development of a 3 year Strategic Internal Audit Plan 2019/22.

2. DISCUSSION

The meeting discussed the development of a 3 year Strategic Internal Audit Plan with a longer term coverage of areas, and annual reviews of the plan to take into account current risks and issues.

The Committee suggested Council consider traditional areas of internal audit such as accounts payable, accounts receivable and credit cards. The Committee noted that high risk issues included development applications, purchasing and leases.

Council advised that it was reviewing the audit universe, risks and other relevant material and will come back to the Committee with a draft 3 year Internal Audit Plan.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Report for discussion and input in the Strategic Internal Audit Plan for 2019/22, including process for endorsement of the Plan.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

ACTION

7.7.1 Council to consider input from the Committee (outlined above) and develop a draft 3 year internal audit plan for Committee's endorsement.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING**6 MARCH 2019**

7.8 INTERNAL AUDIT - INTERNAL AUDIT STATUS REPORT

RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	KRISHNAN PECHIMUTHOO - INTERNAL AUDITOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.2
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with a report on the status of the internal audit program for 2017/18 and 2018/19.

2. DISCUSSION

The internal auditor reported on progress of the 2017/18 Internal Audit Program, with 6 audits completed and one in the process of being completed by an external service provider.

The meeting also discussed progress of the 2018/19 Internal Audit Program, with Council clarifying that the Fleet Management Audit was purely a 'back up' audit if there was unexpected time available, and there was adequate resourcing for the program.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Internal Audit Status Report.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report.

**7.9 INTERNAL AUDIT - IMPLEMENTATION OF INTERNAL AUDIT
RECOMMENDATIONS - 6 MARCH 2019**

ATTACHMENTS:	1. FIGURE 1 – INTERNAL AUDIT RECOMMENDATIONS BY AUDIT TITLE 2. INTERNAL AUDIT RECOMMENDATIONS - PROGRESS
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD - RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.4
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with a report on the progress of implementation of audit recommendations.

2. DISCUSSION

Council reported on the progress of implementation of internal audit recommendations, with the Committee noting that many of the outstanding recommendations related to the corporate IT systems review.

The Committee sought reassurance from Council as to the preparation for the progression of the corporate IT systems review and Council provided information as to initial preparation including the sequencing of modules, resourcing for when modules come on line and the use of its own project management system to monitor progress.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

1. Receive and note the report on Implementation of Audit Recommendations;
2. Endorse revised estimated timeframes for the outstanding audit recommendations.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report and endorse the revised timeframes for the outstanding audit recommendations.

7.10 INTERNAL AUDIT - REVIEW COMPLETED AUDIT REPORTS

ATTACHMENTS:	1. AUDIT REPORT – PARKING MANAGEMENT 2. AUDIT REPORT – RECRUITMENT AND TERMINATION 3. AUDIT REPORT – ACCOUNTS PAYABLE CAAT
RESPONSIBLE OFFICER:	DEAN FROST - DIRECTOR, CUSTOMER AND CORPORATE
AUTHOR:	KRISHNAN PECHIMUTHOO-INTERNAL AUDITOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.5
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with the results of completed internal audit reports: Parking Management, Recruitment and Termination and Accounts Payable CAAT.

2. DISCUSSION

Council reported on the completion of recent audits: Parking Management, Recruitment and Termination and Accounts Payable CAAT.

Council confirmed that validation of audit recommendations occurs within 3 months of completion.

The Committee queried the content of the Parking Management audit in terms of parking stations.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the internal audit reports:

- Parking Management
- Recruitment and Termination, and
- Accounts Payable CAAT

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the reports.

ACTION

7.10.1 Council to provide more information out of session regarding the Thomas St carpark operation.

7.11 INTERNAL AUDIT - REVIEW OF AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER AND INTERNAL AUDIT CHARTER

RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD - RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	12.6
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide the Committee with a report on the Review of the Audit, Risk and Improvement Committee Charter and the Internal Audit Charter.

2. DISCUSSION

The Committee postponed the review of the Charter pending the OLG Guidelines. The Committee also noted that a review of the Charter should include reference to the rotation of members, to stagger memberships to avoid all committee members leaving at the same time.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Report and endorse Council's approach to postpone the review of the Charter pending the release of the revised OLG Audit Risk and Improvement Committee Guidelines.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report and postpone the review of the Charter pending the release of the OLG Guidelines.

ACTION

7.11.1 Council confirm the length of current appointment dates of Committee members, and

7.11.2 When revising the Charter, Council consider the request from Committee members to stagger terms of independent members.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING**6 MARCH 2019****AUDIT, RISK AND IMPROVEMENT COMMITTEE****7.12 AUDIT, RISK AND IMPROVEMENT COMMITTEE - REPORT TO COUNCIL**

ATTACHMENTS:	1. DRAFT ARIC REPORT TO COUNCIL
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	13.1
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide a report to Council outlining the Committee's activities, major achievements, issues identified and other relevant matters to a closed session of a Council meeting.

2. DISCUSSION

The meeting discussed the draft report and noted the Parking Management audit should be included in the Internal Audit section.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the Report and consider the draft ARIC Report to Council to be finalised and completed out of session.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee, subject to the addition of the Parking Management audit, receive and note the report to be finalised out of session.

ACTION

7.12.1 Council to email a revised draft of the report to the Chair to finalise out of session.

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7.13 AUDIT, RISK AND IMPROVEMENT COMMITTEE - COMMITTEE'S PERFORMANCE THROUGH CHAIRPERSON

ATTACHMENTS:	1. SAMPLE QUESTIONNAIRE – ASSESSING PERFORMANCE
RESPONSIBLE OFFICER:	DEAN FROST – DIRECTOR CUSTOMER AND CORPORATE
AUTHOR:	EMMA HURFORD – RISK AND AUDIT COORDINATOR
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
CALENDAR REFERENCE:	13.2
MEETING DATE:	6 MARCH 2019

1. PURPOSE OF REPORT

To provide information for the Committee's consideration with a view to developing a process for assessing the Committee's performance in accordance with paragraph 2.4 of the ARIC Charter.

2. DISCUSSION

The meeting discussed the draft questionnaire for the purposes of the Committee's self-assessment of performance.

A question was raised about confidentiality and it was proposed that ratings are aggregated as a percentage and comments were de-identified when reported back to the meeting.

3. OFFICER'S RECOMMENDATION

That the Audit, Risk and Improvement Committee:

Receive and note the report and endorse a questionnaire template for assessing the Committee's performance.

COMMITTEE RESOLUTION

That, having read, considered and discussed the report, the Committee receive and note the report, with Council to circulate the questionnaire to Committee members and key stakeholders out of session and collate results in a report to the next meeting.

ACTION

7.13.1 Council to distribute the self-assessment questionnaire to Committee members and stakeholders.

**7.14 AUDIT, RISK AND IMPROVEMENT COMMITTEE – IN CAMERA SESSION
BETWEEN INTERNAL AUDITOR AND COMMITTEE**

In accordance with the Charter, the Internal Auditor met 'in camera' with the Committee members, without the presence of management.

8 GENERAL BUSINESS

9 NEXT MEETING

The date of the next committee meeting was agreed to be 31 July 2019.

The meeting concluded at 11:30am.

13 DEFERRED MATTERS

NIL

14 CORRESPONDENCE

NIL

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15 REPORTS FROM THE OFFICERS

CUSTOMER & CORPORATE DIRECTORATE

15.1 ELECTION OF DEPUTY MAYOR

ATTACHMENTS:	1. IMPLICATIONS 2. OFFICE OF LOCAL GOVERNMENT FACT SHEET – ELECTION OF MAYOR AND DEPUTY MAYOR BY COUNCILLORS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	VLADIMIR GREPL – GOVERNANCE OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

To consider the election of a Councillor to the position of Deputy Mayor for the forthcoming twelve month period.

2. OFFICER'S RECOMMENDATION

That Council:

1. Determine to elect a Councillor to the position of Deputy Mayor.
2. Determine the method of voting to be used in the conduct of the election of Deputy Mayor by way of one of the following methods:
 - 2.1 Open voting – by a show of hands
 - 2.2 Secret ballot – either by:
 - Ordinary ballot – placing an “X” against the candidate of choice; or
 - Preferential ballot – placing 1, 2, 3 against each candidate in order of preference
3. Note that the Chief Executive Officer has appointed Council’s Public Officer to be the Returning Officer for the election.
4. Proceed to elect a Deputy Mayor for the period until the next Council election to be held on 12 September 2020.

3. BACKGROUND

At its meeting held 24 September 2018 Councillor Rutherford was duly elected as Deputy Mayor for the 2018/19 period. Council now seeks to elect a Deputy Mayor for the forthcoming twelve months.

The election of Deputy Mayor is regulated by Schedule 7 of the *Local Government (General) Regulation 2005* and *Local Government Act 1993*.

4. DISCUSSION

The Office of Local Government has produced a fact sheet *Election of Mayor and Deputy Mayor by Councillors* which outlines the procedures to be observed in the election of a Deputy Mayor. The fact sheet also includes a reproduction of Schedule 7 of the *Local Government (General) Regulation 2005* and is contained in Attachment 2 for Councillors' information.

Section 231 of the *Local Government Act 1993* provides that Councillors may elect a person from among their number to be the Deputy Mayor. The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence, or otherwise from exercising the function, or if there is a casual vacancy in the office of Mayor.

A Councillor may be nominated without notice for election as Deputy Mayor. The nomination, by two or more Councillors, must be in writing and the nominee must consent to the nomination in writing.

If more than one candidate has been nominated, Council must decide whether the election is to proceed by open voting, ordinary ballot or preferential ballot. Open vote means a vote by a showing hands. Open voting is the most transparent method of voting. It is also the least bureaucratic method and reflects normal council voting methods. Ordinary ballot means voting by a secret ballot for the candidate of choice. Where there are three or more candidates, Council may decide to use a preferential ballot. Preferential voting is a secret ballot and a means by which a vote for a candidate is made in order of preference for all candidates on a piece of paper. Attachment 2 contains an easy to follow fact sheet that describes the election process.

5. CONCLUSION

Councillors may elect a Deputy Mayor from among their number. Council's practice is to appoint a Deputy Mayor for a twelve month period. The recommended resolution of Council will provide clear guidance on the methods of voting and how the election will be conducted.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes/ Services	The Governance team provides support to the Mayor and Councillors, and provides the arrangements needed to elect a Deputy Mayor every year.
Policy	<i>Council's Payment of Expenses and the Provision of Facilities for the Mayor and Councillors</i> policy provides for access to certain facilities for when the Deputy Mayor is acting in the position of Mayor due to the absence of the Mayor.
Consultation	Not applicable.
Resource	There are no specific additional allowances for the Deputy Mayor beyond those available to all Councillors.
Risk	The proposed election process is well described and reduces the risk of an improper election as far as reasonably practicable.
Legal	Not applicable.
Legislation	<p>Section 231 of the <i>Local Government Act 1993</i> provides that Councillors may elect a person from among their number to be the Deputy Mayor.</p> <p>The election of Deputy Mayor is covered under Schedule 7 <i>Local Government (General) Regulation 2005</i>. The Schedule is shown in Attachment 2. Particular attention is drawn to Clauses 2 (1) and (2):</p> <p>(1) <i>A councillor may be nominated without notice for election as mayor or deputy mayor.</i></p> <p>(2) <i>The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.</i></p>
Budget/Financial	There is an adopted budget for Mayor and Councillors.

Fact Sheet

ELECTION OF MAYOR AND DEPUTY
MAYOR BY COUNCILLORS

Summary

Councillors must elect a mayor from among their number every two years unless they have a popularly elected mayor.

Councillors may also elect a deputy mayor. The deputy mayor may be elected for the mayoral term or a shorter term.

The election of the mayor and the deputy mayor must be conducted in accordance with clause 394 and Schedule 7 of the *Local Government (General) Regulation 2005* (the Regulation).

The purpose of this document is to assist councils to conduct mayoral and deputy mayoral elections in accordance with these requirements. It includes scripts for key activities to help returning officers exercise their functions. These scripts are provided in the text boxes inserted in the relevant parts of this document.

How can councils use this document?

Electing a mayor is an important activity. It is vital that the process is smooth, open and easy to follow and not rushed or confusing. Where necessary, it may be appropriate to stop and provide clarification for the benefit of councillors, staff or the gallery.

Returning officers can circulate this document prior to the meeting to help councillors understand the election process.

Election of a mayor after an ordinary election of councillors

An election for mayor must be held within three weeks of the declaration of the ordinary election at a meeting of the council.

The returning officer is to be the general manager or a person appointed by the general manager.

As no mayor or deputy mayor will be present at the start of the meeting, the first business of the meeting should be the election of a chairperson to preside at the meeting. Alternatively, the returning officer may assume the chair for the purpose of conducting the election.

Mid-term election of a mayor

A mayor elected by councillors holds office for two years. A mid-term mayoral election must be held in the September two years after the ordinary election of councillors or the first election of a new council following its establishment.

Procedures

Prior to the meeting

Before the council meeting at which the election is to be conducted, the returning officer will give notice of the election to the councillors.

The notice is to set out how a person may be nominated as a candidate for election as chairperson.

As returning officer, I now invite nominations for the position of mayor/deputy mayor for [name of council] for a two year period.

In accordance with the Local Government (General) Regulation 2005, two or more councillors may nominate a councillor (one of whom may be the nominee) for the position of mayor/deputy mayor. Nominations must be in writing and the nominee must consent to their nomination in writing.

A councillor may be nominated without notice for election as mayor or deputy mayor. The nomination is to be made in writing by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The returning officer checks the nomination forms and writes the nominees' names on a candidates' sheet.

At the meeting

At the start of the first meeting after an ordinary election, in the absence of a chairperson, the returning officer assumes the chair and announces that the first item of business is to be the election of a mayor.

If a chairperson is present, they announce that the first item of business is the election of the mayor then vacates the chair for the returning officer who will then conduct the election.

The returning officer reads out the names of the nominees and seeks confirmation that the nominee has accepted the nomination.

If only one councillor has been nominated for the position of mayor/deputy mayor, the nominee is elected.

As there is only one nominee for the role of mayor/deputy mayor, I declare that [name of successful candidate] is elected as mayor/deputy mayor for the ensuing two years.

If more than one candidate has been nominated, the council must determine by resolution, the method of voting for the position of mayor/deputy mayor, by way of one of the following methods:

- Open voting – i.e. by show of hands
- Ordinary ballot – i.e. a secret ballot (place an "X" against the candidate of their choice)
- Preferential ballot – i.e. place 1, 2, 3 etc. against each candidate.

The returning officer must ask for a motion to be put to the meeting by one of the councillors on the preferred method of voting for the election of a chairperson. This must then be seconded and voted on by the councillors.

Note: In the event of a tie, if there is a chairperson, they may use their casting vote. If there is a tie and no chairperson, an election for the role of chairperson should be conducted. Then the election for mayor resumes.

Open voting (show of hands)

Open voting is the most transparent method of voting. It is also the least bureaucratic method and reflects normal council voting methods.

The returning officer will advise the meeting of the method of voting and explains the process.

It has been resolved that the method of voting for the position of mayor/deputy mayor will be by show of hands.

Each councillor is entitled to vote for only one candidate in each round of voting.

I will now write each candidate's name on a slip of paper and deposit it in a barrel. The first name out of the barrel will be written first on the tally sheet, with second name out being written second on the tally sheet, etc.

When all candidates' names have been written on the tally sheet, the returning officer announces the names of the candidates and, commencing with the first candidate, states the following:

Would those councillors voting for [name of candidate] please raise your hand.

The returning officer records the number of votes for each successive candidate on the tally sheet and announces the number of votes received for each candidate.

The minute taker records the vote of each councillor.

The returning officer should check with the minute taker that each councillor has voted. If a councillor has not voted it should be confirmed that they are abstaining (an informal vote).

Two candidates

If there are only two candidates for the position of mayor/deputy mayor and the voting is higher for one candidate than another (number of formal votes recorded on the tally sheet), the returning officer then announces the result.

[Name of candidate] has the higher number of formal votes and as a result I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

In the event of a **tied vote**, the returning officer will advise the meeting of the following process.

In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the

names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

Three or more candidates

If there are three or more candidates, the candidate with the lowest number of votes for the position of mayor/deputy mayor is excluded.

[Name of candidate], having the lowest number of votes, is excluded.

The voting continues as above until there are only two candidates remaining (see voting for **two candidates** above).

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

I declare that [name of candidate] is excluded.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

Ordinary ballot – (secret ballot)

The returning officer advises the meeting of the method of voting and explains the process.

It has been resolved that the method for voting for the position of mayor/deputy mayor will be by ordinary ballot, in other words by placing an "X" against the candidate of the councillor's choice.

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

It will be necessary to have a number of blank papers as this process may require more than one round of voting.

The returning officer writes the names on one set of the ballot papers and initials the front of each ballot paper.

A staff member distributes the ballot papers and collects them into the ballot box when completed and gives it to the returning officer who counts the votes and records them on the tally sheet.

The returning officer announces the results.

[Name of candidate], having the lowest number of votes, is excluded.

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

I declare that [name of candidate] is excluded.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

The returning officer writes the names of the remaining candidates on a further set of the ballot papers and initials the front of each ballot paper.

The staff member distributes ballot papers listing the remaining candidates and collects them into the ballot box when completed and gives it to the returning officer who again counts the votes and records them on the tally sheet and announces the results.

The process continues until two candidates remain, where a final vote takes place.

[Name of candidate] has the higher number of votes and I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

In the event of a **tied vote** between the two remaining candidates, the returning officer makes the following statement and announces the process.

The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel.

Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

Preferential ballot

The returning officer explains the process.

It has been resolved that the method for voting for the position of mayor/deputy mayor will be by preferential ballot, i.e. placing 1, 2 and so on against the candidate of the councillor's choice in order of preference for all candidates.

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each candidate's name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

The returning officer writes the names on the ballot papers and initials the front of each ballot paper. This method of voting requires only one set of ballot papers.

A staff member distributes the ballot papers and collects them when completed and gives them to the returning officer who counts the first preference votes and records them on the tally sheet.

If a candidate has an absolute majority of first preference votes (more than half), the returning officer declares the outcome.

[Name of candidate], having an absolute majority of first preference votes, is elected as mayor/deputy mayor for the ensuing two years.

If no candidate has the absolute majority of first preference votes, the returning officer excludes the candidate with the lowest number of first preference votes.

[Name of candidate], having the lowest number of first preference votes, is excluded.

The preferences from the excluded candidate are distributed. This process continues until one candidate has received an absolute majority of votes, at which time the returning officer announces the result.

[Name of candidate], having an absolute majority of votes, is elected as mayor/deputy mayor for the ensuing two years.

In the event of a **tied vote** where there are only two candidates remaining in the election, the returning officer explains the process.

The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel. The returning officer then draws a name out of the barrel and shows the meeting.

I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

In the event that the **lowest number of votes are tied** and where there are three or more candidates remaining in the election, the returning officer advises the meeting of the process.

In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded and their preferences distributed.

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

I declare that [name of candidate] is excluded and any votes cast for them will be distributed by preference.

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

Schedule 7 - Election of Mayor by Councillors

Part 1 Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this clause:
ballot has its normal meaning of secret ballot.
open voting means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. That candidate is elected.
- (4) In this clause, "**absolute majority**", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- a) to be declared to councillors at the council meeting at which the election is held by the returning officer, and
- b) to be delivered or sent to the Departmental Chief Executive and to the Chief Executive of Local Government New South Wales.

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15.2 COUNCILLORS' REPRESENTATION ON MANAGEMENT AND ADVISORY COMMITTEES

ATTACHMENTS:	1. IMPLICATIONS 2. COUNCILLOR REPRESENTATION CRITERIA 3. COUNCILLOR NOMINATIONS TO COMMITTEES 2017
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	VLADIMIR GREPL – GOVERNANCE OFFICER
CITY STRATEGY OUTCOME:	5.2 – DEMONSTRATE LEADERSHIP AND ADVOCACY FOR LOCAL PRIORITIES
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

To nominate Councillor representatives to management and advisory committees until the caretaker period commences in September 2020.

2. OFFICER'S RECOMMENDATION

That Council nominate Councillor representatives on the following management and advisory committees until the caretaker period commences ahead of the 12 September 2020 Council election:

Council management committees

1. **Castlecrag Community Centre Management Committee**
(number of Councillors not specified)

Council advisory committees

1. **Multicultural Services Advisory Committee**
(number of Councillors not specified)
2. **Global Friendship Committee**
(1 Councillor)
3. **Access and Inclusion Advisory Committee (formerly Access Steering Committee)**
(number of Councillors not specified)
4. **Cultural Events Committee**
(number of Councillors not specified)
5. **Willoughby Seniors Advisory Committee**
(number of Councillors not specified)
6. **Bicentennial Reserve and Flat Rock Gully Advisory Committee**
(Mayor, 1 Councillor each from Naremburn and Sailors Bay Wards)
7. **Bicycle Consultative Committee**
(minimum 1 Councillor)

8. **Natural Heritage and Bushland Advisory Committee**
(Mayor, 4 Councillors)
9. **Sustainability Reference Group**
(1 Councillor)
10. **Willoughby Symphony Orchestra and Choir Advisory Committee**
(interested Councillors)
11. **Companion Animals Committee**
(2 to 3 Councillors)
12. **Heritage Advisory Committee**
(3 Councillors)
13. **Willoughby Park Centre Committee**
(minimum 2 Councillors).

3. BACKGROUND

Council usually appoints its representatives to various committees in September, along with the election of the Deputy Mayor. Attachment 2 outlines the criteria for representation on committees as specified in the Terms of Reference or other documentation for that committee.

At its meeting held 8 October 2018 Council resolved to continue the current Councillor representation on committees (resolved previously at its meeting held 23 October 2017) as follows:

1. *Retain current Councillor representatives on Council management and advisory committees; and*
2. *Nominate Councillor representatives on Council management and advisory committees following the conclusion of the advisory committee review (scheduled for February 2019).*

Councillor representation on Committees resolved at the Council meeting held 23 October 2017 is shown in Attachment 3.

4. DISCUSSION

The report requests Council to nominate its representatives to management and advisory committees until the caretaker period commences ahead of the 12 September 2020 Council election. Council may reconsider its representation on a committee at any time.

Please note that the Haven Amphitheatre Management Committee is not operating as the stage at the amphitheatre is in the process of renewal. There is therefore no recommendation relating to this committee.

Voting will be conducted by open ballot which means a vote by a show of hands from the floor. Voting will be conducted by the Mayor.

5. CONCLUSION

The nomination of Councillors to Council's management and advisory committees, combined with local knowledge and technical advice, complements the decision-making process which informs Council's strategic priorities.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.2 – Demonstrate leadership and advocacy for local priorities
Business Plan Objectives, Outcomes/ Services	The Governance team maintain records on Councillor representation on committees. A number of Council units support advisory committees.
Policy	The appointment of Councillors to committees usually follows the election of a new Council and in conjunction with the annual election of the Deputy Mayor.
Consultation	Not applicable.
Resource	Staff resources including time to maintain records on Councillor representation and correspondence with committees on which Councillors are represented.
Risk	By nominating its representatives, Council ensures its presence on advisory committees as provided for by the Charters for these committees.
Legal	Not applicable.
Legislation	Not applicable.
Budget/Financial	This is within approved budget.

ATTACHMENT 2

Councillors representation on management and advisory committees

		Councillor representation criteria (Terms of Reference)
Council management committees		
1	Haven Amphitheatre Management Committee	Mayor and Councillors of the Sailors Bay Ward
2	Castlecrag Community Centre Management	Number not specified
Council advisory committees		
1	Multicultural Services Advisory Committee	Number not specified
2	Global Friendship Committee	1 Councillor
3	Access Steering Committee	Number not specified
4	Cultural Events Committee	Number not specified
5	Willoughby Seniors Advisory Committee	Number not specified
6	Bicentennial Reserve and Flat Rock Gully Advisory Committee	Mayor, 1 Councillor each from Naremburn and Sailors Bay Wards
7	Bicycle Consultative Committee	Minimum 1 Councillor
8	Natural Heritage and Bushland Advisory Committee	Mayor, 4 Councillors
9	Sustainability Reference Group	1 Councillor
10	Willoughby Symphony Orchestra and Choir Advisory Committee	Interested Councillors
11	Companion Animals Committee	2-3 Councillors
12	Heritage Advisory Committee	3 Councillors
13	Willoughby Park Centre Committee	Minimum 2 Councillors

ATTACHMENT 3

COUNCILLOR REPRESENTATIVES NOMINATED TO MANAGEMENT AND ADVISORY COMMITTEES AT THE ORDINARY COUNCIL MEETING HELD 23 OCTOBER 2017**COUNCIL MANAGEMENT COMMITTEES**

1. Haven Amphitheatre Management Committee - Councillors of the Sailors Bay Ward (Ward Councillors to determine who will be Deputy Chair)
2. Castlecrag Community Centre Management Committee (not specified) – Councillor Fernandez

COUNCIL ADVISORY COMMITTEES

1. Multicultural Services Advisory Committee (2 Councillors) – Councillors Norton, Rutherford and Tuon
2. Global Friendship Committee (2 Councillors) – Councillors Fernandez, Rozos Tuon and Zhu
3. Access Steering Committee (number of Councillors not specified) – Councillors Norton and Saville
4. Cultural Events Committee (number of Councillors not specified) – Councillors Norton, Rozos and Rutherford
5. Willoughby Seniors Advisory Committee (number of Councillors not specified) – Councillors Norton and Saville
6. Bicentennial Reserve and Flat Rock Gully Advisory Committee (Mayor, 1 Councillor each from Naremburn and Sailors Bay Wards) – Mayor Gail Giles-Gidney, Councillors Fernandez and Tuon
7. Bicycle Consultative Committee (minimum 1 Councillor) – Councillors Campbell and Norton
8. Natural Heritage and Bushland Advisory Committee (Mayor, 4 Councillors) – Mayor Gail Giles-Gidney, Councillors Fernandez, Norton and Saville (Quorum will be met with 3 Councillors)
9. Sustainability Reference Group (1 Councillor) – Councillors Fernandez and Saville
10. Willoughby Symphony Orchestra and Choir Advisory Committee (interested Councillors) – Councillor Norton
11. Companion Animals Committee (2 to 3 Councillors) – Councillors Campbell and Norton
12. Heritage Advisory Committee (3 Councillors) – Councillors Norton and Saville (Terms of Reference will be met with 2 Councillors)
13. Willoughby Park Centre Committee (minimum 2 Councillors) – Councillors Norton and Rozos

15.3 COUNCILLORS' REPRESENTATION ON STATUTORY COMMITTEES AND EXTERNAL ORGANISATIONS

ATTACHMENTS:	1. IMPLICATIONS 2. COUNCILLOR REPRESENTATION CRITERIA 3. COUNCILLOR NOMINATIONS 2018
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	VLADIMIR GREPL – GOVERNANCE OFFICER
CITY STRATEGY OUTCOME:	5.2 – DEMONSTRATE LEADERSHIP AND ADVOCACY FOR LOCAL PRIORITIES
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

To nominate Councillor representatives to statutory committee and external organisations until the caretaker period commences in August 2020, ahead of the 12 September 2020 Council election.

2. OFFICER'S RECOMMENDATION

That Council nominate Councillor representatives on the following statutory committees and external organisations until the caretaker period commences ahead of the September 2020 Council election:

Council statutory committee

- 1. Audit, Risk and Improvement Committee**
(2 Councillors)

External Organisations

- 1. Dougherty Apartments Board**
(Council's Member representative and a Director, a Director, alternate Council Member representative)
- 2. District Bush Fire Management Committee**
(1 Councillor)
- 3. Northern Sydney Regional Organisation of Councils (NSROC)**
(Mayor and 1 Councillor, 1 Councillor to be an alternate delegate)
- 4. Sydney North Planning Panel**
(Mayor by convention, with the Deputy Mayor as the alternate)
- 5. NSW Public Library Association**
(1 Councillor)
- 6. Sydney Coastal Councils Group**
(2 Councillors)

3. BACKGROUND

Council usually appoints its representatives to various committees and organisations every September, along with the election of the Deputy Mayor. Attachment 2 outlines the criteria on the number of Councillors and other requirements that pertain to each body as specified in a Terms of Reference or other documentation.

The report requests Council to nominate its representatives to statutory committee and external organisations until the caretaker period commences ahead of the 12 September 2020 Council election. Council may reconsider its representation on a committee or an external organisation at any time.

Councillor current representation on statutory and external organisations is shown below:

Council statutory committee

1.1. Audit, Risk and Improvement Committee

(2 Councillors) – Councillors Norton and Tuon

External organisations

1.2. Dougherty Apartments Board

(Council's Member representative and a Director, a Director, alternate Council Member representative) – Councillor Norton as Council member representative and a Director, Melanie Smith as a Director, Councillor Rozos as the alternate Council member representative

1.3. District Bush Fire Management Committee

(1 Councillor) – Councillor Wright (alternates – Councillors Eriksson and Saville)

1.4. Northern Sydney Regional Organisation of Councils (NSROC)

(Mayor and 1 Councillor, 1 Councillor to be an alternate delegate) – Mayor Gail Giles-Gidney, Councillor Zhu as delegate, Councillor Campbell as alternate

1.5. Sydney North Planning Panel

(Mayor by convention, with the Deputy Mayor as the alternate) – Mayor Gail Giles-Gidney and Deputy Mayor Rutherford

1.6. NSW Public Library Association

(1 Councillor) – Councillor Zhu

1.7. Sydney Coastal Councils Group

(2 Councillors) – Councillors Fernandez and Saville (Councillor Norton as alternate).

4. DISCUSSION

The report requests Council to nominate its representatives to statutory committees and external organisations until the caretaker period commences in September 2020. Council may reconsider its representation on statutory committees and external organisations at any time.

Voting will be conducted by open ballot which means a vote by a show of hands from the floor. Voting will be conducted by the Mayor.

5. CONCLUSION

The nomination of Councillors to statutory committees and external organisations informs Council's strategic priorities.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.2 – Demonstrate leadership and advocacy for local priorities
Business Plan Objectives, Outcomes/ Services	The Governance team maintain records on Councillor representation on statutory committees and external organisations.
Policy	The appointment of Councillors to statutory committees and external organisations usually follows the election of a new Council and in conjunction with the annual election of the Deputy Mayor.
Consultation	Not applicable.
Resource	Staff resources including time to maintain records on Councillor representation and correspondence with external organisations on which Councillors are represented.
Risk	By nominating its representative, Council ensures that all positions needing Councillor input are filled.
Legal	Not applicable.
Legislation	Not applicable.
Budget/Financial	This is within approved budget.

ATTACHMENT 2

Councillors representation on statutory committees and external organisations

		Councillor representation criteria (Terms of Reference)
Council statutory committees		
1	Audit, Risk and Improvement Committee	2 Councillors
Boards and external organisations		
1	Dougherty Apartments Board	Council's Member representative and a Director, a Director, alternate Council Member representative
2	District Bush Fire Management Committee	1 Councillor
3	Northern Sydney Regional Organisation of Councils (NSROC)	Mayor and 1 Councillor, as well as 1 Councillor to be an alternate delegate when the Mayor or the delegate are unable to attend
4	Sydney North Planning Panel	Mayor by convention, with the Deputy Mayor as the alternate
5	NSW Public Library Association,	1 Councillor
6	Sydney Coastal Councils Group	2 Councillors

COUNCILLOR REPRESENTATIVES NOMINATED AT THE ORDINARY COUNCIL MEETING 8 OCTOBER 2018**Council statutory committee**

- 1.1. Audit, Risk and Improvement Committee**
(2 Councillors) – Councillors Norton and Tuon

External organisations

- 1.2. Dougherty Apartments Board**
(Council's Member representative and a Director, a Director, alternate Council Member representative) – Councillor Norton as Council member representative and a Director, Melanie Smith as a Director, Councillor Rozos as the alternate Council member representative
- 1.3. District Bush Fire Management Committee**
(1 Councillor) – Councillor Wright (alternates – Councillors Eriksson and Saville)
- 1.4. Northern Sydney Regional Organisation of Councils (NSROC)**
(Mayor and 1 Councillor, 1 Councillor to be an alternate delegate) – Mayor Gail Giles-Gidney, Councillor Zhu as delegate, Councillor Campbell as alternate
- 1.5. Sydney North Planning Panel**
(Mayor by convention, with the Deputy Mayor as the alternate) – Mayor Gail Giles-Gidney and Deputy Mayor Rutherford
- 1.6. NSW Public Library Association**
(1 Councillor) – Councillor Zhu
- 1.7. Sydney Coastal Councils Group**
(2 Councillors) – Councillors Fernandez and Saville (Councillor Norton as alternate)

15.4 INVESTMENT REPORT FOR THE MONTH OF AUGUST 2019

ATTACHMENTS:	1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2018) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

To detail the Council Bank balances and investment portfolio performance as at 31 August 2019.

2. OFFICER'S RECOMMENDATION

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

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*.

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 24 July 2017 applies to all investments from that date.

A summary of Council's holdings as at 31 August 2019 is included in **Attachment 1** (Financial Implications) with details of holdings and counterparty analysis included in **Attachment 3**.

Actual performance against policy settings and budget are included in **Attachment 2**.

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

The key financial indicators for Council's investment holdings at 31 August 2019 include:

Combined Bank Balance	\$11.5M
Investment Holdings	\$167.5M
Total Cash and Investments	\$179.00M
Return on Investments	2.91%, (1.92% above benchmark of 0.99%) (Refer to Attachment 3 – Figure 1).
Actual Interest Return (Month)	\$352K (\$58K better than \$293K budget) (Refer to Attachment 3 – Figure 2).
Actual Interest Return (Year to Date)	Actual Year to Date Interest of \$693K is \$107K favourable to Year to Date budget of \$587K.

5. CONCLUSION

Council's investment holdings at 31 August 2019 have been made in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005*, the *Investment Policy* adopted by Council on 24 July 2017, *Ministerial Investment Order* issued February 2011 and Division of Local Government (as it was then known) *Investment Policy Guidelines* published in May 2010.

ATTACHMENT 1

IMPLICATIONS	COMMENT
Business Plan Objectives, Outcomes/ Services	5.1 – Be honest, transparent and accountable in all that we do
Policy	This report relates to Council's <i>Investment Policy</i> which safeguards Council's investment portfolio.
Consultation	Not applicable.
Resource	Council's bank balances and investment holdings are managed within existing staff resources within the Finance Unit.
Risk	Investments in this report have been considered in light of adopted risk management guidelines around the preservation of capital, diversification, market interest rates, liquidity and maturity risks.
Legal	Not applicable.
Legislation	In accordance with Clause 212 of <i>Local Government (General) Regulation 2005</i> , a monthly report will be provided to Council, detailing the investment portfolio in terms of performance, portfolio balances and net returns compared to industry benchmarks.
Budget/ Financial	<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 August 2019 were \$179M and Interest returns are on track to exceed the annual budget of \$587M.</p>

ATTACHMENT 2

Actual Performance against Investment Policy Settings and Budget is detailed below:

Figure 1 - Maximum hold of a class/mix of investments as a % of total portfolio

Long Term Rating (S&P or equivalent)	Short Term Rating (S&P or equivalent)	Portfolio Maximum %	Actual Allocation this month %
AAA to AA +/-	A1+	100	48
A +/-	A1	70	13
BBB +/	A2	40	32
BBB -	A3	10	0
Unrated	Unrated	8	7

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 - Maximum exposure to a single financial institution as a % of total portfolio

Long Term Rating (S&P or equivalent)	Short Term Rating (S&P or equivalent)	Institution Maximum %	Actual Allocation this month %
AAA to AA +/-	A1+	30	23
A +/-	A1	10	4
BBB +/	A2	10	9
BBB-	A3	4	0
Unrated	Unrated	3	2

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 August

<u>Description</u>	<u>Average Interest Rate</u>
Council Portfolio	<u>2.91%</u>
Benchmark – Bloomberg AUSBond Bank Bill Index	<u>0.99%</u>
Above Benchmark Return	<u>1.92%</u>

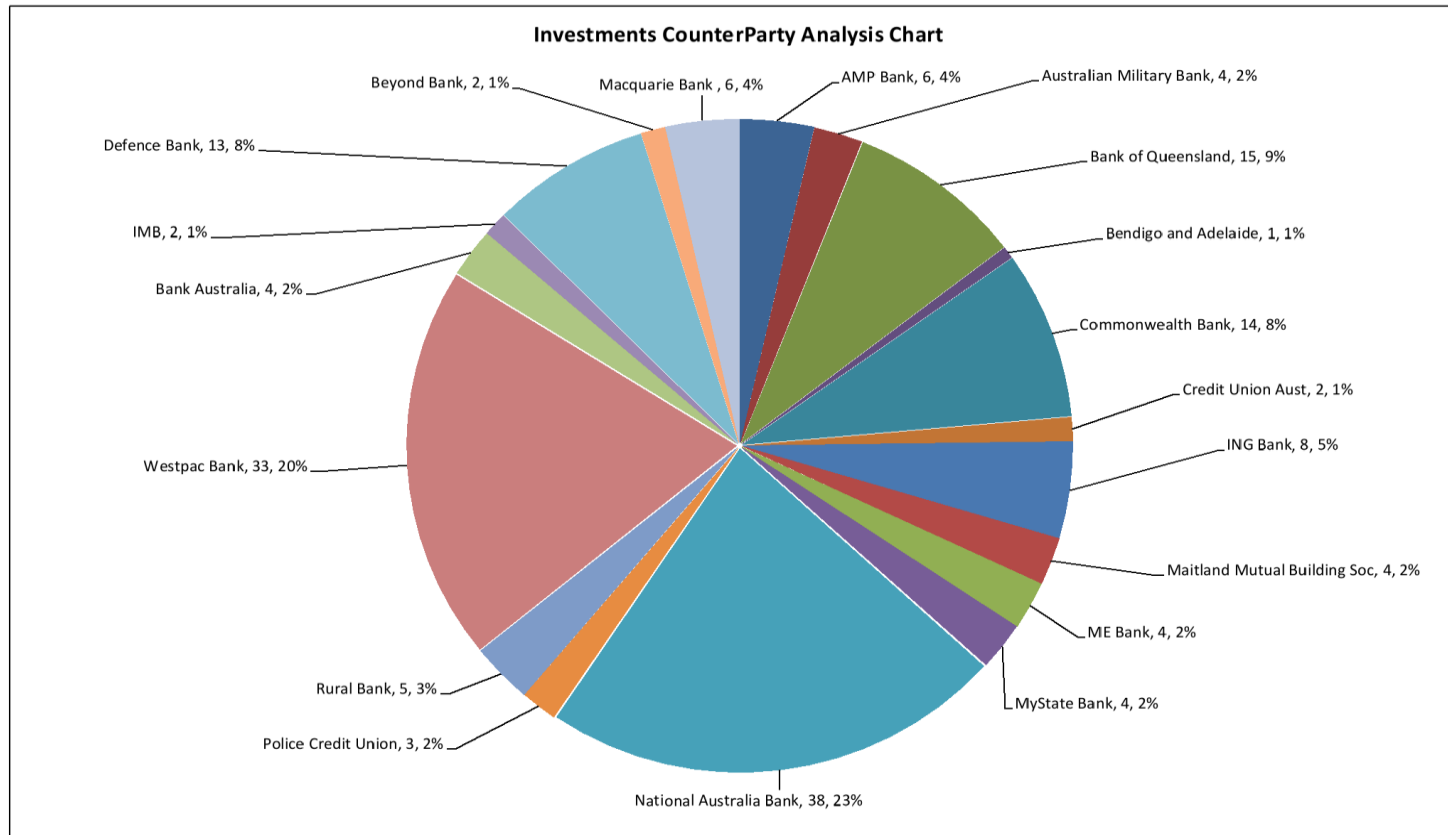
Figure 3 shows the average interest rate achieved by Council on its investment portfolio compared with the average Bloomberg AUSBond Bank Bill Index for the month. Council's return has outperformed the benchmark by 1.92%.

Figure 4 – Investment Return for 31 August 2019

<u>Description</u>	<u>Interest Achieved (\$K: \$000's)</u>
Council Actual Interest Return	\$352K
Budgeted Return	<u>\$293K</u>
Over Budgeted Return	<u>\$58K</u>

Figure 4 provides a comparison of the actual interest return on investments for the month with the budget and shows that the monthly return is \$58K better than budget.

ATTACHMENT 3



15.5 RECOMMENDED CARRYOVER OF UNSPENT PROJECT FUNDS FROM 2018/19 TO 2019/20

ATTACHMENTS:	1. IMPLICATIONS 2. RECOMMENDED CARRYOVER PROJECTS
RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	STEPHEN NAVEN – CHIEF FINANCIAL OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

To seek Council endorsement of the proposed carryovers works from 2018/19 to 2019/20.

2. OFFICER'S RECOMMENDATION

That Council endorse the proposed carryover works from 2018/19 to 2019/20 totalling \$2,290,600 (with \$80,100 funded from the General Fund).

3. BACKGROUND

A report is prepared for Council on an annual basis seeking approval for unspent budgeted project funding to be carried over to the following year to enable their completion.

This report provides information to Council on the specific projects and the quantum of funds for 2018/19 projects requiring carryover to 2019/20.

4. DISCUSSION

Officers are currently finalising the preparation of the 2018/19 Annual Financial Statements for audit. The year-end project related financial work has been completed, however, which has enabled the preparation of this report. If approved, the report will allow staff to finalise project budgets and milestone work for 2019/20.

Attachment 2 to the report sets out the various projects and their remaining 2018/19 budgets which require carryover to 2019/20 to enable their completion.

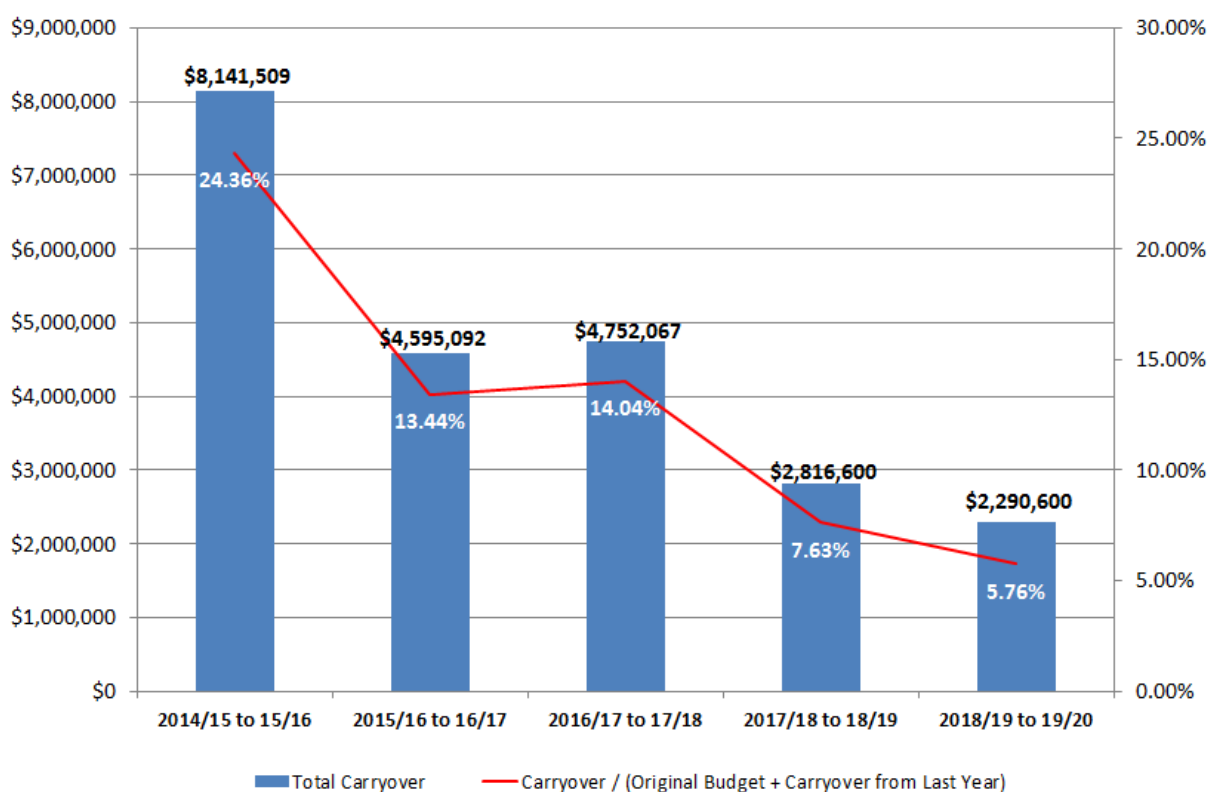
Councillors should note the significant reduction in the quantum of funds that have been requested for carryover as a comparison with prior years, as shown in Figure 1 (i.e. a 19 per cent reduction between recommended carryovers to 2018/19 and 2019/20, and a reduction of 72 per cent over the five years since 2014/15).

Financial Implications

The recommended carryover projects total \$2,290,600 and will be funded via the sources identified below:

- Council’s Internal Reserves \$1.62M (71 per cent)
- Developer Contribution \$0.58M (25 per cent)
- General Fund \$0.08M (3.5 per cent)
- Grants \$0.01M (0.5 per cent).

Figure 1 Comparison of recommended carryover totals between 2014/15 to 2019/20



5. CONCLUSION

Council officers have reviewed all 2018/19 projects and request that the funding for the projects be carried over to 2019/20 in order to finalise all associated works.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes/ Services	Council maintains a strong sustainable financial position.
Policy	Not applicable.
Consultation	Internal Consultation with project managers, Directors and Chief Executive Officer.
Resource	Existing staff resources within the Finance unit.
Risk	Risk of not complying with the <i>Local Government Act 1993</i> by not having approved budget for projects needing to spend in 2019/20.
Legal	Not applicable.
Legislation	<i>Local Government Act 1993</i> requires that Council approve budget for projects needing to spend in 2019/20.
Budget/Financial	The recommended carryover projects total \$2,290,600. Council's reserves \$1.62M (71 per cent) and developer contribution \$0.58M (25 per cent) are the primary sources of funds.

Recommended Carryover Projects

ATTACHMENT 2

Projects and Capital Works												
Funding Source Code: GF General Fund ; 2 Internal Resv ; 3 External Resv ; 4 Grant & Contrib ; 6 Infra Levy ; 7 S/W Levy ; 8 Env Levy ; 9 Sponsorship ; 10 Sundry Income ; 11 Internal Revenue ; 12 Dev Contrib												
Key Direction	Project I.D.	Orig. Budget 18/19 \$'000	B/fwd Budget 18/19 \$'000	Curr Budget 2018/19 \$'000	Var Q4 Budget 18/19 \$'000	Rev Budget 2018/19 \$'000	YTD Actual 18/19 \$'000	Carry Over Budget to 19/20 \$'000	C/Over Explanation	Funding Source	Jun-19 Status / Comments	
2.1	245007361 - Frank Channon Walk (Mowbray Rd) to Artarmon Resv Bike Network Upgrade - 4500_5438	60.0	0.0	50.0	0.0	50.0	31.5	18.5	Awaiting final drafts of study and concept from GTA	8	Project progressing	
2.1	345007362 - St Leonards to Naremburn Share Path Principle Bike Network Route Study - 4500_5438	56.4	0.0	56.4	0.0	56.4	33.4	23.1	Awaiting final drafts of study and concept from GTA	8	Project progressing	
2.1	345007370 - Bicycle Network Audit and Assessment - 4500_5438	20.0	0.0	20.0	0.0	20.0	15.3	4.7	Awaiting final drafts of study and concept from GTA	8	Project progressing	
2.1	262307259 - Castle Cove Drive_ Roseville - Share Path - 6230_6017	50.0	0.0	50.0	0.0	50.0	24.1	25.9	Consultancy restructure caused delays with delivery of study and concept	12	Project progressing	
2.1	262307261 - Mowbray Rd West_ Beaconsfield Rd and Ralston St Traffic Signal Mod. - 6230_6017	80.0	0.0	80.0	0.0	80.0	8.9	71.1	Awaiting RMS feedback to confirm project viability	12	Continued negotiation with Lane Cove Council and RMS to get agreement on project scope.	
2.1	362302932 - Chatswood CBD Parking Guidance - 6230_5438	0.0	24.5	24.5	0.0	24.5	13.7	10.8	Remaining Australian Roads Research Board (ARRB) consultancy work to assess feedback and amend Parking Guidance Scheme (PGS) design.	2	Project progressing - Awaiting responses from car park operators.	
2.1	362307257 - Traffic_ Active Transport_ Public Transport Mgt Study - Chatswood CBD - 6230_5438	200.0	0.0	130.0	0.0	130.0	108.7	21.3	Funds needed to engage transport GIS mapping staff resource	2	Project progressing - need to finalise mapping	
3.2	235401439 - Zenith Theatre Curtains and Equipment - 3540_5502	45.0	0.0	100.0	0.0	100.0	89.6	10.4	Materials delayed. Installed occurred 19 July 2019	4; GF	Project progressing, expect to complete in July 2019	
3.2	263102803 - Implement works recommended in playgrounds inspection reports - 6310_6761	30.0	26.7	56.7	0.0	56.7	34.2	22.5	Works are underway for completion in July 2019; delay due to access issues on site.	3; 2	Works are underway for completion in July 2019; delay due to access issues on site.	

Recommended Carryover Projects

ATTACHMENT 2

Projects and Capital Works												
Funding Source Code: GF General Fund ; 2 Internal Resv ; 3 External Resv ; 4 Grant & Contrib ; 6 Infra Levy ; 7 S/W Levy ; 8 Env Levy ; 9 Sponsorship ; 10 Sundry Income ; 11 Internal Revenue ; 12 Dev Contrib												
Key Direction	Project I.D.	Orig. Budget 18/19 \$'000	B/fwd Budget 18/19 \$'000	Curr Budget 2018/19 \$'000	Var Q4 Budget 18/19 \$'000	Rev Budget 2018/19 \$'000	YTD Actual 18/19 \$'000	Carry Over Budget to 19/20 \$'000	C/Over Explanation	Funding Source	Jun-19 Status / Comments	
3.2	263107270 - Naremburn Community Centre Playground (Front) - Renewal - 6310_6761	40.0	0.0	40.0	0.0	40.0	0.0	40.0	Improvements approved by Council 13 May. Contract to commence in August 2019.	2	Improvements approved by Council 13 May. Contract to commence in August 2019.	
3.2	263107273 - Playground - Jersey Rd Reserve && Kids Cottage-Renewal Plan && Implement - 6310_6761	250.0	0.0	85.0	0.0	85.0	16.7	68.3	Project commenced 25 June 2019 and is progressing well.	2	Project commenced 25 June 2019 and is progressing well.	
3.2	268207356 - Northbridge Oval - Renewal of Synthetic Playing Surface - 6820_6758	350.0	0.0	452.0	0.0	452.0	437.9	14.1	Funds required for final works comprising summer wicket changeover and FIFA certification as per contract.	12; 2 GF	Project complete bar minor works for FIFA certification and wicket changeover in summer.	
3.2	268301083 - Artarmon Reserve-Upgrade Playground - 6830_6762	200.0	0.0	200.0	0.0	200.0	93.8	106.2	Project currently underway after delay by contractor; due for completion in early October (weather permitting).	2	Project currently underway after delay by contractor; due for completion in early October (weather permitting).	
3.2	268307211 - Muston Park Playground - implement playground upgrade - 6830_6772	250.0	0.0	370.9	0.0	370.9	358.3	12.6	Playground open to public. Final access to park paths required when boardwalk is completed by contractor.	2; ;12	Playground open to public. Final access to park paths required when boardwalk is completed by contractor.	
3.2	268307381 - Artarmon Bowling Club Development (Open Space) - 6830_6825	565.0	0.0	785.0	0.0	785.0	249.3	535.7	Project currently underway after delay by contractor; due for completion in early October (weather permitting).	3	Project currently underway after delay by contractor; due for completion in early October (weather permitting).	
3.6	342002209 - Heritage Education Campaign / Heritage Review - 4200_5816	0.0	0.0	19.0	0.0	19.0	0.7	18.3	Exhibition of Heritage Review recently completed. Submissions being considered, Consultant advice and report to Council yet to occur.	GF	Project progressing	

Recommended Carryover Projects

ATTACHMENT 2

Projects and Capital Works											
Funding Source Code: GF General Fund ; 2 Internal Resv ; 3 External Resv ; 4 Grant & Contrib ; 6 Infra Levy ; 7 S/W Levy ; 8 Env Levy ; 9 Sponsorship ; 10 Sundry Income ; 11 Internal Revenue ; 12 Dev Contrib											
Key Direction	Project I.D.	Orig. Budget 18/19 \$'000	B/fwd Budget 18/19 \$'000	Curr Budget 2018/19 \$'000	Var Q4 Budget 18/19 \$'000	Rev Budget 2018/19 \$'000	YTD Actual 18/19 \$'000	Carry Over Budget to 19/20 \$'000	C/Over Explanation	Funding Source	Jun-19 Status / Comments
3.6	342007062 - Review of Local Enviro Plan (LEP) & Development Control Plan (DCP) - 4200_5443	135.0	0.0	135.0	0.0	135.0	93.2	41.8	On-going project. Carry over required.	GF	Project progressing
3.6	342007360 - Public Art Policy Review - 4200_5156	25.0	0.0	25.0	0.0	25.0	8.4	7.9	Consultants engaged and project commenced but not yet complete	GF	Project progressing
4.5	335547237 - The Concourse - Develop Mills Lane Activation Plan - 3554_5888	45.0	0.0	65.0	0.0	65.0	13.8	51.2	Consultants engaged and project commenced but not yet complete	12	Project progressing
4.5	335547238 - The Concourse - Creative Hub Feasibility Research - 3554_5888	40.0	0.0	50.0	0.0	50.0	39.7	10.0	Project extended – feasibility report and location criteria complete; business network series and exploration of possible partners underway	2	Project extended – feasibility report and location criteria complete; business network series and exploration of possible partners underway
5.1	321107230 - Job Evaluation and Salary System - 2110_5051	60.0	0.0	82.0	0.0	82.0	75.4	6.7	Funds required to pay the final invoice	2; GF	Project progressing, expect to receive the final report in July 2019
5.3	262207254 - SWI: Willoughby Road & Chandos - 6220_6033	141.0	0.0	141.0	0.0	141.0	9.0	132.0	Design delay due to service investigations	7	Project progressing - works commencing 22 July – delay due to service and utility investigations
5.3	262607390 - Parking Meter Compliance Upgrade - Credit Card Readers - 6260_6005	0.0	0.0	533.0	0.0	533.0	159.7	373.3	Supply of equipment from overseas delayed	12	Project underway , delayed by arrival of equipment by the supplier. Expected completion end of August
5.3	262707263 - Streetscapes: High St Willoughby Rd - Hampden Rd & Wilkes Ave Designs - 6270_6002	2,616.7	0.0	1,300.0	0.0	1,300.0	1,022.9	270.0	8 week delay in paver production and supply	2	Project progressing - completion at end July
5.3	263402831 - STRBR-004 Bridge on Artarmon Rd over Artarmon Resv Bike Track - 6340_5453	235.0	0.0	492.2	0.0	492.2	370.5	121.7	A delay in commencing works has meant that the works will not be completed until July 2019	2; GF	Project progressing will be completed July 2019

Recommended Carryover Projects

ATTACHMENT 2

Projects and Capital Works												
Funding Source Code: GF General Fund ; 2 Internal Resv ; 3 External Resv ; 4 Grant & Contrib ; 6 Infra Levy ; 7 S/W Levy ; 8 Env Levy ; 9 Sponsorship ; 10 Sundry Income ; 11 Internal Revenue ; 12 Dev Contrib												
Key Direction	Project I.D.	Orig. Budget 18/19 \$'000	B/fwd Budget 18/19 \$'000	Curr Budget 2018/19 \$'000	Var Q4 Budget 18/19 \$'000	Rev Budget 2018/19 \$'000	YTD Actual 18/19 \$'000	Carry Over Budget to 19/20 \$'000	C/Over Explanation	Funding Source	Jun-19 Status / Comments	
5.3	263707288 - I/L Air Conditioning Replacement - Artarmon Kid's Cottage - 6370_6250	390.0	0.0	30.0	0.0	30.0	13.7	16.3	Bankruptcy of contractor delayed works	6	Works to commence upon appointment of new AC contractor	
5.3	263707291 - I/L Willoughby Park Bowling Club Refurbishment - 6370_6250	500.0	0.0	445.0	0.0	445.0	433.4	11.6	Carpet supply delayed by contractor	6	Awaiting install of carpet - works to be complete by end of August	
5.3	263707392 - I/L Regency Centre Fitness First - Awning Repair - 6370_6250	0.0	0.0	150.0	0.0	150.0	71.0	69.0	Awaiting final invoicing for the work that is completed in July 2019	3	Project completed in July 2019	
5.3	264203016 - Gore Hill Redevelopment - 6420_5016	6,047.0	0.0	6,235.0	0.0	6,235.0	6,160.6	56.0	Funds required for ongoing maintenance costs	12; 4	Project completed	
5.3	264207036 - The Concourse - Access Control System upgrade - 6420_6261	0.0	148.5	148.5	0.0	148.5	79.7	68.8	Software issues delayed installation	2	Works progressing. Software issues delayed installation, expected completion by end of August	
5.3	264207303 - City Entry Signage - 6420_6250	20.0	0.0	20.0	0.0	20.0	2.4	17.6	Awaiting outcome of traffic study	2	Works progressing - awaiting outcome of traffic study	
5.3	264207306 - Concourse Shade Structure && Covered Walkway - Stage 1 Design/Approvals - 6420_6261	250.0	0.0	70.0	0.0	70.0	28.7	26.4	Increased scope of works to include Masterplan	2	Works progressing.	
5.3	365303002 - Flood Study Expansion && Risk Mgt Plans - Scotts && Flat Rock Creeks - 6530_6006	8.5	53.5	74.0	0.0	74.0	67.2	6.8	Project is to be completed over 18/19 and 19/20	4	Project to be completed over 18/19 & 19/20	
TOTAL								2,290.6				

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PLANNING & INFRASTRUCTURE DIRECTORATE

15.6 9 CENTENNIAL AVENUE, CHATSWOOD

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	MARK TAYLOR – COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	2.2 – RESPECT AND CELEBRATE OUR HISTORY AND HERITAGE SITES
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

To advise Council of actions undertaken to protect the heritage value of the dwelling at 9 Centennial Avenue, Chatswood.

2. OFFICER'S RECOMMENDATION

That Council note the report on 9 Centennial Avenue, Chatswood as requested by Council at its meeting on 22 July 2019.

3. BACKGROUND

At its meeting on 22 July 2019 Council considered a Notice of Motion regarding actions undertaken to protect the heritage value of the dwelling at 9 Centennial Avenue, Chatswood from weather damage. Council resolved to:

- 1. Take immediate action to ensure the owners of 9 Centennial Avenue, Chatswood replace the flimsy torn plastic sheeting and protect the heritage value of the building.*
- 2. Receive a report detailing why Council did not take actions to protect the building available under legislation and as advised by the NSW Minister for Heritage (Ms G Upton) in her correspondence to Council at the time.*
- 3. Provide a detailed chronology of actions taken by Council, including penalty costs as result of these actions incurred by the owner.*

4. DISCUSSION

The following is provided for the information of Councillors regarding actions taken to protect the property at 9 Centennial Avenue from March 2019:

Date	Action
12 March 2019	<p>Council served Development Control Order on owner of 9 Centennial Avenue, Chatswood under the <i>Environmental Planning and Assessment Act, 1979</i>. The owner responded by engaging a builder who subsequently placed tarpaulin covers over the roof of the dwelling.</p>
April / May / June 2019	<p>Council officers met with owner's architect and monitored condition of premises. Council's Planning Unit conducted a series of meetings with representatives of the owner, including the owner's architect, to consider options for development of the site and restoration of the roof of the existing dwelling.</p> <p>During this time Council's Compliance Unit maintained regular inspections of the premises to monitor its condition. In May, 2019 a Compliance Unit officer observed portions of some of the tarpaulin covers had been torn and frayed, with small holes exposed within the northern, western and southern sides of the roof. The officer responded immediately by requesting the owner's daughter, architect and builder to repair or replace the torn and frayed tarpaulins.</p> <p>Section 33 (1) of Part 11 of Schedule 5 of the <i>Environmental Planning and Assessment Act 1979</i> provides that:</p> <p style="padding-left: 40px;"><i>"A relevant enforcement authority that gives a Development Control Order may do all such things as are necessary or convenient to give effect to the terms of the order (including the carrying out of any work required by the order) if the person to whom the order was given fails to comply with the terms of the order."</i> (<i>Emphasis added</i>).</p> <p>The exercise of these powers by Council in its capacity as an enforcement authority are discretionary. Council would normally exercise the powers on the basis of compelling evidence and justification, such as the existence or reasonable likelihood of serious risk to health or safety.</p> <p>The provision of a lawful power to enter onto private residential land does not remove exposure of a risk/s to Council in terms of other legal liabilities. Accordingly, in considering whether or not to enter onto private land to undertake and complete works to a residential dwelling (including a building that is subject to an Interim Heritage Order), Council would need to consider:</p> <ol style="list-style-type: none"> 1. The rights of the owner/occupier. 2. The expenditure of public money on a private asset. 3. The public interest, health and safety. 4. Assessment and management of risks and obligations under the Work, Health and Safety legislation. 5. The risk of exposure by Council to potential claim/s of damages for any event that may occur during the undertaking of such works. 6. The issue of precedent for similar matters and operations in the future.

	Council's staff have continued to maintain regular surveillance of 9 Centennial Avenue, Chatswood.
20 May 2019	Approval granted to carry out maintenance works and retiling of roof. On 8 May 2019, the owner's architect requested approval (under clause 5.10 (3)(a)(i) of WLEP 2012) to undertake repair and maintenance works to the building at 9 Centennial Avenue including retiling the roof. Council approved the request on 20 May 2019.
17 June 2019	Council issued a \$3,000 fine for a breach of the Development Control Order. On 17 June, 2019 a reinspection of the premises by Council officers revealed no improvement to the condition of the tarpaulins over the roof of the dwelling. A Penalty Notice (fine) for an offence under the <i>Environmental Planning and Assessment Act 1979</i> involving a breach of the Development Control Order was issued. The value of the fine prescribed by the Regulations is \$3,000.
19 June 2019	Memo provided to Councillors to advise that the Penalty Notice had been issued.
21 June 2019	Owner's agent advised repairs would be undertaken. An agent acting for the owner contacted Council on 21 June, 2019 to advise the Penalty Notice (fine) had been received and repairs to the tarpaulin on the roof would be undertaken and completed within one to two weeks.
25 June 2019	Owner's architect submitted documents with Council's Planning Unit as part of a pre-DA process.
1 July 2019	Council issued a \$3,000 fine for a breach of the Development Control Order. An inspection of the premises on 1 July, 2019 revealed no further improvement to the condition of the tarpaulin on the roof had been made. Accordingly, Council issued another Penalty Notice (fine) for an offence under the <i>Environmental Planning and Assessment Act 1979</i> involving a breach of the Development Control Order. The value of the fine prescribed by the Regulations is \$3,000. Council sent correspondence to the architect and the builder requesting their assistance to have the necessary repairs to the tarpaulin undertaken and completed.
4 July 2019	Tarpaulin cover repaired and update provided to Councillors. An inspection of the premises revealed the necessary repairs to the torn and frayed tarpaulin over the roof had been made and a memo was issued to Councillors.
22 July 2019	Notice of Motion considered by Council
23 July 2019	Scaffolding delivered to premises to support repairs to roof and placement of new roof tiles. An inspection of the premises on 23 July 2019 revealed scaffolding had been assembled and erected around the dwelling. The scaffolding was erected in accordance with an engineer's report and was compliant with Australian Standards.
29 July 2019	Pre-DA meeting held to discuss a proposal for development of the land. The current proposal is for subdivision, construction of a dual occupancy on western part of the site, restoration of existing dwelling including alterations and additions and the provision of a secondary dwelling. The proposal is in keeping with the direction of the Council to retain the building and allow development on the site.

	<p>At a site meeting on 29 July 2019, Council's officer confirmed the scaffold was not tied to the existing walls of the dwelling. However, tiles on the lower sections of roofs have been removed to enable scaffolding to be placed in accordance with the consulting structural engineer's directions.</p> <p>During the meeting, the officer instructed the builder to provide interim weather proofing to the opening in the roof, around the scaffold uprights, to ensure the dwelling is protected from weather.</p> <p>Council's officer has also observed carpenters have commenced work to make repairs to the roof rafters in preparation for new roof tiling. The officer was advised the restoration work to the roof of the dwelling is due to be concluded in September 2019.</p>
23 August 2019	<p>Tiles delivered to the premises. Unglazed terracotta roof tiles were delivered to the premises on 23 August 2019. Officers will continue to monitor the condition of the premises and work with the owner and their agents regarding proposals to make improvements to the property.</p>

5. CONCLUSION

Once repairs to the rafters in the roof have been effected, the re-tiling of the roof may be undertaken and completed. If the repairs to the rafters and the re-tiling of the roof is undertaken and completed in accordance with the Australian Standards, Council's Development Control Order will be complied with.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	2.2 – Respect and celebrate our history and heritage sites
Business Plan Objectives, Outcomes/ Services	To achieve a safe and healthy built environment.
Policy	This matter relates to Council's policy for Unauthorised Building Work.
Consultation	Council officers have liaised with the owner and their agents.
Resource	Work has been carried out using the allocated staff and other resources.
Risk	Council must consider: <ol style="list-style-type: none">1. The rights of the owner / occupier.2. The expenditure of public money on a private asset.3. The public interest, health and safety.4. Assessment and management of risks and obligations under the Work, Health and Safety legislation.5. The risk of exposure by Council to potential claim/s of damages for any event that may occur during the undertaking of such works.6. The issue of precedent for similar matters and operations in the future.
Legal	The works to the roof of the existing dwelling are being carried out under a Development Control Order.
Legislation	<i>Environmental Planning and Assessment Act 1979.</i>
Budget/Financial	This is within approved budget.

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COMMUNITY, CULTURE & LEISURE DIRECTORATE

15.7 COMMUNITY PARTICIPATION PLAN 2019 - PUBLIC EXHIBITION

ATTACHMENTS:	1. IMPLICATIONS 2. COMMUNITY ENGAGEMENT POLICY 3. DRAFT COMMUNITY PARTICIPATION PLAN
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	SAMANTHA CONNOR, MEDIA MARKETING AND EVENTS MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

To seek Council's endorsement to place the draft *Community Participation Plan 2019* and the amended Community Engagement Policy on public exhibition.

2. OFFICER'S RECOMMENDATION

That Council:

1. Approve the public exhibition of the draft *Community Participation Plan* dated August 2019 in Attachment 3.
2. Receive a further report after the conclusion of the public exhibition of the draft *Community Participation Plan* by November 2019.
3. Approve the public exhibition of the amended *Community Engagement Policy* dated 2016 in Attachment 2.
4. Receive a further report after the conclusion of the public exhibition of the amended *Community Engagement Policy* by November 2019.
5. Delegate to the Chief Executive Officer to make amendments to the *Draft Community Participation Plan* which do not alter the scope, purpose or intent of the *Plan*.

3. BACKGROUND

Recent reforms to the *Environmental Planning and Assessment Act 1979* (EP&A Act) require Councils across NSW to prepare Community Participation Plans (CPPs). The Willoughby Community Participation Plan addresses the requirements set out by the Department of Planning, Industry and Environment (DPIE).

This report provides details of the DPIE requirements met by the Community Participation Plan.

The Community Participation Plan will form part of Council's Community Engagement Framework.

4. DISCUSSION

Under new requirements of the EP&A Act 1979 Council must prepare a community participation plan (CPP) about how and when it will undertake community participation when exercising relevant planning functions.

As a minimum the community participation plan must:

- Clearly state who the CPP applies to
- Detail how and when Council will conduct community participation for relevant planning functions under section 2.21(2) of the EP&A Act
- Outline minimum mandatory public exhibition timeframes for relevant planning functions as per Schedule 1 of the EP&A Act
- Acknowledge the mandatory notification requirements provided in the EP&A Regulation
- Consider the community participation principles in Section 2.23(2) of the EP&A Act
- Reinforce that a reason for the decisions are given for DA determinations as per Schedule 1 of the EP&A Act
- Be publicly exhibited for a minimum of 28 days and published on the NSW planning portal by 1 December 2019.

The CPP is a plain English document that once adopted, will inform community participation in relevant Council planning functions. It will form part of Council's Community Engagement Framework and be supported by an internal community engagement toolkit.

Council's current engagement and notification processes and timelines have been transcribed into the Draft *Community Participation Plan*.

Council's *Community Engagement Policy* was adopted in June 2016. Officers amended the policy to meet the requirement of the Community Participation Plan (see Attachment 2) as follows:

- Addition of section 2 – City Strategy Outcome – A city that is effective and accountable
- Addition of Community Participation Plan in section 3 – Application and section 8 – Supporting Information
- Clarify roles of responsible officers regarding the implementation of the *Community Engagement Policy*, which forms part of the Community Engagement Framework.

The changes to this policy are minor and simply reflect the changes required to develop and implement the Community Participation Plan.

Note that a report will be presented to enable consideration of submissions received from the public on the Draft *Community Participation Plan* to the Council meeting of 11 November 2019.

5. CONCLUSION

Quality engagement provides an opportunity for a diverse range of voices to be considered on relevant issues, promotes a higher level of community trust and a greater understanding of the community impact for decision making frameworks. The CPP will inform community participation in Council's planning functions and contribute to Council's wider Community Engagement Framework.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do.
Business Plan Objectives, Outcomes/ Services	The community contributes to Council decision making through effective engagement.
Policy	<i>Community Engagement Policy June 2016</i>
Consultation	The draft CPP is developed in conjunction with Council's planning department. The draft CPP will be placed on public exhibition and reported to Council after the exhibition period.
Resource	The draft CPP was prepared in-house.
Risk	If Council do not have a CPP in place by 1 December 2019, a default position will apply where all Development Applications must be exhibited for a minimum of 14 days until such times as an approved CPP is in place.
Legal	There is a requirement from the Department of Planning, Industry and Environment to develop a CPP. The CPP must be publically exhibited for a minimum of 28 days and published on the NSW planning portal by 1 December 2019.
Legislation	<i>Environmental Planning and Assessment Act 1979.</i>
Budget/Financial	The draft CPP was prepared in-house and did not incur any external costs. The implementation of the CPP will be undertaken by relevant staff as part of their duties and responsibilities.



Attachment 2

COMMUNITY ENGAGEMENT POLICY

Date Adopted / Approved	June 2016
Next Review Date	September 2023
Version	2
Responsible Position	Community Engagement Stakeholder Specialist
Administration Reference	<Add the relevant ECM reference number, owner, subject, Pulse CSR details>

1. PURPOSE

To establish a framework of effective community engagement practices. This will build community relationships and gather stakeholder and community feedback to inform council decision making.

2. CITY STRATEGY OUTCOME

Our Future Willoughby 2028 identified five city outcomes guiding our community's future direction in relation to Council's policy making, along with 29 community priorities. The following two priorities are applicable to a city that is effective and accountable.

5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO

5.4 – ANTICIPATE AND RESPOND TO CHANGING COMMUNITY AND CUSTOMER NEEDS

5.5 – MAKE IT EASY FOR CITIZENS TO PARTICIPATE IN DECISION MAKING

3. APPLICATION

The Community Engagement Policy, which forms part of the Community Engagement Framework, and the Community Participation Plan, apply to all Council officials, members of staff, individuals under contract and delegates of council.

4. POLICY PRINCIPLES

Willoughby City Council will adhere to the following principles of Community Engagement;

- Community engagement will gather contributions from people who are affected by or interested in a decision;
- Community engagement will provide opportunities for community to contribute in a meaningful way to provide relevant, timely and balanced information;
- Community engagement will ensure a mix of appropriate and accessible means for people to provide feedback;
- Community engagement will ensure a broad range of community needs, interests and ideas inform Council decision making;
- Community engagement will consider human and cultural factors;
- Community engagement will be systematic, structured and timely;
- Community engagement will inform business improvement throughout council;
- Willoughby City Council will inform the community about the final decision, and how their input was incorporated;
- Willoughby City Council will utilise partnerships with community groups, business, and other Government organisations to achieve City objectives.

5. POLICY STATEMENT

Willoughby City Council is committed to understanding the needs and expectations of the community to inform decision making processes. Council recognises the value of engaging with the community in a meaningful way to meet Council's commitment to building long term, sustainable community relationships in achieving a shared vision for Willoughby City. Council commits to inclusive, credible and equitable engagement processes throughout the organisation.

6. RESPONSIBLE OFFICERS

Council

- In accordance with the Local Government Act 1993, have regard to the long term and cumulative effect of its decisions.

General Manager

- Ensure the establishment and implementation of the Community Engagement Policy, which forms part of the Community Engagement Framework, and the Community Participation Plan;
- Provide adequate resources to effectively conduct community engagement activities;
- Lead and foster a culture of valuing community input to inform decision making.
- Ensure communication practices that inform the community about how their input was incorporated into Council decisions.

Directors

- Oversee the establishment and implementation of the Community Engagement Framework and Community Participation Plan;
- Allocate resources to effectively conduct community engagement activities;
- Facilitate and encourage a culture of valuing community input to inform decision making.
- Identify engagement opportunities to constructively engage with community in achieving City objectives;
- Ensure engagement activities are conducted in accordance with the Community Engagement Framework and Community Participation Plan;

All Staff

- Adopt and implement the Community Engagement Framework and Community Participation Plan into operational activities;
- Identify engagement opportunities to constructively engage with community in achieving business objectives;
- Ensure compliance with the Community Engagement Framework and Community Participation Plan in the performance of their duties;
- Ensure that any conflicts or risk to council identified during engagement processes are escalated to the relevant Council officer.

7. MONITORING AND REVIEWS

Directors

- Disseminate relevant information and data gathered during engagement processes across the organisation and to relevant community groups;
- Use the information gathered in engagement activities to inform decision making

8. SUPPORTING INFORMATION

8.1 REPORTING AND LEGISLATIVE REQUIREMENTS

Willoughby City Council acknowledges when undertaking high impact development on Council owned and managed land, a community engagement process consistent with the engagement framework and Community Participation Plan will be undertaken in correlation with the statutory requirements.

8.2 COMMUNITY ENGAGEMENT FRAMEWORK

The Community Engagement Framework consists of;

- Community Engagement Policy
- Community Engagement Process and Matrix
- Community Engagement Resources (Internal Staff Guide)
- Community Participation Plan

Governing laws and standards	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1993</i> ▪ <i>Environmental Planning and Assessment Act 1979</i>
Related policies and other documents	<ul style="list-style-type: none"> ▪ Willoughby City Council Community Engagement Framework ▪ Community Participation Plan (new requirement of Department of Industry, Planning and Environment 1 Dec 2019) ▪ Communications Policy
Document History	<ul style="list-style-type: none"> ▪ Date adopted June 2016 ▪ Date amended 9 September 2019

Appendix

Definitions	
Policy	A statement/s of principles and intent that guide decisions to help achieve outcomes and community priorities.
Procedure	A statement or instruction that set out how policies will be implemented and by whom.

Draft Willoughby Community Participation Plan 2019

Willoughby City Council

This Community Participation Plan is developed for land use planning processes under the *Environmental Planning and Assessment Act 1979*

Acknowledgment of Country

We acknowledge the traditional inhabitants of the land on which we stand, the Aboriginal People, their spirits and ancestors.

We acknowledge the vital contribution that indigenous people and cultures have made and still make to the nation that we share, Australia.

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 المدينة لبحثها مع موظفي المجلس الذين سيخضعون لترتيبات 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 չեք հասկանալ այս փաստաթուղթը, խնդրեմ անցնելք Քաղաքային Նորհուրդի Վարչարարական Ենթեր այդ մասին խօսելու: Քաղաքային Նորհուրդի աշխատակիցներն հետ որևէ ձևով համար բարգվան մը կը կարգադրեն: Վարչարարական Ենթեր կը գտնուի՝ 31 Victor Street, Chatswood եւ բաց է կաւ. 8.30 – կը 5.00, Երկուշաբթիէն մինչեւ Ընդառաջ: Վարելի է նաեւ հեռաձայնել Քարգվանութեան Ապագաւորութեան 131450 եւ խնդրել որ բարգվան մը կապ հաստատու Քաղաքային Նորհուրդին հետ ձևով 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 διαμερμένα 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. Διάφορετικά, μπορείτε να τηλεφωνήσετε στην Υπηρεσία Μεταφρασσεων και Διαμερνεας στο 131 450 και να ζητήσετε από ένα διαμερμένο 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'Administration Building del Comune e gli addetti municipali provvederanno a richiedere l'assistenza di un interprete. L'Administration 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

本文書が理解できない場合には、カウンシルの事務局にお越しいただければ、カウンシル職員が通訳サービスを手配の上で、ご相談に応じます。事務局の住所は、31 Victor Street, Chatswoodで、窓口受付時間は月曜から金曜の午前8時半から午後5時までです。他にも、電話131 450の翻訳通訳サービスにおかけの上、通訳士にカウンシルにつながるように依頼することもできます。カウンシルの電話番号は、(02) 9777 1000です。

KOREAN

이 문서를 이해하지 못하실 경우 시의회 청사를 방문하셔서 시의회 직원과 이에 대해 상의하십시오. 시의회 직원이 통역사 서비스를 주선할 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. 시의회와 전화번호는 (02) 9777 1000입니다.

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Overview

Willoughby City Council recognises that our communities are as diverse as our urban places and landscape.

Our communities have a unique relationship with, and understanding of, the Willoughby local area. Their range of experiences, interests and roles are essential in shaping the planning and land use decisions that affect our city and its neighbourhoods.

We want to ensure all these individuals and groups have the opportunity to have a say on the decisions in our area that affect them.

This Community Participation Plan sets out the processes we use to notify you of opportunities to provide feedback on planning decisions by Willoughby City Council.

Parts A and B of this plan provide a summary of the community participation process in council planning and detail how and when we consult with our communities.

Parts C, D and E set out the timeframes, notification process and categories for different types of development applications.

This plan has been informed by community satisfaction surveys and engagement program evaluations. It operates alongside the Willoughby Community Strategic Plan – Engagement Strategy (2017) and Community Engagement Framework (2016).

It also supports the commitments in our community strategic plan, *Our Future Willoughby 2028*, to show leadership, transparency and accountability in our decision making – and to make it easy for our communities to take part in this decision making.

This plan meets new requirements under the *Environmental Planning and Assessment Act 1979* and by the Department of Planning, Industry and Environment.

Part A – Community participation in the planning process

Our communities play an essential role in decision making

Community engagement in local government decision making is a two-way process. Individuals, community groups and interested parties collaborate on ideas with councils, helping to shape planning and project outcomes that best meet the needs of all our communities.

Quality engagement provides an opportunity for a diversity of voices to be considered on relevant issues. It promotes trust in our work and a greater understanding of the impact our communities can have on council decision making.

This plan outlines how and when our communities can provide input on the council land use planning process. It applies to the local government area where Willoughby City Council exercises its planning functions.

It supports the commitments in our community strategic plan, *Our Future Willoughby 2028*. This includes commitments in outcome 5 – A city that is accountable:

- 5.1 To be honest, transparent and accountable in all that we do.
- 5.2 Demonstrate leadership and advocacy for local priorities.
- 5.3 Balance the creation of new public assets with the upgrade of existing public assets.
- 5.4 Anticipate and respond to changing community and customer needs.
- 5.5 Make it easy for citizens to participate in decision making.

This plan has been prepared under the *Environmental Planning and Assessment Act 1979*. Other NSW planning authorities also have community participation plans under this Act.

Our responsibilities in planning decisions

Planning in NSW is governed by the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.

The principal legislation in NSW governing the operation of councils, including planning functions and community participation, is the *Local Government Act 1993*.

How we developed this plan

This plan has been informed by community satisfaction surveys and engagement program evaluations.

These feedback mechanisms also inform our overall community engagement approach for council decision making. This includes our:

- Community Strategic Plan – Engagement Strategy (2017), developed for *Our Future Willoughby 2028* (part of the NSW Government's integrated planning and reporting requirements)
- Community Engagement Framework (2016), which includes a policy, process and matrix and resources (developed under the *Local Government Act 1993 No 30* and *Local Government (General) Regulation 2005*).

This plan also draws on specialist community engagement research. This includes:

- Planning for Effective Public Participation 2006 by IAP2 (International Association for Public Participation)
- AA1000 Stakeholder Engagement Standard 2016 by AccountAbility

- private and government best practice examples.

Our approach to community participation

Our Community Engagement Framework supports a flexible, tailored approach when involving our communities in decision making. This is based on the potential impact of the decision, the appropriate level of community participation and the needs of our communities.

This approach is guided by IAP2's (International Association for Public Participation) core values and code of ethics.

IAP2's public participation spectrum assists us in selecting the level of participation for a community engagement program. The spectrum shows that different levels of participation can be appropriate depending on the goals, timeframes, resources and levels of impact of the decision to be made.

The five levels of community participation on the spectrum are: inform, consult, involve, collaborate and empower. Examples of goals and participation techniques for these levels are shown in table 1 below.

Willoughby City Council – community engagement policy statement

Willoughby City Council is committed to understanding the needs and expectations of the community to inform decision making processes. Council recognises the value of engaging with the community in a meaningful way to build long term, sustainable community relationships and achieve a shared vision. Council commits to inclusive, credible and equitable engagement processes.

For most decisions at Willoughby City Council, we expect community engagement to take place on the spectrum from 'inform' to 'collaborate'. The 'empower' level on the spectrum has limited application, particularly in planning decisions, as the elected Council are the decision making body.

Table 1: The public participation spectrum by IAP2

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and active 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 identification of the preferred solution.	To place final decision making in the hands of the public.
Promise to the Public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns, aspirations and provide feedback on how public input influenced the decision.	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.

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Example techniques</p>	<ul style="list-style-type: none"> * Fact sheets * Website * Print * Open Hours * Social media * Bulletins * Letters * Brochures * Reports and websites * Speeches, conference and public presentations 	<ul style="list-style-type: none"> * Public comment * Focus groups * Surveys * Public meetings 	<ul style="list-style-type: none"> * Workshops * Deliberative Polling * Consensus building processes 	<ul style="list-style-type: none"> * Citizen advisory committees * Consensus building * Participatory decision making * Multi-stakeholder initiatives * Online collaborative platforms * Joint projects * Joint ventures * Partnerships 	<ul style="list-style-type: none"> * Ballots * Delegated decision
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Community engagement objectives and principles

Our Community Engagement Policy principles align with those in the NSW Government’s *Environmental Planning and Assessment Act 1979*. This is shown in table 2 below.

Table 2: How our principles align with the NSW Government

Objectives	Willoughby City Council principles	NSW Government principles
Timely and responsive	<ul style="list-style-type: none"> Community engagement will be systematic, structured and timely 	<ul style="list-style-type: none"> The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered
Meaningful and affective	<ul style="list-style-type: none"> Community engagement will provide opportunities for our communities to contribute in a meaningful way to provide relevant, timely and balanced information Community engagement will inform business improvement throughout council 	<ul style="list-style-type: none"> Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning
Easy and human centred	<ul style="list-style-type: none"> Community engagement will ensure a mix of appropriate and accessible means for people to provide feedback Community engagement will consider human and cultural factors 	<ul style="list-style-type: none"> Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning
Inclusive and transparent	<ul style="list-style-type: none"> Willoughby City Council will inform our communities about the final decision, and how their input was incorporated Willoughby City Council will utilise partnerships with community groups, business, and other government agencies 	<ul style="list-style-type: none"> Community participation should be inclusive and planning authorities should actively seek views that are representative of the community Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions
Relevant	<ul style="list-style-type: none"> Community engagement will ensure a broad range of community needs, interests and ideas inform our elected Council’s decision making Community engagement will gather contributions from people who are affected by or interested in a decision 	<ul style="list-style-type: none"> 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 community has a right to be informed about planning matters that affect it

Part B – How and when our communities can participate

What our communities look like

A variety of people and groups live, work and spend time in the Willoughby City Council local government area. They have diverse experiences, interests and roles that can inform the planning and land use decisions affecting our city.

We want to ensure all these individuals and groups have the opportunity to have a say on the decisions in our area that affect them.

These groups include:

- **community, businesses, not-for-profit and government organisations** that have a role to play in policy development, program or service delivery
- **individuals and groups who use the city**, including residents and voters, ratepayers, business owners, customers, contractors or suppliers, community interest groups, agencies and hard to reach populations
- **other organised groups** that use our local government area and have an interest in our decision making and are affected by our decisions.

How and when we engage these communities

Community engagement projects can take place at any time of the year and depend on Willoughby City Council's program of work.

Any council-related project or decision is an opportunity to engage our communities for comment and feedback in a way that can be mutually beneficial.

The level of engagement varies depending on the nature, complexity and potential impact of a planning proposal or decision. Constraints on response times during the planning process can also be a factor.

However, the best planning outcomes are usually reached when communities are engaged early in the planning process. Internal briefing plans should include a careful appraisal of the appropriate tools and timing required for the project or decision.

Quality community engagement is well planned, executed and inclusive. It is also tailored for special interest groups.

Factors to consider include: community interest, political implications, partnership opportunities, community, economic and environmental impact, legislative requirements, and timing and resource limitations.

Willoughby City Council officers use a community engagement resource and matrix to plan engagement levels and activities.

Planning functions we are not responsible for

Not all local planning decisions are the responsibility of local government. The NSW Government is responsible for the areas below.

Development and amendments to legislation, regulations and policy instruments in the planning system – this includes state environmental planning policies, planning proposals where Willoughby City Council is not the delegated authority, state codes, guidelines and practice notes.

Setting strategic direction and integration of social, environmental and economic factors for the planning system in NSW – such as regional strategic plans, planning proposals for local environmental plans subject to a Gateway determination, standard instrument orders, and some plans for urban renewal areas referred to as Planned Precincts.

Assessments on some major planning decisions in line with NSW Government strategic priorities, public interest and applicable policies and guidelines – such as significant residential developments, port facilities, mining developments, energy generating facilities, transport and social infrastructure projects such as schools.

The role of local planning panels

Local planning panels are mandatory for all Sydney councils under the *Environmental Planning and Assessment Act 1979*. These panels ensure there is a transparent and accountable process for assessing and determining development applications with a high corruption risk, sensitivity or strategic importance.

The Willoughby Local Planning Panel consists of a chair, two independent expert members and a community member. The panel assesses larger or more controversial development applications made to local councils. It also reviews and provides independent advice on planning proposals.

Statutory rules govern the panel's operation, through a code of conduct and operational procedures. More information about local planning panels is at planning.nsw.gov.au

Sydney North Planning Panel

Five Sydney planning panels operate across the Greater Sydney Region. These undertake rezoning reviews and determine 'regionally significant' development applications with a capital investment value over \$30 million.

The Willoughby City Council area falls under the Sydney North Planning Panel.

See jrpp.nsw.gov.au/planningpanels

Independent Planning Commission

The Independent Planning Commission of NSW was established as a standalone agency in March 2018.

Its key functions are to:

- determine state significant development applications where there is significant opposition from the community
- conduct public hearings for development applications and other planning and development matters
- provide independent expert advice on any planning and development matter, when requested by the Minister for Planning or Secretary of the Department of Planning, Industry and Environment

See ipcn.nsw.gov.au

Planning functions and level of impact

The table below categorises typical planning functions and the levels of impact these can have on our communities and the local area. It should be read together with **Table 4: Community engagement methods** in the next section.

We will determine the community participation level and engagement methods depending on community, proposal scope and the potential impact of the decision.

Table 3: Planning decisions and levels of impact

Impact level	Description	Criteria	Planning functions and other council decisions
Level 1 High impact – whole area	Issue has higher level of real or perceived impact on the whole or large parts of the local government area. A community engagement plan is essential.	<ul style="list-style-type: none"> High level of real or perceived impact, interest or risk across the whole or a large part of the local area Significant impact on attributes that are considered to be of high value to the whole or large part of the local area, such as the natural environment or heritage Significant impact on the health and safety of the whole or large part of the local area Potential high degree of controversy or conflict Potential high impact on state or regional strategies or directions 	<ul style="list-style-type: none"> Local environmental plan Development control plan Major planning and urban design strategies Local strategic planning statement Integrated transport strategy
Level 2 High impact – local only	Issue has higher level of real or perceived impact on a specific suburb, local area, community or user group. A community engagement plan is essential.	<ul style="list-style-type: none"> High level or real or perceived impact or risk on a local area, small community or user group/s of a specific facility or service The loss of, or significant change to, any facility or service to a local community Potential high degree of controversy or conflict at the local level 	<ul style="list-style-type: none"> Site specific planning proposals following Gateway determination by the NSW Government for exhibition Integrated and designated development assessments Local environmental plan (localised change) Reclassification of public land
Level 3 Lower impact – whole area	Issue has lower level of real or perceived impact on the whole or large parts of Willoughby LGA. A community engagement plan is desirable.	<ul style="list-style-type: none"> Lower, although still some real or perceived impact or risk across the whole or large part of the local government area Potential for some controversy or conflict Potential for some, but not significant, impact on state or regional strategies or directions 	<ul style="list-style-type: none"> Draft community participation plan Local infrastructure contributions policy and plan Planning agreement policy
Level 4 Lower impact – local only	Issue has lower level of real or perceived impact on a specific suburb, local areas, community or user group. A community	<ul style="list-style-type: none"> Lower level or real or perceived impact or risk on a local area, small community or user group/s of a specific facility or service Only a small change or improvement to a facility or 	<ul style="list-style-type: none"> Other development applications Planning agreements

engagement plan is not required. Follow standard protocols.	<ul style="list-style-type: none"> service at the local level Low or no risk of controversy or conflict at the local level 	
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Engagement methods and levels of impact

Please read the table below together with **Table 3: Planning decisions and levels of impact** in the previous section.

Table 4: Community engagement methods

Table key: A: Always / U: Usually [provide rationale] / O: Occasionally [as required] / R: Rarely [specific circumstances]

	Engagement method	Level 1 High impact – whole area	Level 2 High impact - local only	Level 3 Lower impact – whole area	Level 4 Lower impact – local only
Inform	direct contact – email, letter or SMS.	U	O	O	O
	letterbox drop, rates notice insert	O	R	O	R
	newsletter / e-news	A	U	O	R
	media release / mayoral release	A	U	O	O
	promo material, noticeboard, banners	A	U	O	O
	newspaper notice (<i>North Shore Times</i>)	U	U	O	O
	report	A	U	O	O
	website / social media	A	U	O	O
	on-hold messages	O	O	R	R
Consult	written submissions, comments / suggestions	A	A	U	O
	pop-ups	U	U	O	O
	engagement evaluations	U	U	O	O
	responsible officer contact point	A	A	U	O
	information session	U	O	O	R
	expo / events	O	O	R	R
	public exhibition and submission	A	U	U	R
	public meeting	U	U	R	R
	online two-way forum - have your say	O	O	O	R
	surveys / other engagement tools on-line	A	A	U	O

Involve	working group / reference group	O	O	O	O
	stakeholder and interagency networks	U	O	O	R
	peoples panel	O	O	O	R
	focus groups / workshops / round table	A	O	O	R
	large scale community consultation	A	U	O	R
	meeting with invited individuals	U	U	U	O
	meet with specific groups or committee's	U	U	U	O
	briefings	U	U	O	R
	seminars / conferences / forums	O	R	R	R
	site tour	O	O	O	O
	have your say on-line consultation tools	A	A	U	O
	card storming	O	O	R	R
	co-design	O	O	O	R
	symposium	O	O	O	R
Collaborate	citizen advisory committees	O	O	R	R
	participatory decision making	O	O	O	R
	online collaborative platforms	O	O	O	R
	joint projects	O	O	O	R
	joint ventures	O	O	O	R
	partnerships	O	O	O	R
Empower	ballots	O	O	R	R
	delegated decision, such as grant funding	U	U	U	R

Part C – Exhibition timelines

Exhibition timeframes set by the NSW Government

Willoughby City Council follows timeframes set by the Department of Planning, Industry and Environment. These are shown in tables 5 and 6 below.

Submissions can be made on any matter on exhibition during these times. We do not make decisions on an application or draft plan until after the minimum or other specified timeframe for the public exhibition.

Timeframes are in calendar days and include weekends. If the exhibition is due to close on a weekend or a public holiday, we may extend this to finish on the next working day.

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 willoughby.nsw.gov.au.

We are not required to place any part of an environmental impact statement on exhibition if the public authority considers this would be contrary to the public interest. This can be due to its confidential nature or for another reason.

Table 5: Minimum mandatory exhibition timeframes

Environmental Planning and Assessment Act, Schedule 1	Minimum community participation requirement
Draft community participation plans	28 days
Draft local strategic planning statements	28 days or as specified by our elected Council
Planning proposals for local environmental plans subject to a Gateway determination	28 days or: (a) a different period of public exhibition as specified in the NSW Government's Gateway determination for the proposal (b) no public exhibition if the Gateway determination specifies this due to the minor nature of the proposal
Draft development control plans	28 days
Draft local infrastructure contributions policy and plans	28 days
Application for development consent (other than for complying development certificate, for designated development or for state significant development)	See Part E in this plan for development consent notification
Application for development consent for designated development	28 days

Application for modification of development consent that is required to be publicly exhibited by the regulations	The period (if any) determined by the consent authority in accordance with the relevant community participation plan.
Environmental impact statement obtained under Division 5.1 of the Act	28 days
Reclassification of public land	28 days
Draft planning agreements	28 days

This table is adapted from the State of New South Wales and Department of Planning, Industry and Environment 2019.

Table 6: Non-mandatory exhibition timeframes

Other planning functions (not subject to Schedule 1)	Minimum community participation requirement
Major planning and urban design strategies (such as housing / local centres / draft CBD strategies) Transport strategy	28 days
Re- exhibition of any amended application or matter referred to in the table above	Discretionary based on the urgency, scale and nature of the proposal.

Part D – The notification process

The notification process

This section details how and when we notify you about the development applications we receive for the Willoughby City Council area.

There are four main categories that determine how we notify you:

- Category A – routine applications notified for 14 days
- Category B – applications requiring more extensive neighbour notification for 14 days
- Category C – significant or higher impact applications requiring notification for 21 days
- Category D – no notice required

Development applications in categories A, B and C are advertised in the local newspaper *The North Shore Times* and on our website. Further detail on notices for each category is in the next section.

Notice for some applications is at the discretion of an authorised officer. This officer is a Willoughby City Council employee who has delegated authority to make decisions on behalf of our elected Council.

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.

Planning proposals lodged by external proponents are not notified until they have been considered by the Local Planning Panel, supported by our elected Council and have achieved Gateway approval from the NSW Government.

General requirements for all notification areas

Notices apply to these types of applications:

- development applications requiring notification, including designated development and state significant development
- amendments made before the determination of a development application that required notification
- modifications to development consents under Section 4.55 of the *Environmental Planning and Assessment Act*
- reviews of determinations under Section 8.2 of the Act
- building certificates under the Act for unauthorised works.

Who we notify

For development applications in notification areas for categories A, B and C, we notify these individuals and groups:

- owners of property within the applicable notification category and area
- ward councillors of the ward in which the application site is located
- relevant progress associations, societies or other community organisations whose comments, in the authorised officer's opinion, would assist the assessment of an application
- 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

- owners and/or non-owner occupants who in the opinion of the authorised officer, with regard to the nature of the proposal, have a history of public interest in the site and the nature of the surrounding land uses.

Notices by email or post

We send written notice of applications in the notification areas for categories A, B and C. This includes:

- 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 notice and submissions.

Site signs

We install an application site sign on or in front of the land that relates to a development application. This includes:

- a brief description of the proposal
- where and when the application 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.

Amending an 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 same effect as the original application then renotification is not 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, may be further affected by the proposed amendments.

The renotification advice follows the normal notification procedure. Submissions on the amendment are to comment only on the implications of the amendment.

Modifications to a development consent

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 this case, we may notify:

- persons who made a written submission on the original application
- owners of land adjoining or neighbouring the application site who 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 notice if the authorised officer is satisfied that:

- the proposal as modified will have a lesser or same affect 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.

The advice in the notice follows the normal notice procedure.

Public notice of decisions and reason for decisions

We provide public notice of these types of decisions:

- 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.

This notice includes:

- the decision
- the date of the decision
- the reasons for the decision (with regard to any statutory requirements)
- .

Reviews of determination

Notice of a 'review of determination' application made under Section 8.2 of the *Environmental Planning and Assessment Act 1979* if submissions were received on the original application. In this case all previous correspondents who made submissions are notified.

It also occurs whether or not submissions were received on the original application if, in the opinion of the authorised officer reviewing the determination, owners of adjoining or neighbouring land may be detrimentally affected by approval of the application by the review.

The advice in the notice follows the normal notice procedure.

Building certificates (unauthorised works)

Work done without prior council consent can be authorised by applying for a building certificate for the work (sections 6.25 and 6.26 of the *Environmental Planning and Assessment Act 1979*).

We determine the building certificate application by either issuing or refusing to issue the certificate.

This process does not affect our ability to issue fines, start prosecution proceedings against the person responsible for carrying out the unauthorised work, or require that rectification work takes place.

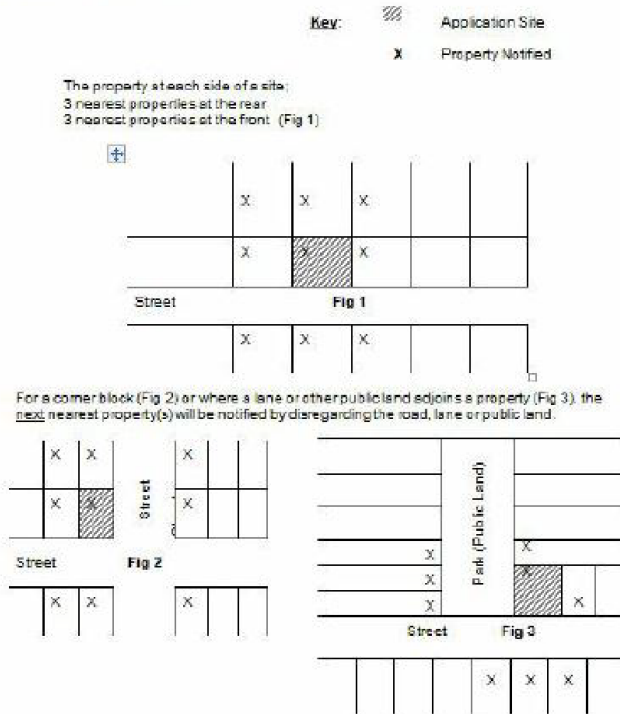
The notice of a building certificate application for unauthorised works follows the normal notice procedure. It outlines the nature of the unauthorised work the building certificate is seeking to authorise.

Part E – Notification categories

Category A: routine applications notified for 14 days

- New dwelling, dual occupancy, secondary dwellings and boarding houses not exceeding 300m² and 12 persons
- Alterations and additions to a dwelling, dual occupancy, secondary dwelling and boarding houses not exceeding 300m² and 12 persons
- Demolition of a dwelling in the E4 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 E4 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 E4 Environmental Living zone, and removal of gum trees in the R2 Low Density Residential zone in the West Chatswood locality
- 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 1: Notice areas for Category A



Category B: applications requiring more extensive neighbour notification for 14 days

- External alterations and additions involving a heritage item
- Demolition, construction of a new dwelling house or secondary dwelling, change to frontage (including building façade, fencing, carparking) 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 E4 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 E4 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

Figure 2: Notice areas for Category B

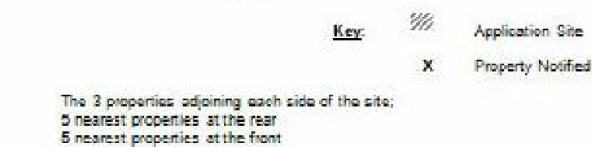


Fig 4

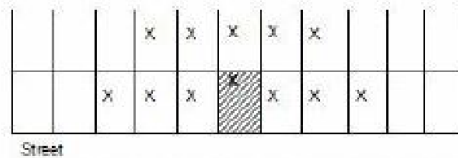
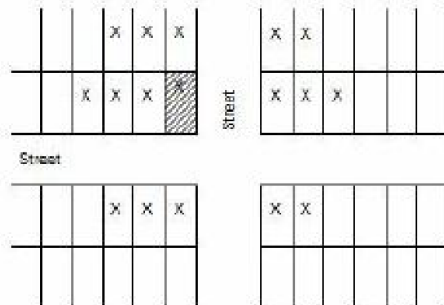


Fig 5



Category C: significant or higher impact applications requiring notification for 21 days

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, including SEPP (Seniors Living) 2004
- New or major alterations and additions to a childcare centre (other than Category B)
- New or major alterations and additions to an educational establishment in or adjoining land in a residential zone or E4 Environmental Living zone
- Sex services premises
- New recreation facility (major) and recreation facility (outdoor) in or adjoining land zoned residential or E4 Environmental Living zone
- New place of public worship in or adjoining land zoned residential or E4 Environmental Living zone
- New buildings and major alterations and additions in a Special Purpose zone (other than category B)
- Designated development*
- State significant development*
- Integrated development*
- 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
- New or major alterations and additions to a community facility in or adjoining land zoned residential or E4 Environmental Living zone
- New or major alterations and additions to a health services facility in or adjoining land zoned residential or E4 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
- Boarding houses

*Notification requirements for designated development, state significant development and integrated development are separately prescribed by the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation (2000)*. In these cases, the 21-day notice period may not apply.

Category D: no notice required

We do not notify you about the types of development in this category.

- Exempt development
- Complying development
- 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 same 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 E4 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.

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15.8 ADOPTION OF THE WARNERS PARK PLAN OF MANAGEMENT

ATTACHMENTS:	1. IMPLICATIONS 2. WARNERS PARK - PLAN OF MANAGEMENT 3. PUBLIC HEARING REPORT 4. COMMUNITY FEEDBACK
RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD- OPEN SPACE CO-ORDINATOR
CITY STRATEGY OUTCOME:	3.2 – CREATE RECREATION SPACES FOR ALL
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

To seek Council's endorsement to adopt the *Warners Park Plan of Management* dated April 2019, including the re-categorisation of the community land in Warners Park from 'Sportsground and Park' to 'General Community Use and Park'.

2. OFFICER'S RECOMMENDATION

That Council:

1. Approve the re-categorisation of community land in Warners Park from Sportsground and Park to General Community Use and Park, reflecting the change in use of the land since the Northbridge Bowling Club ceased operation in July 2015, as follows:
 - 1.1 General Community Use – former bowling club buildings, propagation shade house, former greenkeepers shed and store and carpark.
 - 1.2 Park – two former bowling greens, informal grassed areas and gardens, children's playground, picnic area and community garden.
2. Adopt the Warners Park Plan of Management dated April 2019.

3. BACKGROUND

A Development Application was approved by Council on 24 April 2018 for the former Northbridge Bowling Club to operate a café on the lower ground floor, and a multipurpose community facility on the ground floor.

On 27 May 2019 Council approved the public exhibition of the draft *Warners Park Plan of Management*. The public exhibition period was held from 20 June to 5 August 2019 and included the prescribed Public Hearing on 24 July 2019 as required by the *Local Government Act 1993*.

A new *Plan of Management* is required to authorise the granting of leases, licences or other estate for alternate uses of the former bowling club buildings and their curtilage and former bowling greens.

This report provides the results of the public exhibition and the Public Hearing for the draft *Warners Park Plan of Management*.

4. DISCUSSION

In July 2015 the Northbridge Bowling Club ceased operations at the site and terminated their lease of the two bowling greens and the two story brick club house.

The park is currently covered by the *Northbridge Ward Parks Plan of Management 1998*, and the *Warners Park Amendment 2003*.

The former bowling club building will continue to provide community uses compliant with the zoning of the land under the *Willoughby Local Environmental Plan 2012*.

The new *Plan of Management (Attachment 2)* sets performance targets for:

- Recreation facilities in the park
- Repurposing of existing park buildings to meet the community's recreation and leisure needs
- Leases, licences and other estates in the park
- Conservation of the bushland setting.

The Public Hearing report at **Attachment 3** clarifies the public consultation process undertaken by Council as required by the *Local Government Act 1993*. The re-categorisation of the park from Sportsground and Park to General Community and Park, seeks to reflect the change in use of the land since the Northbridge Bowling Club ceased operation in July 2015.

The Public Hearing report by Parkland Planners P/L supports the new categories assigned to Warners Park.

Feedback on the draft *Warners Park Plan of Management* was received from five residents and is at **Attachment 4 – Community Feedback on the draft Plan of Management**. The main issues and Officer comments are outlined in **Figure 1**.

Figure 1: Summary of Community feedback

Issue	Officer comment
Concerns about the DA approved uses for the former bowling club building as it may bring more people, noise and cars into the park.	Issues relating to DA 2017/361 were assessed by an independent planner and determined by the Willoughby Local Planning Panel. Conditions were applied to the new uses for the building to specifically address the environmental impact of the change of use.
Concern about re-categorisation of part of the park to 'General Community Use'.	When the bowling clubs were in operation, the park was categorised as 'Park and Sportsground'. However once the bowling clubs ceased, the 'Sportsground' category was no longer applicable. The Plan of Management proposes that the park be categorised as 'Park and General Community Use'. It is only the buildings and car park that are categorised as 'General Community Use' as this better reflects their future uses.

Amendments to the draft *Warners Park Plan of Management* are not considered necessary as the:

- use of the former bowling club is governed by the conditions of consent for DA 2017/ 361, and
- proposed category of General Community User is considered to be the most appropriate category for the former bowling club buildings and their future uses.

5. CONCLUSION

The new *Warners Park Plan of Management* is ready for adoption by Council. The community has considered the new *Plan of Management* and provided feedback. Concerns raised during the public exhibition period have been addressed primarily by means of development consent conditions for the former bowling club building under DA 2017/ 361.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes/ Services	Our community will have access to desirable spaces that have been activated in creative ways.
Policy	<i>Willoughby Open Space and Recreation Plan 2013.</i>
Consultation	<p>The draft Plan of Management was publicly exhibited for a period not less than 42 days, being 20 June to 5 August 2019. During this exhibition period, a public hearing was held on 24 July 2019 at the former Northbridge Bowling Club in respect to the proposed categorisation of the land.</p> <p>15 residents attended the public hearing on 24 July 2019. Five submissions were received by the closing date of 5 August 2019.</p>
Resource	The public hearing was chaired by an independent person as prescribed by the <i>Local Government Act 1993</i> . Support for the hearing was provided by two Council staff.
Risk	This report addresses the risk of non-compliance with the existing Plan of Management. The draft Plan of Management reflects the authorised change of use of the former bowling club house building, following community consultation, and ensures compliance with the <i>Local Government Act 1993</i> .
Legal	Council's agreement to the categorisation of community land at Warners Park and the adoption of a Plan of Management fulfils its legal requirements under Section 114 of the <i>Local Government (General) Regulation 2005</i> .
Legislation	<i>Local Government Act 1993</i> and <i>Local Government (General) Regulation 2005</i> .
Budget/Financial	The draft Plan of Management was compiled in-house. The recreation planning consultant who chaired the public hearing was funded from the approved operational budget.

Attachment 2



WARNERS PARK

PLAN OF MANAGEMENT

Adopted by Council: *insert date* 2019

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Attachment 2

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Warners Park - Plan of Management

1. INTRODUCTION

1.1 Land to which the plan applies

This plan applies to community land in Northbridge, on which Warners Park is situated. Refer to Figure 1 for land boundaries.

Figure 1 - Warners Park



The park is composed of bushland, developed parkland, a district playground, 2 former bowling greens, 2 former clubhouse buildings, a car park and a community garden.

Bushland areas of the park are covered by the *Urban Bushland Plan of Management 2014*. Further investigation is required with regard to the redefining of reserve boundaries between Warners Park and the adjoining reserves located in the Castlecrag Griffin Conservation Area, being Keep Reserve (north) and Watergate Reserve (east).

This Plan of Management applies only to community land in Warners Park- see Section 3.

1.2 Background to the Plan of Management

The park is currently covered by the *Northbridge Ward Parks Plan of Management 1998*, and the *Warners Park Amendment 2003*. In July 2015 the Northbridge Bowling Club ceased operations at the site and terminated their lease of the two bowling greens and the 2 level brick club house.

Development Application 2017/ 361 was approved by Council on 24 April 2018 for new uses of the former Northbridge Bowling Club to operate a café on the lower ground floor, and a multipurpose community facility on the ground floor.

Attachment 2

A new Plan of Management is required to authorise the granting of leases, licences or other estate for alternate uses for the former bowling club buildings and their curtilage and former bowling greens.

1.3 Purpose of the Plan of Management

The purpose of preparing this Plan of Management is to ensure that this land is subject to an adopted Plan of Management, and to expressly authorise the lease and /or licence of the former bowling club buildings for activities permitted by Development Applications 2002/628 and 2017/ 361. Any lease or licence must be consistent with the permitted uses listed in Figure 5.

1.4 Relevant legislation

Legislation which applies to the land in this Plan of Management is:

- Local Government Act 1993*, which requires all community land to be subject to a Plan of Management ('the Act')
- Local Government (General) Regulation 2005.*
- Environmental Planning and Assessment Act 1979*
- Native Title Act 1993.*
- Disability Discrimination Act 1992.*

1.5 Willoughby planning context

This Plan of Management relates to some of the key strategic directions of the *Willoughby City Council Community Strategic Plan 2028*, Outcome 3, including:

A City that is liveable.

3.2 Create recreation spaces for all.

3.3 Promote an active and healthy lifestyle.

3.4 Create desirable places to be and enjoy.

3.5 Maintain quality of life by balancing population growth with the provision of assets and services.

3.6 Activate spaces in creative ways.

The *Willoughby Open Space and Recreation Plan 2013* recommends measures to improve open space and recreation opportunities in Willoughby, including improvements to passive recreation areas.

2. DESCRIPTION OF THE LAND

2.1 Land ownership and tenure

Warners Park is predominantly owned in Fee Simple by Willoughby City Council. There is a Crown Land reserve located centrally, which is a section of un-made road. Refer to the pink shaded area in Figure 2.

A generic Parks Plan of Management is being compiled to cover all public open space categorised as 'park'. The plan will include community land and Crown reserves. The Crown Reserve land in Warners Park will be covered in the generic Parks Plan of Management.

Attachment 2

Figure 2 - Warners Park - ownership



The subject land is in Northbridge, and adjoins residential land to the north in Morotai Crescent and The Rampart; bushland and residential land to the east in abutting Watergate Reserve and The Outpost; residential land to the south in Kameruka Road; and residential land to the west in Tarakan Crescent.

The land parcels subject to this Plan are listed in Figure 3:

Figure 3 - Land parcels subject to the Warners Park Plan of Management

MAP KEY	TITLE	AREA m ²	DESCRIPTION	OWNERSHIP
1	Lot 92 DP20195	21,663.33	Warners Park	Willoughby City Council
2	Lot 2 DP437309	177.05	Warners Park	Willoughby City Council
4	Lot 1 DP437575	170.73	Warners Park	Willoughby City Council
5	Lot 4 DP382702	1,043.33	Warners Park	Willoughby City Council
6	Lot 1 DP435891	486.89	Warners Park	Willoughby City Council
7	Lot C DP436909	265.57	Warners Park	Willoughby City Council
8	Lot C DP339785	562.77	Warners Park	Willoughby City Council
9	Lot C DP382704	113.82	Warners Park	Willoughby City Council
10	Lot 1 DP435889	1,195.09	Warners Park	Willoughby City Council
11	Lot B DP449589	1,150.82	Warners Park	Willoughby City Council
12	Lot B DP449590	999.07	Warners Park	Willoughby City Council
13	Lot B DP382703	1,024.36	Warners Park	Willoughby City Council
14	Lot 1 DP456050	102.20	Warners Park	Willoughby City Council
15	Lot 2 DP456050	25.90	Warners Park	Willoughby City Council
16	Lot 1 DP437641	1,062.30	Warners Park	Willoughby City Council
17	Lot 238 DP17102	518.50	Warners Park	Willoughby City Council
18	Lot 239 DP17102	739.82	Warners Park	Willoughby City Council
19	Lot 240 DP17102	663.94	Warners Park	Willoughby City Council
20	Lot 241 DP17102	632.32	Warners Park	Willoughby City Council
21	Lot 242 DP17102	619.67	Warners Park	Willoughby City Council
22	Lot 243 DP17102	486.89	Warners Park	Willoughby City Council
23	Lot 244 DP17102	777.76	Warners Park	Willoughby City Council
24	Lot 198 DP17102	746.14	Warners Park	Willoughby City Council
25	Lot 199 DP17102	758.79	Warners Park	Willoughby City Council

Attachment 2

26	Lot 200 DP17102	708.20	Warners Park	Willoughby City Council
27	Lot 201 DP17102	784.08	Warners Park	Willoughby City Council
28	Lot 202 DP17102	796.72	Warners Park	Willoughby City Council
29	Lot 205 DP17102	859.96	Warners Park	Willoughby City Council
30	Lot 1 DP383723	8,150.62	Warners Park	Willoughby City Council
31	Lot 1 DP704540	1,233.00	Road parcel	Willoughby City Council

The subject land is approximately 4.857 hectares in area.

The subject land is zoned RE1 Public Recreation and E2- Environmental Conservation under the *Willoughby Local Environmental Plan 2012*.

Land that is not owned by Willoughby City Council is listed in Figure 4 and is not subject to this Plan of Management.

Figure 4: Land Parcels not subject to the Warners Park Plan of Management

32	Lot 1 DP1148039	130.50	Warners Park	Headlands Developments Pty Limited
33	Lot 2 DP1148039	136.40	Warners Park	Headlands Developments Pty Limited
34	Lot 7094 DP93830	825.10	Crown Reserve(s) R100071	Crown Land

2.2 Physical description

Warners Park occupies the valley between Northbridge and Castlecrag. The largest land parcel was previously part of the late J.R. (Reg) Warner's 'Waratah' Dairy. He donated the land to Council for use as a public park in the 1940s. Council acquired additional parcels on land during the period 1949 - 51 to improve access to the area.

The Northbridge Bowling Club opened in 1954 and closed in 2015. The neighbouring Women's Bowling Club operated from 1957 to 2001. The former club house buildings and infrastructure have been, or is being, re-purposed for community recreation uses to comply with the zoning and relevant development consents.

The park is predominantly a levelled area over a piped section of Sailors Bay Creek which discharges into Middle Harbour at Castlecrag. The level areas were developed as bowling greens and a car park, with a district playground and community garden as later additions to the park.

The land slopes up to the north and west and is covered in bushland which is classified as Urban Exotic/ Native, with remnant vegetation of Coastal Enriched Sandstone Forest on the north slopes, and Coastal Sandstone Gully Forest which extends east to the adjoining Watergate Reserve. The vegetation classifications are set by the NSW Office of Environment and Heritage.

2.3 Uses of the land

The site is used for:

1. Informal recreation – district playground; bush walking track entries/ exits; picnics and barbeques; level lawn areas; community garden and propagation shade house.
2. Community leisure – indoor recreation rooms for community meetings; leisure/ exercise/ craft classes; before/ after school and vacation care recreation programs; parents playgroups; café.
3. Car park – access roads, parking area for visitors to the park and precinct.

Attachment 2

4. Environmental management –bushland provides a protected environment for wildlife linkages, soil conservation and climate amelioration.

The site is predominately used during the week and weekends for informal recreation. The car park is used for public parking for visitors to the park, playground, bushland and community recreation buildings.

See Figure 5 for a summary of permitted uses of the land and whether further development is permitted.

Figure 5 – Permitted uses of the land

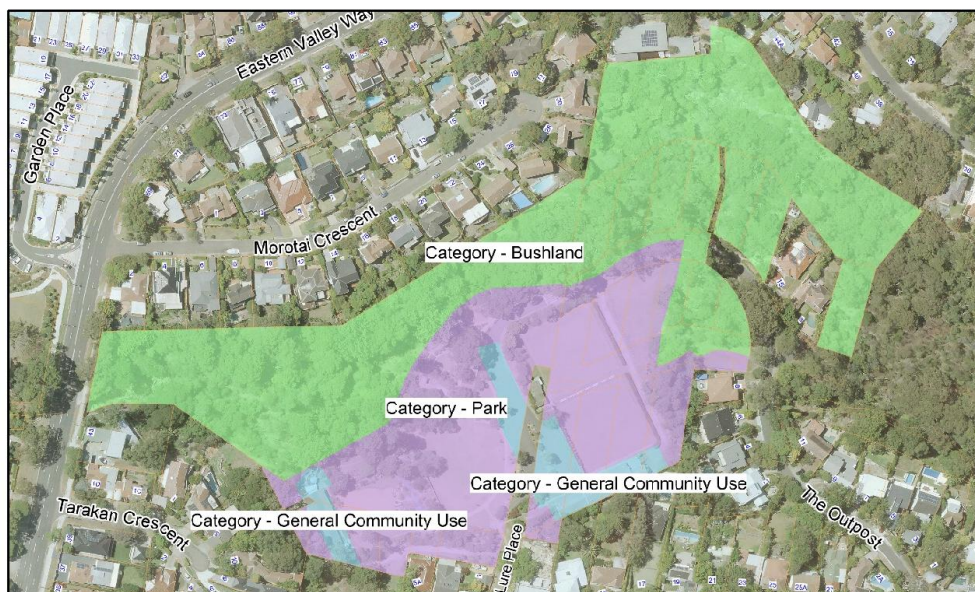
Buildings/ improvements	Condition	Permitted Use	Further development permitted?
Former Northbridge Bowling club house, including attached caretaker unit and curtilage.	Good	DA 2017/ 361- café on lower ground floor, outdoor dining in building curtilage and multipurpose community facility on ground floor.	Accessible improvements and maintenance and renewal only.
Warners Park Centre (former Women's Bowling club house)	Fair	DA 2002/628- public recreation activities which promote the physical, cultural or intellectual welfare of the community.	Accessible improvements and maintenance and renewal only.
Former greenkeeper maintenance shed, storage and toilet.	Poor	Garden storage for community garden group; propagation area.	Accessible improvements and maintenance and renewal only.
Shade house for plant propagation	Good	Propagation of plants for native gardens and bushland; storage and growing of native plants.	Accessible improvements and maintenance and renewal only.
District level playground	Good- renewal due 2019, then every 15 years.	Informal recreation.	Accessible improvements and maintenance and renewal only.
Lawn areas, including former bowling greens; picnic shelters, seats & barbeques.	Good	Informal recreation and uses complementary to the café eg vegetable/ herb growing for the café kitchen use, and/or shared community garden	Accessible improvements and maintenance and renewal only.
Car park, pathways and access roads	Good	Public parking and pedestrian access	Accessible improvements and maintenance and renewal only.
Community garden	Good	Community garden and landscape works	Accessible improvements and maintenance and renewal only.

3. THE CATEGORY OF THE LAND

Community land is categorised under Section 36 of the *Local Government Act 1993*. There are 10 categories of community land, including park, sportsground, bushland, area of cultural significance, and general community use.

See Figure 6 – Categories of the community land in Warners Park. The most appropriate categories for the 31 lots of 'community land' in Warners Park are 'park' (shaded purple), 'general community use' (shaded blue) and 'bushland' (shaded green).

Figure 6 – Categories of the community land in Warners Park



See Figure 7 for a summary of the park's categories and the relevant area of Warners Park.

Figure 7 – Categories of the community land in Warners Park

Category of community land	Area of Warners Park
Park	Informal recreation areas- playground, lawn areas, community garden.
General community use	Warners Park Pavilion (former Women's Bowling Club house); propagation shadehouse; former Northbridge Bowling Club house and curtilage; former greenkeepers shed and store (part); car park.
Bushland	Bushland areas as delineated on the Warners Park Reserve Action Plan 2017 and the Urban Bushland Plan of Management 2014.

Areas categorised as 'bushland' are covered by the Urban Bushland Plan of Management 2014.

Attachment 2

The public purpose of the Crown Reserve lot is Public Recreation (Government Gazette 14 November 1986). This land portion is not subject to this Plan of Management and will be covered in a future Parks Generic Plan of Management as per the requirements of the *Crown Land Management Act 2016*.

4. ISSUES PERTINENT TO THE LAND

The general issues pertinent to the subject land have been canvassed in the Northbridge Ward (now Sailors Bay Ward) Parks Plan of Management 1998, the Warners Park Amendment 2003, and from background information listed in the references.

In July 2015 the Northbridge Bowling Club ceased operations at the site and terminated their lease of the two bowling greens and the 2 storied brick club house.

Development Application 2017/ 361 was approved by Council in May 2018 for new uses of 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. It is Council's intention to invite public tenders for the lease, fit out and operation of the proposed café.

In summary, the relevant issues pertinent to the land are:

4.1 Recreation

- Opportunities for informal recreation that address the needs of the district community need improving
- Non vehicle access into the park needs improving.

4.2 Repurposing existing park buildings

- Buildings need renovation/ new fit out for new recreation uses.
- Future uses of the buildings should acknowledge the park's location, surrounded by bushland to the North and residential properties to the South.

4.3 Lease/ licence and other estate

Council is expressly authorised to grant leases and/ or licences in accordance with the provisions of the *Local Government Act 1993*: Leases /licences include;

- Lease and/or licence to operate a Café in the lower ground floor of the former Northbridge Bowling Club building, subject to public tender.
- A lease or licence of the curtilage of the former bowling club may be granted to the café operator for outdoor dining.
- One of the former bowling green may be licenced to:
 - the café operator for complementary purposes eg vegetable/ herb growing for the café kitchen use, and/or shared community garden; and/or
 - other entities or independent operators.
- Buildings can be hired casually, by seasonal licence or by lease.
- Informal access to private residence No17 Kameruka Road (see note below).

4.4 Natural environment

- Protection of trees and remnant bushland areas.

Attachment 2

Informal access through the park to the rear of the private residence at 17 Kameruka Road has been occurring for many years with requests for a private easement over the park. Council's legal advice confirms that Council is not empowered to grant easements over community land. Previous and current owners of the Kameruka Rd property have been advised that they would have to make application under section 88K of the *Conveyancing Act* to seek an order from the Court that an easement be granted. To date such an application has not occurred.

5. BASIS FOR MANAGEMENT

5.1 Core objectives

In accordance with the *Local Government Act 1993* the core objectives for management of community land categorised as Park, General community use and Bushland are set out in Figure 8.

Figure 8 – Core objectives for community land management

Category	Core objectives
Park - Section 36G	(a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and (b) to provide for passive recreational activities or pastimes and for the casual playing of games, and (c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.
General community use- Section 36I	1. to promote, encourage and provide for the use of the land, and 2. to provide facilities on the land, to meet the current and future needs of the local community and of the wider public: (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).
Bushland- Section 36J	(a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and (b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and (c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and (d) to restore degraded bushland, and (e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and (f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and (g) to protect bushland as a natural stabiliser of the soil surface.

Attachment 2

5.2 Zoning objectives in Willoughby Local Environment Plan 2012

The objectives of the RE1 Public Recreation zone of the subject land under the *Willoughby Local Environmental Plan 2012* are to:

- enable land to be used for public open space or recreational purposes.
- provide a range of recreational settings and activities and compatible land uses.
- protect and enhance the natural environment for recreational purposes.
- protect and enhance areas of ecological, scientific, cultural or aesthetic value.
- maintain and provide visual open space links to a diversity of public and private spaces and facilities as an integral part of the open space system.
- provide adequate open space areas to meet the existing and future needs of the residents of Willoughby.

The objectives of the E2 – Environmental conservation of the subject land under the *Willoughby Local Environmental Plan 2012* are to:

- protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- conserve native plant and animal species through the maintenance of suitable habitats.
- contribute to the scenic quality of Willoughby, including the foreshore.

5.3 Council City Strategy Objectives

The *Council Community Strategic Plan – Our Future Willoughby 2028*, has Outcome 3, including:

A City that is liveable.

3.2 Create recreation spaces for all.

3.3 Promote an active and healthy lifestyle.

3.4 Create desirable places to be and enjoy.

3.5 Maintain quality of life by balancing population growth with the provision of assets and services.

3.6 Activate spaces in creative ways.

The Willoughby Open Space and Recreation Plan 2013 provides the following strategic objectives:

- Maintain and upgrade existing recreation facilities in areas of greatest use and demand.
- Ensure playgrounds are inclusive, safe and comply with Australian standards.
- Facilitate access for people with disabilities to Council's open space and recreation facilities.

An additional objective for the subject land is to:

- Limit the financial burden to ratepayers for maintenance of the land and the buildings on the land.

Attachment 2

6. PERFORMANCE TARGETS, MEANS OF ACHIEVING TARGETS AND METHODS OF ASSESSMENT

See Figure 9 for performance targets, means of achieving targets and method of assessment.

Figure 9 - Performance targets, means of achieving targets and method of assessment

Performance Targets	Means of Achieving Targets	Method of assessment
Recreation facilities in the park meet the demands of an increasing and changing population.	<ul style="list-style-type: none"> Warners Park Master Plan is developed with the community. The Master Plan is implemented through the annual capital works program. 	<p>The Master Plan is reviewed every 5- 7 years.</p> <p>Renewals of park infrastructure are listed in the Asset Management Plans.</p>
Park buildings are repurposed to meet the community's recreation and leisure needs.	<ul style="list-style-type: none"> Renovations and new fitouts are carried out through the annual capital works program or through appropriate lease conditions. 	Buildings are used and enjoyed regularly by the community to address local and district recreation and leisure needs
Lease, licences or other estates over the community land categorised as 'general community use' and 'park' are expressly authorised.	<ul style="list-style-type: none"> New lease/s and licence/s for the former bowling club house buildings and curtilage and licence/s of the former bowling greens are expressly authorised in accordance with the <i>Local Government Act 1993</i>, subject to the zoning and any relevant development consents. 	Annual reports to Council as a condition of the lease/s or licence, and compliance with lease and/or licence conditions.
<p>Tree canopy cover is maintained and protected as part of the park's landscape character.</p> <p>Local endemic species are protected to conserve the remnant Hawkesbury Sandstone Forest community</p>	<ul style="list-style-type: none"> Work is undertaken as adopted by the Warners Park Reserve Action Plan for bushland areas. Implementation of tree replacement program for the park is undertaken in liaison with Council's arborists. Weed control and bush regeneration is undertaken as necessary by qualified bush regenerators. 	<p>The Reserve Action Plan is reviewed every 5 years.</p> <p>Trees on the park are audited by an arborist every 2-3 years for health and structural integrity.</p> <p>Bushland areas are weed free and regenerating with local endemic species.</p>

Attachment 2

7. REFERENCES

- Willoughby City Council, Willoughby Local Environmental Plan 2012.
- Willoughby City Council, Community Strategic Plan-Our Future Willoughby 2028.
- Willoughby Open Space and Recreation Plan 2013.
- Willoughby City Council- Urban Bushland Plan of Management 2014.
- Warners Park - Reserve Action Plan 2017-2022.



Attachment 3

PROPOSED RECATEGORISATION OF COMMUNITY LAND IN WARNERS PARK

PUBLIC HEARING AND SUBMISSIONS REPORT

FINAL REPORT

22 AUGUST 2019



WILLOUGHBY CITY COUNCIL

**PROPOSED RECATEGORISATION OF
COMMUNITY LAND IN WARNERS PARK**

PUBLIC HEARING AND SUBMISSIONS REPORT

FINAL REPORT

22 AUGUST 2019

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1 INTRODUCTION

1.1 Purpose of this report

The purpose of this report is to convey to Willoughby City Council the verbal and written submissions made in relation to a public hearing held on 24 July 2019 and the public exhibition of the proposed changes to community land and the Draft Plan of Management for Warners Park (the site).

This report, as it relates to the public hearing and proposed changes to the Draft Warners Park Plan of Management (the Plan of Management) prepared by Willoughby Council and dated April 2019, has been prepared under Section 40A of the *Local Government Act 1993* (the Act).

1.2 Land covered by this report

This report addresses the proposed recategorisation of part of Warners Park at Northbridge, which is classified as community land under the *Local Government Act 1993*.

The location of Warners Park is in Figure 1.

Figure 1 Location of Warners Park at Northbridge



Council-owned land in Warners Park which is classified as community land is shown in Figure 2. The Council owned land is shaded yellow.

Figure 2 Community land in Warners Park



Warners Park comprises natural bushland, an access road and carparks, a community building (former bowling clubhouse), two former lawn bowling greens, a picnic and barbecue area, children’s playground, community garden and the Warners Park Centre.



Access path and directional signs



Park sign



Former bowling club building



Former bowling greens



Warners Park Centre



Community garden



Community garden



Informal grass area



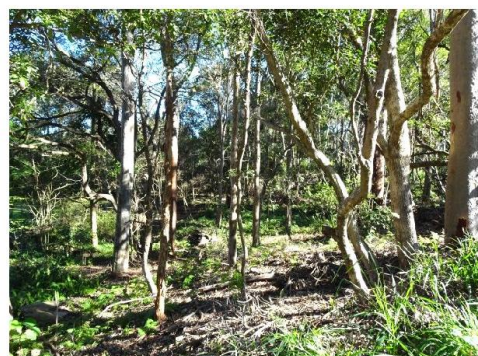
Playground and picnic area



Play area with bushland backdrop



Play area



Bushland off The Outpost

PROPOSED RECATAGORISATION OF WARNERS PARK (PART), NORTHBRIDGE:
PUBLIC HEARING AND SUBMISSIONS REPORT
PARKLAND PLANNERS

1.3 Background to the public hearing

Willoughby City Council has prepared a Draft Plan of Management for Warners Park, in which the community land in Warners Park is proposed to be categorised as Natural Area – Bushland, Park, and General Community Use.

Bushland areas of Warners Park are currently covered by the *Urban Bushland Plan of Management 2014* and are categorised under the *Local Government Act 1993* as Natural Area-Bushland. The remainder of Warners Park is currently subject to the adopted *Northbridge Ward Parks Plan of Management 1998* in which Warners Park is categorised as Park and Sportsground, and the *Warners Park Amendment 2003*. A map showing the areas of Warners Park that were categorised as Park and Sportsground was not included in the *Northbridge Ward Parks Plan of Management 1998*.

In July 2015 the Northbridge Bowling Club ceased operations at the site and terminated their lease of the two bowling greens and the two-level brick club house.

Willoughby City Council approved Development Application 2017/361 on 24 April 2018 for new uses of the former Northbridge Bowling Club to operate a café on the lower ground floor, and for a multipurpose community facility on the ground floor.

The Northbridge Ward Parks Plan of Management did not authorise leasing the building for a café, so the Draft Warners Park Plan of Management was prepared to authorise the granting of leases, licences or other estates for alternate uses for the former bowling club building and its curtilage and former bowling greens for activities permitted by Development Applications 2002/628 and 2017/361.

Under the *Local Government Act 1993* Council must hold a public hearing, chaired by an independent facilitator, regarding proposed recategorisation of community land and changes to an adopted Plan of Management. As Council is proposing to recategorise part of Warners Park from Park and Sportsground to Park and General Community Use, a public hearing is required.

If Council approves the proposed recategorisation, the Plan of Management would be amended to reflect the proposed changes to the categorisation.

1.4 This report

The remainder of this report presents the relevant requirements of the *Local Government Act 1993* regarding Plans of Management and categorisation of community land, and submissions regarding the proposed recategorisation of community land in Warners Park and changes to the Plan of Management. These submissions comprise:

- verbal submissions made at the public hearing held on 24 July 2019.
- written submissions received by Council between 20 June and 5 August 2019.

2 PLANNING CONTEXT

2.1 What is community land?

The *Local Government Act 1993* sets out a range of requirements that Willoughby City Council is legally bound to adhere to, including the management of public land.

Figure 3 Community land categorisation



The Local Government Act requires that all public land owned by Council must be classified as “community” or “operational” land (Section 26).

Community land is intended to be managed for use by the community for purposes including environmental protection, recreational, cultural, social and educational activities. Community land may only be leased or licensed for up to 21 years without the Minister’s consent or up to 30 years with the Minister’s consent, it cannot be sold, and its use is restricted to the above purposes.

Conversely, operational land is land that can be used for any purposes deemed fit by Council, may be used for commercial purposes, be leased for a longer period of time, and can be sold.

2.2 What are the categories of community land?

The *Local Government Act 1993* requires that all land owned by the Council which is classified as community land be categorised.

Community land may be categorised as one or more of the following under Section 36(4):

- a natural area.
- a sportsground.
- a park.
- an area of cultural significance.
- general community use.

Land that is categorised as a natural area is to be further categorised as one or more of the following under Section 36(5) of the Act:

- bushland.
- wetland.
- escarpment.
- watercourse.
- foreshore.
- a category prescribed by the regulations.

Community land in Warners Park is currently categorised as Natural Area-Bushland in *Urban Bushland Plan of Management 2014*, and as Sportsground and Park in the *Northbridge Ward Parks Plan of Management 1998*.

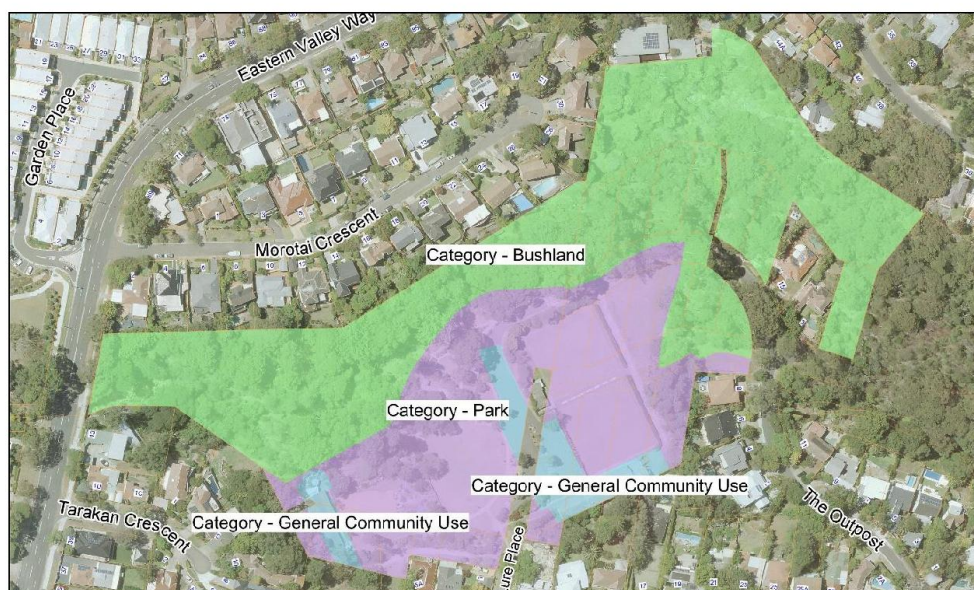
The Draft Warners Park Plan of Management proposes to recategorise the land categorised as Sportsground and Park to Community Use and Park as follows:

- General Community Use – former bowling club building, carpark, community garden and associated building
- Park – two former bowling greens, informal grassed areas, children’s playground, picnic area.

This proposed change is to authorise a café and community uses of the former bowling club building permitted under the approved Development Application.

Figure 4 shows the proposed recategorisation of community land in Warners Park.

Figure 4 Proposed recategorisation of community land in Warners Park



2.3 What are the guidelines for categorising community land?

Guidelines for categorising community land as a particular category are in Clauses 102 to 111 of the *Local Government (General) Regulation 2005*.

The Department of Local Government's revised Practice Note on Public Land Management (Department of Local Government, 2000) made general recommendations on the guidelines for categorising community land. The Practice Note stated:

"Council must have regard to the guidelines in determining a category (cl.9) but are not required to adopt any category merely because the land fits the description in the guidelines. Council should look at all the circumstances of the land in making a decision as to categorisation. For example, a piece of land may seem to satisfy the guidelines for more than one category. Council has a discretion in this case to look at the land in context, taking into account all relevant material before determining a category. It is important that Council be able to justify a decision."

Also, Council may have a piece of community land, parts of which may be best managed as different categories, for example a piece of land with remnant bushland in one part and children's play equipment in another. Council is able to categorise land as part 'Natural Area – Bushland' and part 'Park'. It is strongly recommended that the land in each category not overlap. Overlapping categories may cause conflict in management objectives and will create confusion in the minds of Council staff and the community."

2.4 Core objectives for managing community land

Each category and sub-category of community land has core objectives that apply to it under the *Local Government Act 1993*. The core objectives outline the approach to management of the land covered by the particular category. The core objectives for each category of community land are set out in Sections 36E to 36N of the Act.

The guidelines and core objectives for the Natural Area – Bushland, Park, General Community Use and Sportsground categories of community land are in Table 1.

Table 1 Guidelines and core objectives for categories of community land

Category	Guidelines	Core objectives
Natural Area	If the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36(5) of the Act.	<ul style="list-style-type: none"> - conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area. - maintain the land, or that feature or habitat, in its natural state and setting. - provide for the restoration and regeneration of the land. - provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion. - to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i>.
Under Section 36(5) of the Act, Natural Areas are required to be further categorised as bushland, wetland, escarpment, watercourse or foreshore based on the dominant character of the natural area.		
Natural Area – Bushland (current and proposed)	Land that is categorised as a natural area should be further categorised as bushland if the land contains primarily native vegetation and that vegetation: (a) is the natural vegetation or a remainder of the natural vegetation of the land, or (b) although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.	<ul style="list-style-type: none"> - ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land. - protect the aesthetic, heritage, recreational, educational and scientific values of the land. - promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion. - restore degraded bushland. - protect existing landforms such drainage lines, watercourses and foreshores. - retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term. - protect bushland as a natural stabiliser of the soil surface.
Park (current and proposed)	Land that is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.	<ul style="list-style-type: none"> - encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and - provide for passive recreational activities or pastimes and for the casual playing of games, and - improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

Category	Guidelines	Core objectives
General Community Use (proposed)	Land that may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public.	<ul style="list-style-type: none"> - promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public in relation to: <ul style="list-style-type: none"> - public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public. - purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).
Sports-ground (current)	If the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.	<ul style="list-style-type: none"> - encourage, promote and facilitate recreational pursuits in the community involving active recreation involving organised sports and informal sporting activities and games, and - ensure that such activities are managed having regard to any adverse impact on nearby residences.

2.5 Plans of Management for community land

Council must prepare a Plan of Management for its community land (Section 36(1)). Community land is required to be used and managed according to a Plan of Management applying to the land (Section 35).

Among the requirements of the Local Government Act for the contents of a Plan of Management are:

- categorisation of community land
- core objectives for management of the land.

2.6 Public hearing for recategorisation of community land

2.6.1 Why hold a public hearing to recategorise community land?

A public hearing is required under Section 40A of the Local Government Act if the proposed Plan of Management is either categorising (that is, the Plan of Management has not been previously been prepared and adopted by Council, or has not categorised community land), or re-categorising (changing the adopted category) the land covered by the Plan of Management.

Note: Public hearings regarding categorisation or re-categorisation of community land are not related to reclassification. Reclassification is when community land is re-classified as operational land that can then be managed differently and has the ability to be sold by Council. Community land is protected under the Local Government Act and cannot be sold.

2.6.2 Who conducts a public hearing?

An independent chairperson will conduct the public hearing, and provide a report to Council with recommendations on the proposed recategorisation of part of Warners Park.

Under Section 47G of the Act, the person presiding at a public hearing must not be:

- a) A Councillor or employee of the Council holding the public hearing.

- b) A person who has been a Councillor or employee of that Council at any time during the 5 years before the date of his or her appointment.

2.6.3 What happens after the public hearing?

Council must make a copy of the report regarding the outcomes of the public hearing available for inspection by the public at a location within the area of Council no later than 4 days after it has received the final report from the person presiding at the public hearing. This report will be presented to Council for their information when it considers recategorising part of Warners Park from Sportsground and Park to General Community Use and Park, and adopting the proposed amendments to the Draft Plan of Management for Warners Park.

3 THE PUBLIC HEARING

3.1 Advertising and notification

Section 38 of the *Local Government Act 1993* states that Councils must give “public notice” of a draft Plan of Management, and the length of time that it must be on public exhibition and for submissions to be made. The public notice contents are set out in Section 705 of the Act.

Council notified the community of the public hearing and the public exhibition of the Draft Plan of Management on its website <https://www.haveyoursaywilloughby.com.au/warners-park-draft-POM> from Thursday 20 June to Monday 5 August 2019.

The Draft Warners Park Plan of Management was on public exhibition for comment from Thursday 20 June until Monday 5 August 2019. Hard copies were available at Council's Administration Centre at 31 Victor Street in Chatswood, Willoughby City Library in Chatswood, and at Northbridge Branch Library. The Draft Plan of Management could be downloaded from the online Document Library at Have Your Say Willoughby on Council's website.

Figure 5 Public hearing information on Council's website

The screenshot shows the website page for 'Warners Park - Draft Plan of Management'. The page includes a navigation bar with 'Willoughby City Council', 'Open Consultations', 'Home', and '2018-Past consultations'. A search bar and 'Sign In | Register' links are also present. The main content area features a title 'Warners Park - Draft Plan of Management' with social media icons. Below the title, there is a 'Key Dates' section with 'Public hearing 24 July 2019' and 'Consultation ends 05 August 2019'. A 'Document Library' section lists 'Warners Park - Draft Plan of Management (1.38 MB) (pdf)'. A 'Photos' section shows a photograph of the park. A red box highlights the 'Public hearing' section, which contains the following text:

Public hearing
Local residents are invited to attend a public hearing. This provides the opportunity for the community to comment on the proposed categorisation of Warners Park, being park, bushland and general community use as per the requirements of the Local Government Act 1993.
Location: The former Northbridge Bowling Club, The Outpost, Northbridge
Date: Wednesday 24 July 2019
Time: 6pm – 8.30pm

The community is encouraged to provide feedback on the Draft Plan of Management. Submissions are welcome by everyone by 5pm on Monday 5 August 2019 and can be provided via:
Online – www.haveyoursaywilloughby.com.au
Email – email@willoughby.nsw.gov.au
Post – PO Box 57 Chatswood NSW 2057

FEEDBACK SURVEY

Warners Park Draft Plan of Management Survey

We welcome your feedback on the draft Plan of Management.

Facebook Twitter LinkedIn Email

You need to be signed in to take this survey. [Sign in](#) [Register](#)

Do you support the draft Plan of Management for Warners Park, incorporating the former Northbridge Bowling Club? *

Yes No

Do you have any suggestions or comments regarding the draft Plan of Management for Warners Park? *

Suburb: *

Cancel Submit

more.

Who's listening

Julie Whitfield
Open Space Coordinator
Willoughby City Council

JW

Phone: 02 9777 7751
Email: Julie.Whitfield@Willoughby.nsw.gov.au

Council also placed a notice in the Council column in the *North Shore Times* on Thursday 20 June.

Figure 6 Notice in Council column in the North Shore Times 20 June 2019

Willoughby City Council

Public Notices

PROVISION OF GRAFFITI REMOVAL SERVICES - TENDER NO. 122620

Tenders are invited from suitably qualified and experienced contractors for the provision of graffiti removal services. The proposed works comprise the provision of all materials, labour, transport, tools, plant, applications, payment of fees and everything else necessary for the provision of graffiti removal services within the Willoughby LGA, as outlined in the tender documentation. Submissions will be accepted until 11:00am on Thursday 4 July 2019. Submissions received after the forementioned closing time will not be considered.

Tenders shall be submitted at www.tenderlink.com/insroc OR in a sealed envelope endorsed: 'Tender No. 122620 - Provision of Graffiti Removal Services'. Hard copies of submissions shall be placed in the Tender Box located adjacent to the Help & Service Centre of Council's Administration Building, Level 4, 31 Victor Street, Chatswood. Further enquiries should be directed to Council's Property & Construction Services Manager, Mr David Di Biase by email at david.dibiase@willoughby.nsw.gov.au

TENDERS FOR EVENT AND STAGING EQUIPMENT - TENDER NO. 123059

Council is seeking tenders from suitably qualified and experienced

WARNERS PARK PLAN OF MANAGEMENT - EXHIBITION

Council welcomes your feedback on the draft Plan of Management for Warners Park, Northbridge. Consultation closes on Monday 5 August 2019.

A public hearing for the proposed park categorisations will be held on Wednesday 24 July 2019, 6pm - 8:30pm at the former Northbridge Bowling Club, The Outpost, Northbridge. View the draft Plan of Management on the Council's Have Your Say website, and submit comments by 5 August 2019.

- In writing to the General Manager, Willoughby City Council, PO Box 57, Chatswood NSW 2057; or
- Email to email@willoughby.nsw.gov.au; or
- By completing a submission survey at www.haveyoursaywilloughby.com.au

CHATSWOOD ROTARY ATHLETIC FIELD - RENEWAL OF FLOODLIGHTS

Council welcomes your feedback on the review of environmental factors (REF) for the replacement of the current floodlights at the Chatswood Rotary Athletic Field.

Key issues:

- Removal of existing two floodlight poles 25 metres high.
- Six new floodlight poles around the field perimeter.

O H REID RESERVE MASTER PLAN - EXPRESSIONS OF INTEREST FOR CITIZENS PANEL

Council is seeking expressions of interest to join the O H Reid Reserve Citizens Panel.

The Citizens Panel is being established to represent the views of key stakeholders, the community and other interested parties. The Panel will provide recommendations regarding the development of the draft Master Plan for O H Reid Reserve.

For further information and to apply for the Citizens Panel, please visit www.haveyoursaywilloughby.com.au/OH-Reid-Reserve-Citizens-Panel

Expressions of interest close **Tuesday 9 July 2019 at 5pm.**

NOTICE OF INTENTION - REPEALING EXISTING 94A CONTRIBUTIONS PLAN

Council, at its meeting on 11 June 2019, resolved to repeal the Chatswood CBD section 94A Development Contributions Plan 2011 and Willoughby City section 94A Development Contributions Plan 2011.

Council's intention to repeal the abovementioned section 94A Plans is a result of Council's resolution, at the same meeting, to adopt the Willoughby Local Infrastructure Contributions Policy 2019 (WLIC Policy 2019) and the Willoughby Local Infrastructure Contributions Plan 2019 (WLIC Plan 2019) which will replace the abovementioned s94A Plans.

The repeal takes effect on 4 July 2019, the same date that the WLIC Policy 2019 and the WLIC Plan 2019 become effective. Enquiries: Sylvania Mok, Development Contributions Officer on 9777 1000

NEW NAREMBURN WEST RESIDENTIAL PARKING SCHEME

Willoughby City Council has approved an additional four streets as part of the new residential parking scheme for Naremburn. The parking scheme and timed parking restrictions will be installed on the following streets:

- Bongalong Street;
- Grandview Street (Between Park Rd and Station St);
- Park Road (Between Station St and no. 21 Park Rd); and
- Waters Road (Between Park Rd and Wilksch Lane)

The new residential parking scheme will have timed parking restrictions of 2PM - 4PM (Permit Holders Excepted). The timed parking restrictions will apply to vehicles without a permit, from 8:30am - 6pm Monday to Friday. Eligible residents with a permit displayed can park on these 2PM - 4PM residential parking area zones without time restrictions.

Resident parking permits do not guarantee parking availability, but do provide a comparative advantage for residents. For further information about the residential parking zone and resident parking permit application and eligibility, please visit www.willoughby.nsw.gov.au/community/getting-around/parking/Residential-Parking/ or phone 9777 1000.

Council Meetings

All meetings are open to the public and agendas are viewed at www.willoughby.nsw.gov.au or at Chatswood Council Chambers, Level 4, 31 Victor Street, Chatswood.

7pm, Monday 24 June
Council Meeting
Council Chambers, Level 4, 31 Victor Street, Chatswood.

Council meetings can be viewed online at webcast.willoughby.nsw.gov.au

Development Applications Received

During the period 29 Mar 2019 to 11 June 2019, Council received applications for development approval. Applications may be viewed at www.willoughby.nsw.gov.au under Development - Application Tracking Administration Building, Level 4, 31 Victor Street, Chatswood.

DA-2019/152 45A Chatham Road WILLOUGHBY	DA-2019/144 162 Dewdney Road
DA-2019/151 28 Bop Street NORTHBRIDGE	DA-2019/143 412 Mowbray Road
DA-2019/150 38 The Strand Drive MIDDLE COVE	DA-2019/142 12 Warners Avenue
DA-2019/149 22 Fenwick Avenue ROSLEVILLE	DA-2019/141 799 Pacific Highway
DA-2019/148 13 Central Street NAREMBURN	DA-2019/140 43 Jones Street RC
DA-2019/147 21 McLean Avenue CHATSWOOD	DA-2019/139 36 Suggs of Crece
DA-2019/146 28 The Parade CASTLECRAG	DA-2019/137 32 Robert Street WIL
DA-2019/145 18 The Parade CASTLECRAG	DA-2019/136 3 Fontaine Street CI

Development Proposal

A Development Application has been lodged an Advertised Development Application No: DA-2019/141

Address: 799 Pacific Highway, CHATSWOOD (Lot 2 DP 815286).
Proposed: Installation of four roof signs (2 illuminated and 2 non illuminated) and associated works.

Applicant: Signmanager (Australia) Pty Ltd
Consent Authority: Willoughby City Council
Closing Date for Comments: 4 July 2019

The detailed plans, and other documentation for the proposal can be viewed at the Council's website www.willoughby.nsw.gov.au - Development-Application Tracking. A submission can be made via the website.

2. In person at the Council's Administration Building, Level 4, Hat Course, 31 Victor Street, Chatswood from 8:30am - 5:00pm on 9777 1000 to discuss an alternative arrangement regarding the application is available for inspection and the above closing would like to make a comment on the proposal, it must be made must be received at Council by the above closing date.

Debra Just
General Manager, Willoughby City Council

31 Victor St, Chatswood | PO Box 57, Chatswood
9777 1000 | www.willoughby.nsw.gov.au | email@willoughby.nsw.gov.au

PROPOSED RECATEGORISATION OF WARNERS PARK (PART), NORTHBRIDGE: PUBLIC HEARING AND SUBMISSIONS REPORT
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ITEM - 15.8 Adoption Of The Warners Park Plan Of Management

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100 letters to residents in the surrounding precinct were distributed on Thursday 20 June 2019.

The community was invited to attend a public hearing about the proposed recategorisation of community land in Warners Park and an information session about the Draft Warners Park Plan of Management on Wednesday 24 June 2019 from 6:00pm to 8:30pm at the former Northbridge Bowling Club in Warners Park, The Outpost, Northbridge.

3.2 Attendance at the public hearing

As required under Section 47G of the *Local Government Act 1993*, Council appointed an independent chairperson, Sandy Hoy, Director of Parkland Planners, to chair the public hearing.

Attendance sheets show that 15 adult community members attended the public hearing. People attending the hearing were local residents.

Ms. Angela Casey, Culture and Leisure Manager, and Ms. Julie Whitfield, Open Space Co-ordinator, represented Willoughby City Council, providing information and answering questions on behalf of Council during the public hearing.

3.3 The public hearing

Ms Hoy opened the public hearing at 6:05pm.

Ms Hoy explained the purpose of the public hearing, the legislative basis for categorisation of community land, and the requirement for public hearings, based on a background information document distributed to people attending the public hearing.

Submissions regarding the proposed recategorisation of community land in Warners Park were received at the hearing. Other comments and questions about Warners Park were noted but are outside the scope of this report.

The content of the submissions which are relevant to the proposed recategorisation and changes to the Plan of Management are outlined in more detail in Section 4 of this report.

With there being no further submissions or questions, Ms. Hoy closed the hearing at 7.30pm.

3.4 Submissions

Several people asked a question or made a comment about the proposed recategorisation of land, or changes to the Plan of Management at the public hearing. Those questions and comments were noted by the chairperson and are listed in Section 4.

The closing date for written submissions by mail or email on the proposed recategorisation and changes to the Plan of Management was advertised as 5 August 2019. Written submissions are also considered in Section 4.

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PROPOSED RECATEGORISATION OF WARNERS PARK (PART), NORTHBRIDGE:
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4 CONSIDERATION OF SUBMISSIONS

4.1 Introduction

The questions raised and submissions made, with the comments made by Angela Casey and Julie Whitfield from Willoughby City Council in response, are set out below.

4.2 Submissions and Council response

4.2.1 Verbal submissions

Verbal submissions relating to the proposed recategorisation are listed below in Table 2, according to:

- general comments about the proposed recategorisation
- proposed uses of the community building and its recategorisation to General Community Use
- proposed use of the former bowling greens
- proposal for recategorisation to Area of Cultural Significance
- proposal for recategorisation of a vegetated area to Natural Area-Bushland.

Table 2 Verbal submissions made to the public hearing

Points made	Detailed question/comments	Chair / Council response
General comments about the proposed recategorisation		
Question the purpose of recategorising the land	Why recategorise the land? Council wants to change everything every few years.	<p>Council: Changing community needs means that uses of parks also change. Council proposes to recategorise the land to reflect changes in community needs from bowls to community uses.</p> <p>The bowling club has ceased operation, so the Sportsground category is no longer applicable to the former club-house building and the two former bowling greens.</p> <p>Council undertook consultation with the community regarding the future of the former bowls clubhouse.</p> <p>A Development Application for a multi-purpose community facility and a café was approved in April 2018.</p> <p>Council sought legal advice which recommended that the change of use to community uses in the approved Development Application should be a permitted use specified in a new Plan of Management for Warners Park.</p>

Points made	Detailed question/comments	Chair / Council response
		The change of use to community uses also requires recategorisation of community land in Warners Park from Sportsground to General Community Use and Park.
Concern about future uses as result of recategorisation	Concern about 'open slather' for use of the park if it is recategorised. Concern that future uses don't creep in by stealth as a result of recategorisation.	Noted
Query about the difference between a park and a reserve	What is the difference between a park and a reserve?	Chair: It doesn't matter whether a park is named as a park or a reserve for the purposes of the public hearing which is concerned with categorisation of community land as Natural Area, Park, Sportsground, Area of Cultural Significance or Natural Area.
Proposed uses of the community building and its recategorisation to General Community Use		
Demolition of the bowling club building	The bowling club building should have been demolished.	Council: The community told Council that they wanted the building to remain.
Support recategorisation of the building as General Community Use	Categorisation of the building as General Community Use makes the most sense, rather than being categorised as Natural Area, Park, Sportsground, or Area of Cultural Significance.	Noted
Café not supported by local residents	Did the community want a café? Local residents don't want a café.	Council: Some Council community facilities are not well utilised. Council looked at other permissible uses under the zoning, such as a child care centre, to create a model where a commercial use would reduce the subsidy needed by Council for the rest of the facility. The commercial use would support the community's desire for community use of the building.
Concern about commercial use for café and restaurant	In addition to a café Council is also talking about a restaurant. The change from recreation uses to community uses is not being fulfilled. The uses will be commercial instead. Cafes and restaurants are not community uses.	Council: A restaurant is not an approved use by the Development Application.
Other uses of the building	If another use of the building came up would Council consider it?	Council: An alternate use of the building would require a fresh round of community consultation and a new Development Application.
Concern about noise and loss of amenity from use of the community building	Local residents are concerned about the noise and loss of amenity from community activities in the former bowling club building. Weddings and other functions in the evening will cause noise.	Council: Council can impose conditions on noisy activities. The conditions of the approved Development Application don't allow functions in the community building.

Points made	Detailed question/comments	Chair / Council response
	<p>Council's response to objections to the Development Application was to refer to use of the building by the bowling club. Based on use by the bowling club, 140 people was considered acceptable. Only 20-30 bowlers actually used the building, which is a low number compared to the proposed 140 people. The bowling club held parties with amplified music 4 times a year, which resulted in noise and vibration experienced by nearby residents. Up to 80 people in the café and up to 100 people for other activities are proposed. 180 people is too many people in the building at one time, in an area which is supposed to be quiet</p>	<p>The hours of operation of the café are set in the DA conditions: 7am – 5pm Monday to Sunday.</p> <p>The approved hours of the community facility are 7am to 9pm.</p>
Residents should tolerate noise	One resident pointed out that rapid population growth is occurring in the local area, and noise and complaints about noise in the valley are increasing. They recognise that "life is pretty good for us" so local residents have to accept inconvenience and make compromises.	Noted
Venue for parties needed	One resident wanted to hold a birthday party in the community building but this was not possible because they wanted to serve alcohol. Noise in the valley would have also been an issue. Residents need venues for parties.	Noted
Use of the community building for child care	<p>Could Montessori lease space in the community building?</p> <p>The before and after school care centre didn't require a Development Application.</p>	Council: A child care centre would require a Development Application
Patchwork and quilting group use the building under licence	The patchwork and quilting group has a licence for one year to use the community building.	Council: Hire of the building is open to the community. Every two years community groups and organisations can apply to use Council's community facilities at certain times in the following two years.
The General Community Use category is 'noisy'	The Sportsground category does not seem to be as "noisy" as the General Community Use category.	Noted
Proposed use of the former bowling greens and their proposed categorisation as Park		
Use of the bowling greens for futsal	Could the bowling greens be used for futsal, or anything else, if the categorisation is changed from Sportsground to General Community Use?	Chair: The categorisation of the bowling greens is proposed to be changed from Sportsground to Park. Futsal would be a suitable use in the Park category.

Points made	Detailed question/comments	Chair / Council response
Community garden on the former bowling green	An early proposal was for one bowling green to be part of the café, for growing food. Why can't the community garden be on the bowling green, and not the café?	Council: Council wants to encourage the community garden. The community gardeners at the Warners Park Centre are looking for a location that receives more sun for growing food. A community garden on the former bowling green could be a possibility in collaboration with a café operator under the Development Application.
Concern about loss of an informal recreation area for a community garden	Loss of open space for informal recreation versus the community garden as part of the café will result in the loss of the field.	Noted.
Proposal for recategorisation to Area of Cultural Significance		
Categorisation of Area of Cultural Significance	The natural features of Warners Park are part of the Griffin subdivision, which in turn is part of the cultural heritage significance of Castlecrag. The land should be categorised as Area of Cultural Significance. Part of the bowling greens was part of the Griffin Estate which was owned by the Griffins. Warner didn't own the land.	Noted
Proposal for recategorisation of a vegetated area from Park to Natural Area-Bushland		
Recategorisation of land proposed as Park to Natural Area-Bushland	Why is the strip of bushland on the eastern side categorised as Park? It should be categorised as Natural Area-Bushland.	Council: land included in the Urban Bushland Plan of Management and categorised as Natural Area-Bushland was determined by site inspections by Council's Natural Resources Unit.

Other verbal submissions that do not relate to the recategorisation of community land in Warners Park are listed in Table 3.

Table 3 Other verbal submissions regarding the Plan of Management for Warners Park

Submission	Council response
Information from Council	Residents don't seem to receive notifications from Council about community consultation and approved activities and developments. Residents are concerned about activities and developments seemingly being approved without consultation with them. The commercial after school child care centre in the Warners Park Centre was also not notified to residents. It is hard to look up and find information on the Council website.

Submission		Council response
Community engagement	Some residents are unhappy with Council underestimating the noise and parking impacts of the proposed use of the community building.	Noted
Recategorisation should have been flagged at Development Application stage	Council should have told residents at the Development Application stage that the proposed community uses would mean that recategorisation of the community land in Warners Park would be necessary.	The Development Application needed to be approved before the recategorisation would be required.
Stormwater runoff	Warners Park is taking stormwater from the ridge. Could it be included in the Plan of Management that the reserve will carry water and prevent water flowing down the hill. Concern about an engineering pipe. The resident would be pleased if developers could slow down the flow of water.	Noted
Dogs in playground	People take dogs into the children's playground.	Noted
Accessibility of footpaths and The Outpost	Query about accessibility of footpaths and the access road to the park.	Noted. The Outpost is not part of Warners Park.
Safety of patrons	Concern about the safety of people leaving the community facility at all times	Noted
Garage collection	How will collection of garbage from the community facility work? There is no turning circle or space for trucks to reverse.	Noted

4.2.2 Written submissions

Written submissions were received by Council from 5 people/co-signatories before the closing date for submissions of 5 August 2019. One submission objected to the proposed recategorisation of the community building to General Community Use. Written submissions are outlined as follows.

Table 4 Written submissions

Submission
Proposed uses of the community building and its recategorisation to General Community Use
<p>I would like to object to the proposed recategorisation to 'general community use'. The community land category should not be changed to "general community use" because it is incompatible with the Warner's Park environment.</p> <p>Willoughby City Council 'Plan of Management - Northbridge Ward Parks' part 7.2.1 page 13, describes Warners Park as being 'located in a quiet, secluded valley setting in a residential area'.</p> <p>The re-categorisation to 'general community use' is incompatible with the above description as it will lead to significant increase in traffic flow and noise.</p> <p>Traffic - access to Warners Park is very limited via The Outpost, one car at a time, and it cannot cope with additional traffic in peak times that would come with a 'general community use' categorisation.</p>

Submission

Noise - the increase noise will flow from the substantially higher use if reclassified to 'general community use'. Noise amplifies in Warners Park due to the current quiet valley setting as noted by Council previously, which make even low level noise from 'general community use' as a result of increased activity intolerable for local residents.

I recommend the classification of the land remain unchanged.

Northbridge Bowling Club has never had more than max. 20-30 people quietly playing and socializing in and around the building, on some days of the week. WCC now wants to impose on the neighbourhood outrageous number of additional patrons, allow commercial kitchen to operate and have totally unacceptable opening hours for restaurant/cafe. For 17 years the residents around Warners Park have been pleading with WCC not to introduce or allow any noisy activities in the area but the WCC is doing the opposite. In you Plan of Management 1.5 3.4 it says "Create desirable places to be and enjoy". If they establish a restaurant and cafe with 180 people jamming into this small valley, it will be neither desirable nor enjoyable for the rate paying local community. Not even for the visitors. There were around 40 households objecting to A2017/361. Isn't it time for the WCC to be at the service of the community?

I have no objection to anything contained in the plan of management but want to raise a point relating to the proposed future use of the old Bowling Club. The club is effectively in the centre of a natural amphitheatre, and therefore any noise generated there causes considerable disturbance to the surrounding houses. When the Bowling Club used to host bands periodically, it was pretty much impossible to sleep in nearby houses until the music concluded. I hope that this is taken into account when considering exactly what activities can be conducted there in future.

Proposed use of the former bowling greens and their proposed categorisation as Park

I recommend the former bowling greens be used as an open recreation space and for an upgraded community garden for under the existing 'Park' use land categorisation, noting its sunny location.

The bowling green field is currently used for all manner of activities (kids games, dog walking, etc). With a shortage of options in the area we should not lose an open field for the benefit of a commercial enterprise that may or may not be viable. There is also already a community garden at Warner's Park that is underused and could be used without losing a field.

Other comments

With reference to the meeting July 24th 2019 the following are our main concerns for the new development of Warners Park:

The number of people you have quoted using the Cafe and Community facilities.
Cafe you have quoted 80 and 100 for the use of the community facility a total of 180 people, this is without considering all the other areas, these are the park and its BBQ facilities used for families and group gatherings, children playground visited by many families especially on weekends, this is without taking into consideration the ex Ladies Bowling Club which has often activities and recently used for before and after school care, also the community garden, we are sure not everybody walks there.

As there are now 34 existing parking spaces you are allowing for another 6 bringing it to 40 spaces, where will they park ? And must point out the Council has recently made The Outpost approximately 80% non parking.

Where is everyone going to park?? We consider by allowing 180 people to use these two facilities and with all the other activities that are already happening the allocated numbers should be reduced. There will be far too many people and no parking.

We also consider that The Outpost is not really a suitable thoroughfare for this amount of traffic as it is a family area with many children.

5 RECOMMENDATIONS

5.1 Consideration of submissions

5.1.1 Introduction

The comments regarding the proposed recategorisation and changes to the Plan of Management are carefully considered and assessed below.

5.1.2 Proposed uses of the community building and its recategorisation to General Community Use

Community opinions are divided about the proposed recategorisation of the former bowling club building from Sportsground to General Community Use, which constitute the majority of comments.

Some members of the community are concerned about the proposal to recategorise the community building from Sportsground to General Community Use mainly on noise and amenity grounds, while others support General Community Use as the most appropriate category for the proposed uses.

Leasing and licensing of the former bowling club building for the approved activities of Development Application 2017/361 – a café and a multi-purpose community facility – are most appropriately consistent with the guidelines and core objectives of the General Community Use category as follows:

Table 5 Guidelines and core objectives for the General Community Use category

Guidelines	Core objectives
Land that may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public.	<ul style="list-style-type: none"> - promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public in relation to: <ul style="list-style-type: none"> - public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public. - purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

Resident concerns about noise should be addressed when upholding the conditions of development approval, and in any conditions of hire agreed with hirers.

Recommendation:

Retain the proposed recategorisation of the former bowling club building from Sportsground to General Community Use.

5.1.3 Proposed use of the former bowling greens and their proposed categorisation as Park

Some comments related to use of the former bowling greens for various activities, such as futsal, or as a community garden because this location is sunny compared to the location of the community garden at the Warners Park Centre. One person did not want the community garden located on the former bowling greens because that would be a loss of an informal recreation area.

The guidelines and core objectives of the proposed Park category in Table 6 below would best fit such informal games and recreation activities, and community gardens which would also be appropriate under the General Community Use category.

Table 6 Guidelines and core objectives for the Park category

Guidelines	Core objectives
Land that is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.	<ul style="list-style-type: none"> - encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and - provide for passive recreational activities or pastimes and for the casual playing of games, and - improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

Recommendation:

Retain the proposed recategorisation of the former bowling greens from Sportsground to Park.

5.1.4 Proposal for recategorisation to Area of Cultural Significance

One community member suggested that Warners Park should be categorised as Area of Cultural Significance because of its cultural significance as part of the Griffin Estate.

This historical and cultural significance of Warners Park is important, but it is secondary to the primary roles of Warners Park as a natural area, a park, and for community activities.

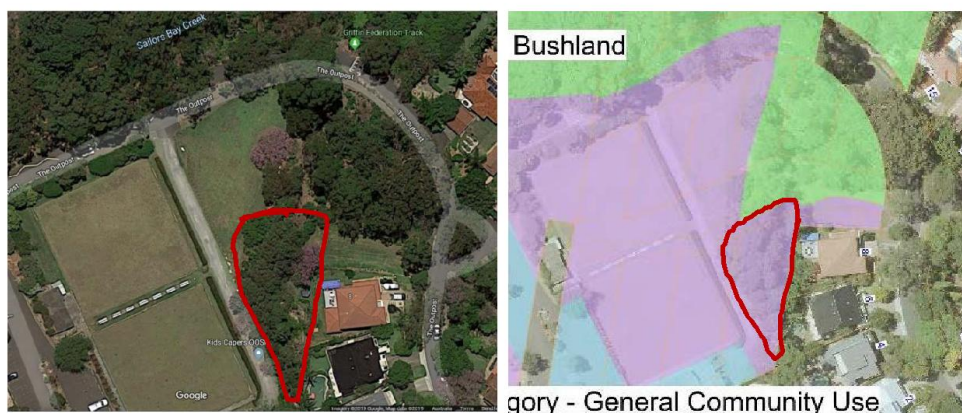
Recommendation:

Retain the proposed recategorisation of Warners Park as Natural Area-Bushland, Park and General Community Use.

5.1.5 Proposal for recategorisation of a vegetated area from Park to Natural Area-Bushland

One community member queried why a small section of Warners Park is proposed to be categorised as Park rather than Natural Area-Bushland. Refer to an aerial image and the proposed recategorisation in Figure 7.

Figure 7 Location of vegetated area proposed to be categorised as Park

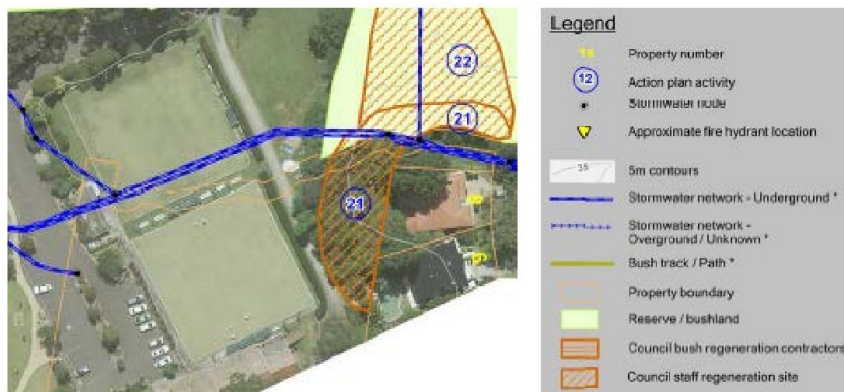


This area corresponds to Area 21 in the Warners Park Reserve Action Plan 2017 in Figure 8, which is not categorised as Reserve/bushland or Natural Area-Bushland. The action corresponding to Area 21 in the Warners Park Reserve Action Plan is: ‘WCC Bushland Support Team to target the removal of Fishbone Fern, Ivy, Madeira Vine, Asthma Weed and staged removal of Bamboo’. Although it is vegetated, this area is not considered by Council as natural bushland, hence its proposed categorisation as Park.

Figure 8 Extracts from the Warners Park Reserve Action Plan 2017

Warners Park Actions

21. WCC Bushland Support Team to target the removal of Fishbone Fern, Ivy, Madeira Vine, Asthma Weed and staged removal of Bamboo.



Recommendation:

Retain the proposed recategorisation of the south-eastern section of Warners Park as Park.

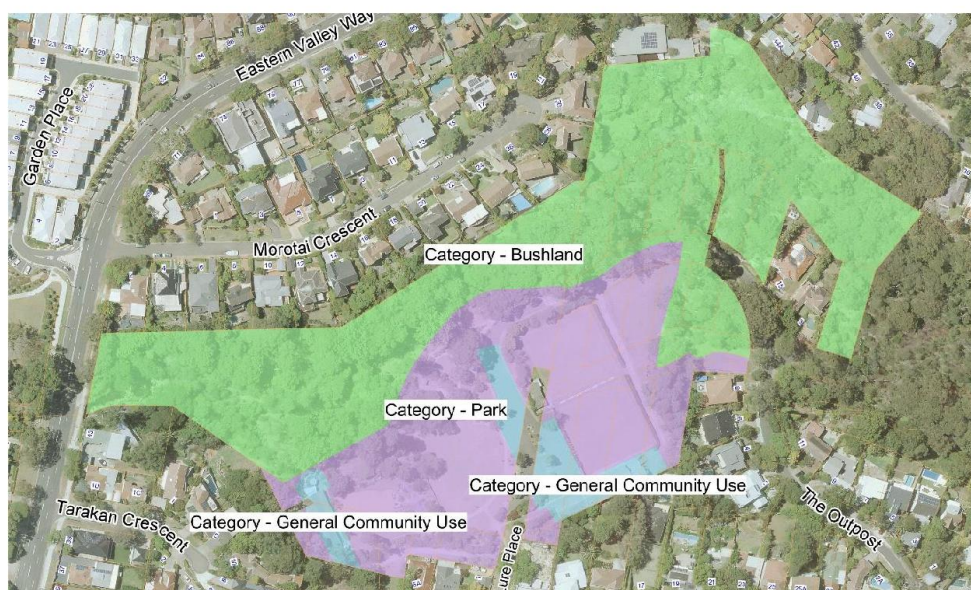
5.2 Recommendations

Based on the representations and written submissions to the public hearing on 24 July 2019 and written submissions made to Council by 5 August 2019, my recommendations to Willoughby City Council regarding the proposed recategorisation of community land in Warners Park are that Council:

- ❑ Note the verbal and written submissions made in Section 4.
- ❑ Retain the proposed recategorisation of the former bowling club building from Sportsground to General Community Use.
- ❑ Retain the proposed recategorisation of the former bowling greens from Sportsground to Park.
- ❑ Retain the proposed recategorisation of Warners Park as Natural Area-Bushland, Park and General Community Use.
- ❑ Retain the proposed recategorisation of the south-eastern section of Warners Park as Park.

In summary, the recommendation is to recategorise Warners Park according to the categorisation map which was publicly exhibited, as shown in Figure 9, because there is no compelling reason to change the proposed recategorisation.

Figure 9 Recommended recategorisation of community land in Warners Park



5.3 Adoption of proposed recategorisation

Council must agree to the proposed recategorisation of community land as set out in the Draft Warners Park Plan of Management 2017 before resolving to adopt the proposed amendments to the Plan of Management.

Section 114 of the *Local Government (General) Regulation 2005* states that if Council receives any submission objecting to a categorisation of land in the Plan of Management, and the Council adopts the Plan of Management without amending the categorisation that gave rise to

the objection, the resolution by which Council adopts the Plan of Management must state the Council's reasons for categorising the relevant land in the manner that gave rise to the objection.

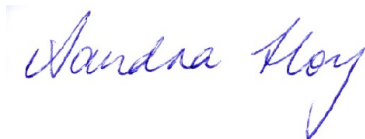
If Council intends to adopt the proposed recategorisation as was set out in the Draft Plan of Management, it must state the reasons why it did not make changes to categorisation in response to the objections received in its resolution to adopt the Plan of Management.

If Council decides to alter the proposed recategorisation of community land from that in the Plan of Management and that considered at the public hearing, Council must hold a further public hearing in respect of the proposed Plan of Management (Section 40A(3) of the *Local Government Act 1993*).

5.4 Reporting

Within four days of receiving this final report, Council is required under Section 47G(3) of the *Local Government Act 1993* to make a copy of this report available for inspection by the public at a location within the area of the Council. It is recommended that Council:

- send a copy of the public hearing report to the people who attended the public hearing and/or made a written submission.
- keep a copy of the public hearing report for inspection at Council's Administration Centre, Chatswood Library, and Northbridge Branch Library.
- post an electronic copy of the public hearing report on Council's website.



Sandy Hoy
Director
Parkland Planners

22 August 2019

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PROPOSED RECATEGORISATION OF WARNERS PARK (PART), NORTHBRIDGE:
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Warners Park – Plan of Management

Attachment 4

Community responses from public exhibition 20 June – 5 August 2019

Responses from 5 residents were received.

Community Responses	Comment
Draft Plan of Management	
No objection to the draft Plan of Management (1)	Noted
Does not support the draft Plan of Management (3)	Noted. The reasons against the draft Plan are listed and addressed below.
New use of the former bowling clubhouse and greens	
Concerned about noise generated from proposed future uses of the former bowling club house.(1)	The hours of operation of the café are set in the DA conditions: 7am- 5pm Monday to Sunday. The approved hours of the community facility are 7am to 9pm.
Opposed to the DA approval for a café in lower ground floor due to increase in people using the park; unacceptable opening hours. (2). The impact of the café will affect the residential quiet of the area.	The DA approval for a café allows for a maximum of 80 patrons at any one time due to limited off-street car parking. The DA approval for the upstairs community facility allows for a maximum of 100 people at any one time.
Does not want a green lost to a commercial enterprise ie café/ kitchen garden and /or shared community garden. Wants the greens used for recreation activities. (1)	The future of the former bowling greens will be subject to community consultation for a new master plan for the park. New uses for the bowling club buildings and greens respond to the park's management objective to be a desirable place to be and enjoy.
Car parking and traffic	
The existing parking of 34 spaces will be increased by an extra 6 spaces, but where will everyone park if all uses are at the optimum? (2)	The increased parking requirement was assessed as acceptable in the DA process for the new uses of the former bowling clubhouse.
Re-categorisation of community land	
Objects to proposed re-category to 'General Community Use' as being incompatible with the park being located in a quiet secluded valley in a residential area, will lead to significant increase in traffic flow and noise. Wants the category of the land to remain unchanged and kept as 'Park'. (1)	The majority of the park including the former bowling greens, is categorised as 'Park'. It is only the areas with the former bowling clubhouses and the car park that is categorised as 'General Community Use' given the diverse community uses that can occur in the buildings.

16 NOTICE OF MOTIONS

16.1 NOTICE OF MOTION - SUSTAINABLE ENERGY SUPPLY AND RESOURCES

RESPONSIBLE OFFICER:	GREG MCDONALD – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DAVID ROBERTS – ENVIRONMENT MANAGER
CITY STRATEGY OUTCOME:	1.4 – REDUCE ENERGY, WATER AND RESOURCE WASTE AND ENCOURAGE REUSE
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

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

2. MOTION

That Council make a submission to the Parliamentary Inquiry into Sustainability of energy supply and resources in NSW, including Council's:

- 1. Record, achievements and commitment to environmental sustainability;**
- 2. Green City Plan (2019);**
- 3. Support for a statewide goal of net zero emissions by 2030 (as per the 2017 LG conference, and subsequent conference resolution);**
- 4. Strong concern regarding the impact of coal mining and emissions from coal fired power stations on the climate, the environment, human health and water security;**
- 5. Support for a phase out of coalmining and coal fired power stations in NSW, with a transition to renewable energy sources by 2030;**
- 6. Strong support for economic, transition and new job training, and other initiatives to assist regional communities and workers that may be affected by changing energy and resource markets.**

3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION

The Sustainability of energy supply and resources in NSW inquiry is looking at the capacity and economic opportunities of renewable energy. It will also cover trends in energy supply and exports, including investment and other financial arrangements, and effects on regional communities, water security, the environment and public health. The Committee will also consider options to support sustainable economic development in communities affected by changing energy and resource markets, including the role of government policies.

Terms of Reference

1. The capacity and economic opportunities of renewable energy.
2. Emerging trends in energy supply and exports, including investment and other financial arrangements.
3. The status of and forecasts for energy and resource markets.
4. Effects on regional communities, water security, the environment and public health.
5. Opportunities to support sustainable economic development in regional and other communities likely to be affected by changing energy and resource markets, including the role of government policies.
6. Any other related matters: <https://www.parliament.nsw.gov.au/committees/inquiries>

4. OFFICER'S COMMENTS

4.1. Recommendation

That a submission be made to the Committee on Environment and Planning based on the Officer's comments provided in this report.

4.2 Comments

1. **Makes a submission to the Parliamentary Inquiry into Sustainability of energy supply and resources in NSW, including council's:**

The Parliament of New South Wales is holding an inquiry into the sustainability of energy supply and resources in NSW, looking at the capacity and economic opportunities of renewable energy¹. The inquiry will cover trends in energy supply and exports, including investment and other financial arrangements. The effects on regional communities and options for economic development support, water security, the environment, and public health will also be considered. The closing date for submissions is Sunday 15 September 2019.

a) Record, achievements and commitment to environmental sustainability;

Willoughby City Council has publicly committed to environmental sustainability and climate change including signing the NSW Mayor's Agreement on Climate Change in 2007. Council reports on a number of key performance indicators in Council's corporate scorecard, including:

- Reduction in Council GHG emissions
- Electricity purchased or generated from renewable sources by Council operations
- Community solar photovoltaic capacity
- Community GHG emissions.

Willoughby's environmental levy was first introduced in July 2000 to address community concerns about the condition of the local natural environment. Strengthening community support saw the program extended for a second term from 2003 until 2008. From July 2008 the levy was expanded to respond to community concerns regarding climate change. This levy supports a long term strategy to transition away from coal-fired energy.

b) Green City Plan (2019)

Council recently endorsed *Our Green City Plan 2028* (the plan). The plan responds to the community priorities required to achieve the Green City outcomes of *Our Future Willoughby 2028*. It sets out Council and the community's long term strategy to protect our environment, enhance our green spaces and ensure sustainable development.

c) Support for a statewide goal of net zero emissions by 2030 (as per the 2017 LG conference, and subsequent conference resolution);

Our Green City Plan 2028 supports and contributes to a number of global, federal and state government strategies and goals. The plan specifically references the NSW Climate Change Policy Framework² and target of reaching net-zero emissions by 2050. Council's endorsed target is by 2028 we will emit at least 50 per cent less GHG emissions from our operations compared with 2008/09.

d) Strong concern regarding the impact of coal mining and emissions from coal fired power stations on the climate, the environment, human health and water security;

Council has committed to preserving the environment in Willoughby, protecting our constituent's human health and promoting and delivering water conservation programs. Although Council hasn't specifically stated concerns regarding coal mining and coal fired power station emissions, our own targets in *Our Green City Plan 2028* infer this.

e) Support for a phase out of coalmining and coal fired power stations in NSW, with a transition to renewable energy sources by 2030;

Our Green City Plan 2028 currently outlines Council's sustainability strategy and responds to the community priorities stated in *Our Future Willoughby 2028* Outcome 1: A City that is green. Community priority 1.5 is to reduce carbon and greenhouse gas emissions.

Council is also a member of Cities Power Partnership, pledging to switch to non-polluting energy and reducing emissions in our community.

In the plan Council has committed to:

- At least 20 per cent less GHG emissions from our operations by 2020
- At least 50 per cent less GHG emissions from our operations by 2028
- Council operations will achieve net zero emissions by 2050 or sooner if viable
- At least 20 per cent renewable energy target by 2020 for Council operations; and
- At least 50 per cent renewable energy target by 2028 for Council operations.

We have also committed to assist our community:

- Our community will emit at least 30 per cent less GHG emissions by 2028
- Our community will achieve a 100% increase in solar PV capacity by 2023.

In the plan, Council has committed to expand our own solar photovoltaic and battery storage capacity. We have also committed to developing programs that assist our community use energy more efficiently and increase their own solar photovoltaic capacity.

- f) Strong support for economic, transition and new job training, and other initiatives to assist regional communities and workers that may be affected by changing energy and resource markets.**

Council supports NSW Government strategies to ease the labour market transition towards a lower-carbon energy system, particularly closures of large coal-fired power stations in regional areas.

Notes

¹ Parliament of New South Wales 'Sustainability of energy supply and resources in NSW', accessed 18 August 2019 (www.parliament.nsw.gov.au/committees/inquiries)

² NSW Climate Change Policy Framework, accessed 16 August 2019 (<https://www.environment.nsw.gov.au/topics/climate-change/policy-framework>)

16.2 NOTICE OF MOTION - OUT OF TERM GRANT APPLICATIONS

RESPONSIBLE OFFICER:	MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MELANIE SMITH - COMMUNITY, CULTURE & LEISURE DIRECTOR
CITY STRATEGY OUTCOME:	5.4 – ANTICIPATE AND RESPOND TO CHANGING COMMUNITY AND CUSTOMER NEEDS
MEETING DATE:	9 SEPTEMBER 2019

1. PURPOSE OF REPORT

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

2. MOTION

That Council:

1. **Provide delegated authority to the Chief Executive Officer to approve Out of Term Grant applications for**
 1. **Event Seed Funding,**
 2. **The Concourse Performing Arts Subsidy, and**
 3. **Community Small Grants Program and**
2. **Receive a quarterly report from Council Officers for an update on the Out of Term Grant applications in the past quarter, the decision and the reason for the decision.**
3. **Retains the ability to review this process.**

3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION

Every year, Willoughby City Council provides a variety of grants for local community groups to apply and receive for the purposes of servicing the residents of Willoughby with particular community-building activities. The Grant application is open in May every year and Council endorses its approval or refusal in June at a Council meeting. Throughout the year after the Grant application has closed in May, there may be residual funds that community groups can apply for that would be considered "Out of Term". There are accountability measures that ensure Councillors receive an update on the decision of the Officers and their reasons for such a decision. This motion aims to reduce bureaucracy for not-for-profit community organisations and to provide them a quicker turnaround time for grant approval or refusal.

4. OFFICER'S COMMENTS

4.1 Recommendation

That Council:

1. Delegate to the Chief Executive Officer the authority to consider and determine Out of Term Grant applications under:
 - a. Event Seed Funding Program
 - b. The Concourse Performing Arts Subsidy Program
 - c. Community Small Grants Program

subject to the applications being in accordance with the relevant Council policy and/or grant program guidelines and funds remaining available for the program.
2. Receive a quarterly report from Council Officers for an update on the Out of Term Grant applications in the past quarter, the decision and the reason for the decision.
3. Retains the ability to review this process.

4.2 Comments

Council's Community Small Grant guidelines do not specify the approval process for Out of Term applications. Currently, Out of Term grant applications are reported to Council for approval as applications are received and processed. Where possible, applications are batched in order to reduce the number of Council reports.

The proposed motion meets the requirements of the *Local Government Act 1993*, which allows Council to delegate its functions relating to the granting of financial assistance if:

- a) The financial assistance is part of a specified program, and
- b) the program is included in the Council's draft Operational Plan for the year in which the financial assistance is proposed to be given, and
- c) the program's proposed budget for that year does not exceed 5 per cent of the Council's proposed income from the ordinary rates levied for that year, and
- d) the program applies uniformly to all persons within the Council's area or to a significant proportion of all the persons within the Council's area.

Delegating authority to the Chief Executive Officer to approve Out of Term Grant applications will improve response times for awarding Community Small Grants funds. A quarterly report detailing grants awarded will ensure that Council maintains oversight of the Community Small Grants program.

Council officers are currently reviewing the Community Small Grants program with the aim of improving processes and reviewing the grant guidelines against *Our Future Willoughby 2028* community priorities. Officers will provide a report to Council early in 2020 detailing the recommendations of the Community Small Grants review.

17 CONFIDENTIAL MATTERS

NIL

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18 QUESTIONS WITH NOTICE

18.1 QUESTIONS ON NOTICE FROM COUNCILLOR COPPOCK

RESPONSIBLE OFFICER:	DEAN FROST – CUSTOMER AND CORPORATE DIRECTOR
AUTHOR:	SAMANTHA CHARLTON – GOVERNANCE, RISK & CORPORATE PLANNING MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	9 SEPTEMBER 2019

QUESTION

Legal Advice re Artarmon Bowling Club Council meeting 22 July 2019

1. Cllr Coppock asked the CEO a series of questions concerning the meaning of ‘professional legal privilege’ and then how that related to the legal advice provided concerning issues raised in respect to the recession motion of the Council resolution to demolish the Artarmon Bowling Club.

The CEO said she would take the question on notice.

When is the answer to be provided to open Council?

2. Can the CEO confirm that the question that was placed on notice was exactly the same issue raised by Cllr Coppock in relation to the Report on Northbridge Baths before Council 2017, namely that legal advice given to Council has to meet very specific statutory tests before it can be treated as confidential before a meeting of Council?

Council Confidential Briefings

1. What is the statutory or legal basis for the GM’s Councillors confidential briefings when these briefings are not items on a published council agenda for a scheduled Council meeting?
2. Are the briefings council meetings?
3. The briefings are not open to the Public, where does it say Council can hold closed meetings to the public other than what is specified in the Act regarding Council meetings?
4. Where does it say that what is stated at these closed briefings can then not be made public?
5. Where does it say that agendas for the closed meetings if they are a council meeting are not placed in the public domain?
6. On what statutory authority or at law is the CEO or her officers able to mark papers provided to these briefings ‘confidential’ before, during or after these briefings?

Maintenance of The Concourse

1. Please detailed the itemised budget and actual maintenance costs at The Concourse for the year ended 30 June 2019?
2. Please detail the date of the latest operational maintenance report of the environmental features of The Concourse and provide a copy of that report to open Council?
3. Please advise in which Council agenda the report will be placed?

The Council Depot

1. The CEO provided some employment numbers for the Council depot in answer to a question from Cllr Coppock in this term of Council.

May the same chart be reproduced to provide answers again for this question on notice so that the information is updated to the end of the financial year 30 June 2019 to allow a comparison for the data?

2. Please provide the data for the frequency of street cleaning in each Ward for the periods:

Jan 2014 to Dec 2014

Jan 2015 to Dec 2015

Jan 2016 to Dec 2016

Jan 2017 to Dec 2017

Jan 2018 to Dec 2018

Jan 2018 to June 2018

City Garden Maintenance

1. Please provide details of budget and actual costs of city garden maintenance?
2. Please provide a description as to how the works are scheduled?

Leisure Centre

1. What was the CEO's rationale in obtaining Council's approval to abolish the Centre before finalised plans were in existence and any public consultation had occurred about what might be in those plans?
2. Does this mean that there will be no public consultation before demolition commences?

Artarmon Bowling Club

What was the CEO's rationale in seeking demolition of the Artarmon Bowling Club before finalised costs had been retained and the proposal now is to go back to the drawing board concerning the pavilion's design?

ANSWER**Legal Advice re Artarmon Bowling Club Council meeting 22 July 2019**

1. *Clr Coppock asked the CEO a series of questions concerning the meaning of 'professional legal privilege' and then how that related to the legal advice provided concerning issues raised in respect to the recession motion of the Council resolution to demolish the Artarmon Bowling Club.*

*The CEO said she would take the question on notice.
When is the answer to be provided to open Council?*

The following response is provided to the questions raised by Councillor Coppock at the Council meeting of the 22 July 2019.

Legal professional privilege has two elements, litigation privilege and advice privilege.

Legal professional privilege extends to:

- 1) documents prepared or communications made for the dominant purpose of providing legal advice (legal advice privilege); and
- 2) documents prepared or communications made for the dominant purpose of litigation (litigation privilege).

The determination of documents prepared or communications made as being subject to legal professional privilege is dependent on the dominant purpose for which it was prepared. The dominant purpose approach is supported by the *NSW Evidence Act 1995*, see Part 3.10, Division 1, in particular section 118 which expressly recognises the legal advice privilege and applies the dominant purpose test.

Confidentiality is an important part of the privilege, and this is recognised by sections 10A, 10B and 11 of the *Local Government Act 1993* (the Act). These sections enable a Council to close a meeting to the public to preserve confidentiality and privilege. The *Model Code of Conduct for Local Councils in NSW 2018* imposes an obligation upon all council officials to maintain the integrity and security of confidential documents or information in their possession. And for documents or matters considered in a meeting that was closed to the public it is an offence under section 664(1A) of the Act to disclose those matters.

The advice document prepared by HWL Ebsworth with respect to the Artarmon Bowling Club was confidential legal advice prepared for the dominant (and sole) purpose of providing legal advice and therefore is privileged on the basis of the legal advice privilege.

2. *Can the CEO confirm that the question that was placed on notice was exactly the same issue raised by Clr Coppock in relation to the Report on Northbridge Baths before Council 2017, namely that legal advice given to Council has to meet very specific statutory tests before it can be treated as confidential before a meeting of Council?*

Questions raised by Councillor Coppock at the meetings held on 10 April 2017 and 22 July 2019 also concerned legal professional privilege which has been responded to in the previous response. Questions raised at the 10 April 2017 meeting were addressed at the meeting.

Council Confidential Briefings

1. *What is the statutory or legal basis for the GM's Councillors confidential briefings when these briefings are not items on a published council agenda for a scheduled Council meeting?*

Willoughby City Council Code of Meeting Practice provides for Councillor briefing sessions. Council's Code of Meeting Practice is based on the Model Code of Meeting Practice for Local Councils in NSW published in the NSW Government Gazette on 14 December 2018 pursuant to section 360 of the *Local Government Act, 1993* (the Act) and Clause 232 of the *Local Government (General) Regulation 2005* (Regulation). This is the statutory basis for holding briefings for Councillors which are not open to the public and which are not restricted to public agenda items.

The Act advises in section 335 that the functions performed by the General Manager include the day-to-day management of the council and the responsibility of ensuring that the Mayor and Councillors are given timely information and advice to enable them to effectively discharge their functions.

Council's *Code of Meeting Practice* incorporates clauses from the Model Code regarding councillor briefing sessions. Whilst these provisions form part of the published Model Code and indicate that the provision of confidential briefings is an appropriate and acceptable part of managing the business of Council contemplated by the Act and the Regulation. Such briefings endorsed by Council in its Code are not restricted to council agenda items.

More specifically, Council's *Code of Meeting Practice* states:

- 3.31 Prior to each ordinary meeting of the council, the general manager may arrange a councillor briefing session to brief councillors on business to be considered at the meeting or a future meeting and **any other matter**.
- 3.32 Councillor briefing sessions are to be held in the absence of the public.
- 3.33 The general manager or a member of staff nominated by the general manager is to preside at councillor briefing sessions.

2. *Are the briefings council meetings?*

Councillor briefing sessions are not meetings. Please refer to response to question 1.

3. *The briefings sessions are not open to the Public, where does it say Council can hold closed meetings to the public other than what is specified in the Act regarding Council meetings?*

Councillor briefing sessions are not meetings. Please refer to the response to question 1 and also note clause 3.32 above of the Code.

4. *Where does it say that what is stated at these closed briefings can then not be made public?*

The confidentiality of councillor briefing sessions is expressly recognised by clauses 8.10 and 8.11 of the *Model Code of Conduct for Local Councils in NSW 2018* which was published in the NSW Government Gazette on 14 December 2018 as the prescribed Code of Conduct for the purposes of section 440 of the *Local Government Act, 1993* (the Act) and clause 180 of the *Local Government (General) Regulation 2005* (the Regulation).

Willoughby City Council Code of Conduct has adopted these provisions in full. Note that section 440 of the Act requires Councils to adopt a Code of Conduct which is consistent with the Model Code of Conduct and may only vary from the Model Code in certain specified circumstances and generally only to impose more onerous obligations.

Clause 8.11(g) of Council's Code of Conduct states that Councillors and Council officers must:

- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, **workshops or briefing sessions**).

5. *Where does it say that agendas for the closed meetings if they are a council meeting are not placed in the public domain?*

Councillor briefing sessions are not Council meetings. For transparency, Council publishes on its website a list of topics discussed at Councillor briefing sessions.

Agenda items that are listed for consideration during the closed session of a council meeting are published and are often accompanied by a public report.

6. *On what statutory authority or at law is the CEO or her officers able to mark papers provided to these briefings 'confidential' before, during or after these briefings?*

Please refer to the response to questions 1 to 5.

The scope of matters which should be treated as confidential is a matter for assessment and judgement by the Chief Executive Officer and forms a part of this role. The Model Codes now replace and strengthen the previous advice provided in the *Meetings Practice Note* (No 16). The Model Codes are formal instruments made under the authority of the Act and the Regulations as explained above.

Confidentiality may attach to information at a point in time and may subsequently not be confidential. It depends on the circumstances.

Under the general law protection will be afforded to information which was received on the understanding that it would be treated confidentially or that the person who received the information should have realised in all the circumstances that the information was to be treated confidentially.

Maintenance of The Concourse

1. *Please detail the itemised budget and actual maintenance costs at The Concourse for the year ended 30 June 2019?*

Table 1 – Concourse Expenditure 2018/19 Financial Year

Component	Revised Budgets \$	Total Expenditure \$	Operational Expenditure Proportion
Expenditure			
001 - General	0	863	
601 - Property - General	1,385,996	1,162,590	\$ 753,036
602 - Carpentry	0	8,118	
603 - Electrical	0	54,209	
607 - Plumbing	0	14,135	
611 - Meetings	0	1,000	
630 - Essential Services	0	68,708	
650 – Air Conditioning	0	33,543	
654 - Auto Doors	0	40,856	
661 - Grease Traps Programme Maint	0	42,660	\$ 42,660
662 - Lifts Programme Maint	0	43,200	
665 - Pest Control	16,687	4,845	
669 - Additional Property Work	0	33,318	
688 - Landscape & External Works	13,363	3,451	\$ 3,451
699 - Operational Costs	1,068,153	1,052,202	\$ 1,052,202
Expenditure Total	2,484,199	2,563,697	\$ 1,055,653
Income			
601 - Property - General	2,484,199	2,746,021	
630 - Essential Services	0	-977	
Income Total	2,484,199	2,746,998	
Total	0	183,301	

2. *Please detail the date of the latest operational maintenance report of the environmental features of The Concourse and provide a copy of that report to open Council?*
3. *Please advise in which Council agenda the report will be placed?*

Further information is required in order to provide a full response to questions 2 and 3. In the interim, Table 2 has been provided which details expenditure for the year 2018/19 on The Concourse filtration system.

Table 2 – Concourse Filtration System Expenditure 18/19 Financial Year

Component	Revised Budgets	YTD Actuals
Expenditure		
601 - Property - General	\$ 55,055	\$ 6,848
Expenditure Total	\$ 55,055	\$ 6,848
Total	\$ 55,055	\$ 6,848

The stormwater storage and filtration system provides sanitised and filtered water for use in toilet flushing and irrigation. An allocation of \$55,000 was provided in the 2018/19 operational budget for routine maintenance and repair of the plant and equipment as required. There were minimal repairs required during the 2018/19 financial year, which accounts for the minimal expenditure.

The Council Depot

1. *The CEO provided some employment numbers for the Council depot in answer to a question from Cllr Coppock in this term of Council.*

May the same chart be reproduced to provide answers again for this question on notice so that the information is updated to the end of the financial year 30 June 2019 to allow a comparison for the data?

Table 3 – Depot staff budgets

Year	Budget FTEs			Actual FTEs			Costs		
	Depot	Council	Depot as % of Council total	Depot	Council	Depot as % of Council total	Total contractor and agency costs (\$)	Assume fully loaded cost of \$75k for FTE (\$)	Approx total cost (\$)
2006	138	420.07	32.9	113.5	387	29.3			
2007	139	420.07	33.1	121.3	387.05	31.3	3,852,730	9,097,500	12,950,230
2008	139.20	413.1	33.7	117.2	375.60	31.2	5,443,995	8,790,000	14,233,995
2009	139.4	421	33.1	122	396	30.8	4,016,564	9,150,000	13,166,564
2010	139.4	429.2	32.5	119.1	397.3	30.0	3,841,463	8,932,500	12,773,963
2011	137.24	437.39	31.4	118.6	408.2	29.1	4,581,836	8,895,000	13,476,836
2012	137.24	437.39	31.4	108.7	404.4	26.9	5,519,218	8,152,500	13,671,718
2013	135.37	445.21	30.4	110.26	416.01	26.5	6,417,031	8,269,500	14,686,531
2014	135.37	428.34	31.6	98.43	403.2	24.4	4,992,220	7,382,250	12,374,470
2015	117.2	427.65	27.4	95.05	395.04	24.1	5,119,558	7,128,750	12,248,308
2016	99.53	413.83	24.1	83.69	365.7	22.9	5,434,294	6,276,750	11,711,044
2017	99.73	406.87	24.5	84.73	355.83	23.8	6,152,282	6,354,750	12,507,032
2018	101.88	410.43	24.8	92.69	361.07	25.7	4,705,219	6,951,750	11,656,969
2019	104	412.72	25.2	88.88	360.89	24.6	7,170,423	6,666,000	13,836,423

Note: Depot includes Works, Open Space and Trades who look after Council owned Properties.

2. *Please provide the data for the frequency of street cleaning in each Ward for the periods:*

Jan 2014 to Dec 2014

Jan 2015 to Dec 2015

Jan 2016 to Dec 2016

Jan 2017 to Dec 2017

Jan 2018 to Dec 2018

Jan 2018 to June 2018

The frequency of street cleaning cannot be broken down by Ward, however the following general program has taken place across the LGA with only minor adjustments since 2014. Streets in and around the Chatswood and Artarmon CBDs are cleaned and swept daily (Monday to Friday). Residential areas across the local government area (LGA) are hand and machine swept weekly and fortnightly, depending on the area's level of use and on level of leaf litter accumulating. Shopping areas such as High Street, Northbridge/ Woonona Road, Naremburn, Willoughby Road, Frenchs Road, Mowbray Road and Victoria Avenue are swept daily and cleaned fortnightly.

Cleaning could include hosing, machine scrubbing or pressure cleaning. This cleaning is also supplemented by engaging a cleaning contractor with access to specialised cleaning equipment. Main streets across the LGA are generally swept Monday to Friday, with every residential street swept at least once a fortnight. The Artarmon industrial area is swept weekly. All car parking areas in the CBD are cleaned daily. Litter and waste from all public roadside, park and reserve bins are emptied at least weekly.

Additional cleansing services are scheduled before and/or after any events that take place across the LGA and any additional requests for cleaning are also undertaken within the work schedule through Customer Service Requests (CSRs) received from Councillors and members of the public.

City Garden Maintenance

1. *Please provide details of budget and actual costs of city garden maintenance?*
2. *Please provide a description as to how the works are scheduled?*

Council undertakes landscaping and garden maintenance at many locations across the City. These areas include parks, ovals, Local Area Traffic Management Schemes, nature strips, streetscapes, trees and dedicated high profile areas like the Remembrance Garden. Council does not have a single dedicated budget for all these works as they are carried out under two separate budget allocations. These budgets are 6630 – Open Space Non-Organised Passive Recreation and 6850 – Open Space Streetscapes. The budgeted and actual expenditure for these two budget areas for 2018/19 are listed in Table 4 below.

Table 4 – Budgeted and actual expenditure

Cost Centre	Budget 2018/19	Actual expenditure 2018/19
6630 – Open Space Non-Organised Passive Recreation	\$1,791,172	\$1,741,652
6850 – Open Space Streetscapes	\$1,570,354	\$1,475,315

The majority of maintenance works are carried out on a scheduled rolling works program where staff are allocated specific timeslots to undertake maintenance activities at various parks and landscaped areas. Higher profile areas such as the Remembrance Gardens receive a higher level of attention. Council also receives Customer Service Requests which also generate maintenance works and these are scheduled to be under taken in conjunction with maintenance works already programmed.

Leisure Centre

1. *What was the CEO's rationale in obtaining Council's approval to abolish the Centre before finalised plans were in existence and any public consultation had occurred about what might be in those plans?*
2. *Does this mean that there will be no public consultation before demolition commences?*

There are no plans to demolish the Leisure Centre.

Artarmon Bowling Club

What was the CEO's rationale in seeking demolition of the Artarmon Bowling Club before finalised costs had been retained and the proposal now is to go back to the drawing board concerning the pavilion's design?

At its meeting of 24 June 2019 Council endorsed the demolition of the former Artarmon Bowling Clubhouse and agreed to develop the former Artarmon Bowling Clubhouse site as a community pavilion.

The report provided Council's direction for the future development of the site and endorsement to progress to the next stage of design work for the proposed pavilion. The direction from Council has been established and the next stages are proceeding.

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19 CONCLUSION OF THE MEETING

NIL